

Worksession No. 2: Burtonsville Crossroads Neighborhood Plan

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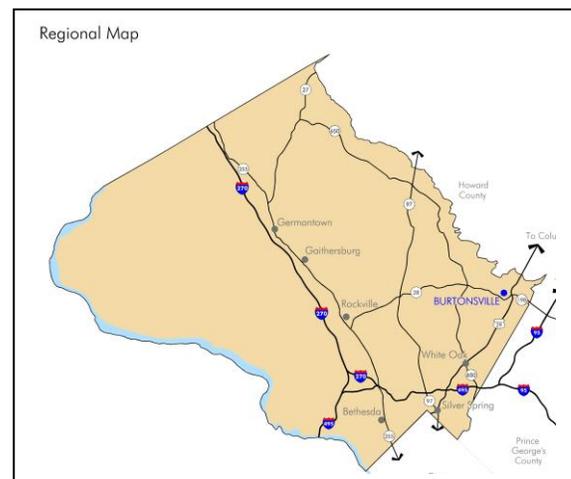
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Completed: 07/05/12

Description

Worksession No. 2: Burtonsville Crossroads Neighborhood Plan (Rural Edge Properties and Zoning Text Amendment to the Rural Cluster Zone)

Staff Recommendation: Review the public testimony and staff response



Summary

This memorandum provides a summary of the public testimony and the staff response on the Burtonsville Crossroads Neighborhood Plan. Worksession No. 1 focused on the recommendations for the existing commercial areas. Worksession No. 2 will focus on the recommendations for the Rural Edge properties and a Zoning Text Amendment to the Rural Cluster Zone.

STAFF RECOMMENDATION

Retain the recommendations in the Burtonsville Crossroads Neighborhood Plan for properties in the Rural Edge including the use of the Rural Cluster (RC) Zone, and a limitation of eight percent for imperviousness.

INTRODUCTION

Property description

The Rural Edge includes four areas in the Burtonsville Crossroads Neighborhood Plan. These areas are mostly located in the Primary Management Area (PMA) of the Patuxent River with guidelines that limit development. All areas are presently zoned Residential Cluster (RC) with one dwelling unit per five acres. The properties in the Rural Edge include:

- **Mangum Property** - The Mangum property is located west of Business 29 between an existing shopping center and the PEPCO power lines. This property includes two streams, four unimproved lots, and a 27 acre forest conservation easement. The owners did not testify at the recent public hearing on the Burtonsville Crossroads Neighborhood Plan. The Plan recommends RC for the property, and any development will be limited to eight percent imperviousness or for the acquisition of this property through the Legacy Open Space program.
- **Residential Lots along west side of Business 29** - The lots are located west of Business 29 and north of an existing shopping center and south of the PEPCO power lines. The owners did not testify at the recent public hearing on the Burtonsville Crossroads Neighborhood Plan. The Plan recommends the four lots remain RC.
- **Burtonsville Town Center Forest Conservation Easement (west of shopping center)** - The six acre forest conservation easement is west of the new shopping center and south of the Mangum property. This property includes a 2 acre stormwater management pond and six acres of protected forest. The owners did not testify at the recent public hearing on the Burtonsville Crossroads Neighborhood Plan. The Plan recommends retaining the RC zone and the forest conservation easement.
- **Northern Properties** - The northern properties are located east of Business 29, west of US 29, and north of the PEPCO power lines. Seven properties are included in this area for approximately 40 acres. At the public hearing, a representative of five property owners requested a rezoning of 38.5 of the acres to RT-6 (townhouses at six dwelling units per acre) instead of the existing and recommended RC Zoning. Because the existing streams have been crossed by the relocated US 29 using culverts, the property owners recommend that the applicable environmental standards and guidelines in the PMA be substantially reduced. The owners of the two remaining properties did not testify at the recent public hearing on the Burtonsville Crossroads Neighborhood Plan.

Patuxent Watershed

The Patuxent River is the source for the drinking water for over 650,000 residents in the Washington region. The Rural Edge of the Burtonsville Crossroads Neighborhood Plan is located within the boundaries of the Patuxent Functional Plan and the Fairland Master Plan. The Rural Edge is in the established Primary Management Area (PMA) policy area of the Patuxent River watershed. The environmental guidelines for development in the PMA (660-feet from streams/1,320-feet from rivers) include recommendations that establish a maximum imperviousness of 10 percent, and place an emphasis on the preservation of streams and forests. The Fairland Master Plan retained the RC Zone, and it limited on a case-by-case basis sewer extensions to the northernmost of the five properties within the Rural Edge.

SUMMARY OF TESTIMONY

Testimony

Several community members testified that the protection of the sensitive environmental resources in the Rural Edge is critical to maintaining the quality of the drinking water and preventing further decline of the water resources. They supported the retention of the RC Zone, a limit on imperviousness to eight percent, and the continued protection of tributaries and forests in the PMA. The representative of the northern properties requested rezoning to the RT-6 Zone (townhouse at six dwelling units per acre) instead of the existing RC Zoning. In addition, the representative of the owners testified that the following items should be considered:

- The site is located between two major highways (US 29 and Business 29) that support development
- The existing streams have been compromised (culverts) with the construction of US 29
- New Residential development could assist in supporting the proposed commercial development
- Any future development could utilize Environmental Design Standards
- The development could provide the recommended setbacks for green area along Business 29
- Public sewer could be extended through the existing shopping center into the Rural Edge

Staff Response

The staff continues to support the recommendations for the Rural Edge in the Burtonsville Crossroads Neighborhood Plan including:

- Retaining the Rural Cluster Zone and encouraging cluster development for the Mangum Property and the northern properties to preserve the sensitive environmental resources
- Providing conservation easements and public acquisitions to protect the scenic and sensitive tributary headwaters
- Creating a limit of eight percent imperviousness over the entire area, rather than just in the PMA
- Eliminating extensions of public sewer for any uses
- Increasing forest cover

ANALYSIS

The following paragraphs provide an analysis and a summary of the recommendations for the Rural Edge in the Burtonsville Crossroads Neighborhood Plan. The analysis includes a discussion of the following:

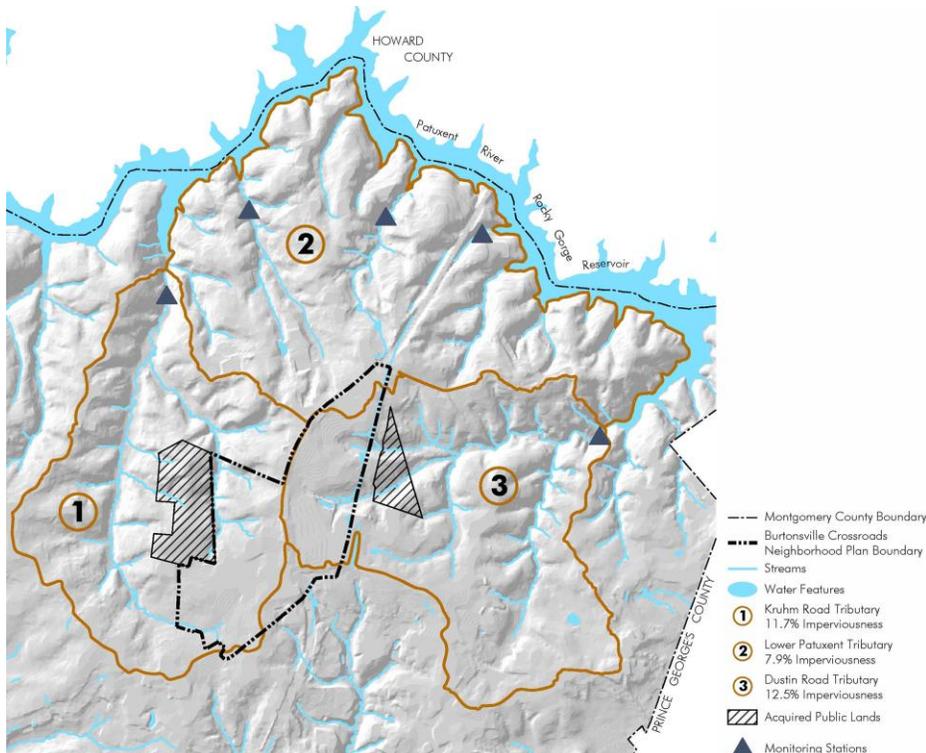
- decline in water quality
- importance of limiting imperviousness
- recent government actions
- land use recommendations
- comparison of zones

Decline in water quality

The existing standards and guidelines protecting the Patuxent River watershed including the limit of ten percent imperviousness within the PMA have not been strong enough to adequately protect the aquatic life in the tributary headwaters and the drinking water reservoirs of the Patuxent River. The existing Burtonsville Crossroads Neighborhood Plan includes recommendations that will retain the existing zone and emphasize preservation of the sensitive environmental resources in the three subwatersheds, which are tributary headwaters of the Patuxent River.

Protecting the sensitive tributary headwaters of the Patuxent River in the Rural Edge is essential to maintaining the water quality of the public water supply. The drainage area of the Rural Edge includes three subwatersheds:

1. Kruhm Road (11.7 percent impervious)
2. Lower Patuxent- Rocky Gorge (7.9 percent impervious)
3. Dustin Road 12.5 percent impervious)



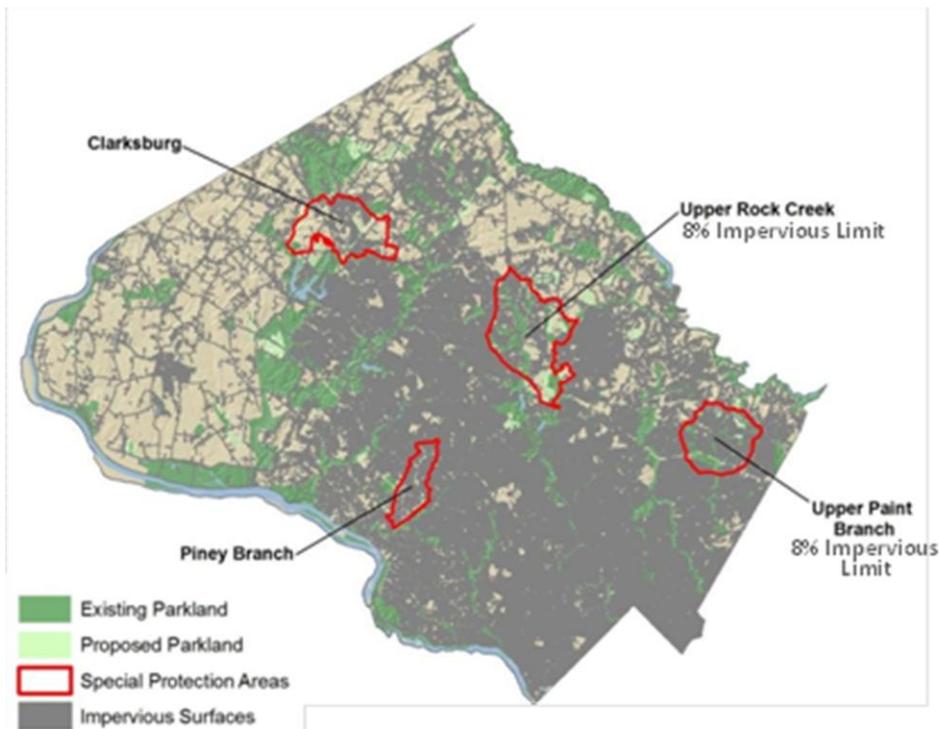
The Rocky Gorge Reservoir is under stress and it has been designated by the Maryland Department of the Environment (MDE) as impaired. MDE has required that pollution within the reservoir be reduced by half. The Montgomery County Department of Environmental Protection (DEP) has stated that “[although one stream has remained in excellent condition] . . . the majority of the headwater tributaries within this planning area have declined in water quality . . . over time.” The Washington Suburban Sanitary Commission (WSSC) has noted the following:

“Currently, water quality is adversely affected by excess nutrients entering the Reservoir so that the lower depths of water lack oxygen during several summer months each year and sediments carried into the reservoirs are reducing the storage capacity. Both water quality and quantity are of concern. Development and other land disturbing activities continue to decrease water quality by adding sediments, nutrients, and other pollutants that are carried from construction activity, paved areas, and lawns to the reservoir through runoff.”

Importance of limiting imperviousness

The staff continues to recommend limiting the imperviousness in the tributary headwaters of the Rural Edge to eight percent. A Zoning Text Amendment to revise the development standards in the RC Zone is recommended. This reduction does not reduce density in the RC Zone.

The recommendation of eight percent imperviousness has been established as the appropriate standard to protect environmentally sensitive resources in the Paint Branch and Upper Rock Creek Special Protection Areas. Reducing imperviousness is an important method to protect environmentally sensitive areas.



Recent government actions

The Plan recognizes the importance of recent land acquisitions located directly adjacent to the Rural Edge to protect the declining environmental resources. The staff continues to support low-density zoning, reduction of imperviousness, and the use of easements and land acquisitions to protect streams and forests. These recommendations are consistent with the purpose of the recent land acquisitions located directly adjacent to the Rural Edge.



Recently, the WSSC and the State of Maryland strategically acquired land directly adjacent to the Rural Edge. These land acquisitions (outlined in turquoise) were established to protect the declining environmental resources in the three tributaries of the Patuxent River.

Land use recommendations

The staff recommends low-density residential and agricultural land uses in the Rural Edge consistent with the established recommendations in the existing Fairland Master Plan. Cluster development is also encouraged.

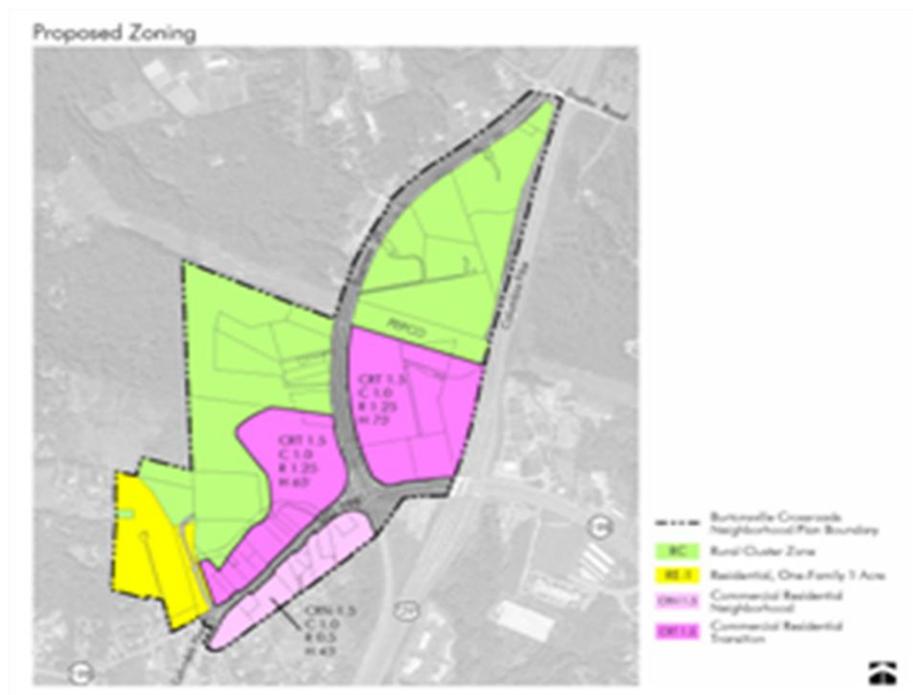
The Plan encourages the redevelopment, infill and adaptive reuse of existing buildings in the commercial area. Housing to serve a variety of incomes including housing for the elderly will also be permitted in the existing commercial areas. The underdeveloped areas located south of the Plan area also allow the construction of new single-family detached housing. Over 17,000 housing units are located within a three-mile radius of the Burtonsville commercial area. The combination of new mixed-use in the existing commercial area with the surrounding residential areas provide a significant market for commercial development in Burtonsville without the need for significant additional residential density in the Rural Edge.

In the Rural Edge, the Plan recommends:

- providing for low density residential development and agricultural uses
- permitting seasonal uses including fairs, ice-cream sales, sports events, and farm markets and other uses that support agriculture as permitted in the RC Zone
- encouraging cluster development to protect natural resources
- increasing forest cover and providing forested stream buffers in accordance with the standards in the PMA of the Patuxent River watershed
- limiting imperviousness to eight percent
- eliminating the extension of public sewer service for any uses

Comparison of zones

The staff recommends the retention of the Rural Cluster (RC) Zone with a Zoning Text Amendment to limit imperviousness to eight percent.



A primary purpose of the RC Zone is to protect natural resources. The RC Zone and the RDT Zone are used extensively in the Patuxent River watershed. Staff examined three zoning alternatives:

- **Rural Cluster Zone** - Low density without public sewer to protect natural resources (one unit per five acres)
- **RT-6 Zone** - Permits townhouses with public sewer (six units per acre)
- **RE-2 Zone** - Permits single-family residential development without public sewer (one unit per two acres)

In response to the testimony from the July 7, 2012 Public Hearing, the following table compares three zoning alternatives.

Table: Comparison of Zones for Properties in the Rural Edge

Items	Alternative 1: RC Zone Recommended	Alternative 2: RE-2 Zone	Alternative 3: RT-6 Zone
Purpose	Provide for low density development to preserve agriculture and protection of natural resources	Provide for residential development on 2-acre lots.	Provide suitable sites for townhouses in locations where there is a transition between commercial, industrial or high apartment uses and low-density one-family uses
Permitted Uses	Single-family detached residential and agricultural uses	Single-family residential	Townhouse residential
Density	1 unit/ 5 acres	1 unit/2 acres	6 units/acre and 7.32 unit/acre with MPDUs
Minimum tract area	5 acres	2 acres	20,000 square feet
Coverage	10 percent	25 percent	35 percent; increased to 40 percent with MPDUs
Green area	N/A	N/A	50 percent green area; 45 percent with MPDUs
Imperviousness	Recommended 8 percent imperviousness	10 percent imperviousness within PMA area	No impervious cap unless set by master plan (could be greater than 50%)
Transportation	Reduced width for rural streets and driveways	Standard width of streets	Standard width of streets
Environmentally Sensitive Design (ESD)	Required	Required	Required
Cluster Option	Encouraged	No (would require public water extension)	N/A
Public Water	Not recommended	Not recommended	Required
Public Sewer	Not recommended	Not recommended	Required

The staff supports the use of the RC Zone and encourages the use of the cluster option without public sewer. The RT-6 Zone requires the extension of public sewer and water into a currently non-planned service area of the Patuxent River watershed. The impervious limitations that currently apply to the PMA within these properties would no longer apply under the RT-6 Zone and impervious levels could be expected to reach 35%. The Eastern Montgomery County area already has many townhouse developments. To balance the housing mix, the 1997 Fairland Plan recommended all underdeveloped areas be

predominately single-family detached (p. 18). Finally, the RE-2 Zone is a potential alternative to the use of the RC Zone but this zone is not consistent with the adjacent properties. This zone allows residential development without public sewer. The permitted level of development density would need to be reduced in the RE-2 zone to achieve an imperviousness limit of eight percent. Finally, the required stream buffers in the Rural Edge will limit the amount of development regardless of the zone.

CONCLUSION

The staff recommends appropriate land use, environmental protections, and low density in the Rural Edge to implement the Vision of the Burtonsville Crossroads Neighborhood Plan. The recommendations for Rural Edge include:

- **RC Zone** - One unit per five acres to protect environmental resources
- **Imperviousness** - Limit the imperviousness to eight percent for the Mangum and northern properties
- **Acquisition** - The Mangum property is suitable for acquisition through the Legacy Open Space (LOS) program. A portion of the northern Properties could be suitable for acquisition for recreation needs and environmental protection in Eastern Montgomery County.
- **Sewer** - Eliminating the potential for public sewer service

A summary of the Public testimony with staff response is attached. Staff will review each item during Worksession No. 2 with the Planning Board on July 12, 2012.

PLANNING STEPS

Worksession No. 3 is scheduled for July 26, 2012. At that time, the final modifications to the plan will be provided, and the Draft Design Guidelines will be discussed. This Final Worksession will include a request to transmit both the Final Burtonsville Crossroads Neighborhood Plan and Draft Design Guidelines to the Montgomery County Council and Executive. The schedule to date for the Plan follows:

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| ▪ Approval of the Staff Draft as the Public Hearing Draft | May 3, 2012 |
| ▪ Planning Board Public Hearing | June 7, 2012 |
| ▪ Worksession No. 1: Existing Commercial Areas | June 28, 2012 |
| ▪ Worksession No. 2: Rural Areas and Zoning Text Amendment | July 12, 2012 |
| ▪ Worksession No. 3: Transmit the Plan and Draft Design Guidelines to the County Council and Executive | July 26, 2012 |
| ▪ County Council Public Hearing and Worksessions | Fall 2012 |

Attachments:

1. Summary of Testimony and Staff Response
2. Public Hearing Draft of the Burtonsville Crossroads Neighborhood Plan

**SUMMARY OF PUBLIC TESTIMONY
BURTONSVILLE CROSSROADS NEIGHBORHOOD PLAN**

Plan Issue and Location	Public Testimony	Staff Response	Board Action
<p>10.Rural Edge – General</p>	<p>James Putnam, Patuxent Watershed Protective Association, Inc. Supports the use of the RC Zone to protect natural resources and the eight percent impervious limit proposed in the Plan. The Patuxent watershed is part of the drinking water supply for three counties and a critical resource. Mistakes in development are not easily corrected. The Patuxent River is an endangered resource. Adjacent properties have already been protected through purchase and easement. Imperviousness is a critical element of protecting this resource especially in the headwaters.</p> <p>Concerned about pollution of the reservoir pollution. 650,000 people drink the water. Tributaries to the Rocky Gorge Reservoir are extremely sensitive. Three tributaries of the Rocky Gorge Reservoir originate in the Burtonsville rural property area. A proven connection exists between reducing imperviousness and high water quality.</p>	<p>Retain the language in the Plan</p>	<p>Board to discuss on 7/12/12</p>
<p>11.Rural Edge- General</p>	<p>Gene Krouse, Tiber Hills Civic Association (19 Homes along Dustin Road) Strongly endorses the recommendations for the rural areas in the Plan including the following:</p> <ul style="list-style-type: none"> ▪ Confining the development to the existing commercial areas and away from the rural areas especially the northern properties ▪ Rural Cluster Zone to preserve the natural features ▪ Impervious limit of eight percent <p>Supports the recommendations to improve the character of MD 198</p>	<p>Retain the language in the Plan</p>	<p>Board to discuss on 7/12/12</p>
<p>12.Rural Edge- General</p>	<p>Barry Louis Polisar, Property Owner/Northern Properties As a property owner, strongly endorses the recommendations for the rural areas including the use of the RC Zone, a limit on imperviousness, and no sewer to protect the critical watershed. Supports sensitive zoning for the commercial area that is suffering from low vacancy rates.</p>	<p>Retain the language in the Plan</p>	<p>Board to discuss on 7/12/12</p>
<p>13.Rural Edge- General</p>	<p>Roni Polisar, Property Owner/Northern Properties The existing commercial area with vacant stores should be the focus of development instead of the rural areas located north of the PEPCO power lines. The area is not only the space between two highways, but it serves as the rural/residential entrance to the Dustin Road community. The area is presently rural in character and serves as an important protective buffer for the Patuxent River Reservoir. Strongly endorses the recommendations in the Plan.</p>	<p>Retain the language in the Plan</p>	<p>Board to discuss on 7/12/12</p>

<p>14.Northern Properties in the Rural Edge</p>	<p>Tom Norris, Resident Does not support the recommendations for the northern properties. Recommends additional density to support the businesses including senior housing, townhouses and churches adjacent to the PEPCO Power lines without a limitation on imperviousness.</p> <ol style="list-style-type: none"> 1. Allow immediate residential development to support adjacent retail 2. RC zoned land should be rezoned to high density residential housing (230 units) 	<p>Retain Plan language including the use of the Rural Cluster Zone (RC) to preserve natural features and the impervious limitation of eight percent.</p> <ul style="list-style-type: none"> - have 17,000 rooftops within 3 miles to support retail 	<p>Board to discuss on 7/12/12</p>
<p>15.Northern Properties in the Rural Edge</p>	<p>Mike Nagy, Attorney for Some of the Northern Properties Adjacent to the PEPCO Power lines Does not support the recommendations for the northern properties (35 to 40 acres). Recommends the following:</p> <ol style="list-style-type: none"> 1. Concerned that the existing development in the commercial area (shopping centers) are developed at 85-90% impervious and they drain in the same tributary headwaters of the PRW, drinking water supply and etc.) 2. Tributary headwaters have been “cut off from the lower tributaries by the construction of the US 29 bypass... land on west side is “disturbed by construction activities and farmed” The tributaries then drain into man-made storm water management ponds and is conveyed in concrete culverts under US 29 3. Wants to “DEBUNK” the erroneous statements that an extension of public sewer requires a pressurized system to serve these properties. The entire area can be served by gravity sewer. 4. Reasonable levels of impervious plus ESD for treating stormwater will not have a detrimental impact on the drinking water supply. Requirements to include the 	<p>Retain Plan language including the use of the Rural Cluster Zone to preserve natural features and the limitation of eight percent on imperviousness.</p> <ol style="list-style-type: none"> 1. Policies for development in the Patuxent watershed allow for carefully planned existing commercial centers to maintain their economic viability. These areas of high intensity zoning are not subject to impervious limitations. However, these policies place a correspondingly low impervious level on remaining areas within the watershed, with low-intensity zoning and impervious caps to maintain an appropriate high water quality within the entire watershed. Burtonsville Crossing Shopping Center (an older development), including the park and ride lot is developed at approximately 68% imperviousness, Burtonsville Town Square (newer development) has an impervious level of 48%. 2. The area in question has not been “cut off” from the downstream tributaries. Stormwater ponds discharge water to receiving streams. As the testimony indicates, stormwater flows into ponds, these discharge into streams. These streams are in turn conveyed under US 29 in concrete culverts. Streams conveyed in the culverts continue to flow to lower tributaries, and ultimately into the Rocky Gorge Reservoir. 3. WSSC’s feasibility analysis to the many requests for sewer service in this area has always indicated that gravity sewer is not feasible and suggested pressurized systems if service were to be approved. 4. Properties tie in by gravity to the private pressure system that serves Burtonsville Crossing Shopping Center, WSSC noted, “WSSC has to take over this onsite system before connection can be made, 	<p>Board to discuss on 7/12/12</p>

	<p>following items will “improve the quality of the storm water leaving the site”:</p> <ol style="list-style-type: none"> a. Infiltrate berms b. Vegetated open channels c. Sheet flow to conservation areas d. Submerged gravel wetlands e. Dry wells f. Reforestation along the eastern edge of the site g. And rain gardens <ol style="list-style-type: none"> 5. RT-6 allows for significant reforestation, ESD measures, gravity septic and limited imperviousness 6. The shopping center to the south will unlikely redevelop as a mixed use center and therefore Burtonsville will not get the residential promised in the Plan 7. The site is an ideal residential “infill site” to support the existing retail. 	<p>it will take years for this process”. Nor did they commit to the feasibility of this option.</p> <ol style="list-style-type: none"> 5. ESD measures are required for all development regardless of the zone. The Planning Board (with the support of DEP and DPS) has been consistent in supporting the practice of encouraging and crediting the use of stormwater management BMPs, including ESD, against stormwater management requirements, but not granting credits for extra or enhanced BMPs against imperviousness limits. <p>The reasons for this policy are:</p> <ul style="list-style-type: none"> • BMPs cannot restore or substitute for the environmental functions provided by natural areas and soils • Research shows watershed declines even with BMPs • Healthy watersheds need a maximum of natural areas and effective BMPs <ol style="list-style-type: none"> 6. Infill is not appropriate here. Increasing the density and imperviousness to accommodate townhouses is not appropriate in for the Patuxent River Watershed. 	
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**SUMMARY OF COMMENTS FROM THE COUNTY EXECUTIVE
BURTONSVILLE CROSSROADS NEIGHBORHOOD PLAN**

Plan Issue and Location	County Executive Agency Comments	Staff Response	Board Action
<p>16.Zoning Park and Ride Lot: Village Center Business 29</p> <p>Park-and-ride lot: from O-M to CRT (p. 41)</p>	<p>County Executive - DOT Identified the RC portion in the park-and-ride lot as being State-owned.</p> <p>Map 17: revise the boundary for property #3 to include the RC (State-owned) portion of the park-and-ride lot.</p>	<p>Revise the heading to state, "<u>Park-and-ride lot: from O-M and RC to CRT . . .</u>" [The RC portion is the State-owned section of the park-and-ride lot] Revise Map 17, p. 41 to identify the boundary for property #3 to include the RC (State-owned) portion of the park-and-ride lot.</p>	6/28/12
<p>17.Historic Preservation: Rural Edge, Burtonsville Fire Tower</p> <p>The fire tower is highlighted as a steel frame structure built in the 1930s/p. 44</p>	<p>County Executive MCDOT Revise text to add to the inset box on page 44 about the Burtonsville Fire Tower regarding its local historic preservation status including its Locational Atlas ID number (15-66) and status, and when/whether it will be evaluated for inclusion in the MP for HP or removed from the Locational Atlas. Evaluation should be done as part of this planning process, as a comprehensive Neighborhood Plan.</p>	<p>Add the language to the inset box on page 44 about the Burtonsville Fire Tower regarding its local historic preservation status including its Locational Atlas ID number (15-66) and status, and when/whether it will be evaluated for inclusion in the MP for HP or removed from the Locational Atlas. MCDOT believes that evaluation should be done as part of this planning process, so a <u>comprehensive</u> Neighborhood Plan is the result."</p>	6/28/12
<p>18. Environment: Sewer service</p> <p>p. 46</p>	<p>County Executive - DEP: The Water and Sewer Plan contains policies that can open the door to limited public sewer service. If the intention is to completely restrict public sewer service from this area, then it is suggested that a new bullet recommendation be added that makes this absolutely clear, such as "no public sewer service for any use"</p>	<p>Add language in a new bullet on page 46: as follows: <u>"no public sewer service for any use"</u></p>	6/28/12
<p>19.Environment: Zoning</p>	<p>County Executive - DEP: This section recommends the use of the cluster option under the RC Zone to support open space preservation and water quality. Is it possible to create a "cluster" development plan on a parcel of less than 10 acres? Only one existing parcel contains 10 or more acres (at 11.14 ac). Does this recommendation need to also encourage agglomeration of parcels in order to effectively use the cluster option?</p>	<p>Retain the language in the Plan. The RC (Rural Cluster) Zone will limit imperviousness to eight percent.</p>	6/28/12
<p>20. Implementation - Zoning – Cluster</p> <p>p. 52</p>	<p>County Executive - DEP: Page 52: The section on RC and RE-1 Zones also recommends cluster development to preserve environmentally sensitive resources. Does this recommendation also need to encourage agglomeration of parcels in order to effectively use the cluster option in the RC Zone?</p>	<p>Retain language in Plan.</p>	6/28/12
<p>21. Implementation – Water and Sewer</p>	<p>County Executive - DEP: The <i>Sewer and Water</i> section needs to HAVE stronger LANGUAGE to put to rest any interest in</p>	<p>Staff supports strengthening the language with the following language: "<u>This Plan supports the use of community (public) water and sewer service and</u></p>	

Plan Issue and Location	County Executive Agency Comments	Staff Response	Board Action
p. 59	sewer-supported development in the Rural Edge, particularly for the properties north of the PEPCO right-of-way. In addition, this plan should include a reference to the County's Comprehensive Water and Sewer Plan and its service policies.	<u>the use of individual, on-site systems (wells and septic systems) consistent with the service policies included in the County's Comprehensive Water Supply and Sewerage Systems Plan. Further, this Plan recommends against the provision of public sewer service for Rural Edge properties under any circumstances, other than for the relief of documented public health problems."</u>	6/28/12
22. Environment: Water and Sewer	<p>County Executive - MCDOT: Bob Simpson The Sewer and Water section needs more details; it cannot simply "confirm" recommendations in another plan, but must spell out what they are and how they apply to the different land uses, densities, and population increase envisioned in this Plan. Also, the name of the agency providing public water to this area, the source of that water, the location of that water treatment facility, and an assessment of whether the water supply will be adequate for the forecasted population increase all need to be added to this section. (more AGENCY DETAILS AND CAPACITY)</p> <p>MCDOT supports adding more details such as "the study area is located along the border between a Class I Watershed (generally north of MD 198) and a Class IV SPA Watershed (generally south of and including MD 198). " Staff should provide language on how this affects curb and gutter along any proposed roadways. Section 4933(i)(1)(1)(A) of the County Code specifies that curb and gutter must not be installed in a Class IV watershed unless an exception is granted by DPS.</p>	<p>See added language for #17 above.</p> <p>In the Water and Sewer section, the following text will be added to page 59: <u>WSSC provides public water to this area from the Patuxent and Potomac filtration plants located in Laurel and Potomac respectively. The Patuxent facility is located about two miles from Burtonsville, off MD 198. Blue Plains Treatment Facility located in Washington, DC.</u></p> <p>The Plan area is not in an SPA therefore there is no need for County Code language on curb and gutter for roadways within the Plan area.</p>	6/28/12
23. Transportation – bikeways Map 25 and Table 7	<p>County Executive - MCDOT: The Plan does not mention bikeway PB-41 as shown in the Fairland Master Plan. If that bikeway is being retained by this Plan, it should be shown on Map 25 and displayed on Table 7. If it is being deleted by this Plan, there needs to be text added which specifically notes this deletion.</p>	Staff recommends PB-41 be identified on Map 25 and on Table 7 in the Plan for a bikeway along the Pepco transmission line (to connect to Ednor Road to the west and Gunpowder Road to the east to be consistent with the 1997 Fairland Master Plan.)	6/28/12
24. Transportation - bikeways	<p>County Executive - MCDOT: Disagrees with the realignment of bikeway SR-53 onto "Business 29"; believes SR-53 should stay on the shoulders of US 29 as the <i>Countywide Bikeways Functional Master Plan</i> shows. Requests that Business 29 should have a new, dual bikeway shown on it. This dual bikeway would combine the off-road shared use path originally called for as bikeway PB-66 in the <i>Fairland Master Plan</i>, plus the on-road shoulders already existing along much of Business 29. Therefore Table 7 should be modified to delete SR-53 in the Route column and replace it with a new DB number, and delete signed shared roadway from the Bikeway Type column and replace it with "Dual</p>	Staff recommends confirming SR-53 on US 29 and identifying a new dual bikeway number (originally called PB-66) on Business 29.	6/28/12

Plan Issue and Location	County Executive Agency Comments	Staff Response	Board Action
	bikeway of shared use path and shoulders". The shared use path already exists along the west side of Business 29 at the Burtonsville Town Square frontage.		
25. Transportation - bikeways	County Executive - MCDOT: MCDOT disagrees with having Bike Lanes as the Bikeway Type for LB-1. The design standard envisioned for this business street does not include bike lanes. It should be a signed, shared roadway instead.	Staff agrees to provide a SR number for the proposed access road.	6/28/12
26. Design – Façade Improvements Reads: "Two buildings have received façade improvements, with two more to follow in the second phase"(p. 27).	County Executive - DHCA: Roylene Roberts DHCA is in negotiation with the property owners. DHCA cannot unequivocally commit to the number of successful negotiations at this time.	Change language on page 27 to: <u>Two buildings have received façade improvements, with potentially additional facades improvements".</u>	6/28/12
27. Design – Façade Improvements As reads: "This program along with the associated Signage Easement Program provides changes to an existing building exterior, signage, lighting, landscaping and maintenance./p. 27	County Executive - DHCA: Concerned about the language used by staff to describe the signage easement program.	Change language to: <u>"This program along with the associated Signage Easement Program provides an incentive for property owners who improve an existing building exterior, signage, lighting, and landscaping in exchange for a long-term easement and commitment to maintain the improvements."</u>	6/28/12
28. Economy DHCA: As reads: "According to the Department of Housing and Community Development's 2002 Market Study"/p. 15	County Executive - DHCA: Name of the study is identified incorrectly.	Change language on p. 15 to <u>"According to the Department of Housing and Community Affairs' 2007 Market Study"</u>	6/28/12
29. Department of General Services	County Executive - DGS: Greg Ossant Supports the Plan and looks forward to continued review and collaboration.	Retain language in Plan	6/28/12