



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Item #
MCPB 10-21-10

MEMORANDUM

DATE: October 11, 2010

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief, Development Review Division *RKK*
Mark Pfefferle, Acting Chief, Environmental Planning *MAC*
Catherine Conlon, Supervisor, Development Review Division *CC*
Robert Kronenberg, Supervisor Development Review Division *RAK*

FROM: Richard A. Weaver, Planner Coordinator, Development Review Division *RAW*
Josh Penn, Senior Planner, Environmental Planning *JP*
Molline Smith, Senior Planner, Development Review Division *(MS)*

APPLYING FOR: Amendments to a Preliminary Plan, Final Forest Conservation Plan (FCP), and Site Plan in response to a Forest Conservation Violation

PLAN NAME: Potomac Crest

PLAN NUMBERS: 12002119A and 82003035A

REVIEW BASIS: Chapter 50 and Chapter 59, Montgomery County Code, and Forest Conservation Regulations, Section 113.A. (2), Regulation No. 1-01AM (COMCOR) 18-01AM

ZONE: R-90

LOCATION: Located on Patriot Lane south of the intersection with Declaration Lane, southwest of intersection of Declaration Lane and Seven Locks Road in Potomac.

APPLICANT: The Churchill Group

ATTORNEY: Rebecca Walker

HEARING DATE: October 21, 2010

EXECUTIVE SUMMARY: These amendments were initiated by two violations cited in October 2008 specifically documenting a failure to comply with Chapter 22A of the Forest Conservation Law. The violations consisted of the removal of a forest protection fence and encroachment into a Category I Forest Conservation Easement to accommodate the construction of an entrance monument.

STAFF RECOMMENDATION:

Staff recommends approval of the Limited Amendment to Preliminary Plan #120021190 and associated Final Forest Conservation Plan and approval of the Limited Site Plan Amendment #82003035A, Potomac Crest, subject to the conditions at the conclusion of this report.

BACKGROUND

The Montgomery County Planning Board approved Preliminary Plan #120021190 “Potomac Crest”, on January 9, 2003. Site Plan #820030350 was approved on July 10, 2003. The original approvals were for 21 lots on 9.1-acres of land in the R-90 zone. The property was subject to forest conservation law (Chapter 22A of the County Code) and a forest conservation plan (FCP) was required and previously approved.

The original approved FCP showed 5.82 acres of existing forest onsite, with 1.60 acres retained, and 4.22 acres cleared. The original FCP generated a 1.07 acre planting requirement. The subject property is currently in violation of the Category I conservation easement that was recorded to provide long-term protection for the retention and planting areas. The applicant has constructed an entrance monument partially within the Category I conservation easement. The Forest Conservation Inspector issued a Civil Citation (#DRD0000205) on January 7, 2009 for the encroachment (see Attachment A).

The applicant requests that the Planning Board revise the approval of the preliminary plan of subdivision, the forest conservation plan and the site plan to remove a portion of the conservation easement on the lot with appropriate compensation, so the entrance monument can remain in the same location. The proposed amendment is to remove 289 square feet of Category I conservation easement and to replace this easement by adding 600 square feet of wooded area into Category I conservation easement on site adjacent to forest retention area #3. The amendment to the site plan will reflect the location of entrance monument, the deletion of the entrance features and the revised forest conservation areas.

SITE DESCRIPTION

The subject property is located on Patriot Lane south of the intersection with Declaration Lane, which is southwest of the intersection of Declaration Lane and Seven Locks Road in Potomac. The subject site is a developed, 21-lot single family residential neighborhood. The site contains 1.91 acres of forested Category I conservation easement, 1.60 acres of retained forest and 0.31 acres of planting on-site.

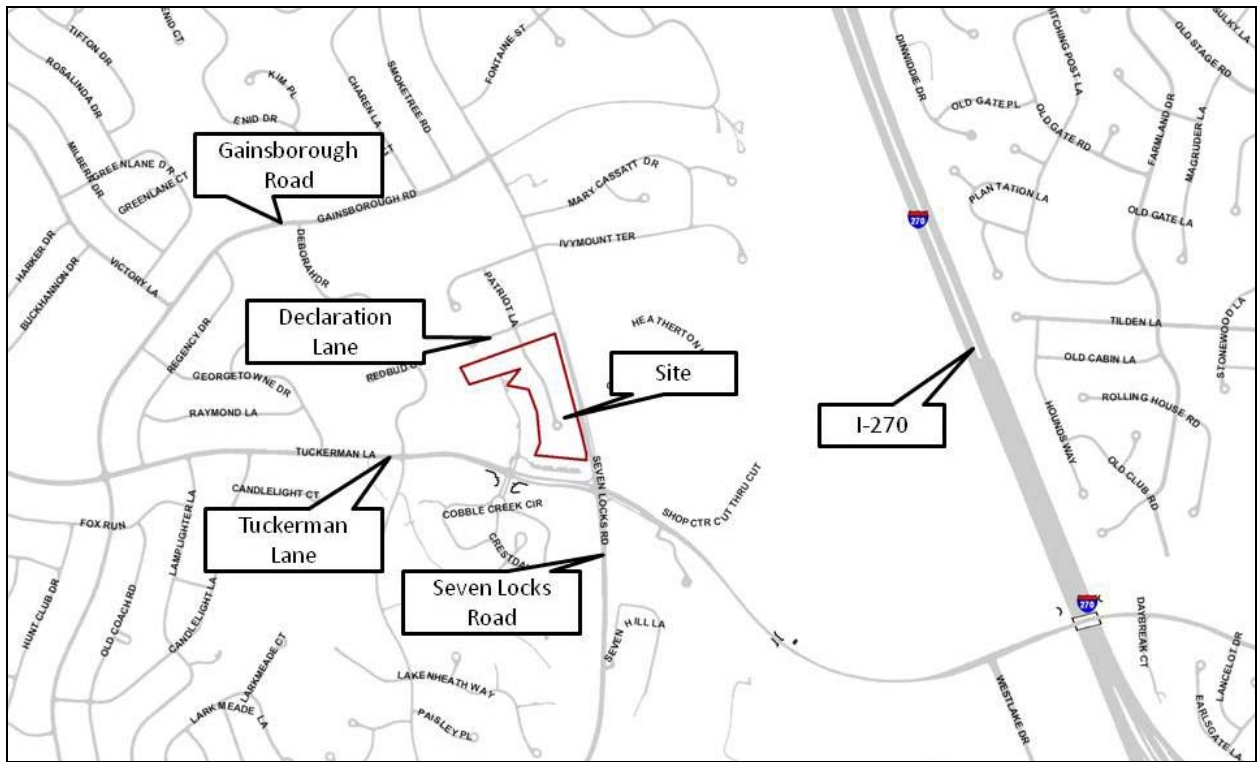


Figure 1: Vicinity Map



Figure 2: Entrance Monument: Red Flags are Approximate Easement Line

PLANNING BOARD REVIEW AUTHORITY

The Forest Conservation Regulations require Planning Board action on certain types of modifications to an approved FCP. Section 113.A.(1) of the Forest Conservation Regulation states:

Minor amendments which do not result in more than a total of 5000 square feet of additional forest clearing may be approved by the Planning Director on a case by case basis...

Although the total modification is below the 5000 square foot threshold, the Board has stated in other cases that the removal of, or change to, a recorded conservation easement warrants consideration in a public forum with a final decision from the Planning Board.

PRELIMINARY PLAN

Applicant's Proposal

On August 20, 2010 the applicant submitted an application proposing to amend Preliminary Plan of Subdivision and Forest Conservation Plan #120021190 by removing a portion of Category I conservation easement from Parcel A. The proposed amendment includes the removal of 289 square feet of previously forested Category I conservation easement. The area proposed for removal from the conservation easement is based on the area disturbed by the applicant to locate the monument. The amendment proposes 2:1 mitigation for area removed from the Category I easement. The applicant is proposing to compensate for the removal of 289 square feet of existing easement by placing an additional 600 square feet of existing forest in a Category I easement. The new easement area is adjacent to an existing easement and exceeds the 2:1 mitigation required. This in-kind mitigation provides compensation on the subject property which increases the overall easement area.

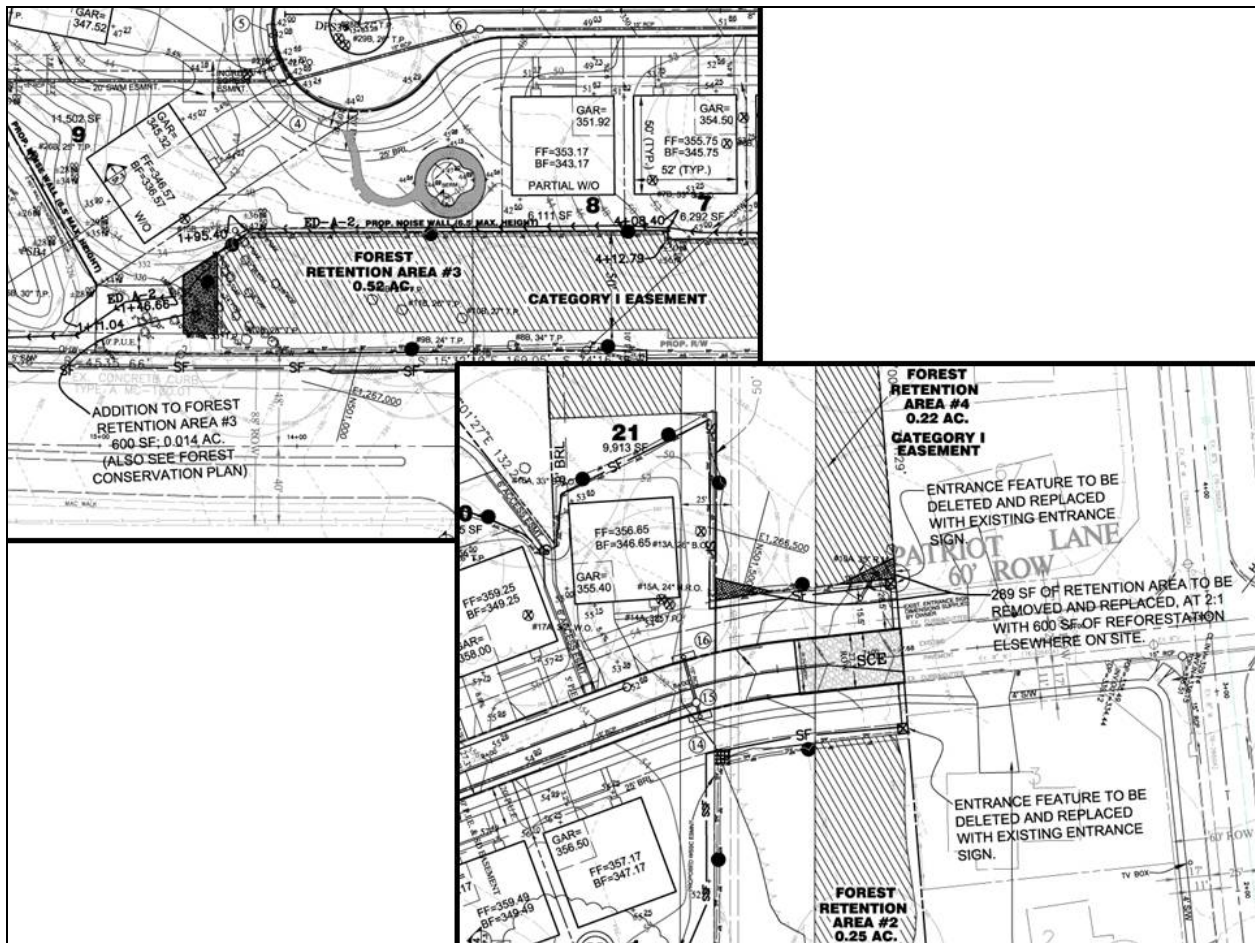


Figure 3: Proposed Easement Changes

REVIEW

Staff Analysis/Position

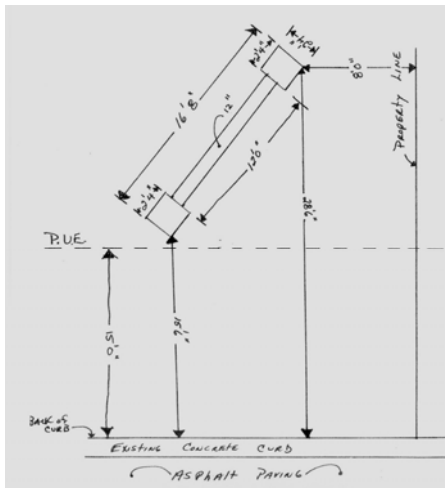
The limited amendment to the preliminary plan in this case is a retroactive process to resolve a violation and not a proactive attempt to bring the site into compliance. In this case, however, the applicant is proposing to mitigate for the encroachment onsite and in an area adjacent to an existing forest retention area. With a more than 2:1 mitigation ratio the development will have a net gain of Category I conservation easement and canopy coverage on-site. On-site mitigation is always preferable to off-site and, possibly, out of the watershed mitigation.

In summation, the more than 2:1 area of forest retention is reasonable mitigation and would provide additional protected canopy and forest onsite, above what was originally to be retained on the property. The provision of in-kind onsite compensation provides a net gain of the area of contiguous Category I conservation easement onsite and is justified.

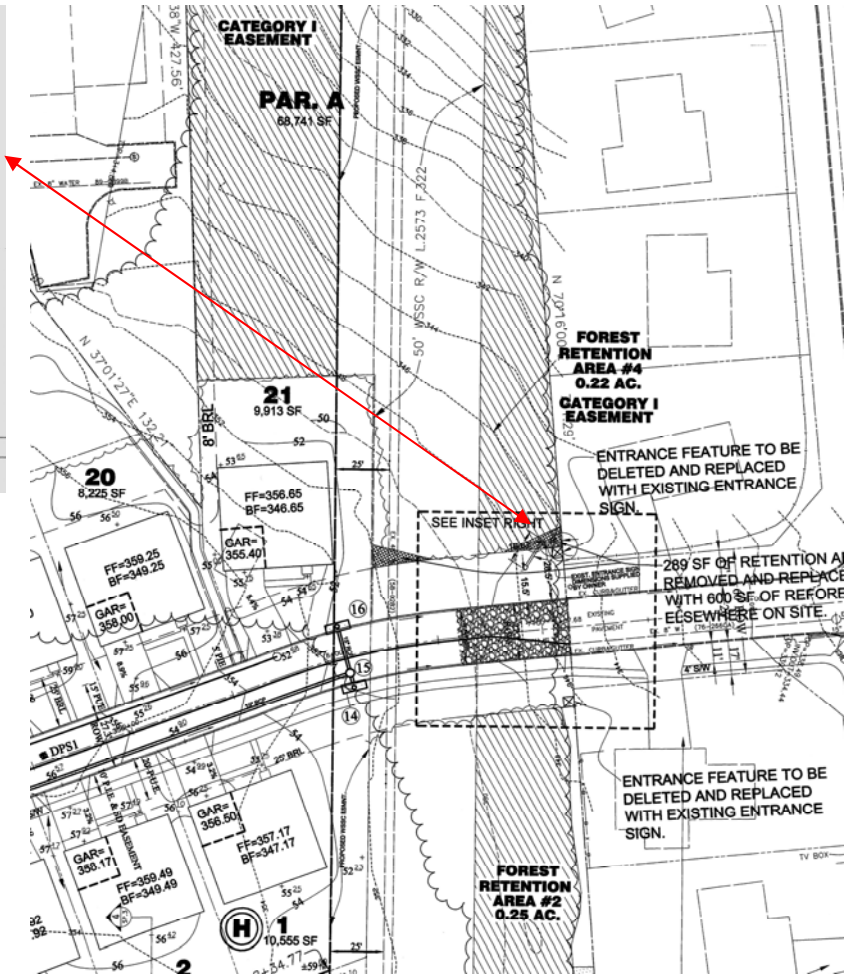
SITE PLAN

The site plan amendment proposes to reconcile an as-built condition to include an existing entrance sign. Churchhill Reserve's main entrance sign is currently located on the west side of Patriot Lane; set back approximately 15.5 feet west of the existing curb and 8 feet south of the

property line. The overall dimensions of the sign are 16.6 feet long by 2 feet wide by 6.5 feet tall. This sign differs from the entrance features previously approved on the certified site plan, and it encroaches into a Forest Conservation Category I Easement, resulting in an encroachment of 289 square feet. The Applicant has accepted to a greater than 2:1 on-site mitigation agreeing to incorporate 600 square feet of existing forest into existing Forest Retention Area 3. No new construction is proposed on the actual grounds of the property. The proposed modifications will affect forest retention areas 3 and 4 on the Preliminary Plan, the Forest Conservation Plan and the Record Plat. These changes will be reflected on the revised Site Plan with specific regard to the total areas of the forest retention areas, the location of the main entrance sign, and the deletion of the entrance features currently shown on the certified Site Plan.



Site Plan & Signage Detail



The proposed modifications to the site plan do not alter the overall design character of the development in relation to the original approval and the site remains compatible with existing and proposed development adjacent to the site. Despite the violation to the certified Site Plan, these modifications do not adversely impact the efficiency, adequacy, or safety of the site with respect to vehicular and pedestrian circulation, open space, landscaping, or lighting.

Notification and Outreach

The subject property was properly signed with notification of the upcoming preliminary plan amendment prior to the August 20, 2010 submission. Notice of the subject site plan amendment

was sent to all parties of record on October 14, 2008 giving 15 days for comments. Staff received one phone call regarding the name of the project. The caller was confused because the adjoining property to the south has the same name (Potomac Crest) as this application. The name of the subdivision is actually Churchill's Reserve; however, the project name and/or plat name assigned to this application is Potomac Crest. This community has no direct association with the adjacent communities to the north and south (Regency Estates and Potomac Crest).

Staff responded to the caller via a fax with further information on the site description and project summary (Appendix B). All adjoining and confronting property owners, civic associations, and other registered interested parties will be notified of the upcoming public hearing on these proposed amendments.

Recommendation: Preliminary Plan

Staff recommends approval of the Limited Amendment to the Preliminary Plan and associated Final Forest Conservation Plan with the following conditions:

1. Applicant must record a new record plat within nine (9) months of the mailing of the Planning Board Resolution approving the limited amendment to the Preliminary Plan. The record plat must reference the standard Category I (liber 13178 folio 412) conservation easement as recorded in the Land Records for Montgomery County, Maryland.
2. All other conditions of Preliminary Plan and Forest Conservation Plan No. 120021190 that were not modified herein, as contained in the Planning Board's Resolution dated February 6, 2003, remain in full force and effect.

Recommendation: Site Plan

Staff recommends approval of Site Plan #82003035A. All site development elements shown on the site and landscape plans stamped "Received" by the M-NCPPC on September 27, 2010 are required except as modified by the following conditions.

Conformance with Previous Approvals

1. Preliminary Plan Conformance
The modifications proposed in this amendment must specifically comply with the conditions of approval for the Limited Preliminary Plan (12002119A) and Forest Conservation Plan; which include all references to the amended Final Forest Conservation Plan and Record Plat.

The overall development is still subject to the conditions of approval for preliminary plan 120021190 as listed in the Planning Board Resolution dated February 6, 2003. This includes but is not limited to all references to density, rights-of-way, dedications, transportation conditions, DPWT conditions, and DPS stormwater conditions.

2. Site Plan Conformance

The proposed development must comply with the conditions of approval for site plan 820030350 as listed in the Planning Board Resolution dated July 31, 2003, except as amended below.

Environment

3. Forest Conservation & Tree Save

The proposed development must comply with the conditions of the amended final forest conservation plan or tree save plan. The Applicant must satisfy all conditions prior to revising the plat(s).

4. Certified Site Plan

Prior to approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Include the revised final forest conservation approval, and site plan resolution on the approval or cover sheet.

APPENDICES

- A. Statement of Justification
- B. Citations & Correspondence
- C. Submitted Plans

Appendix A: Statement of Justification

MILES & STOCKBRIDGE P.C.



Rebecca D. Walker
301-517-4830
rwalker@milesstockbridge.com

October 5, 2010

VIA E-MAIL AND FIRST CLASS MAIL

Ms. Molline Smith
Development Review Division
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Potomac Crest Site Plan Amendment (82003035A)
Preliminary Plan Amendment (120021190A)

Dear Ms. Smith:

Per your request, the following letter summarizes the history of the current plan amendments that are scheduled to be heard by the Planning Board on October 21, 2010. Should you have any questions, upon review of this correspondence, please do not hesitate to contact me.

In October 2008 the applicant submitted a request to amend the site plan for the property. On January 7, 2009 two civil citations were issued to Bill Wogatske, representative of the Churchill Group, regarding the alleged encroachment of a monument entrance sign into a Category One Forest Conservation Easement Area, the removal of a tree protection fence, and the failure to sign the maintenance agreement form. The alleged encroachment is approximately 289 square feet. The applicant's submittal in October 2008 addresses this issue.

The Applicant and their legal representatives met several times with Park and Planning legal staff, development review staff, and environmental planning staff to resolve the outstanding violations. On May 13, 2010 the final mitigation plans were submitted and eventually accepted by the environmental planning division staff. The discussions with staff resulted in the applicant retaining the monument sign and protecting an additional 600 square feet of existing forest, at a ratio of 2:1, in a Category One Forest Conservation Easement. The 600 square feet of existing forest will be added to an existing adjacent protected Category One Forest Conservation Easement. See attached plan.

As a result of the additional forest being protected, it is necessary for the applicant to submit a limited site plan and preliminary plan amendment to show the additional forest conservation area, as well as to re-plat the property to reflect the larger conservation easement area. See Plan Submittal Requirements for Minor, Consent Agenda and Limited Plan Amendments dated June 10, 2010 from Cathy Conlon attached hereto.

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Hopefully the foregoing proves helpful in the completion of your staff report.

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Rebecca D. Walker

cc: Kevin Mack, Dewberry
Bill Wogatske, Churchill Group
Cathy Conlon
Carol Rubin, Esquire

Appendix B: Citations & Correspondence

Smith, Molline

From: Smith, Molline
Sent: Wednesday, January 07, 2009 3:38 PM
To: Kronenberg, Robert; Penn, Joshua; Pfefferle, Mark; Peck, Stephen
Subject: Potomac Crest Meeting Notes

Just to recap the meeting this afternoon, please make corrections as needed.

Project: 82003035A Potomac Crest

Date/ Time: January 7, 2009 @ 2pm

In Attendance: Mark Pfefferle (Environmental Planning), Joshua Penn (Environmental Planning), Steven Peck (Site Inspector), Robert Kronenberg (Site Development), Molline Smith (Site Development), James R. Crawford (Engineer), and William J. Wogatske (Applicant).

Notes:

- A citation was issued to the applicant for the encroachment of a forest conservation area (category 1), the removal of a tree protection fence, and failure to sign the maintenance agreement form (an extra copy was provided at the meeting). The applicant refused to accept and/or sign any of the forms presented at this meeting.
- Discussion regarding new location of replacement plantings (300 square feet). The proposed replacement area (highlighted on the certified site plan, sheet 2 of 3), is located within an existing category 1 easement and will not be accepted. Environmental Planning requires a 2 to 1 area replacement. The suggested new area is located on the northeast side of the property (along Steven Locks Road), in between the existing SWM easement (PAR. C) and the forest retention area 3 (PAR D). The engineer agreed to survey this area noting existing trees (6" or above) and resubmit to Environmental Planning for a second review (possible 2 week turn around).
- Other issues discussed included landscape maintenance needed, and the removal of a utility pole. Applicant was in agreement with the removal of the utility pole.
- Staff expressed serious concern with regard to taking this amendment to the board prior to payment of the citation and full compliance with Environmental Planning. Assuming this happens and there are no further comments regarding the new submittal, Staff suggests a possible 4 week turn around to the Applicant.
- Site development review has been postponed until the applicant has paid the fine and/or is in full compliance with Environmental Planning.

Steve may we get a copy of the of citations issued? Thanks in advance.

Molline C. Smith, ASLA

(Senior Planner)

Development Review Department

MNCPPC-MC

8787 Georgia Avenue

Silver Spring, MD 20910

(301) 495-4573 Office

(301) 495-1306 Fax

Civil Citation
The Maryland-National Capital Park and Planning Commission

vs.

Name: Bill Churchill Group Wogowski
First Middle Last

Company/Position: Churchill Group
Address: 5 Choke Cherry Road Suite 360 Rockville MD 20850
Phone Number: 240-243-1000 Fax Number: Email:

Location and Description of Violation:
Address/location of site: Patriot Lane Churchill Reserve HOA Conservation Easement

Pursuant to the M-NCPPC's authority under Article 28 of the Annotated Code of Maryland and Chapter 50 of the Montgomery County Code, it is formally charged that the above named defendant on 05/29/08 (date) at the stated site location did commit the following:

Maintained an entrance monument within a category one conservation easement. Construction and maintenance of monument violates the terms of the category one conservation easement recorded on plat 22866

In violation of:

- Montgomery County Code, Chapter 22A
Approval of Forest Conservation Plan No. 820030350
Montgomery County Code, Chapter 59
Other:

Civil Fine and Compliance:

- (a) You shall pay a fine of \$ 1,000.00 by 01/22/09 (date) and complete the remedial action listed below, if any, to avoid trial.
(b) You shall pay a daily fine of \$ 25.00 if the original fine has not been paid and/or the remedial action has not been completed by 01/22/09 (date). The daily fine shall accrue until the original fine is paid and all remedial action is completed.
2. You shall pay a daily fine of \$ until the remedial action listed below is completed. This fine shall be paid within 15 days of completion of all remedial action.

Checks should be made payable to M-NCPPC and shall be paid during normal business hours at the Information Counter of M-NCPPC's Montgomery Regional Office located at 8787 Georgia Avenue, 2nd Floor, Silver Spring, Maryland 20910, 301-495-4610. Failure to comply with this citation may result in formal court action or issuance of additional citations including additional fines. You may also elect to stand trial. If you elect to stand trial, you must notify the M-NCPPC Office of the General Counsel, in writing, at 8787 Georgia Avenue, Suite 205, Silver Spring, Maryland 20910, within 15 days of date of citation. The District Court will thereafter notify you of the trial date.

Remedial Action:

Either remove entrance monument from the conservation easement OR
Submit an amendment to the forest conservation plan showing monument location and mitigate for the easement area encroached
by: 01/22/09 (date)

2. You have violated Chapter 22A of the Montgomery County Code, and maybe subject to an Administrative Civil Penalty, which may include an additional monetary fine in addition to corrective measures. You must contact Environmental Planning Department of M-NCPPC at 8787 Georgia Avenue, 1st Floor, Silver Spring, Maryland 20910, 301-495-4540, within 15 days of issuance of this citation.

Acknowledgement:

I sign my name as a receipt of a copy of this Citation and not as an admission of guilt. I will comply with the requirements set forth in this Citation. I have a right to stand trial for the offense(s) charged. If I do not exercise my right to stand trial, I agree to entry by the court of judgment on affidavit for the amount of the fine.

Refused to sign
Defendant's Signature Date

Affirmation:

I solemnly affirm under the penalties of perjury, and upon personal knowledge or based on the affidavit, that the contents of this citation are true to the best of my knowledge, information and belief and that I am competent to testify on these matters. The defendant is not now in the military service, as defined in the Soldier's and Sailor's Civil Relief Act of 1940 with amendments, nor has been in such service within thirty days hereof.

Inspector's Signature: Stephen Peck
Print name: Stephen Peck
Phone number: 301-495-4569
Date: 01/07/09

District Court to send notices to M-NCPPC, Office of the General Counsel, 8787 Georgia Avenue, Suite 205, Silver Spring, Maryland 20910.

Civil Citation
The Maryland-National Capital Park and Planning Commission

vs.

Name: Bill Wogowski
First Middle Last

Company/Position: Churchill Group
Address: 5 Choke Cherry Road Suite 360 Rockville MD 20850
Phone Number: 240-243-1000 Fax Number: Email:

Location and Description of Violation: Patriot Lane Potomac Crest Subdivision & Reforestation Area
Address/location of site:

Pursuant to the M-NCPPC's authority under Article 28 of the Annotated Code of Maryland and Chapter 50 of the Montgomery County Code, it is formally charged that the above named defendant on 10/27/2008 (date) at the stated site location did commit the following:

Failure to comply with section Chapter 22A Forest Conservation Law requiring inspections to verify removal of tree protection fence and signing of maintenance and management reforestation agreement

In violation of:

- Montgomery County Code, Chapter 22A
Approval of Forest Conservation Plan No. 820030350
Montgomery County Code, Chapter 59
Other:

Civil Fine and Compliance:

- 1. (a) You shall pay a fine of \$ 500.00 by 1/22/09 (date) and complete the remedial action listed below, if any, to avoid trial.
(b) You shall pay a daily fine of \$ 25.00 if the original fine has not been paid and/or the remedial action has not been completed by 01/22/09 (date). The daily fine shall accrue until the original fine is paid and all remedial action is completed.
2. You shall pay a daily fine of \$ until the remedial action listed below is completed. This fine shall be paid within 15 days of completion of all remedial action.

Checks should be made payable to M-NCPPC and shall be paid during normal business hours at the Information Counter of M-NCPPC's Montgomery Regional Office located at 8787 Georgia Avenue, 2nd Floor, Silver Spring, Maryland 20910, 301-495-4610. Failure to comply with this citation may result in formal court action or issuance of additional citations including additional fines. You may also elect to stand trial. If you elect to stand trial, you must notify the M-NCPPC Office of the General Counsel, in writing, at 8787 Georgia Avenue, Suite 205, Silver Spring, Maryland 20910, within 15 days of date of citation. The District Court will thereafter notify you of the trial date.

Remedial Action:

- 1. 1) remove any tree protection fencing from the subdivision including fencing along Patriot Lane by 01/22/09
2) sign and submit with correct attachments the maintenance and management agreement for the reforestation by 01/22/09

2. You have violated Chapter 22A of the Montgomery County Code, and maybe subject to an Administrative Civil Penalty, which may include an additional monetary fine in addition to corrective measures. You must contact Environmental Planning Department of M-NCPPC at 8787 Georgia Avenue, 1st Floor, Silver Spring, Maryland 20910, 301-495-4540, within 15 days of issuance of this citation.

Acknowledgement:

I sign my name as a receipt of a copy of this Citation and not as an admission of guilt. I will comply with the requirements set forth in this Citation. I have a right to stand trial for the offense(s) charged. If I do not exercise my right to stand trial, I agree to entry by the court of judgment on affidavit for the amount of the fine.

Refused to sign
Defendant's Signature Date

Affirmation:

I solemnly affirm under the penalties of perjury, and upon personal knowledge or based on the affidavit, that the contents of this citation are true to the best of my knowledge, information and belief and that I am competent to testify on these matters. The defendant is not now in the military service, as defined in the Soldier's and Sailor's Civil Relief Act of 1940 with amendments, nor has been in such service within thirty days hereof.

Inspector's Signature: Stephen Peck
Print name: Stephen Peck
Phone number: 301-495-4564
Date: 01/07/09

District Court to send notices to M-NCPPC, Office of the General Counsel, 8787 Georgia Avenue, Suite 205, Silver Spring, Maryland 20910.

Appendix C: Submitted Plans

DEVELOPER'S CERTIFICATE

The undersigned agrees to execute all the features of the Site Plan Approval No. 82003035A, including Approval Conditions, Development Programs, and Certified Site Plan.

Developer's Name: **THE CHURCHILL GROUP** William J. Wogatske, VP
Company Contact Person

Address: William J. Wogatske, VP Land Acquisition & Development
THE CHURCHILL GROUP
5 Croke Cherry Road, Suite 360
Rockville, MD 20850
Ph: 240-243-1000 Fax: 240-243-0715

SIGNATURE: _____

M-NCPPC APPROVAL STAMP

Certified Site Plan
File NO.: 82003035A

Montgomery County Planning Board

Chair or Designer: _____ Date: _____

MONTGOMERY COUNTY PLANNING DEPARTMENT
1200 MARK ANDY AVE. SUITE 200, ROCKVILLE, MARYLAND 20850

SOILS LEGEND
MONTGOMERY COUNTY

NONHYDRIC SOILS LIST

11B0 BLOCKTOWN CHANNERY SILT LOAM
0 TO 25 PERCENT BLOOM, VERY ROCKY
MODERATE HAZARD OF EROSION

11A HATBORO SILT LOAM
0 TO 1 PERCENT BLOOM, FREQUENTLY FLOODED
SLIGHT HAZARD OF EROSION

2B GLENVIEW SILT LOAM
3 TO 8 PERCENT BLOOM
SLIGHT HAZARD OF EROSION

1C CARA SILT LOAM
8 TO 15 PERCENT BLOOM
MODERATE HAZARD OF EROSION

NOTE: 11A HYDRIC SOIL
NOTE: NO SOILS ARE ON MONTGOMERY CO. ERODIBLE SOILS LIST

DESCRIPTION PER SHEET 23 OF THE 1985 MONTGOMERY COUNTY SOIL SURVEY.

FOREST RETENTION, SAVE AND REFORESTATION AREA CALCULATIONS

EXISTING FOREST RETENTION AREAS

FOREST RETENTION AREA #1	24.00 AC.
FOREST RETENTION AREA #2	23.00 AC.
FOREST RETENTION AREA #3	0.52 AC.
TOTAL	47.52 AC.

TOTAL REFORESTATION REQUIRED (PER BOARDSHEET)

REFORESTATION AREA #1	0.00 AC.
REFORESTATION AREA #2	0.00 AC.
TOTAL	0.00 AC.

NET TOTAL FOREST RETENTION AREA

REFORESTATION AREA #1	0.00 AC.
REFORESTATION AREA #2	0.00 AC.
REFORESTATION AREA #3	0.52 AC.
TOTAL	0.52 AC.

LEGEND

PROPOSED TREE PROTECTION FENCE
PROPOSED REFORESTATION FENCE
PROPOSED ROOT PRUNING LINE
CRITICAL ROOT ZONE
PROPOSED FOREST CONSERVATION AREA SIGN (20 TOTAL)
PROPOSED REFORESTATION AREA SIGN (7 TOTAL)

100 YEAR FLOOD PLAN BOUNDARY
150' STREAM BUFFER
EXIST. TREE 24" D.B.H.
LIMIT OF DISTURBANCE
FOREST RETENTION AREAS
CATEGORY I FOREST CONSERVATION EASEMENT
REFORESTATION AREAS
CATEGORY I FOREST CONSERVATION EASEMENT
TREE LINE

PROPOSED STAB/100' COUNTERS (SEE SHEET 10)
PROPOSED FENCE LINE
PROPOSED SUPER SALT LINE
PROPOSED TREE FENCE

GENERAL NOTES

- TOTAL AREA OF TRACT IS 141,966.57 SQ. FT.
- EXISTING ZONING: R80
- BOUNDARY FROM TAX MAP (0221)
- TOPOGRAPHY FROM DEWBERRY & DAVIS LLC, APRIL 2002. CONTOUR INTERVAL 2 FEET.
- LOCATION OF 100-YEAR FLOODPLAIN AND STREAM REFERENCED FROM MDCPG 60-YEAR FLOODPLAIN MAPS.
- THERE ARE NO WETLANDS AND WETLAND BUFFERS ON THIS SITE ACCORDING TO MIDDLE-REACH NET AND 4302 SITE USE.
- THE PRESENCE OF RARE, THREATENED, OR ENDANGERED SPECIES, OR CRITICAL HABITATS IS CURRENTLY BEING INVESTIGATED BY DNR.
- THE PRESENCE OF HISTORIC FEATURES ON THIS SITE IS BEING INVESTIGATED BY THE MARYLAND HISTORIC TRUST.
- THE SUBJECT PROPERTY LIES WITHIN THE CROFTON WATERSHED SUB-WATERSHED (USE CLASS B) OF THE MIDDLE POTOMAC WATERSHED.
- THERE ARE TWO FOREST STANDS ON THIS SITE, TOTALING 4.96 ACRES. SITE INVESTIGATION PERFORMED ON 11/11/02 BY DEWBERRY & DAVIS LLC. FOREST STAND #1 TOTALS 2.22 ACRES; 118 W & 90 E. FOREST STAND #2 TOTALS APPROXIMATELY 2.74 ACRES; 104 W & 53 E.
- ONE HYDRIC SOIL (SAL) EXISTS ON THE SUBJECT PROPERTY. THIS WAS REFERENCED PER THE MONTGOMERY COUNTY SOIL SURVEY OF MARYLAND, 1985 (SAL #4-0213).
- STORMWATER MANAGEMENT TO BE PROVIDED BY ON-SITE STORMWATER MANAGEMENT FACILITIES, AS SHOWN.
- THIRTEEN SPECIFIC CHARACTERISTICS WITH DBH MEASUREMENTS OF 30" OR GREATER ARE PROPOSED FOR REMOVAL ACCORDING TO THIS PLAN.

NO.	DATE	REVISION	BY
1	4/04/03	REVISED PLANS FOR MDCPG COMMENTS DATED 3/28/03	GRW
2	1-23-04	REVISED AND RE-DESIGNED CONTOURS OF W & E AS PER MDCPG 1/23/04	GRW
3	5-3-10	REVISED TO ADD W & E SOILS AS PER MDCPG OBSERVATION TO DATE	KDM



ACREAGE OF SENSITIVE AREAS ONSITE

BUFFER	TOTAL AREA ONSITE SQUARE FEET	ACREAGE	TOTAL AREA WITHIN FOREST SQUARE FEET	ACREAGE
100-YEAR FLOODPLAIN	5063.84	0.121	5099.36	0.117
100-YEAR FLOODPLAIN BUFFER	9048.7	0.208	8865.42	0.204
STREAM BUFFER	21091.53	0.484	20906.25	0.480
WETLANDS	0	0	0	0
WETLAND BUFFER	0	0	0	0

FOREST CONSERVATION WORKSHEET
POTOMAC CREST

NET TRACT AREA: 6.64 AC

A. Total tract area	6.64
B. Land dedication acres (parks, county facility, etc.)	0.00
C. Land dedication acres for roads or utilities (not being constructed by this plan)	0.00
D. Area to remain in commercial agricultural production/active	0.00
E. Other deductions (specify)	1.05
F. Net Tract Area	6.05

LAND USE CATEGORY: (from Trees Technical Manual)
Input the number "1" under the appropriate land use, limit to only one entry.

	ATA	MOR	IDA	FHR	MPD	CIA
	0	0	0	1	0	0

G. Afforestation Threshold 15% x F = 1.21
H. Conservation Threshold 20% x F = 1.61

EXISTING FOREST COVER

I. Existing forest cover	5.82
J. Area of forest above afforestation threshold	4.61
K. Area of forest above conservation threshold	4.21

BREAK EVEN POINT

L. Forest retention above threshold with no mitigation	2.46
M. Clearing permitted without mitigation	3.37

PROPOSED FOREST CLEARING

N. Total area of forest to be cleared	4.22
O. Total area of forest to be retained	1.60

PLANTING REQUIREMENTS:

P. Reforestation for clearing above conservation threshold	1.05
Q. Reforestation for clearing below conservation threshold	0.02
R. Credit for retention above conservation threshold	0.00
S. Total reforestation required	1.07
T. Total afforestation required	0.00
U. Credit for landscaping (may not exceed 20% of "S")	0.00
V. Total reforestation and afforestation required	1.07
W. Additional area cleared for plan Amendment 82003035A (200 sq ft)	0.0066
X. Additional Forest Conservation at 2:1 for cleared area in W (600 sq ft)	0.0138
Y. Total reforestation and afforestation required	1.08

Dewberry
203 Perry Parkway, Suite 1
Rockville, MD 20850
(301) 948-3100 Fax: (301) 258-7407
www.dewberry.com

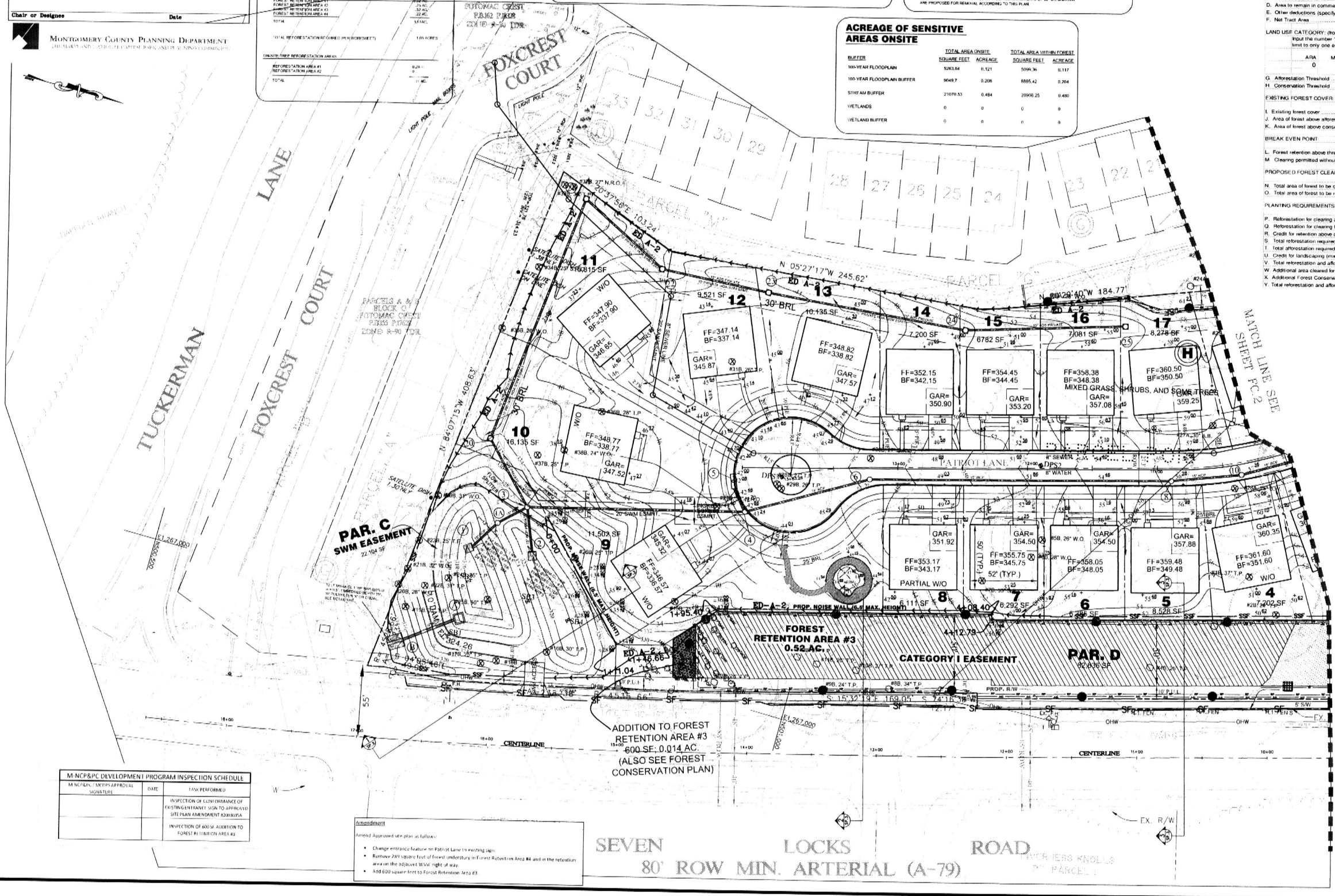
Engineers
Surveyors
Landscape Architects

LEGAL DESCRIPTION
POTOMAC CREST
PARCELS A-D
BLOCK H

OWNER/DEVELOPER
THE CHURCHILL GROUP
1200 MARK ANDY AVE., SUITE 200
ROCKVILLE, MD 20850
Phone: (240) 243-1000
Fax: (240) 243-0715

FINAL FOREST CONSERVATION PLAN
POTOMAC CREST
LOTS 1-21, PARCELS A-D, BLOCK H
4TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

DATE: MAR 2003
SCALE: 1"=30'



M-NCPPC DEVELOPMENT PROGRAM INSPECTION SCHEDULE

M-NCPPC / MDCPG APPROVAL SIGNATURE	DATE	15% PERFORMED

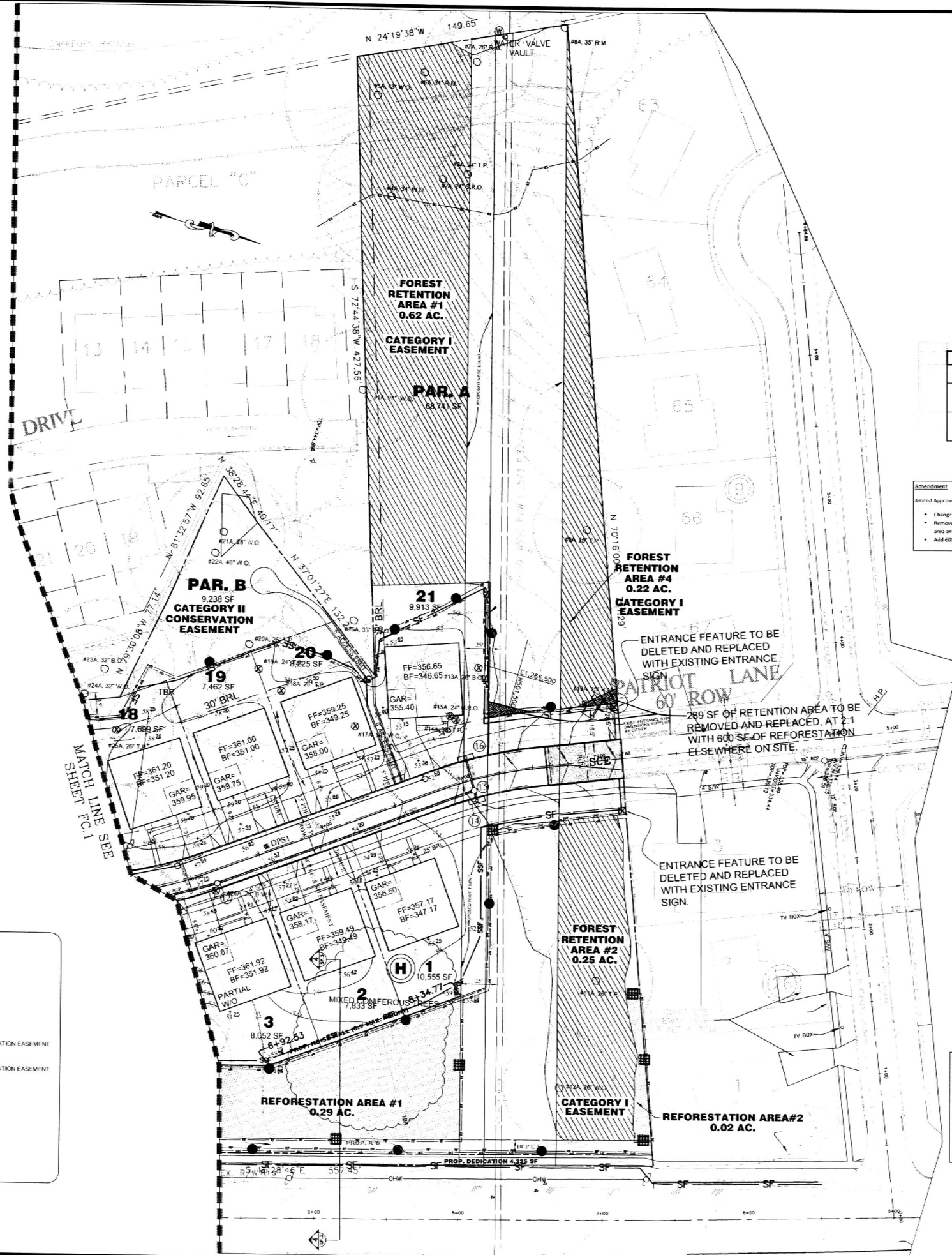
INSPECTION OF CONFORMANCE OF EXISTING EASEMENT SIGN TO APPROVED SITE PLAN AMENDMENT 82003035A

INSPECTION OF 600 SF ADDITION TO FOREST RETENTION AREA #3

Amendment

Amended Approved site plan as follows:

- Change entrance feature to Parcel Lane to existing sign.
- Remove 285 square feet of forest understory in Forest Retention Area #3 and in the retention area on the adjacent 1050' right of way.
- Add 600 square feet to Forest Retention Area #3.



REVISION			
NO.	DATE	DESCRIPTION	BY
1	4/04/03	REVISED PLAN PER M-NCP&C COMMENTS DATE: 3/28/03	GRW
2	1-23-04	REVISED NOTES AND DESIGN & ADJUSTED CONDITIONS OF SITE PLAN APPROX 7/21/03	GRW
3	5-3-10	REVISED TO ADD 600 SQUARE FEET OF FOREST RETENTION TO AREA #3	KDM

NOTE:
 INFORMATION CONCERNING UTILITIES IS PROVIDED BY THE UTILITY COMPANIES AND IS NOT GUARANTEED. THE EXACT LOCATION AND DEPTH OF UTILITIES IS THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND DEPTH OF UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL UTILITIES WORKS AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM ALL APPLICABLE AGENCIES PRIOR TO CONSTRUCTION. IF UTILITIES ARE LESS THAN SHOWN ON THIS PLAN OF DWELLING, THE CONTRACTOR SHALL CONTACT THE ENGINEER AND THE UTILITY BEFORE PROCEEDING TO THE CONSTRUCTION.

M-NCP&C DEVELOPMENT PROGRAM INSPECTION SCHEDULE		
M-NCP&C / MCDPS APPROVAL SIGNATURE	DATE	TASK PERFORMED
		INSPECTION OF CONFORMANCE OF EXISTING ENTRANCE SIGN TO APPROVED SITE PLAN AMENDMENT 82003035A
		INSPECTION OF 600 SF ADDITION TO FOREST RETENTION AREA #3

Amendment
 Amend Approved site plan as follows:

- Change entrance feature on Patriot Lane to existing sign.
- Remove 285 square feet of forest understory in Forest Retention Area #4 and in the retention area on the adjacent WSSC right of way.
- Add 600 square feet to Forest Retention Area #3.

LEGEND

	PROPOSED TREE PROTECTION FENCE		100 YEAR FLOOD PLAN BOUNDARY
	PROPOSED REFORESTATION FENCE		150' STREAM BUFFER
	PROPOSED ROOT PRUNE LINE		EXIST. TREE - 24" D.B.H.
	CRITICAL ROOT ZONE		LIMIT OF DISTURBANCE
	PROPOSED FOREST CONSERVATION AREA SIGN (20 TOTAL)		FOREST RETENTION AREAS CATEGORY I FOREST CONSERVATION EASEMENT
	PROPOSED REFORESTATION AREA SIGN (7 TOTAL)		REFORESTATION AREAS CATEGORY I FOREST CONSERVATION EASEMENT
	SCE		TREE LINE
	PROPOSED 4'-2" EDGE OF PATH		PROPOSED 6" CURB
	PROPOSED 12' FENCE		PROPOSED 12' FENCE

DEVELOPER'S CERTIFICATE
 The undersigned agrees to execute all the features of the Site Plan Approval No. 82003035A, including Approval Conditions, Development Programs, and Certified Site Plan.

Developer's Name: THE CHURCHILL GROUP William J. Wogatske, VP Company Contact Person
 Address: William J. Wogatske, VP Land Acquisition & Development THE CHURCHILL GROUP 5 Choke Cherry Road, Suite 360 Rockville, MD 20850 Ph: 240-243-1000 Fax: 240-243-0715

SIGNATURE: _____

M-NCP&C APPROVAL STAMP

Certified Site Plan
 File NO.: 82003035A
 Montgomery County Planning Board

Chair or Designer: _____ Date: _____

MONTGOMERY COUNTY PLANNING DEPARTMENT
 500 NORTH EIGHTH STREET, SUITE 200, ROCKVILLE, MD 20850

Dewberry
 203 Perry Parkway, Suite 100 Rockville, MD 20850
 (301) 948-8300 Fax: (301) 258-7607
 www.dewberry.com

Engineers
 Surveyors
 Landscape Architects

Drawn by: MNJ
 Checked by: MNJ
 Plotted by: JRC
 Revision: 1-02119
 Scale: 4-02313
 Job No: GQ121
 Sheet: R-90

LEGAL DESCRIPTION
 POTOMAC CREST PARCELS A-D, BLOCK H

OWNER / DEVELOPER
 THE CHURCHILL GROUP
 5 CHOKE CHERRY ROAD, SUITE 360
 ROCKVILLE, MD 20850
 Phone: (240) 243-1000
 Fax: (240) 243-0715

MONTGOMERY COUNTY, MARYLAND
 FINAL FOREST CONSERVATION PLAN
 POTOMAC CREST
 LOTS 1-21, PARCELS A-D, BLOCK H
 4TH ELECTION DISTRICT

Scale: 1"=30'

DATE: MAR 2005
 SHEET: FC.2
 OF: 2