



Clarksburg Childcare Center, Preliminary/~~Final~~ Water Quality Plan, S2850

JAP

Joshua Penn, Senior Planner, Joshua.Penn@montgomeryPlanning.org, 301-495-4546

CM

Callum Murray, Planner Coordinator, Callum.Murray@montgomeryplanning.org, 301-495-4733

JAC

John Carter, Chief Area 3 Planning Team

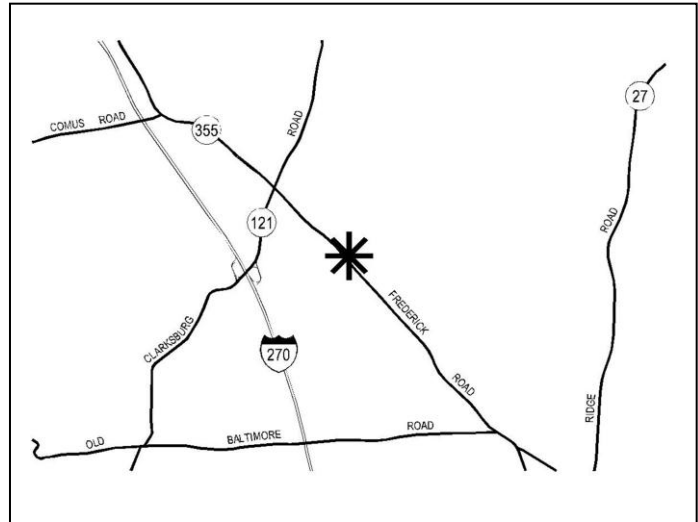
description

Preliminary Water Quality Plan: Clarksburg Child Care Center

Child Care Facility for 52 children and 6 staff members, 22929 Frederick Road approximately 2,300 feet south of Stringtown Road, R-200 Zone, Clarksburg Master Plan

Applicant: Michael and Shirley Vesper

Staff Recommendation: Approval, with conditions



summary

- There are two items for Planning Board review for the Clarksburg Childcare facility project: the Special Exception and the special protection area (SPA) preliminary/~~final~~ water quality plan. This memorandum covers staff's review and recommendations on the SPA preliminary/~~final~~ water quality plan.
- The Board's action on the preliminary/~~final~~ water quality plan is regulatory and binding. The Planning Board must act on the preliminary/~~final~~ water quality before it finalizes its recommendations on the Special Exception.

- **APPROVAL with conditions of the special protection area water quality plan:**
 - **Conformance to the conditions as stated in Montgomery County Department of Permitting Services (DPS) Preliminary/~~Final~~ water quality plan approval letter dated June 4, 2012 (Attachment A).**
 - **The impervious surfaces on the Subject Property are limited to no more than 22.6 percent within the SPA as shown on the Impervious Surface Plan Portion of the Preliminary/~~Final~~ Water Quality Plan.**

DISCUSSION

The applicant proposes to build a child care center for 52 children on the subject property. The property is currently improved with a one story, 2,780 square-foot, single family residential dwelling. The applicants propose to renovate and modify the existing dwelling and convert it to a daycare facility for 52 children. The proposed modification includes a 1,150 feet addition and an external and internal modification of the existing house, creation of a parking lot and an outdoor play area. The modification also includes installation of a six-foot fence around the play area and a combination of retaining wall and sight fences to screen the parking area.

The 1.05 acre project site is located at 22929 Frederick Road approximately 1,300 feet northwest of the intersection with Shawnee Lane. The site is adjacent to R-200 residentially zoned properties on the north, east, and south sides. Frederick Road (MD355) is adjoining to the west. The project site is located in the Clarksburg Master Plan area. The site is in the Clarksburg SPA and the Little Seneca Creek Watershed. There are no existing streams, floodplains, wetlands, or environmental buffers on or affecting the site.

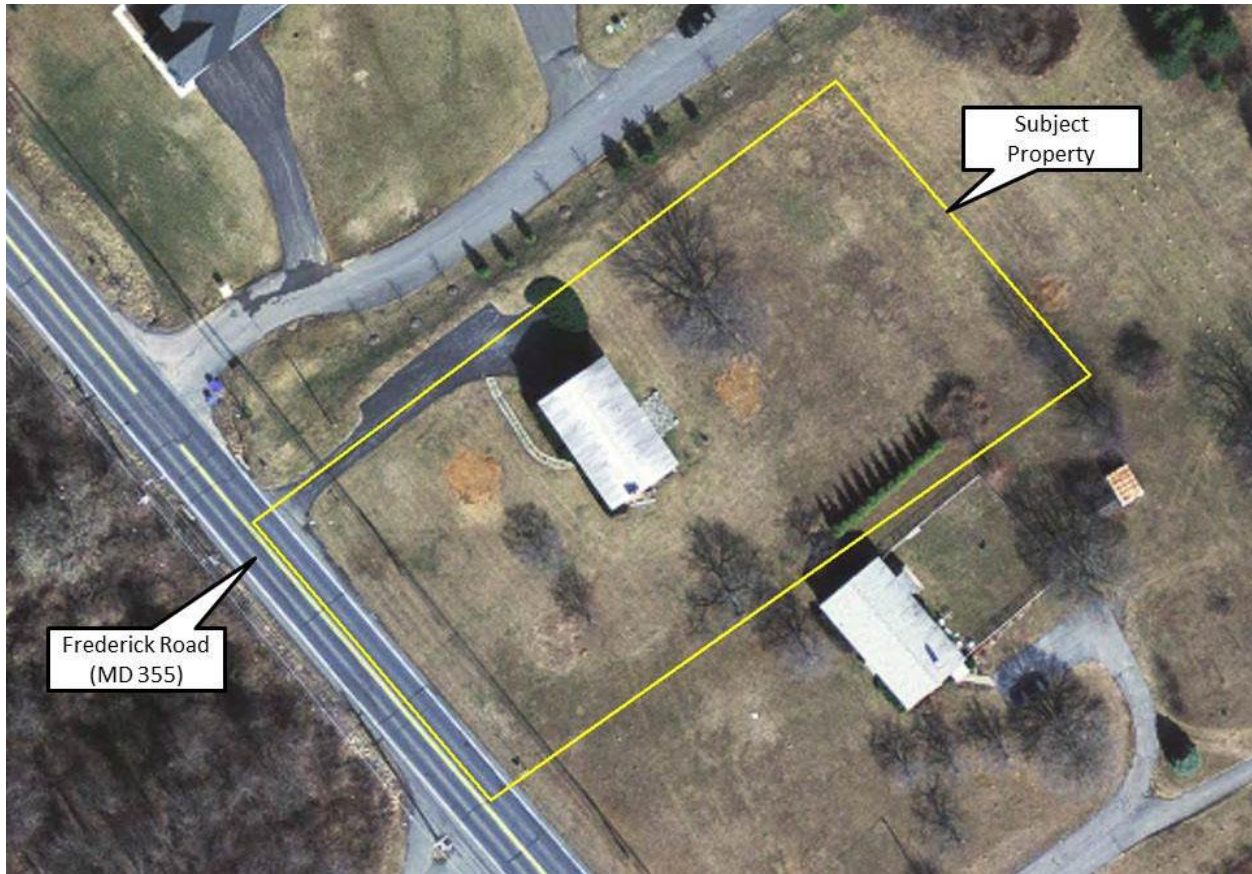


Figure 1: 2011 Aerial Photograph of Subject Property

SPA WATER QUALITY PLAN

This project is within the Clarksburg SPA and is the subject of a special exception application. It is required to obtain approval of a water quality plan under section 19-62 of the Montgomery County Code. This section of the code states:

(b) *Privately owned property.* Except as otherwise expressly provided in this Chapter, the requirements for a water quality inventory and a preliminary and final water quality plan apply in any area designated as a special protection area to a person proposing a land disturbing activity on privately owned property:

(1) who is required by law to obtain approval of a development plan, diagrammatic plan, schematic development plan, project plan, special exception, preliminary plan of subdivision, or site plan;

Review for Conformance to the Special Protection Area Requirements

As part of the requirements of the Special Protection Area law, a SPA water quality plan should be reviewed in conjunction with the Special Exception. Under the provision of the law, the Montgomery County Department of Permitting Services (DPS) and the Planning Board have different responsibilities in the review of a water quality plan. DPS has reviewed and conditionally approved the elements of the water quality plan under its purview. The Planning Board responsibility is to determine if environmental buffer protection, SPA forest conservation and planting requirements have been satisfied.

County DPS Special Protection Area Review Elements

DPS has reviewed and conditionally approved the elements of the SPA preliminary/~~final~~ water quality plan under its purview with a synopsis provided below (see Attachment A).

Site Performance Goals

As part of the preliminary/~~final~~ water quality plan, the following performance goals were established for the site:

1. Minimize storm flow run off increases
2. Minimize sediment loading
3. Maximize infiltration and recharge

Stormwater Management

The stormwater management concept proposes to meet the required stormwater management goals via installation of a combination of micro-bioretenion planter boxes, dry wells, and a bio-swale.

Sediment and Erosion Control

Silt fence alone will not be allowed as a perimeter control. The use of a super silt fence will be required as a minimum for sediment control with emphasis on immediate stabilization of disturbed areas.

Monitoring of Best Management Practices

Monitoring of BMPs is not required for the proposed property improvements. Payment of the stream monitoring fee is required prior to the approval of the Sediment Control Plan. The stream monitoring fee computation is to be submitted for verification during the stormwater management/sediment control review process.

Planning Board Special Protection Area Review Elements

Environmental Planning Staff has reviewed and recommends Planning Board approval of the elements of the SPA water quality plan under its purview with conditions:

Environmental Guidelines

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD#42011129E) was approved by Environmental Planning staff on March 17, 2011. The site is located within the Clarksburg Special Protection Area (SPA) and the Little Seneca Creek watershed, a Use Class IV-P watershed. The Countywide Stream Protection Strategy (CSPS) rates streams in this watershed as good. There are no streams, floodplains, wetlands, or environmental buffers on or affecting the site.

Imperviousness

A main goal for new development in all SPAs is to reduce the amount of impervious surfaces. The Clarksburg SPA, which was created following approval of the Clarksburg master plan and subsequently amended, specifies no maximum imperviousness cap in this portion of the SPA.

The proposed project proposes a post development condition of 10,300 square feet, or 22.6% impervious surface area on the 45,665 square foot property. (see Attachment B)

The property is zoned R-200. Impervious surface rates across the county for the R-200 zone are generally between 15.4% and 19.0%. There is no imperviousness cap within this portion of the Clarksburg SPA so we use the general county average for the zone as a goal. At 22.6% the proposed

project is slightly higher than the upper goal of 19.0%. The applicant has minimized usage of all impervious surfaces to the greatest extent possible while achieving the goals of the use and meeting all other county regulations (parking and ADA compliance). Staff finds that the applicant has reduced imperviousness while accommodating the program requirements and meets the impervious requirements of the Clarksburg SPA.

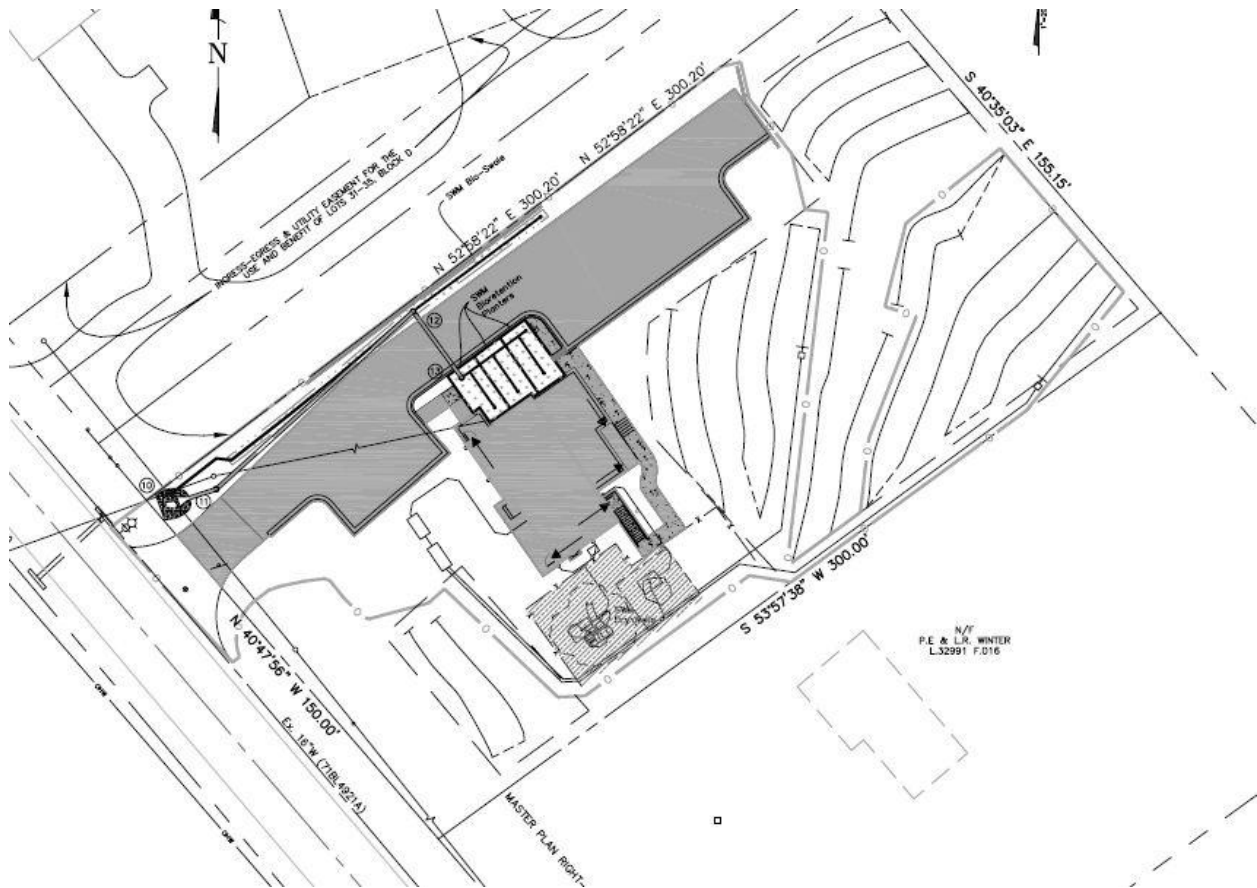


Figure 2: Proposed Impervious Surface Area Exhibit

Forest Conservation

This project is subject to the Montgomery County Forest Conservation law (Chapter 22A of the County code) under section 22A-4(b) “a person required by law to obtain special exception approval or a sediment control permit on a tract of land 40,000 square feet or larger, and who is not otherwise required to obtain an approval under subsection (a);” The site is 1.05 acres in size and contains no forest.

The property was granted a forest conservation plan exemption (42011129E) (see Attachment C) on March 17, 2011, under 22A-5(s)(1)¹ the small property exemption. Therefore, a forest conservation plan for the property is not required.

¹ 22A-5(s) (1) an activity occurring on a tract of land less than 1.5 acres with no existing forest, or existing specimen or champion tree, and the afforestation requirements would not exceed 10,000 square feet.

The submitted plan meets all applicable requirements of the Chapter 22A of the Montgomery County Code (Forest Conservation Law).

CONCLUSION

Staff recommends the Planning Board approval of the final water quality plan with conditions.

Attachments:

- A. DPS letter dated June 4 2012
- B. Impervious area exhibit
- C. Forest conservation plan exemption 42011129E



ATTACHMENT A

DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

June 4, 2012

Diane R. Schwartz Jones
Director

Mr. Pearce Wroe
Macris Hendricks and Glascock, P.A.
9220 Wightman Road, Suite 120
Montgomery Village, Maryland 20886

Re: **Preliminary/Final Water Quality Plan**
for Clarksburg Childcare Center
SM File #: 242178
Tract Size/Zone: 1.02 acres/R-200
Watershed: Little Seneca Creek

SPECIAL PROTECTION AREA

Dear Mr. Wroe:

Based on a review by the Department of Permitting Services, the Preliminary/Final Water Quality Plan (P/FWQP) for the above mentioned site is conditionally approved. This approval is for the elements of the Water Quality Plan of which DPS has lead agency responsibility, and does not include limits on imperviousness or stream buffer encroachments.

Site Description: The proposal is to provide parking and building additions to meet the requirements for daycare use on a 1.02 acre property located on MD Route 355. This is located within the portion of the Little Seneca Creek watershed which is in the Clarksburg Special Protection Area.

Stormwater Management: The stormwater management concept proposes to meet required stormwater management goals via installation of a combination of Micro-Bioretenion Planter Boxes, Dry Wells and a Bio Swale.

Sediment Control: Silt fence alone will not be allowed as a perimeter control. The use of super silt fence will be required as a minimum for sediment control with emphasis on immediate stabilization of disturbed areas.

Performance Goals: The performance goals that were established at the pre-application meeting still apply. The performance goals are as follows:

1. Minimize storm flow run off increases.
2. Minimize sediment loading.
3. Maximize infiltration and recharge.

255 Rockville Pike, 2nd Floor • Rockville, Maryland 20850 • 240-777-6300 • 240-777-6256 TTY
www.montgomerycountymd.gov



ATTACHMENT A

Pearce Wroe
June 4, 2012
Page 2

Monitoring: Monitoring of BMP's is not required for the proposed property improvements. Payment of the stream monitoring fee is required prior to the approval of the sediment control plan. The stream monitoring fee computation is to be submitted for verification during the stormwater management/sediment control review process.

Conditions of Approval: The following **items and conditions** will need to be addressed during the detailed sediment control/stormwater management plan stage. This list may not be all-inclusive and may change based on available information at the time:

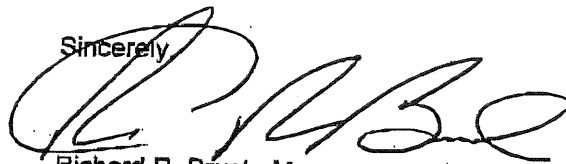
1. Provide documentation that the existing 18" culvert under MD Route 355 has the capacity to handle the developed 10-year storm flow and that MSHA will allow the proposed Bio Swale to outfall at the proposed location.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review. The stormwater facilities must be designed per MCDPS design requirements.
3. Safe conveyance of the developed 10-year storm through the Bio Swale and Micro Bioretention Planter Boxes must be demonstrated.
4. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is **not required**.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate Water Quality Plan request shall be required.

If you have any questions regarding these actions, please feel free to contact Leo Galanko at (240) 777-6242.

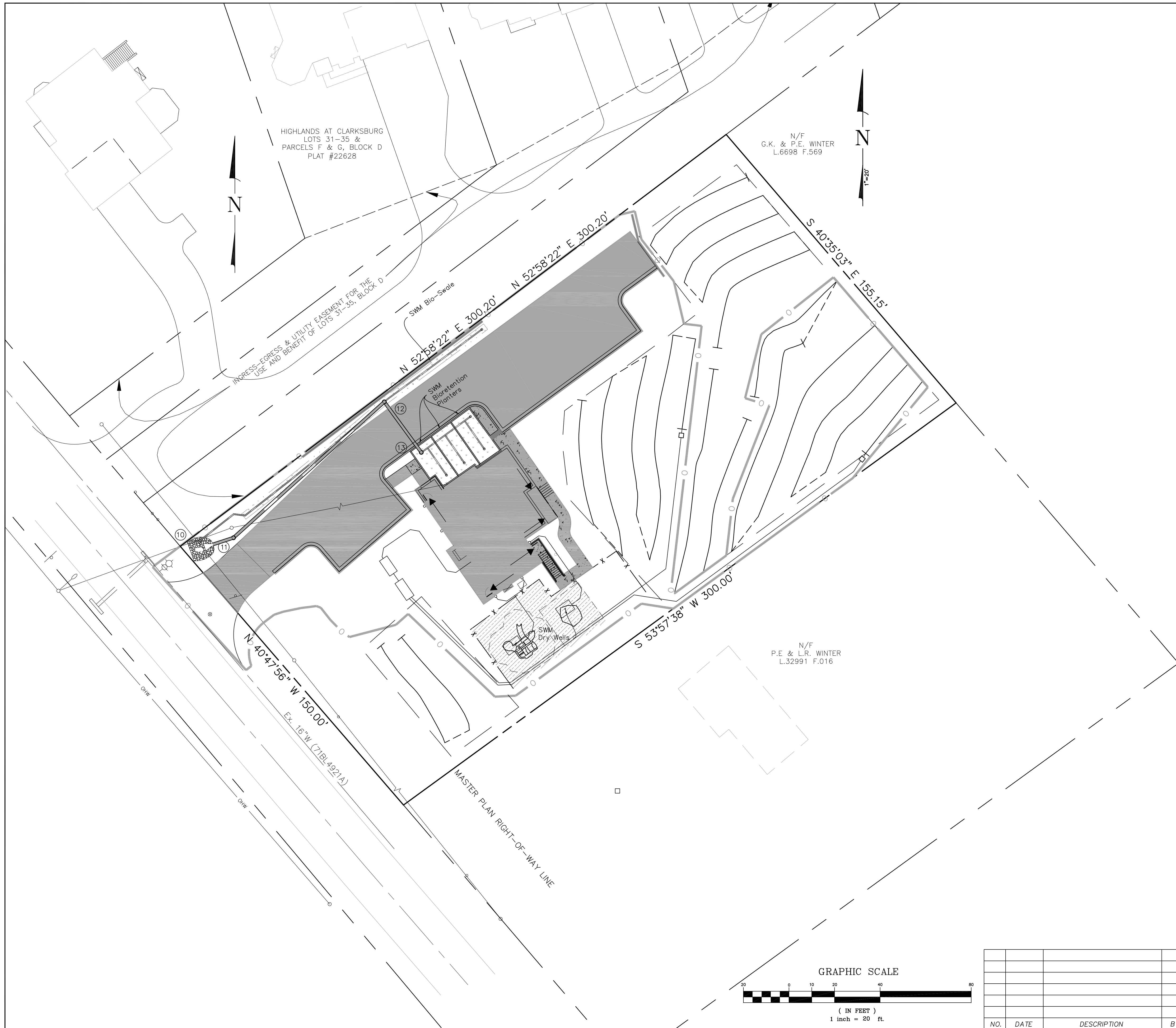
Sincerely



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB: lmg:CN242178

cc: C. Conlon (MNCPPC-DR) ✓
J. Penn (MNCPPC-ER) ✓
L. Galanko

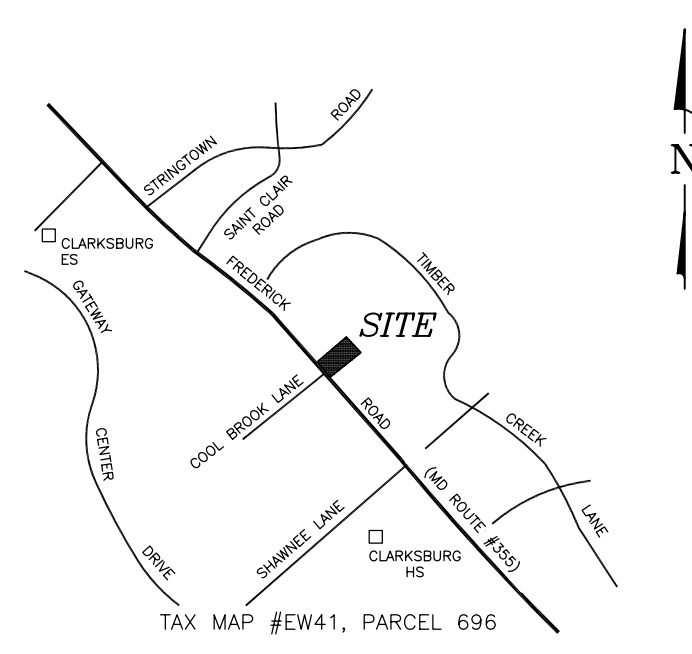


LEGEND

—○— Limits of Disturbance

■ Impervious Area

On Site Imp. = 10,300 SF
 Gross Tract Area = 45,665 SF
 % Impervious = 10,300 / 45,665 = 22.6%



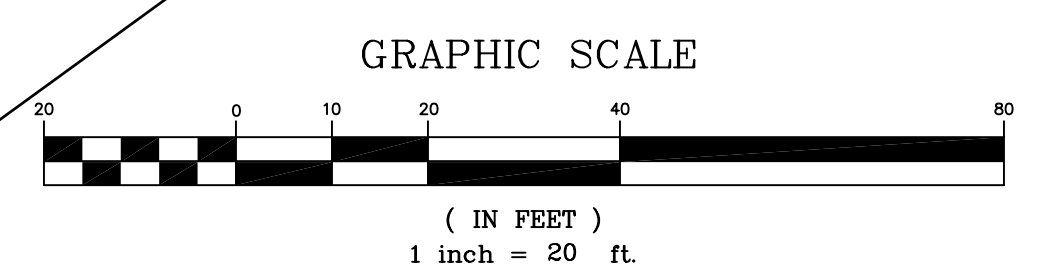
VICINITY MAP
 SCALE 1" = 2,000'

E:\10147\dwg\SC_11_01.dwg, SWM Concept (2), 10/12/12 4:18:05 PM, workspace, Copyright © 2012 Macris, Hendricks & Glascock, P.A.

TAX MAP EW 341 WSSC 232 NW 13

IMPERVIOUS AREA EXHIBIT
PARCEL 696
CLARKSBURG CHILDCARE CENTER
 L. 3507 F.64
 2ND ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

Macris, Hendricks & Glascock, P.A. Engineers ■ Planners Landscape Architects ■ Surveyors	Proj. Mgr. SEC	Designer PCW
	Date 10/01/12	Scale 1"=20'
9220 Wightman Road, Suite 120 Montgomery Village, Maryland 20886-1279	Phone 301.670.0840 Fax 301.948.0693 www.mhga.com	Project No. 2010.147



NO.	DATE	DESCRIPTION	BY



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

March 17, 2011

Michael and Shirley Vesper
5615 Haddington Drive
Adamstown, MD 21710

Re: Forest Conservation Exemption Number: 42011129E
Name of Plan: Clarksburg Childcare Center

Dear Michael and Shirley:

This letter is to inform you that your request for an exemption from submitting a forest conservation plan 42011129E, Clarksburg Childcare Center, is **confirmed**. This plan approved on March 17, 2011 is in compliance with Chapter 22A-5.(s)(1) of the Forest Conservation Law. This exemption covers an activity occurring on a tract of land less than 1.5 acres with no existing forest, or existing specimen or champion tree, and the afforestation requirements would not exceed 10,000 square feet.

Any changes from the approved exemption request may constitute grounds to rescind or amend any approval actions taken and to take appropriate enforcement actions. If there are any subsequent modifications planned to the approved plan, a separate amendment must be submitted to M-NCPPC for review and approval prior to those activities occurring.

If you have any questions regarding these actions, please feel free to contact me at (301) 495-4546 or at Joshua.Penn@montgomeryplanning.org

Sincerely,

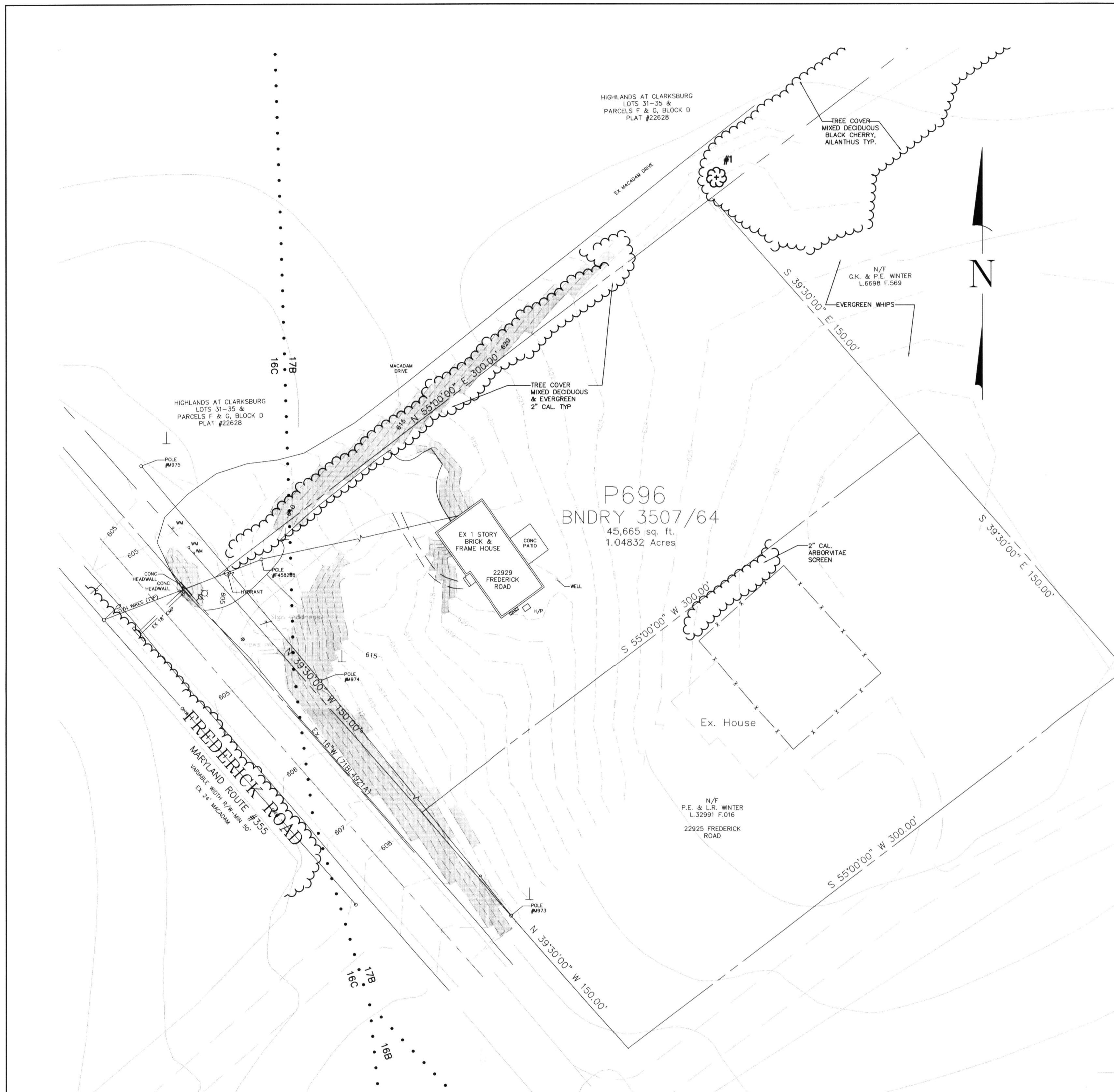
A handwritten signature in cursive script that reads "Josh Penn".

Joshua Penn
2011.03.17
11:29:48 -04'00'

Joshua Penn
Senior Planner
Area 3
M-NCPPC

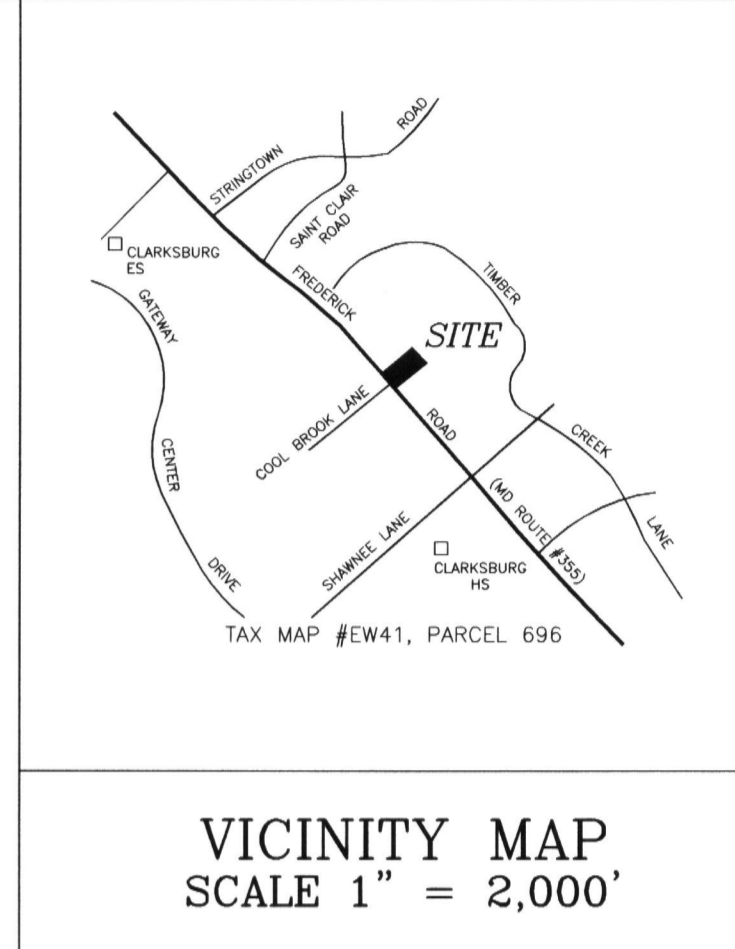
Cc: NRI/FSD 42011129E
Frank Johnson

Z:\NRI_FSD Exemptions\FY '11\42011129E_ClarksburgChildcareCenter_jp.doc



LEGEND

- SIGNIFICANT TREE
- TREE COVER
- SOIL BOUNDARY (SEE SOILS KEY)
- STEEP SLOPES ≥ 25%
- PROPERTY BOUNDARY
- PROPERTY BOUNDARY



RESOURCE DATA TABLE	
DESCRIPTION	SIZE
Total Tract Area	1.05 Acres
Tract remaining in Agricultural Use	0.00 Acres
Road & utility ROW (unimproved)	0.00 Acres
Existing Forest	0.00 Acres
Land Use Category	Residential (R-200)
Afforestation Threshold	15 %
Reforestation Threshold	20 %
Acres of Wetlands/Acres of Forest in Wetlands	0.00/0.00 Acres
Acres of 100-yr FP/Acres of Forest in 100-year Floodplain	0.00/0.00 Acres
Acres of Environmental Buffers/Acres of Forest in Environmental Buffers	0.00/0.00 Acres
Acres of Other Priority area/Acres of Forest in other Priority Areas	0.00/0.00 Acres
Stream Valley Buffer Length	0 Feet
Avg. Width	0 Feet

- NATURAL RESOURCE INVENTORY/FOREST STAND DELINEATION NOTES**
- TOTAL SITE AREA = 1.05 ACRES (45,665 S.F.) AND CONSISTS OF PARCEL 696, LIBER 3507, FOLIO 64. THE PROPERTY IS LOCATED AT 22929 FREDERICK ROAD (MD RTE 355) IN CLARKSBURG, APPROXIMATELY 1/4 MILE SOUTHEAST OF THE STRINGTOWN ROAD INTERSECTION.
 - 1' CONTOUR TOPOGRAPHY BY CHARLES P. JOHNSON & ASSOCIATES, INC. APRIL 2010.
 - BOUNDARY INFORMATION FROM DEEDS OF RECORD.
 - SOILS ON-SITE ARE MAPPED AS BRINKLOW-BLOCKTOWN CHANNERY SILT LOAM (MAPPING UNIT 16C) AND OCCOQUAN LOAM (MAPPING UNIT 17B) ACCORDING TO SHEET 7 OF THE SOIL SURVEY OF MONTGOMERY COUNTY ISSUED JULY 1995.
 - THE SITE DRAINS TO LITTLE SENECA CREEK. THIS PORTION OF THE LITTLE SENECA CREEK WATERSHED IS DESIGNATED AS CLASS IV-P WATERS BY THE STATE OF MARYLAND.
 - NO WETLANDS, STREAMS, SEEPS, SPRINGS, FLOODPLAINS, OR STREAM VALLEY BUFFERS EXIST ON SITE.
 - THE SITE LIES WITHIN THE CLARKSBURG SPECIAL PROTECTION AREA.
 - UTILITIES (I.E. WATER, SEWER, STORM DRAIN, CULVERTS, ELECTRIC, PHONE) ARE SHOWN IN APPROXIMATE LOCATIONS.
 - THERE IS NO FOREST ON-SITE.
 - THE PROPERTY IS NOT SHOWN AS A HISTORIC SITE OR WITHIN A HISTORIC DISTRICT ACCORDING TO MC-ATLAS ON LINE. NO STRUCTURE OR EVIDENCE SUGGESTING HISTORICAL OR ARCHAEOLOGICAL SIGNIFICANCE WAS OBSERVED DURING SITE INVESTIGATION.
 - INDIVIDUAL TREE LOCATIONS ARE IN SURVEYED LOCATIONS.
 - FIELDWORK FOR THIS INVENTORY WAS CONDUCTED ON 11/17/10 BY FRANK JOHNSON.
 - NO RARE, THREATENED OR ENDANGERED SPECIES WERE OBSERVED ON-SITE.
 - THIS PLAN EXPIRES 2 YEARS FROM THE DATE OF M-NCPPC APPROVAL UNLESS A FOREST CONSERVATION PLAN HAS BEEN ACCEPTED AS COMPLETE.
 - NO TREES ON-SITE HAVE A DBH EQUAL TO OR GREATER THAN THE CURRENT STATE OR COUNTY CHAMPIONS. NO TREES ON-SITE HAVE A DBH EQUAL TO OR GREATER THAN 75% OF THE COUNTY CHAMPION.
 - THIS INVENTORY IN NO WAY CONSTITUTES A HAZARD TREE SURVEY. TREE CONDITIONS ARE GENERALLY ACCURATE BASED ON VISUAL OBSERVATION PER USUAL AND CUSTOMARY PRACTICE IN ACCORD WITH STATE AND COUNTY FOREST CONSERVATION LEGISLATION. THE EXAMINATION DETAIL REQUIRED TO PROVIDE A COMPREHENSIVE ANALYSIS OF BIOLOGICAL AND STRUCTURAL HEALTH IS BEYOND THE SCOPE OF THIS INVESTIGATION. CONDITION RATINGS ARE THE OPINION OF THE UNDERSIGNED PREPARER AND NOT THE APPROVING AGENCY. MHG ASSUMES NO LIABILITY FOR INJURY OR PROPERTY DAMAGE THAT MAY OCCUR AS A RESULT OF TREE FAILURE ON THIS PROPERTY.

SOIL KEY	
16C	Brinklow-Blocktown channery silt loams 8-15 percent slopes Not hydric, not highly erodible
17B	Occoquan loam 3-8 percent slopes Not hydric, not highly erodible
16B	Offsite Brinklow-Blocktown channery silt loams 3-8 percent slopes Not hydric, not highly erodible

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Forest Conservation (FC Exemption)

Tree Save Plan

APPROVED

FC Exemption No. 4201129E

[Signature] 3/17/11
Date

Site conditions have not been field-verified as part of this approval.

NO TREE SAVE PLAN IS REQUIRED

ID #	Common Name	Botanical Name	DBH	CRZ (s.f.)	CRZ (radius)	Conditions/Remarks
1	Black Cherry	Prunus serotina	25	4,416	37.5	Poor - rot, vines, scarred (off-site)

Notes: Diameters are given for each trunk of multiple bole trees when division occurs below 4.5 feet. If major division occur 4.5 feet, only the trunk diameter at 4.5 feet is given. Trunk ID Numbers correspond to those assigned on the Natural Resource Inventory/Forest Stand Delineation Map.

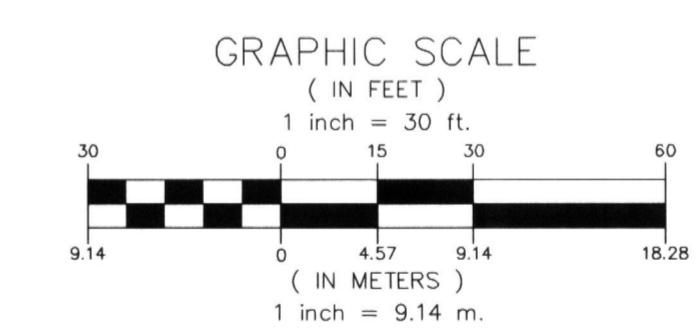
NATURAL RESOURCE INVENTORY/FOREST STAND DELINEATION CERTIFICATION

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT AND THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF EXISTING STATE AND COUNTY FOREST CONSERVATION LEGISLATION.

2/15/11
DATE

[Signature]
Frank C. Johnson

RECOGNIZED AS QUALIFIED PROFESSIONAL BY MD. DEPT. OF NATURAL RESOURCES



NO.	DATE	DESCRIPTION	BY

TAX MAP EW 341 WSSC 232 NW 13

SIMPLIFIED NATURAL RESOURCE INVENTORY / FOREST STAND DELINEATION

PARCEL 696

CLARKSBURG CHILDCARE CENTER

L. 3507 F.64

2ND ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

MHG Macris, Hendricks & Glascock, P.A.
Engineers ■ Planners
Landscape Architects ■ Surveyors

9220 Wightman Road, Suite 120
Montgomery Village, Maryland
20886-1279

Phone 301.670.0840
Fax 301.948.0693
www.mhga.com

Proj. Mgr. MWP	Designer FCJ
Date 2-15-11	Scale 1"=30'
Project No. 10.147.11	Sheet 1 of 1