MCPB Item No.

Date: 10/15/2015

Wheaton Library, Community Recreation Center and Neighborhood Park, Preliminary Forest Conservation Plan No. MR2016004

Amy Lindsey, Planner Coordinator, Area 2 Division, Amy.Lindsey@montgomeryplanning.org, 301.495.2189

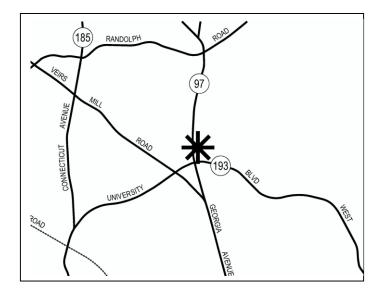
Khalid Afzal, Planner Supervisor, Area 2 Division, Khalid.Afzal@montgomeryplanning.org, 301.495.4650

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Completed: 10/2/2015

Description

- Preliminary Forest Conservation Plan associated with the combined library, recreation center, and neighborhood park;
- Located at the northeast corner of the intersection of Georgia and Arcola Avenues;
- 5.63-acre site zoned R-90 in the Master Plan for the Communities of Kensington-Wheaton area;
- Applicants: Montgomery County Department of General Services, and M-NCPPC Parks;
- Filing Date: August 7, 2015.



Summary

Staff recommends approval with conditions.

The Applicants proposes to:

- Meet the 0.93-acre forest conservation through fee-in-lieu payment or off-site planting.
- Remove five trees and impact five trees that require a variance, per Section 22A-12(b)(3).

Pursuant to Chapter 22A of the County Code, the Board's actions on Forest Conservation Plans are regulatory and binding.

Conditions of Approval

- Prior to issuance of a Sediment Control Permit from the Department of Permitting Services, the Applicant must obtain approval of a Final Forest Conservation Plan from the Planning Department. The Final Forest Conservation Plan must be consistent with the approved Preliminary Forest Conservation Plan.
- 2. The Final Forest Conservation Plan must show the planting of 14 3-inch caliper native shade trees as mitigation for the loss of trees requiring a variance.
- 3. The Applicant must either pay the fee-in-lieu or record a certificate of compliance for the 0.93-acres forest planting requirement prior to any demolition, clearing, or grading on site.
- 4. The Applicant must plant 14 3-inch caliper native shade trees on the property within one year of construction completion.

Project Description

Montgomery County Department of General Services (MCPS) and Montgomery County Parks Department propose to replace the existing Wheaton Recreation Center and Wheaton Library with a collocated library and recreation center and adjoining park. The proposal also includes the closure of Hermitage Avenue and a shared parking structure under the proposed building.

Site Description

Existing Wheaton Recreation Center and Wheaton Library are located on a total of 5.63 acres, bifurcated by existing Hermitage Avenue. Georgia Avenue forms the western boundary, with Parker Avenue to the north and Arcola Avenue to the south. The site is bordered by single-family houses on the eastern edge.



The site slopes east from the frontage on

Georgia Avenue, with an elevation change of approximately 8'. The site lies within the Rock Creek and Sligo Creek Watersheds and not within any Special Protection Areas.

ANALYSIS

Environmental Guidelines

Staff approved a Natural Resource Inventory/Forest Stand Delineation (#420140110) on October 11, 2013. There are no forests, streams, wetlands, floodplains, or environmental buffers on the site. The site contains 21 trees ≥24" diameter at breast height (DBH). The proposed project is in compliance with the Environmental Guidelines.

Forest Conservation

The site is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code) and the Applicant has submitted a Preliminary Forest Conservation Plan (Attachment 1) in conjunction with the Mandatory Referral. There is no forest on site. The Applicant proposes to meet a 0.93-acre planting requirement by either paying the fee-in-lieu or planting at a forest mitigation bank. Staff agrees that this is appropriate, as there are no priority reforestation areas or adjoining forest onsite.

Forest Conservation Variance

Section 22A-12(b) (3) of Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection. The law requires a variance to impact trees that: measure 30 inches or greater diameter at breast height (DBH); are part of a historic site or designated with a historic structure; are designated as national, State, or County champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species. Any impact to these trees, including removal or disturbance within the tree's critical root zone (CRZ), requires a variance. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law.

The Applicant submitted a variance request on 8/7/2015 for the impacts to trees (Attachment 2). The proposed layout will remove five trees and impact, but not remove, five trees that are considered high priority for retention under Section 22A-12 (b) (3) of the County Forest Conservation Law.

Unwarranted Hardship for Variance Tree Impacts

Per Section 22A-21, a variance may only be granted if the Planning Board finds that leaving the requested trees in an undisturbed state will result in unwarranted hardship. The requested variance is necessary due to the location of the existing trees on and around the site, the need to demolish two buildings prior to constructing the collocated facility, and the requirement to provide stormwater management for all facilities. The proposed library, recreation center, and park project is needed in order to provide the Wheaton area with adequate public facilities.

Leaving the requested trees in an undisturbed state would result in an unwarranted hardship because the Applicant would not be able to remove any existing features or install any new features or stormwater management facilities. All five of the trees proposed for removal will be impacted by the demolition of the existing facilities.

Variance Tree Location



Impacted Tree



Removed Tree

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LOD

Variance Tree Tables

Removals

ID	Species	Size	Condition	Notes
1	American elm	30"	Good	Demolition of existing facilities and construction
				of access road
2	Pignut hickory	30"	Good	Demolition of existing facilities and construction
				of access road
7	Red oak	32"	Good	Demolition of existing facilities, grading, and
				new stormwater conveyance pipes
10	Pin oak	40"	Good	Demolition of existing facilities, new parking
				area, and stormwater conveyances.
21	Black locust	31"	Good	Demolition of existing facilities, grading,
				stormwater management, and park facilities.

Impacts

ID	Species	Size	Condition	Notes
5	American elm	43"	Fair	Grading, stormwater management, and park
				facilities.
6	Red oak	33"	Fair	Grading, stormwater management, and park
				facilities.

ID	Species	Size	Condition	Notes
14	Red maple	34"	Fair	Parking and access road
15	Yellow poplar	32"	Fair	Parking and access road
16	Red maple	36"	Good	Sidewalk and stormwater management

Variance Findings - Based on the review of the variance request and the proposed Preliminary Forest Conservation Plan, staff makes the following findings:

1. Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants.

Granting this variance will not confer a special privilege on the Applicant as disturbance of the specified trees is a result of the need to build a new library and recreation center, parking, and park. The proposed development is the continuation of an existing, reasonable use of the site and disturbance has been minimized to retain trees where possible. The size and configuration of the site preclude alternative site designs that would allow the variance trees to remain undisturbed.

2. The need for the variance is not based on conditions or circumstances which are the result of the actions by the applicant.

The requested variance is not based on conditions or circumstances that are the result of actions by the Applicant. The variance is necessary due to the constraints of size, the requirements to demolish existing facilities, and the location of the existing trees on and around the site.

3. The need for the variance is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.

The requested variance is a result of the location of trees and the impacts by the proposed layout of the new library, recreation center and park, and not a result of land or building use on a neighboring property. The impact to the trees is the minimum disturbance necessary to demolish and rebuild library and recreation center, to provide a park facility, and to provide associated upgrades to the site.

4. Granting the variance will not violate State water quality standards or cause measurable degradation in water quality.

The Applicant will plant 14 3" caliper native shade trees to replace the form and function of the variance trees proposed for removal. In addition, the site will be developed in accordance with the Maryland Department of the Environment criteria for stormwater management, including the provision of Environmental Site Design to protect natural resources to the maximum extent practicable. Water quality will improve with the proposed development and State water quality standards will not be violated.

Mitigation for Trees Subject to the Variance Provisions

The Applicant is requesting a variance to remove five trees. The five trees (listed in the removal table above) are outside of a forest and will be mitigated at a rate of 1" caliper per 4" DBH removed, using a minimum 3" caliper native shade tree. The Applicant will plant 14, 3-inch caliper trees, which will be shown on the Final Forest Conservation Plan.

County Arborist's Recommendation on the Variance

In accordance with Montgomery County Code Section 22A-21(c), the Planning Department is required to refer a copy of the variance request to the County Arborist in the Montgomery County Department of Environmental Protection for a recommendation prior to acting on the request. The County Arborist has reviewed the variance request and recommended approval with mitigation (Attachment 3).

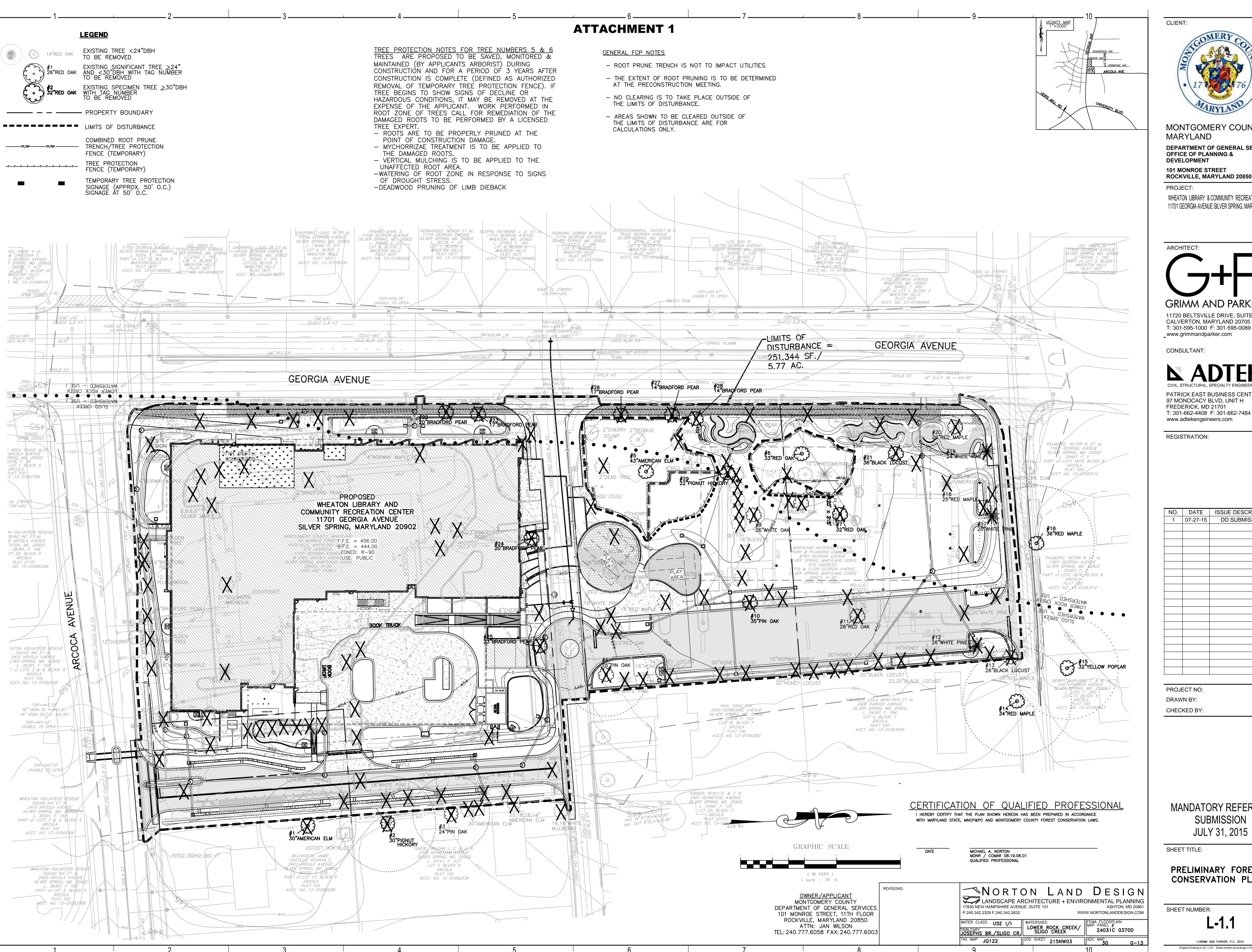
<u>Variance Recommendation</u> - Staff recommends that the variance be granted.

CONCLUSION

Staff concludes that the proposed Preliminary Forest Conservation Plan meets the requirements of Chapter 22A Forest Conservation Law. Staff therefore recommends that the Planning Board approve the Preliminary Forest Conservation Plan and associated variance, with the above conditions.

Attachments:

- 1. Preliminary Forest Conservation Plan
- 2. Variance request
- 3. Letter from County Arborist





MONTGOMERY COUNTY MARYLAND

DEPARTMENT OF GENERAL SERVICES OFFICE OF PLANNING & DEVELOPMENT

101 MONROE STREET ROCKVILLE, MARYLAND 20850

PROJECT:

WHEATON LIBRARY & COMMUNITY RECREATION CENTER 11701 GEORGIA AVENUE SILVER SPRING, MARYLAND 20902

ARCHITECT:

GRIMM AND PARKER 11720 BELTSVILLE DRIVE, SUITE 600 CALVERTON, MARYLAND 20705

CONSULTANT:

PATRICK EAST BUSINESS CENTER 97 MONOCACY BLVD, UNIT H FREDERICK, MD 21701 T: 301-662-4408 F: 301-662-7484 www.adtekengeineers.com

REGISTRATION:

NO.	DATE	ISSUE DESCRIPTION
1	07-27-15	DD SUBMISSION
PROJI	ECT NO:	
		LVV
DRAW	IN BY:	LYV

MANDATORY REFERRAL SUBMISSION JULY 31, 2015

SHEET TITLE:

PRELIMINARY FOREST CONSERVATION PLAN

SHEET NUMBER:

L-1.1

© GRIMM AND PARKER, P.C. 2015 Original Drawing is 30" x 42". Scale entities accordingly if reduced.

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A. Total tract a	rea						6.17
		parks, county	facility et	to)			0.00
		s or utilities (by this pla	un)	0.00
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H. Conservation	Threshold				20%	x F =	1.23
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			Sig	nificant/Sp	ecimenTree Summary 24" +	
Tree	Species	Species	D.B.H	Tree	Comments	
#	(Scientific Name)	(Common Name)	(inches)	Condition		
1	ULMUS AMERICANA	AMERICAN ELM	30	GOOD	OFFSITE/INCLUDED BARK/BROKEN LIMBS	TO BE REMOVED WITH NEIGHBOR PERMISSION
2	CARYA GLABRA	PIGNUT HICKORY	30	GOOD	OFFSITE/DEAD&BROKEN LIMBS	TO BE REMOVED WITH NEIGHBOR PERMISSION
3	QUERCUS PALUSTRIS	PINOAK	24	FAIR	OFFSITE/MUCH DIEBA CK/WA TERSPROUTS/DEA D&BROKEN LIMBS	TO BE REMOVED WITH NEIGHBOR PERMISSION
4	QUERCUS PALUSTRIS	PIN OAK	26	FAIR	EXPOSED&DA MA GED ROOTS/PRUNED/BROKEN LIMBS	TO BE REMOVED
5	ULMUS AMERICANA	AMERICAN ELM	43	FAIR	EXPOSED&DAMAGED&GIRDLED ROOTS/TRUNK DAMAGE 1'-6' WITH MINIMAL HEART ROT/BROKEN LIMBS	SAVE AND PROTECT
6	QUERCUS RUBRA	RED OAK	33	FAIR	EXPOSED&DAMAGED ROOTS/FUNGUS ON FLARE/DEAD LIMBS	SAVE AND PROTECT
7	QUERCUS RUBRA	RED OAK	32	GOOD	PRUNED/DIEBACK	TO BE REMOVED
8	QUERCUS PHELLOS	WILLOW OAK	26	GOOD	PRUNED/DIEBA CK	TO BE REMOVED
9	QUERCUS ALBA	WHITE OAK	26	GOOD		TO BE REMOVED
10	QUERCUS PALUSTRIS	PIN OAK	35	GOOD	PRUNED/DIEBACK	TO BE REMOVED
11	QUERCUS RUBRA	RED OAK	28	GOOD	EXPOSED ROOTS/DIEBACK	TO BE REMOVED
12	PINUS STROBUS	WHITE PINE	26	FAIR/POOR	VINES/LEAN/TOPPED/HEAVILY PRUNED/MANY DEAD&BROKEN LIMBS/POTENTIAL FUTURE HAZARD	TO BE REMOVED WITH NEIGHBOR PERMISSION
13	ROBINIA PSEUDOACACIA	BLACK LOCUST	26	FAIR/POOR	CO-OWNED/VINES/BROKEN LEADER/HOLLOW A REAS/FUNGUS THROUGHOUT	TO BE REMOVED WITH NEIGHBOR PERMISSION
14	ACER RUBRUM	RED MAPLE	34	FAIR	OFFSITE/EXPOSED ROOTS/LARGE CONK/DEAD&BROKEN LIMBS	SAVE AND PROTECT
15	LIRIODENDRON TULIPIFERA	YELLOW POPLAR	32	GOOD	OFFSITE	SAVE AND PROTECT
16	ACER RUBRUM	RED MAPLE	36	FAIR/POOR	OFFSITE/EXPOSED&DAM AGED ROOTS/M UCH TRUNK DAM AGE AT BASE/HEAVILY PRUNED	SAVE AND PROTECT
17	PINUS STROBUS	WHITE PINE	25	POOR	TOPPED/LIGHTNING DAMAGE/TRUNK DAMAGE THROUGHOUT/DEAD&BROKEN LIMBS	TO BE REMOVED
18	A CER RUBRUM	RED MAPLE	25	GOOD	DEA D&BROKEN LIMBS	TO BE REMOVED
19	PINUS STROBUS	WHITE PINE	24	GOOD	CO-OWNED/PRUNED	TO BE REMOVED
20	A CER RUBRUM	RED MAPLE	29	GOOD	EXPOSED&DA MA GED ROOTS/DEA D&BROKEN LIMBS	TO BE REMOVED
21	ROBINIA PSEUDOACACIA	BLACK LOCUST	36	FAIR	WATERSPROUTS/BROKEN LIMBS	TO BE REMOVED
22	PYRUS CALLERYANA	BRADFORD PEAR	20	FAIR	EXPOSED ROOTS/TRUNK DAMAGE 3'-6' FROM BROKEN LEADER WITH NO SIGNIFICANT ROT	TO BE REMOVED
23	PYRUS CALLERYANA	BRADFORD PEAR	17	FAIR	TRUNK DAMAGE 1'-6' FROM BROKEN LEADER WITH NO SIGNIFICANT ROT	TO BE REMOVED
24	PYRUS CALLERYANA	BRADFORD PEAR	20	FAIR	EXPOSED ROOTS/CAVITY 3'-5' WITH ROT	TO BE REMOVED
25	PYRUS CALLERYANA	BRADFORD PEAR	23	FAIR	EXPOSED&DAMAGED ROOTS/TRUNK DAMAGE 2'-5' FROM BROKEN LEADER WITH SOME ROT	TO BE REMOVED
26	PYRUS CALLERYANA	BRADFORD PEAR	17	GOOD	EXPOSED&DAMAGED ROOTS/PRUNED	TO BE REMOVED
27	PYRUS CALLERYANA	BRADFORD PEAR	14	GOOD	PRUNED	TO BE REMOVED
28	PYRUS CALLERYANA	BRADFORD PEAR	14	FAIR	HEAVILY PRUNED	TO BE REMOVED
29	CARYA GLABRA	PIGNUT HICKORY	22	GOOD	BROKEN LIMBS	TO BE REMOVED
* BC	LD TYPE DENOTES SPECIMEN	TREES				
	Condition Scoring System					
	No Apparent Problems	Excellent				
	Minor Problems	Good				
	Major Problems	Fair				
	Extreme Problems	Poor				

SITE TABULATIONS:

_	SHE MOSE MONS.	
	ACREAGE OF TRACT:	6.17
	ACREAGE OF TRACT REMAINING IN AGRICULTURE:	0
	ACREAGE OF ROAD AND UTILITY R/W WHICH WILL BE IMPROVED AS PART OF DEV. APPLICATION:	NOT 0
		_
	ACREAGE OF EX. FOREST:	0.00
	ACREAGE OF TOTAL FOREST RETENTION:	0.00
	ACREAGE OF TOTAL FOREST CLEARED:	0.00
	LAND USE CATEGORY:	IDA
	AFFORESTATION THRESHOLD	0.93
	CONSERVATION THRESHOLD	1.23
	ACREAGE OF FOREST RETAINED, CLEARED, AND	0.00/0.00/0.00
	PLANTED WITHIN WETLANDS	·
	ACREAGE OF FOREST RETAINED, CLEARED, AND	0.00/0.00/0.00
	PLANTED WITHIN 100-YEAR FLOODPLAIN	
	ACREAGE OF FOREST RETAINED, CLEARED, AND	0.00/0.00/0.00
	PLANTED WITHIN STREAM BUFFERS	
	ACREAGE OF FOREST RETAINED, CLEARED, AND	
	PLANTED WITH PRIORITY AREAS	0.00/0.00/0.00
	LINEAR EXTENT & AVERAGE WIDTH OF STREAM BU	JFFER 0/0'
		,

OR FOREST BANKING AT A LOCATION TO BE DETERMINED DURING THE FINAL FCP.

TOTAL DBH INCHES OF SPECIMEN TREES REMOVED (OUTSIDE FOREST) 310 X 0.25 = 78 REQUIRED CALIPER INCHES MITIGATION 26 TOTAL 3" CALIPER TREES REQUIRED TO BE PLANTED *SPECIMEN TREE MITIGATION PLANT SCHEDULE WILL BE PROVIDED WITH FFCP

GENERAL FCP NOTES:

- ROOT PRUNE TRENCH IS NOT TO IMPACT UTILITIES.

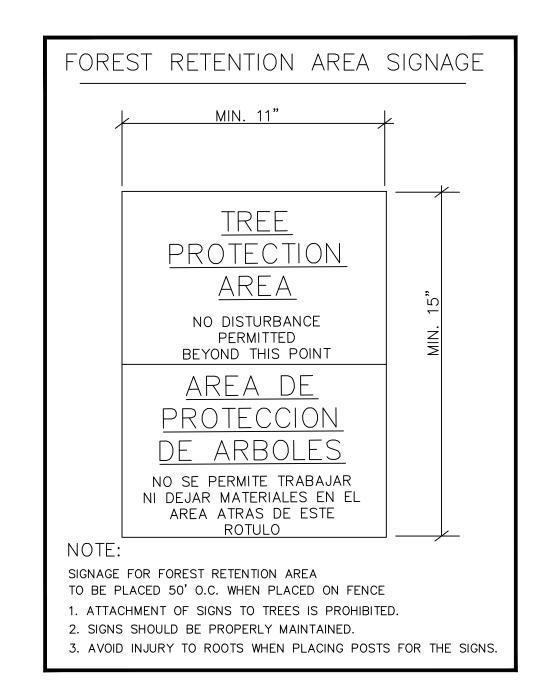
- THE EXTENT OF ROOT PRUNING IS TO BE DETERMINED AT THE PRECONSTRUCTION MEETING.

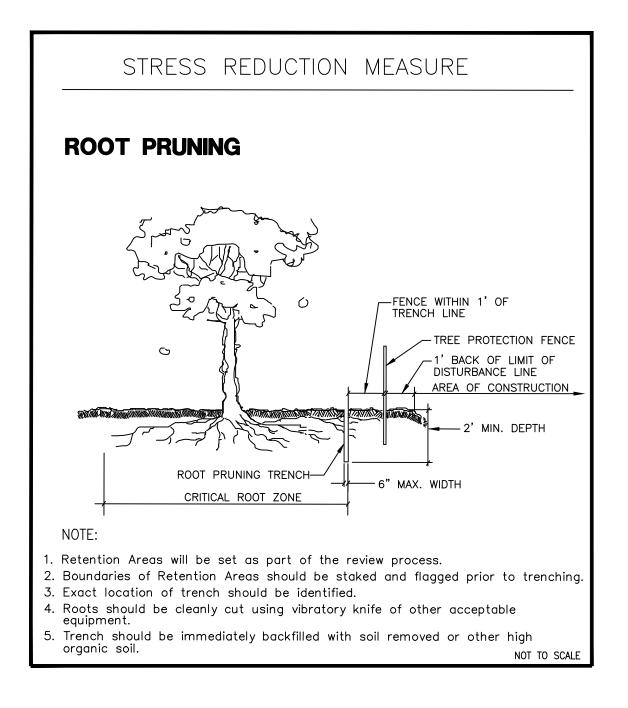
- NO CLEARING IS TO TAKE PLACE OUTSIDE OF THE LIMITS OF DISTURBANCE.
- AREAS SHOWN TO BE CLEARED OUTSIDE OF THE LIMITS OF DISTURBANCE ARE FOR

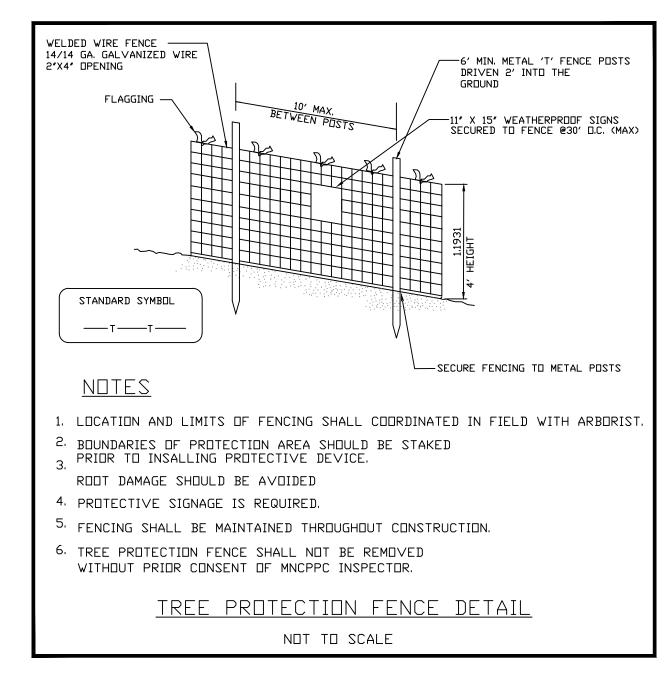
SITE PLANTING NOTE:

CALCULATIONS ONLY.

- TREES AND SHRUBS TO BE PLANTED OUTSIDE OF L.O.D. ARE TO BE DUG WITH HAND EQUIPMENT ONLY. NO MACHINERY IS TO GO OUTSIDE OF L.O.D. PLANTS ARE TO BE INSTALLED AND STABILIZED SAME DAY.







Sequence of Events for Property Owners Required to Comply With Forest Conservation and/or Tree-Save Plans

Pre-Construction

1. An on-site pre-construction meeting is required after the limits of disturbance have been staked and flagged, but before any clearing or grading begins. The property owner should contact the Montgomery County Planning Department inspection staff before construction to verify the limits of disturbance and discuss tree protection and tree care measures. The developer's representative, construction superintendent, ISA certified arborist or Maryland-licensed tree expert that will implement the tree protection measures, forest conservation inspector, and Department of Permitting Services (DPS) sediment control inspector should attend this pre-construction meeting.

2. No clearing or grading shall begin before stress-reduction measures have been implemented. Appropriate measures may include, but are not limited to: a. Root pruning

b. Crown reduction or pruning c. Watering d. Fertilizing e. Vertical mulching

f. Root aeration matting

Measures not specified on the forest conservation plan may be required as determined by the forest conservation inspector in coordination with the arborist.

3. A Maryland-licensed tree expert or an International Society of Arboriculture- certified arborist must perform all stress reduction measures. Documentation of stress reduction measures must be either observed by the forest conservation inspector or sent to the inspector at 8787 Georgia Avenue, Silver Spring, MD 20910. The forest conservation inspector will determine the exact method to convey the stress reductions measures during the pre-construction meeting.

4. Temporary tree protection devices shall be installed per the Forest Conservation Plan/Tree Save Plan and prior to any construction activities. Tree protection fencing locations should be staked prior to the pre-construction meeting. The forest conservation inspector, in coordination with the DPS sediment control inspector, may make field adjustments to increase the survivability of trees and forest shown as saved on the approved plan. Temporary tree protect devices may include:

 a. Chain link fence (four feet high) b. Super silt fence with wire strung between support poles (minimum 4 feet high) with high visibility flagging. c. 14 gauge 2 inch x 4 inch welded wire fencing supported by steel T-bar posts (minimum 4 feet high) with high visibility flagging.

5. Temporary protection devices shall be maintained and installed by the contractor for the duration of construction project and must not be altered without prior approval from the forest conservation inspector. No equipment, trucks, materials, or debris may be stored within the tree protection fence areas during the entire construction project. No vehicle or equipment access to the fenced area will be permitted. Tree protection shall not be removed without prior approval of forest conservation

6. Forest retention area signs shall be installed as required by the forest conservation inspector, or as shown on the approved

7. Long-term protection devices will be installed per the Forest Conservation Plan/Tree Save Plan and attached details. Installation will occur at the appropriate time during the construction project. Refer to the plan drawing for long-term protection measures to be installed. **During Construction**

8. Periodic inspections by the forest conservation inspector will occur during the construction project. Corrections and repairs to all tree protection devices, as determined by the forest conservation inspector, must be made within the timeframe established by the inspector.

Post-Construction

9. After construction is completed, an inspection shall be requested. Corrective measures may include: a. Removal and replacement of dead and dying trees b. Pruning of dead or declining limbs c. Soil aeration

d. Fertilization e. Watering

f. Wound repair g. Clean up of retention areas

conservation.

10. After inspection and completion of corrective measures have been undertaken, all temporary protection devices shall be removed from the site. Removal of tree protection devices that also operate for erosion and sediment control must be coordinated with both the Department of Permitting Services and the forest conservation inspector. No additional grading, sodding, or burial may take place after the tree protection fencing is removed.

INSPECTIONS

All field inspections must be requested by the applicant. Inspections must be conducted as

<u>Tree Save Plans and Forest Conservation Plans without Planting Requirements</u>

- 1. After the limits of disturbance have been staked and flagged, but before any clearing or
- 2. After necessary stress reduction measures have been completed and protection
- measures have been installed, but before any clearing and grading begin. 3. After completion of all construction activities, but before removal of tree protection fencing, to determine the level of compliance with the provision of the forest

Additional Requirements for Plans with Planting Requirements

- 4. Before the start of any required reforestation and afforestation planting
- 5. After the required reforestation and afforestation planting has been completed to verify
- that the planting is acceptable and prior to the start the maintenance period. 6. At the end of the maintenance period to determine the level of compliance with the

provisions of the planting plan, and if appropriate, release of the performance bond.

NO. DATE ISSUE DESCRIPTION 1 07-27-15 DD SUBMISSION

CLIENT:

MONTGOMERY COUNTY

DEPARTMENT OF GENERAL SERVICES

WHEATON LIBRARY & COMMUNITY RECREATION CENTER

11701 GEORGIA AVENUE SILVER SPRING, MARYLAND 20902

MARYLAND

DEVELOPMENT

PROJECT:

OFFICE OF PLANNING &

ROCKVILLE, MARYLAND 20850

GRIMM AND PARKER

CALVERTON, MARYLAND 20705

T: 301-595-1000 F: 301-595-0089

PATRICK EAST BUSINESS CENTER

97 MONOCACY BLVD, UNIT H

T: 301-662-4408 F: 301-662-7484

FREDERICK, MD 21701

REGISTRATION:

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_www.grimmandparker.com

CONSULTANT:

11720 BELTSVILLE DRIVE, SUITE 600

101 MONROE STREET

PROJECT NO: DRAWN BY: CHECKED BY:

JEB

CERTIFICATION OF QUALIFIED PROFESSIONAL

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON HAS BEEN PREPARED IN ACCORDANCE WITH MARYLAND STATE, MNCP&PC AND MONTGOMERY COUNTY FOREST CONSERVATION LAWS.

> MICHAEL A. NORTON MDNR / COMAR 08.19.06.01 QUALIFIED PROFESSIONAL

JQ122

REVISIONS: OWNER/APPLICANT MONTGOMERY COUNTY DEPARTMENT OF GENERAL SERVICES 101 MONROE STREET, 11TH FLOOR ROCKVILLE, MARYLAND 20850 ATTN: JAN WILSON

TEL: 240.777.6058 FAX: 240.777.6003

NORTON LAND DESIGN LANDSCAPE ARCHITECTURE + ENVIRONMENTAL PLANNING 17830 NEW HAMPSHIRE AVENUE, SUITE 101 P.240.342.2329 F.240.342.2632 WWW.NORTONLANDDESIGN.COM WATER CLASS USE I/I WATERSHED LOWER ROCK CREEK/ SLIGO CREEK 24031C 0370D JOSEPHS BR./SLIGO CR.

215NW03

ADC MAP PAGE 30 GRID G-13

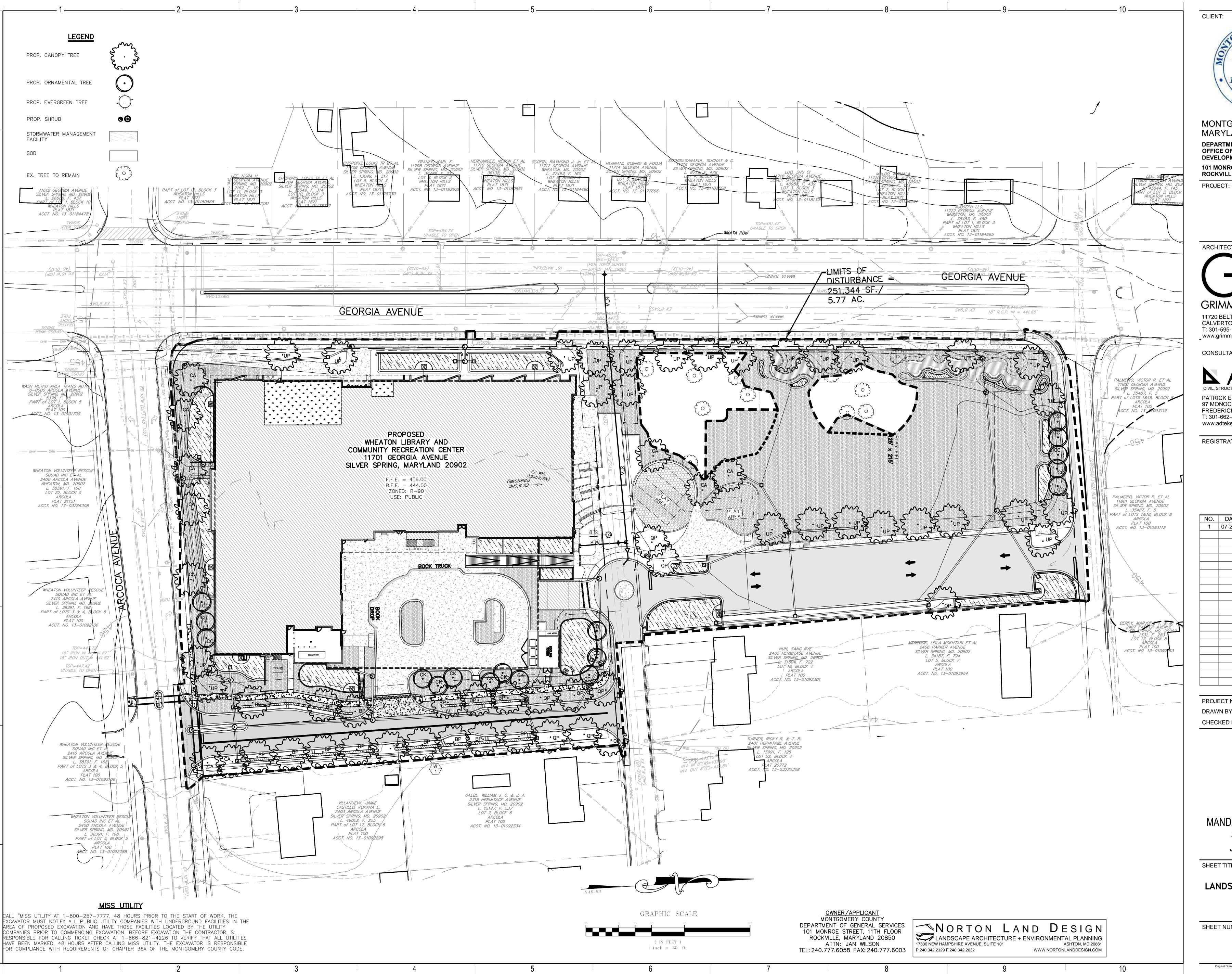
MANDATORY REFERRAL SUBMISSION JULY 31, 2015

SHEET TITLE:

PRELIMINARY FOREST CONSERVATION PLAN

SHEET NUMBER:

© GRIMM AND PARKER, P.C. 2015 Original Drawing is 30" x 42". Scale entities accordingly if reduced.



MONTGOMERY COUNTY MARYLAND

DEPARTMENT OF GENERAL SERVICES OFFICE OF PLANNING & **DEVELOPMENT**

101 MONROE STREET ROCKVILLE, MARYLAND 20850

ARCHITECT:

GRIMM AND PARKER

11720 BELTSVILLE DRIVE, SUITE 600 CALVERTON, MARYLAND 20705 T: 301-595-1000 F: 301-595-0089 _www.grimmandparker.com

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REGISTRATION:

	NO.	DATE	ISSUE DESCRIPTION
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PROJECT NO: DRAWN BY: CHECKED BY: JEB

MANDATORY REFERRAL SUBMISSION JULY 31, 2015

SHEET TITLE:

LANDSCAPE PLANTING **PLAN**

SHEET NUMBER:

L-2.

© GRIMM AND PARKER, P.C. 2015 Original Drawing is 30" x 42". Scale entities accordingly if reduced. PLANTING SPECIFICATIONS

be between 6 and 7.

SCOPE: Consists of supplying the planting trees, shrubs and herbaceous materials (groundcovers) including the staking of trees as specified herein and the supplying of materials, labor, equipment and work related services necessary for same as specified herein. The work of this section includes, but is not limited to:

> fertilizing watering wrapping soil preparation staking plant materials planting maintenance replacement

MATERIALS: Wherever the following items appear in the specifications, they shall be as follows:

Topsoil The Contractor shall provide required natural, friable, fertile, fine sandy loam possessing the characteristics of representative topsoil in the vicinity which produce heavy growths of vegetation. The topsoil shall be free from subsoil, noxious weeds, stones, lime, cement, ashes, slag or other deleterious matter. Topsoil shall be well drained in its original condition and free of toxic quantities of acid or alkaline elements. It shall contain sand and clay in approximately equal proportions, and shall have an organic content by weight of not less than 2% nor more than 20% as determined by laboratory tests. The pH shall

Water Shall be furnished by the Contractor for the execution of all work specified in this contract. The Contractor shall verify that the water available is suitable for irrigation and free from ingredients harmful to

Peat Shall be only moss (sphagnum) peat; brown acid reaction approximately 4 to 5 pH; of standard commercial quality delivered to the site in bags or other convenient containers, in air dry condition. Peat shall be fully warranted by the producer.

Brace Stakes: Wood brace stakes shall be common lumber or the sizes in the following table:

Tree Size **Brace Stakes**

2"x2"x96" 2"x2"x24",2"x2"x30" for conifers 1"—2.5" or < 8' tall

Hose Collars: Hose collars shall be new two ply fabric bearing garden hose not less than 2 inch inside

Wire shall be good commercial quality of galvanized wire. Wire used to stake trees shall be No. 12 gauge

PLANT MATERIAL STANDARDS:

Association of Nurserymen, Inc., as published in the "American Standard for Nursery Stocks", latest edition. No substitutions of size or grade shall be permitted without written permission from the Landscape Designer. Each bundle of plants and all separate plants shall be properly identified with the legible waterproof tags securely fastened to each plant or bundle of plants. They shall remain on the plants until

Health All plants including their roots shall be free from disease, insects, or other injurious qualities. All local, state, and federal laws pertaining to the inspection, sale, and shipment of plant materials shall be complied with. The trunk bark of all trees shall be sound, trees shall have no large wounds, and any small wounds shall have a satisfactory callus roll formed or forming over them. Plants shall show good annual growth. Buds shall be plump and well filled for the species. Evergreen foliage shall be of good intense

Quality: All plants shall be true to type; they shall have normal, well-developed branch systems, and a vigorous fibrous root system; they shall be sound, healthy, vigorous plants free from defects, disfiguring knots, sunscald injuries, abrasions of the bark, plant diseases, insect eggs, borers, and all forms of infestation. All new plants shall be nursery grown.

Ball and Burlap: All balled and burlapped plants shall conform to the "American Standard for Nursery Stock", latest edition. All balls shall be of natural earth in which the plant has been growing. No manufactured or artificially produced or mudded-balls shall be accepted. Balls shall be firm and unbroken, and of large enough size to adequately enclose the plant's fibrous root system.

Plant List: The list of plants furnished with the specifications is for the information of the Contractor. The height and caliper of trees, the height or spread of shrubs, the diameter of the balls of roots are the minimum dimensions required. Plants indicated "B&B" are to be dug with a ball of earth and wrapped in

burlap. Measurements: Shall conform to those specified on the plant list except as follows:

Oversize plants may be used only after approval by the designer.

Height and spread dimensions indicated refer to the main body of the plant and not from branch tip to branch tip. All trees and shrubs shall be measured when their branches are in normal position. Trees shall have straight trunks with the leader intact, undamaged and uncut.

Inspection The Planting Contractor shall be responsible for all inspection and approval of the plant material that may be required by state, federal and other authorities, and he shall secure any permits and

All plants shall be subject to inspection, and approval at place of growth before digging, or upon delivery, for quality, size and variety; such approval shall not impair the right of rejection at the project site during progress of the work, for size, condition of balls, roots, latent defects or injuries. Rejected plants shall be removed immediately from the project site

DIGGING AND HANDLING:

Protection from extremes in exposure and rough handling shall be provided all plant materials during

All plant materials shall be assembled in one location on the job site to permit inspection and approval by the designer. The Contractor shall notify the designer five (5) working days prior to planting so that a mutually agreeable time may be arranged for inspection. Stock with broken root balls or loose containers, and stock which shows evidence of being root-bound, over-grown, or recently canned, or in the opinion of the designer is damaged or improperly cared for, shall be removed from the site immediately and replaced at the Contractor's expense with another plant meeting the original specifications Plants shall not be pruned prior to approval by the designer.

PROCEDURE Tree Planting

Layout All trees shall be located as designated in the field by the planting plan. Where below ground or overhead obstructions are encountered, the trees shall be relocated by the designer.

Planting Pits: Shall be a diameter two (2) times the diameter of the ball of the tree or container diameter. The depth of the pit shall be enough to accommodate the ball or roots of the tree when the tree is set to finish grade. Prior to 3" of existing soil shall be mixed with the topsoil at a 1:1 ratio to reduce puddling beneath plantings. Planting islands within the parking lot shall be brought to final grade with 6" of planting soil.

Planting Soil Preparation: Mix then one part peat moss with five parts topsoil. Mix all components thoroughly before backfilling.

Setting of Trees: Before setting the trees, pits shall be watered. All plants shall be placed at such a level that, after settlement, the natural relationship between the original grade at which the plant grew, the ball shall be 1/8

higher than the finish grading. Trees shall be planted plumb, oriented for desired effect as directed by the designer. Topsoil shall be tamped under and around the base of each ball to fill all voids and shall be placed in 6 to 8 inch layers, each thoroughly tamped and puddled. Burlap shall be removed from the sides and top of balls and from under the balls. When planting bare root trees care shall be taken to work topsoil in around the roots and to spread them in a natural position before backfilling. Shallow basin or saucers a little larger than the diameter of the ball shall be formed around all trees to hold additional water.

Mulch Shall be applied to all tree pits to a depth of 3".

Shrub and Herbaceous Materials: (groundcover)

Pruning: All trees shall be neatly pruned after planting in accordance with the best standard practices and as directed by the designer. The tree shall be pruned to preserve its natural form and character and in a manner appropriate to its particular requirements. In general, at least one third of the deciduous trees shall be removed by thinning or shortening of branches but no leaders shall be cut. All pruning shall be done with clean, sharp tools.

Layout Herbaceous planting beds and shrub pit locations shall be designated by the designer in accordance with the plant list and the tentative locations shown on the planting plan. The general form of the planting bed shall be staked out and excavations performed within the stakes.

Preparation of Herbaceous Planting Beds The ground shall be thoroughly broken to a depth of 12 inches. The top 4 inches shall be worked by the contractor until the soil is completely fined and in a mellow condition to finish grade. All organic material shall either be worked into the soil or removed from the site. Clumps shall be removed from the site. All shall be performed perpendicular to the direction of surface drainage. All holes, depressions and rivulets shall be filled and brought to a smooth grade

Shrub Planting Pits: Shall not have vertical sides. The diameter of the pits shall be two times greater than the diameter of the ball or containerof the shrub. The depth of the pit shall be enough to accommodate the ball or roots of the shrub when the shrub is set to finish grade. 3" of existing soil shall be mixed with the topsoil at a 1:1 ratio to reduce puddling beneath plantings.

Shrub Planting Soil: Mix one part peat moss with five parts topsoil. Mix all components thoroughly

Setting of Shrubs: All materials shall be planted 2" higher in relation to the finish grade as they had before transplanting. The depth of the holes, as hereafter specified, shall be understood to be the depth below finish grade. Balled and burlapped plants shall have topsoil tamped under the balls. All burlap, ropes, staves, etc., shall be taken off the tops of the balls and removed from the ball before backfilling. Roots of bare root plants shall not be left matted together, but shall be arranged in natural positions and shall have topsoil worked in among them. All broken and frayed roots shall be properly removed by trimming. The Backfill of Topsoil: Shall be tamped in successive 8" layers. When the hole has been 2/3 backfilled, water shall be poured in filling the hole, and allowed to soak away so that all voids or air pockets under or

around the roots are eliminated. After the water has soaked away, the hole shall be completely backfilled

with "topsoil". After the backfill settles, additional soil shall be filled in, to the level of the finish grade. A

MISS UTILITY

CALL "MISS UTILITY AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF WORK. THE EXCAVATOR MUST NOTIFY ALL PUBLIC UTILITY COMPANIES WITH UNDERGROUND FACILITIES IN THE AREA OF PROPOSED EXCAVATION AND HAVE THOSE FACILITIES LOCATED BY THE UTILITY COMPANIES PRIOR TO COMMENCING EXCAVATION. BEFORE EXCAVATION THE CONTRACTOR IS RESPONSIBLE FOR CALLING TICKET CHECK AT 1-866-821-4226 TO VERIFY THAT ALL UTILITIES HAVE BEEN MARKED. 48 HOURS AFTER CALLING MISS UTILITY. THE EXCAVATOR IS RESPONSIBLE

FOR COMPLIANCE WITH REQUIREMENTS OF CHAPTER 36A OF THE MONTGOMERY COUNTY CODE.

shallow saucer of soil shall be formed around the edge of each hole to hold additional water.

Pruning: All shrubs shall be neatly pruned or thinned immediately after planting in accordance with best standard practices and as directed by the designer. Broken or bruised branches shall be removed with a clean cut. Each shrub shall be pruned to preserve its natural form or character and in a manner appropriate to its particular requirements. All pruning and thinning shall be done with sharp, clean tools.

Mulch: Shall be applied to all shrub beds and pits to a depth of 3" and to all herbaceous planting beds to a depth of 2" & evenly around the sides of the tree, outside of the ball. All stakes shall be oriented to a line parallel with the normal prevailing winds, or as directed by the designer. See planting details for staking locations.

TEMPORARY STORAGE AND HEELING-IN:

No heel-in plant material will be accepted, nor will any temporary heeling-in storage be permitted.

Plant material unloaded and accepted by the inspector shall be immediately transported to the planting site and planted. Material left out of ground overnight or left with its roots bare to the sun, or otherwise unprotected during transit, unloading or storage shall be rejected by the designer, if in his judgment such lack of protection has caused damage to the roots of the plant or in any other way injured the plant material.

The planting contractor shall be required to make periodic checks on the total project to make certain that the materials are properly cared for and that the sum of all conditions are contributing to the satisfactory progress of the materials, until such time as the work is approved by the designer.

INSPECTION AND ACCEPTANCE Inspection of this work will be made by the designer at the conclusion of the planting period upon written notice by the Contractor at least five (5) days prior to anticipated date. Condition of all plant materials will be noted and

recorded for reference. After inspection, the planting contractor will be notified in writing by the designer if there are any deficiencies of the requirements for acceptance of the work.

Trees and shrubs shall be guaranteed for a maximum of one full year of growing seasons after installation and shall be alive and in satisfactory condition at the end of the guarantee period. Such guarantee excludes vandalism.

DEFINITION FOR FURNISHED AND INSTALLING PLANT MATERIAL

shall be repaired at the expense of the Contractor.

no additional expense to Owner.

Such guarantee excludes vandalism.

 $|WIDTH = 2 \times ROOTBALL|$

OR CONTAINER DIA. MIN.

SECTION

2. REMOVE BURLAP FROM TOP HALF OF ROOT BALL.

LANDSCAPE SHRUB

7. DEEP WATER AFTER PLANTING.

4. PRUNE ALL DAMAGED, DISEASED, OR WEAK LIMBS AND ROOTS.

6. DO NOT ALLOW ROOTS TO DRY OUT DURING INSTALLLATION PROCESS.

The Maryland-National Capital Park and Planning Commission

1. REMOVE ALL POTS AND WIRE AND CUT CONTAINER CLEANLYA WAY FROM ROOTS.

3. CONTAINER PLANTINGS MAKE 4 TO 5 VERTICAL CUTS TO THE ROOT BALL BEFORE SETTING IN PLACE.

5. CLEANLY PRUNE ALL DAMAGED ROOT END;S TEASE ROOTS OF CONTAINER GROWN STOCK.

The unit price contained in the bid proposal for furnished and installing plant and shrub material shall be defined to include furnishing and installing material, all planting soils (if applicable), staking and a guarantee for one year or growing season (excluding vandalism).

PUBLIC UTILITIES:

GUARANTEE AND REPLACEMENT:

- 1. Care shall be exercised in excavation near utilities. If at any time Contractor damages the utilities in place through negligence or carelessness, Contractor shall pay for the full cost of repairing such damages. Contractor shall notify the appropriate person in the office of any utility whose lines may be affected.
- The locations of utilities shown on the plans are approximates only and do not necessarily indicate all the utilities that may be encountered during construction. The failure of a utility to be shown on the plans does not relieve Contractor of the responsibility for any injuries he may inflict on the utility, and in case of injury, it
- Whenever other utilities are encountered whose present grade would conflict with the new construction, Contractor shall notify Landscape Architect, who shall arrange revisions without unreasonable delay. Trenching or tunneling under existing utilities, culverts, etc., and providing temporary support shall be done at

GUARANTEE AND REPLACEMENT: The Contractor will guarantee survival of plants (each species) after one year. If at this time the total number of plants has fallen below this threshold, the Contractor will make a one-time replacement to bring plant numbers to the 100% levels for each species. Care shall be taken such that the activities involved in replacement planting do not cause damage or detrimental effect to the surviving flora. Any plants damaged by these activities will also be replaced by the Contractor to the 100% threshold.

Trees, shrubs and ground covers shall be guaranteed for 1 year after installation and shall be alive and in satisfactory condition at the end of the guarantee period.

DEFINITION FOR FURNISHED AND INSTALLING PLANT MATERIAL: The unit price contained in the bid proposal for furnished and installing plant and shrub material shall be defined to include furnishing and installing material, all planting soils (if applicable), staking and a guarantee for 12 months (excluding vandalism)

PROTECTION OF PRIVATE PROPERTY: Contractor shall repair or replace all fences, concrete walls, concrete curbs, gravel and asphalt driveways, signs, culverts, and all other miscellaneous improvements, at no additional expense to Owner, damaged by Contractor due to his operations on the project, to a condition equal to or better than their condition before

JOB CONDITIONS:

- 1. Examine and evaluate grades, soils and water levels, observe the conditions under which work is to be performed, and notify the Landscape Architect of unsatisfactory conditions. Do not proceed with the work until unsatisfactory conditions have been corrected in an
- Utilities: Review underground utilities location maps and plans provided by owner; demonstrate an awareness of utility locations, and certify acceptance of liability for the protection of utilities during course of work. Contractor shall be responsible for any damage to utilities or property.
- 3. Excavation: When conditions detrimental to plant growth are encountered, such as rubble fill, adverse drainage conditions, or obstructions, notify Landscape Architect

PRUNE ONLY DEAD, DECAYED, BROKEN,

CROSSING, AND INWARD GROWING BRANCHES

-ROOT COLLAR LEVEL WITH FINISHED GRADE

CREATE 3" SAUCER ON OUTSIDE EDGE OF PIT

-3" SHREDDED MULCH, TAPERED TO 0" AT THE

GENTLY COMPACTED NATIVE SOIL

--- UNDISTURBED SOIL

SITE LANDSCAPE PLANT SCHEDULE

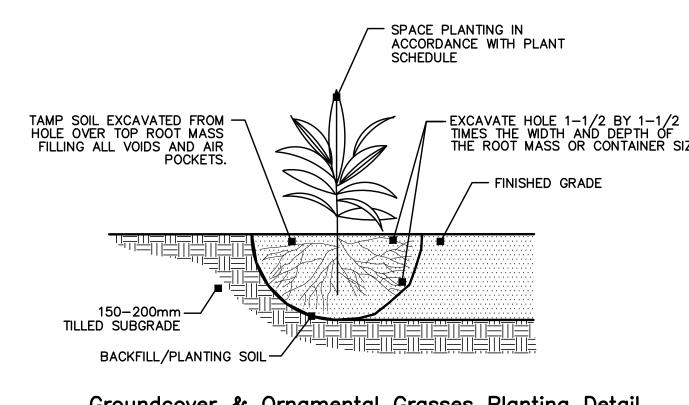
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KEY	BOTANICAL NAME	COMMON NAME	SIZE	FORM	SPACING	QUANTITY	COMMENTS
	TREES						
CA	CARPINUS CAROLINIANA	AMERICAN HORNBEAM	3" CAL.	B&B	SHOWN	10	
СС	CERCIS CANADENSIS	EASTERN REDBUD	6'-7'	B&B	SHOWN	11	
СК	CORNUS KOUSA	KOUSA DOGWOOD	6'-7'	B&B	SHOWN	6	Ĵ
BP	BETULA PAPYRIFERA	PAPERBARK BIRCH	3" CAL.	B&B	SHOWN	15	
QP	QUERCUS PHELLOS	WILLOW OAK	3" CAL.	B&B	SHOWN	9	
UP	ULMUS PARVIFOLIA 'BOSQUE'	'BOSQUE' ELM	3" CAL.	В&В	SHOWN	26	
	SHRUBS						
CS	CORNUS SERICEA F. BAILEYI	BAILEY'S RED-TWIG DOGWOOD	#3	CONT.	SHOWN	_	
	GRASSES/GROUNDCOVERS						
SB	SORGHASTRUM NUTANS 'SIOUX BLUE'	SIOUX BLUE INDIAN GRASS	#1	CONT.	18" O.C.	_	
CA2	CALAMAGROSTIS ACUTIFLORA 'KARL FORSTER'	KARL FORSTER FEATHER REED GRASS	#1	CONT.	18" O.C.	-	
SN	SALVIA NEMOROSA 'MAY NIGHT'	MEADOW SAGE	#1	CONT.	18" O.C.	_	
MS	MISCANTHUS SINENSIS 'YAKU-JIMA'	DWARF MAIDEN GRASS	#1	CONT.	18" O.C.	-	
PA	PENNISETUM ALOPECUROIDES 'HAMELIN'	DWARF FOUNTAIN GRASS	#1	CONT.	18" O.C.	-	
LM	LIRIOPE MUSCARI 'EVERGREEN GIANT'	EVERGREEN GIANT LIRIOPE	#1	CONT.	18"O.C.	_	

SOD & SEED	MIX DESCRIPTIONS			
SOD	SOD -TALL FESCUE/KENTUCKY BLUEGRASS	SQUARE YARD	ı	STABILIZATION AROUND SITE
S1	PRAIRIE NURSERY, INC. 'NO MOW' LAWN MIX (OR APPROVED EQUAL)	5 LBS/1000 SF	- LBS	MOW ONCE PER YEAR

ALTERNATE #1: SOD ALL GRASS AREAS: (EXCLUDES ORNAMENTAL GRASS AND 'NO MOW' LAWN AREA)

CONTRACTOR TO FURNISH AND INSTALL SOD IN LIEU OF SEED. BASE BID: CONTRACTOR TO PROVIDE SEEDING AND SOD IN AREAS AS SPECIFIED.

- * FERTILIZER AT RATE BASED UPON SOIL SAMPLE RESULTS; LIME RATE BASED UPON SOIL SAMPLE RESULTS
- ** COVER WITH STRAW MULCH & LIME@ RATE OF 2 TONS/ACRE
- ALL DISTURBED AREAS ARE TO BE STABILIZED WITH SHA SEED MIX NO. 1 FOR SLOPES LESS THAN 4:1 ALL DISTURBED AREAS ARE TO BE STABILIZED WITH MD CERTIFIED SOD FOR SLOPES EQUAL TO 4:1 TO SLOPES 3:1.
- ALL DISTUBED AREAS GREATER THAN 3:1 SHALL BE STABILIZED WITH SHA SEED MIX NO. 1, AT A RATE OF 125 LBS./ACRE
- NOTE: FOR ALL DISTURBED AREAS NOT SHOWN OR COVERED ON THE LANDSCAPE PLAN. SEE PERMANENT SEEDING REQUIREMENTS ON EROSION & SEDIMENT CONTROL DRAWINGS.



Groundcover & Ornamental Grasses Planting Detail NOT TO SCALE

OWNER/APPLICANT MONTGOMERY COUNTY DEPARTMENT OF GENERAL SERVICES 101 MONROE STREET, 11TH FLOOR ROCKVILLE, MARYLAND 20850 ATTN: JAN WILSON

17830 NEW HAMPSHIRE AVENUE, SUITE 101 P.240.342.2329 F.240.342.2632

NORTON LAND DESIGN LANDSCAPE ARCHITECTURE + ENVIRONMENTAL PLANNING ASHTON, MD 20861 WWW.NORTONLANDDESIGN.COM

MARYLAND **DEPARTMENT OF GENERAL SERVICES OFFICE OF PLANNING &** DEVELOPMENT

MONTGOMERY COUNTY

101 MONROE STREET ROCKVILLE, MARYLAND 20850

PROJECT:

CLIENT:

ARCHITECT:

GRIMM AND PARKER

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www.adtekengeineers.com

REGISTRATION:

FREDERICK, MD 21701

ISSUE DESCRIPTION NO. DATE 1 07-27-15 DD SUBMISSION

PROJECT NO: DRAWN BY: JEB CHECKED BY:

MANDATORY REFERRAL JULY 31, 2015

SHEET TITLE:

LANDSCAPE PLANTING NOTES & DETAILS

SHEET NUMBER:

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Original Drawing is 30" x 42". Scale entities accordingly if reduced.

Detail No.

NOTES:

AMENDED.

4. DO NOT DAMAGE OR CUT LEADER.

DEEP WATER AFTER PLANTING.

 $WIDTH = 2 \times ROOTBALL$

OR CONTAINER DIA.

5. ROOT FLAIR EVEN WITH LEVEL OF UNDISTURBED GROUND.

1. STAKES AND WIRES MUST BE REMOVED NO LATER THAN 12 MONTHS AFTER PLANTING.

DECIDUOUS PLANTS - (2" Caliper or Larger)

The Maryland-National Capital Park and Planning Commission

2. PLANTING HOLE SHALL BE DUG BY A BACKHOE OR OTHER MACHINE AND FINISHED BY HAND.

3. IF SURROUNDING SOIL IS COMPACTED AS DETERMINED BY INSPECTOR AN AREA UP TO 5 TIMES THE DIA.

OF THE ROOT MASS SHALL BE EXCAVATED OR ROTOTILLED TO A 1' DEPTH AND THE SOIL SHALL BE

-PRUNE ONLY DEAD DECAYED BROKEN

CROSSING AND INWARD GROWING

BRANCHES (NEVER PRUNE LEADER)

-REINFORCED RUBBER HOSE (BLACK)

—DOUBLE STRAND NO. 12 GAUGE WIRE.

-SURVEYORS FLAGGING (WHITE)

THE TRUNK

STAKES PER TREE

FROM TOP 1/2 OF BALL

-NATIVE SOIL WITH INOCULANT

- 3" SHREDDED MULCH TAPERED TO 0" AT

-HARDWOOD STAKE AT 90 DEGREE ANGLE

TO WIRE (2' INTO UNDISTURBED EARTH), 3

----EXISTING GRADE / UNDISTURBED SOI

TEL: 240.777.6058 FAX: 240.777.6003

_**-2**.

August 3, 2015 Revised September 10, 2015

Ms. Amy Lindsey
Maryland National Capital Park and Planning Commission (M-NCPPC)
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Wheaton Regional Library and Community Center

Request for Specimen Tree Variance

Dear Ms. Lindsey:

On behalf of the Montgomery County Department of General Services and pursuant to Section 22A-21 *Variance provisions* of the Montgomery County Forest Conservation Ordinance and recent revisions to the State Forest Conservation Law enacted by S.B. 666, we are writing to request a variance(s) to allow impacts to or the removal of the following trees identified on the approved Natural Resource Inventory/Forest Stand Delineation and proposed Preliminary Forest Conservation Plan for the above-named County construction project:

Project Description:

The proposed Wheaton Regional Library is located along Georgia Avenue between Parker Avenue and Arcola Avenue, Montgomery County, Maryland. The site is approximately 6.17 acres (including the offices LOD) and is comprised of four parcels owned by Montgomery County and MNCPPC. The site currently hosts two buildings, play areas and associated parking. There is no forest onsite. The site is within a residential neighborhood.

Proposed construction consists of a new combined Library and Community Center, improved circulation and parking, ball fields additional play areas and updates for ADA accessibility.

Requirements for Justification of Variance:

Section 22A-21(b) Application requirements states that the applicant must:

- (1) Describe the special conditions peculiar to the property which would cause the unwarranted hardship;
- (2) Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas;

- (3) Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance; and
- (4) Provide any other information appropriate to support the request.

Justification of Variance:

(1) Describe the special conditions peculiar to the property which would cause the unwarranted hardship;

Response: As part of the program, the task was to provide the community with an area library facility that can accommodate a growing population as well as a modernized, safe and healthy environment for young and old alike.

This work will require impacts and/or removal of a total of ten (10) specimen trees. Several designs were studied as part of the feasibility period with the specimen trees mapped to work at minimizing the impacts. At the end of the study period, it was determined to compact the parking and drive aisles with retaining walls and multi-story building

If Montgomery is not allowed to remove the trees as requested, the school will not be able to be construct the facilities due to the close proximity of specimen trees to the buildings and parking, amenities and stormwater facilities. As such, this would cause an unwarranted hardship to the community that it serves.

(2) Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas;

Response: If the County were required to keep all improvements outside the root zones of the specimen trees, the building would fail to be built due to the close proximity of specimen trees.

(3) Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance;

Response: This property will be developed in accordance with the latest Maryland Department of the Environment criteria for stormwater management. This includes Environmental Site Design to provide for protecting the natural resources to the Maximum Extent Practicable. This includes limiting the impervious areas and providing on-site stormwater management systems. A Stormwater Management Concept is currently under review by the Montgomery County Department of Permitting Services to ensure that this criterion is enforced. Therefore, the proposed activity will not degrade the water quality of the downstream areas and will not result in *measurable degradation in water quality*.

(4) Provide any other information appropriate to support the request.

Response: A substantial landscape planting plan will serve to create greater ecological quality while establishing further buffering of adjacent land uses (residential).

As further basis for its variance request, the applicant can demonstrate that it meets the Section 22A-21(d) *Minimum criteria*, which states that a variance must not be granted if granting the request:

- (1) Will confer on the applicant a special privilege that would be denied to other applicants;
 - Response: The new library and community center is in conformance with the County's General plan. As such, this is not a *special privilege* to be conferred on the applicant.
- (2) Is based on conditions or circumstances which are the result of the actions by the applicant;
 - Response: Montgomery County has taken no actions leading to the conditions or circumstances that are the subject of this variance request.
- (3) Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or
 - Response: The surrounding land uses (residences) do not have any inherent characteristics or conditions that have created or contributed to this particular need for a variance.
- (4) Will violate State water quality standards or cause measurable degradation in water quality.
 - Response: Granting this variance request will not violate State water quality standards or cause measurable degradation in water quality.

Conclusion:

For the above reasons, the applicant respectfully requests that the Planning Board APPROVE its request for a variance from the provisions of Section 22A of the Montgomery County Forest Conservation Ordinance, and thereby, GRANTS permission to impact/remove the specimen trees in order to allow the construction of this vital project.

The recommendations in this report are based on tree conditions noted at the time the NRI/FSD field work was conducted. Tree condition can be influenced by many environmental factors, such as wind, ice and heavy snow, drought conditions, heavy rainfall, rapid or prolonged freezing temperatures, and insect/disease infestation. Therefore, tree conditions are subject to change without notice.

The site plans and plotting of tree locations were furnished for the purpose of creating a detailed Tree Protection Plan. All information is true and accurate to the best of my knowledge and experience. All conclusions are based on professional opinion and were not influenced by any other party.

Sincerely,

Michael Norton

e	Tree Species	Species	D.B.H Tree		Comments	
	(Scientific Name)	(Common Name) (inches) Condition	(inches)	Condition		
	ULMUS AMERICANA	AMERICANELM	30	G00D	OFFSITE/INCLUDED BARK/BROKEN LIMBS	TO BE REMOVED WITH NEIGHBOR PERMISSION
	CARYA GLABRA	PIGNUT HICKORY	30	G00D	OFFSITE/DEAD&BROKEN LIMBS	TO BE REMOVED WITH NEIGHBOR PERMISSION
	ULMUS AMERICANA	AMERICAN ELM	43	FAIR	EXPOSED&DAMAGED&GIRDLED ROOTS/TRUNK DAMAGE 1'-6' WITH MINIMAL HEART ROT/BROKEN LIM BS	SAVE AND PROTECT
	QUERCUS RUBRA	RED OAK	33	FAIR	EXPOSED&DAMAGED ROOTS/FUNGUS ON FLARE/DEAD LIMBS	SAVE AND PROTECT
	QUERCUS RUBRA	RED OAK	32	G00D	PRUNED/DIEBACK	TO BE REMOVED
10	QUERCUS PALUSTRIS	PINOAK	35	G00D	PRUNED/DIEBACK	TO BE REMOVED
	ACER RUBRUM	RED MAPLE	34	FAIR	OFFSITE/EXPOSED ROOTS/LARGE CONK/DEA D& BROKEN LIMBS	SAVE AND PROTECT
15	LIRIODENDRON TULIPIFERA YELLOW POPLAR	YELLOW POPLAR	32	G00D	OFFSITE	SAVE AND PROTECT
16	ACER RUBRUM	RED MAPLE	36	FAIR/POOR	OFFSITE/EXPOSED&DAM AGED ROOTS/MUCH TRUNK DAMAGE AT BASE/HEAVILY PRUNED	SAVE AND PROTECT
72	ROBINIA PSEUDOACACIA	BLACK LOCUST	36	FAIR	WATERSPROUTS/BROKEN LIMBS	TO BE REMOVED

ATTACHMENT 3



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett
County Executive

Lisa Feldt Director

September 21, 2015

Casey Anderson, Chair Montgomery County Planning Board Maryland National Capital Park & Planning Commission 8787 Georgia Avenue Silver Spring, Maryland 20910

RE: Wheaton Regional Library and Community Center, MR 2016004, NRI/FSD recertification submitted on 7/19/2013

Dear Mr. Anderson:

All applications for a variance from the requirements of Chapter 22A of the County Code submitted after October 1, 2009 are subject to Section 22A-12(b)(3). Accordingly, given that the application for the above referenced request was submitted after that date and must comply with Chapter 22A, and the Montgomery County Planning Department ("Planning Department") has completed all review required under applicable law, I am providing the following recommendation pertaining to this request for a variance.

Section 22A-21(d) of the Forest Conservation Law states that a variance must not be granted if granting the request:

- 1. Will confer on the applicant a special privilege that would be denied to other applicants;
- 2. Is based on conditions or circumstances which are the result of the actions by the applicant;
- 3. Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or
- 4. Will violate State water quality standards or cause measurable degradation in water quality.

Applying the above conditions to the plan submitted by the applicant, I make the following findings as the result of my review:

- 1. The granting of a variance in this case would not confer a special privilege on this applicant that would be denied other applicants as long as the same criteria are applied in each case. Therefore, the variance can be granted under this criterion.
- 2. Based on a discussion on March 19, 2010 between representatives of the County, the Planning Department, and the Maryland Department of Natural Resources Forest Service, the disturbance of trees, or other vegetation, as a result of development activity is not, in and of itself, interpreted as a condition or circumstance that is the result of the actions by the applicant. Therefore, the

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Casey Anderson September 21, 2015 Page 2

variance <u>can be granted</u> under this criterion, as long as appropriate mitigation is provided for the resources disturbed.

- 3. The disturbance of trees, or other vegetation, by the applicant does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property. Therefore, the variance can be granted under this criterion.
- 4. The disturbance of trees, or other vegetation, by the applicant will not result in a violation of State water quality standards or cause measurable degradation in water quality. Therefore, the variance can be granted under this criterion.

Therefore, I recommend a finding by the Planning Board that this applicant qualifies for a variance conditioned upon the applicant mitigating for the loss of resources due to removal or disturbance to trees, and other vegetation, subject to the law based on the limits of disturbance (LOD) recommended during the review by the Planning Department. In the case of removal, the entire area of the critical root zone (CRZ) should be included in mitigation calculations regardless of the location of the CRZ (i.e., even that portion of the CRZ located on an adjacent property). When trees are disturbed, any area within the CRZ where the roots are severed, compacted, etc., such that the roots are not functioning as they were before the disturbance must be mitigated. Exceptions should not be allowed for trees in poor or hazardous condition because the loss of CRZ eliminates the future potential of the area to support a tree or provide stormwater management. Tree protection techniques implemented according to industry standards, such as trimming branches or installing temporary mulch mats to limit soil compaction during construction without permanently reducing the critical root zone, are acceptable mitigation to limit disturbance. Techniques such as root pruning should be used to improve survival rates of impacted trees but they should not be considered mitigation for the permanent loss of critical root zone. I recommend requiring mitigation based on the number of square feet of the critical root zone lost or disturbed. The mitigation can be met using any currently acceptable method under Chapter 22A of the Montgomery County Code.

In the event that minor revisions to the impacts to trees subject to variance provisions are approved by the Planning Department, the mitigation requirements outlined above should apply to the removal or disturbance to the CRZ of all trees subject to the law as a result of the revised LOD.

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

Sincerely,

Laura Miller County Arborist

Mila

cc: