



**MEMORANDUM**

September 15, 2016

**TO:** Montgomery County Planning Board

**VIA:** Mike Riley, Director of Parks *MGR*  
 Mitra Pedoeem, Deputy Director of Parks *Mitra Pedoeem*  
 John E. Hench, Ph.D., Chief, Park Planning & Stewardship Division *Jehench*  
 Michael Ma, Acting Chief, Park Development Division *mm*

**FROM:** Brenda Sandberg, Legacy Open Space Program Manager, PPSD *Brenda Sandberg*  
 Dom Quattrocchi, Planner Coordinator, PPSD *Quattrocchi*  
 William E. Gries, Park Development Division *William E. Gries*  
 Josh Kaye, Park Development Division *JK*

**SUBJECT:** Land Acquisition Recommendation, Legacy Open Space Program  
 Ten Mile Creek Conservation Park  
 Mary Beth Lassetter Beck Revocable Trust (Beck Property)  
 60.03 acres, more or less

**Staff Recommendation**

Approve the attached Resolution (Attachment A) to acquire the Beck Property, 60.03± acres, to add to Ten Mile Creek Conservation Park for the negotiated purchase price of \$985,500.00 to be funded through the Legacy Open Space CIP with County G.O. Bonds.

**Summary**

The Beck Property acquisition implements the vision of Ten Mile Creek Conservation Park (CP) as described in the recently approved *Ten Mile Creek Limited Amendment to the Clarksburg Master Plan* (July 2014). **Most importantly, acquisition of the Beck Property will provide the nexus to create the first 470-acre portion of Ten Mile Creek CP by aggregating this acquisition, existing parkland, and County-owned land designated for the Park in the Ten Mile Creek Limited Amendment.**

In addition to creating the first functional portion of the Ten Mile Creek CP, the Beck Property acquisition will provide several specific benefits to the park system. It will provide a key trailhead and parking area to support the natural surface trail network beyond the Ten Mile Creek CP, including connectivity to Little Bennett Regional Park to the north and Black Hill Regional Park to the south. This acquisition will also support preservation of mature interior forest canopy in a sensitive watershed of county-wide significance, protect the water quality in Little Seneca Reservoir, and provide trails and other resource-based recreation opportunities for the growing community of Clarksburg.

## Site Description

The 60.3-acre Beck property (outlined in red in **Figures 1 & 3**) includes three parcels of Rural zoned land (P616, P633, & P300) with access off Shiloh Church Road. The land consists of approximately 50 acres of forest, 9 acres of active farmland, and 1.5 acres of developed land with a house and two outbuildings.

The site contains an important portion of the mainstem of Ten Mile Creek and one tributary. Over two acres of wetlands and vernal pools provide important habitat diversity on the property and supports the overall quality of the Ten Mile Creek watershed that leads to Little Seneca Lake in Black Hill Regional Park.

**Figure 1: Vicinity Map of Proposed Acquisition: Beck Properties**

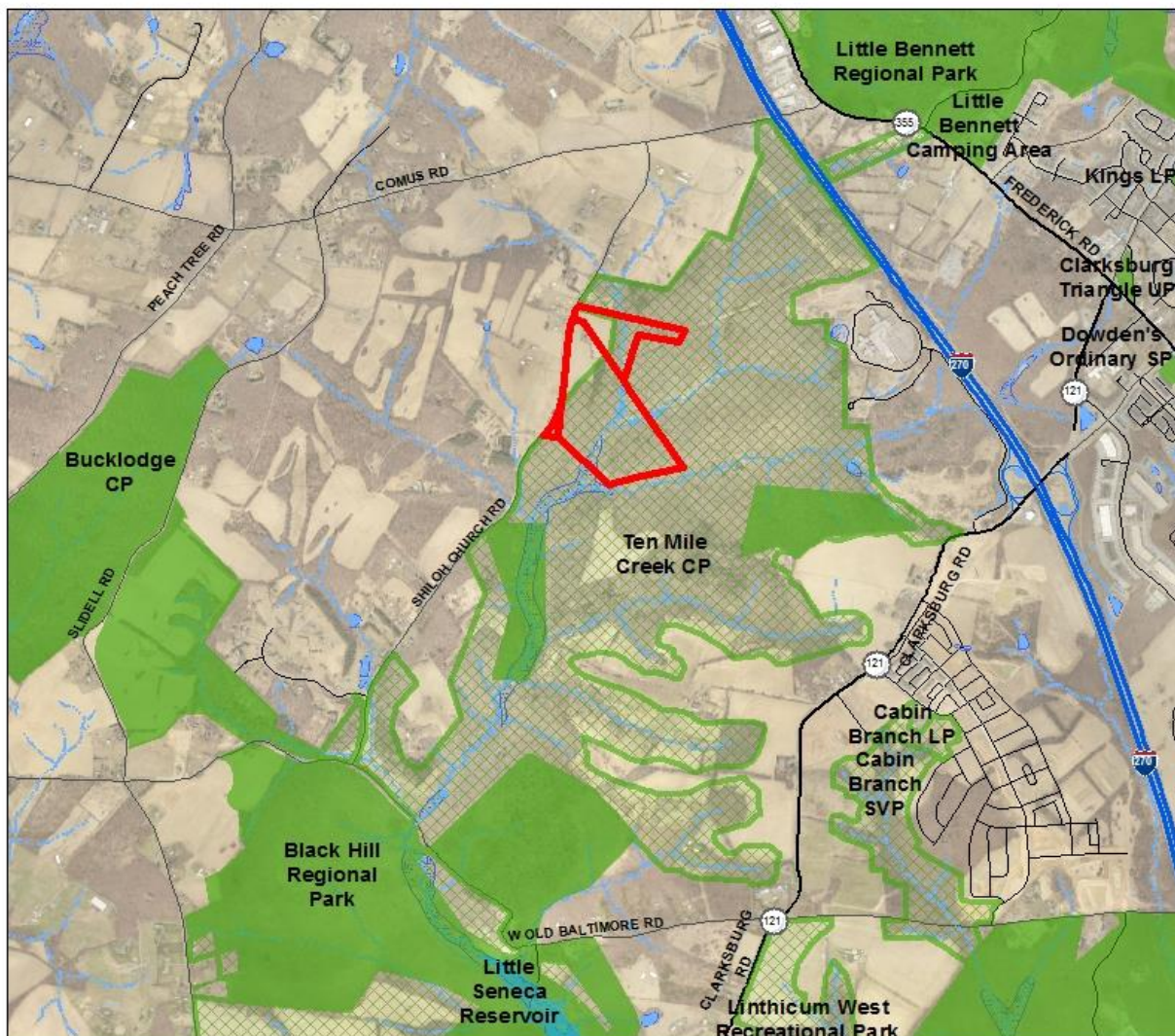
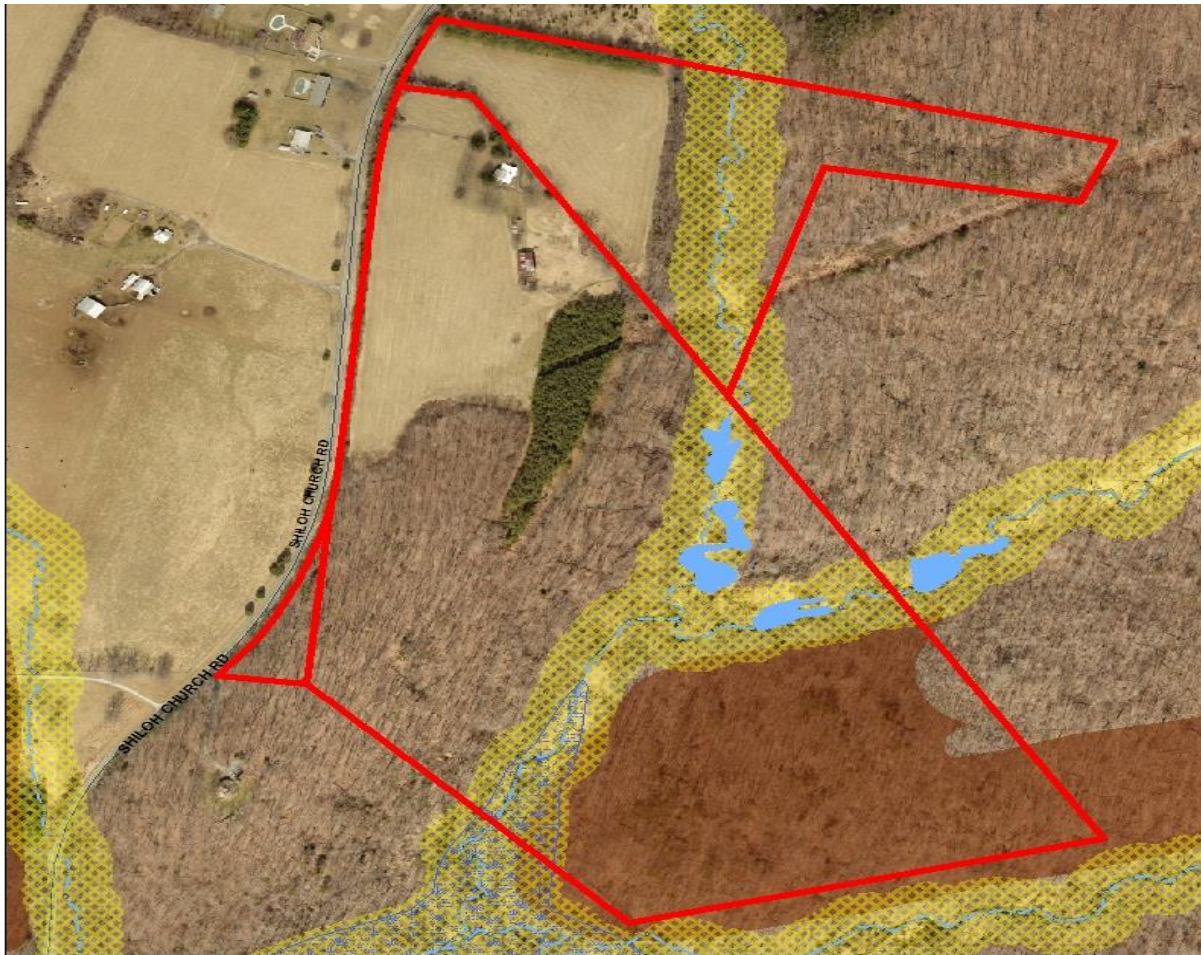


Figure 2: Panorama View from Dwelling toward Farmland and Forest (east)



Figure 3: Aerial Photo and Resource Atlas Data



**Figure 4: Forested slopes and streams**



**Figure 5: Ten Mile Creek Mainstem and Wetlands**



The forest on this site comprises mature, good quality mixed oak and hickory on much of the site including all the stream valley areas, with some areas of maturing tulip tree forest with a mixed oak component and a small area of evergreen forest (likely planted). The forest on the site displays excellent diversity and age cohort spread (variation of young and old trees throughout the forest), resulting in a highly sustainable forest over time.

The site contains a house and two outbuildings off Shiloh Church Road that appear to be in fair to good condition and were occupied until recently. The 1949 house is not designated historic in any County historic preservation plans. Initial staff assessment indicates no Parks needs that can be met by retaining these buildings. Staff recommend documenting any interesting features prior to demolition of the structures to assist with interpretive panels for the site. For instance, the house contains a 1950's era air raid shelter incorporated into the basement, an interesting feature to help interpret the County's mid-20<sup>th</sup> century history.

**Figure 6: Existing House, ca. 1949**



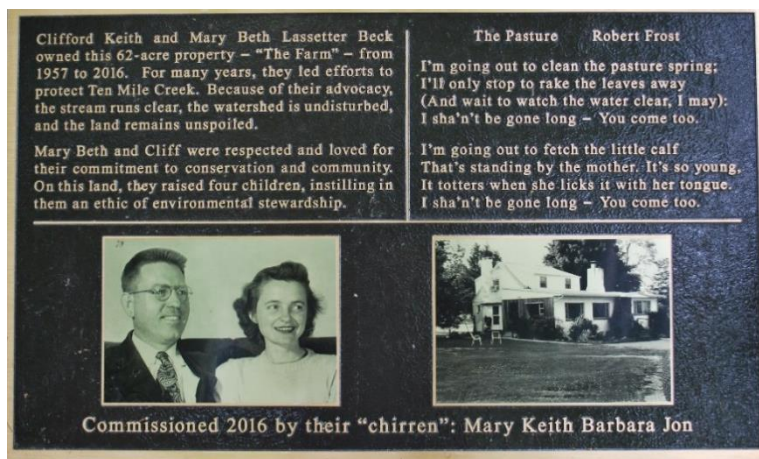
**Figure 7: Barn Constructed of Old Wood, ca. 1960**



One barn is serving as storage for the current lessee farmer on the site. Staff will reach out to the farmer to determine if that storage is necessary to continue agricultural activities on the open fields, and make a final determination on retention or demolition of that structure after such coordination. Legacy Open Space One-Time Cost funds are available for demolition and site cleanup, and for any repairs should that one outbuilding be determined to be appropriate to maintain.

A final feature of the property is that the Beck family children have placed a monument to their parents on the property to maintain the memory of their ownership and stewardship of this property for almost 60 years. During the acquisition negotiations, the Beck family coordinated with park staff resulting in a special condition in the Land Purchase Agreement where Parks agrees to maintain the memorial plaque comparable to how we maintain other such plaques in the park system. The Beck family recently placed an attractive stone monument with this memorial plaque near their family home and the likely location of a trailhead parking area. The family has also expressed interest in donating funds for a bench adjacent to the hiking trails in the future. The full text of the plaque is in Attachment B.

Figure 8: Beck Family Memorial Plaque



## Master Plan Support: Legacy Open Space and Ten Mile Creek-Clarksburg

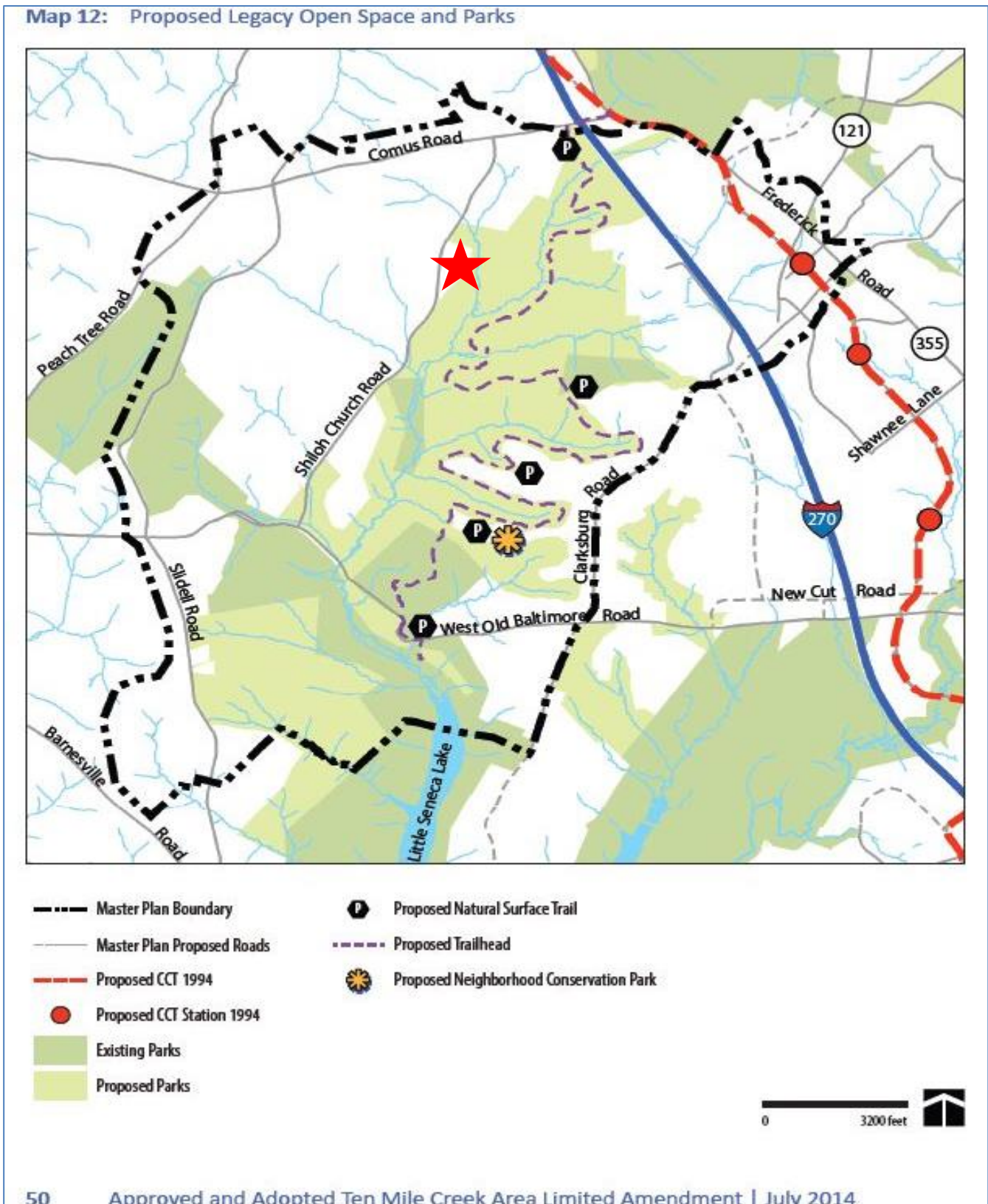
The Ten Mile Creek watershed was initially determined to include high quality resources and to be worthy of LOS designation at the time of the original *Legacy Open Space Functional Master Plan* (2001). Ten Mile Creek was included in the LOS Plan appendix, a list of sites which were to be evaluated for addition to the Plan over time.

The Ten Mile Creek watershed was studied extensively during the development of the *Ten Mile Creek Area Limited Amendment to the Clarksburg Master Plan* (TMC MP, July 2014) and was confirmed to be a high quality watershed with significant forest and wetland resources. The TMC MP concludes that this watershed is a significant aquatic resource that deserves extraordinary measures to protect (page 14):

Ten Mile Creek is in good to excellent condition based on stream biology.... This condition is primarily due to a combination of agricultural and low-density residential development balanced by a very high proportion of dense forests and a wealth of springs and wetlands....

Ten Mile Creek is a reference stream in Montgomery County, serving as a high quality benchmark against which other streams are compared. Long-term monitoring indicates overall biological conditions to be healthy and diverse. Sensitive indicator organisms that occur in few other areas within the County are found here. Ten Mile Creek is part of a small group of high quality watersheds still remaining within the County (e.g., many Patuxent River tributaries, Bennett Creek, and Little Bennett Creek). As a result of its unique characteristics, Ten Mile Creek warrants extraordinary protection.

Figure 9. Ten Mile Creek Area Limited Amendment, Clarksburg Master Plan (2014): Legacy Open Space and Proposed Park Designation (Beck property marked with star)



The watershed also was determined to meet several key LOS criteria as a significant Natural Resource (page 48, emphasis added to criteria most applicable to the Beck property):

Evaluation of the Ten Mile Creek Watershed concluded that the 600 acres of forested headwaters met six of the eight criteria for inclusion in the Legacy Open Space program. The forest conforms to the following statements from the program:

- “has particular countywide, regional or national significance” for its potential ability to support rare, threatened or endangered species, aquatic communities, and its varied habitats;
- “is critical to the successful implementation of public policy such as protection of the Agricultural Reserve and public water supply;”
- “**is part of a ‘critical mass’ of like resources** that perform an important environmental or heritage function;”
- “**provides human or ecological connectivity** between significant park, natural or historic areas and/or corridors;”
- “**helps to buffer and thereby protect other significant resources;**”
- “**represents an opportunity for broadening interpretation and public understanding** of natural and heritage resources.”

As a result of these determinations, the 2014 approved and adopted TMC MP designated the **Ten Mile Creek Watershed** as a Legacy Open Space Natural Resource site by action of Planning Board and County Council (see **Figure 9**). The Beck Property is included in the TMC MP as part of the designated LOS site and Ten Mile Creek Conservation Park.

Additional support for the addition of this land to Ten Mile Creek CP and the connected network of parkland in this area can be found in the earlier 1994 *Clarksburg Master Plan* and in the *Ten Mile Creek Limited Amendment* (2014):

- Recognizes the Countywide significance of the Ten Mile Creek Watershed.
- Recommends public acquisition of stream valleys that in turn can support a Greenway Network (Policy 3).
- A large, new conservation park and a nature-oriented neighborhood park will create a focus for a new green neighborhood, connecting Clarksburg residents to this important natural resource and providing recreation opportunities in natural settings, including hiking, nature appreciation, picnicking, nature play, and community gardening.

## Countywide Park Trails Plan Amendment, July 2016

The *Countywide Park Trails Plan Amendment* (approaching final approval by the Planning Board this month) establishes a series of “loops and links” to create a network of trails of varying surfaces to serve the residents of Montgomery County. This plan recommends a regional natural surface trail to link Black Hill Regional Park and Little Bennett Regional Park via the future Ten Mile Creek Conservation Park, identified as the Ten Mile Creek Greenway Trail. This recommended trail passes from the northwest portion of Black Hill Regional Park through the Ten Mile Creek CP on its way to connect with Little Bennett Regional Park. The proposed trailhead on the Beck property will serve as an important access point to this regional trail.

See **Figure 10** for a map from the Countywide Parks Trail Plan indicating the Regional Link trail (in red) adjacent to the Upper County Recreational Loop (in blue) between Black Hill and Little Bennett Regional Parks that passes right through Ten Mile Creek CP and the Beck Property.

**Figure 10: Countywide Park Trails Plan in Beck Vicinity (Beck marked with star)**



## Other Policy Support

### ***Vision 2030 and 2012 PROS***

The Vision 2030 strategic plan (2011) and the 2012 PROS Plan update both reflect findings that there is increased demand countywide for *trails and resource-based recreation opportunities* in the County, both needs that can be supported through the Beck acquisition. A statistically-valid survey conducted during Vision 2030 indicated that the most popular recreation activity in the County is the use of hard and natural surface trails, with very strong evidence for high demand and need for more *natural surface trails*. For instance, 80% of respondents said natural surface trails are needed for their household's leisure time activities, higher than any other facility type. Respondents also noted that Natural surface trails are the most important facility to add, expand, or improve (70% saying very important).

The Vision 2030 survey also indicates strong support for *additional natural areas* in the County. Sixty-three percent (63%) of respondents indicate that adding, expanding or improving natural areas is very important, higher than all facilities except natural surface trails, hard surface trails, and playgrounds. Similar strong support for natural surface trails and natural areas is found when looking at the survey results for just the Potomac/Rural Vision Team area that includes Damascus.

In addition to the survey results, anecdotal evidence and park manager reports from the Black Hill region indicate that current natural surface trails in the Black Hill region are seeing increased usage and wear and tear. This increase is not unexpected due to the recent population growth in Clarksburg that is expected to continue. The Planning Department reports that the adjacent corridor town of Clarksburg is expected to have an *additional 22,000 residents* at full build-out.



## Ten Mile Creek Conservation Park Implementation Plan

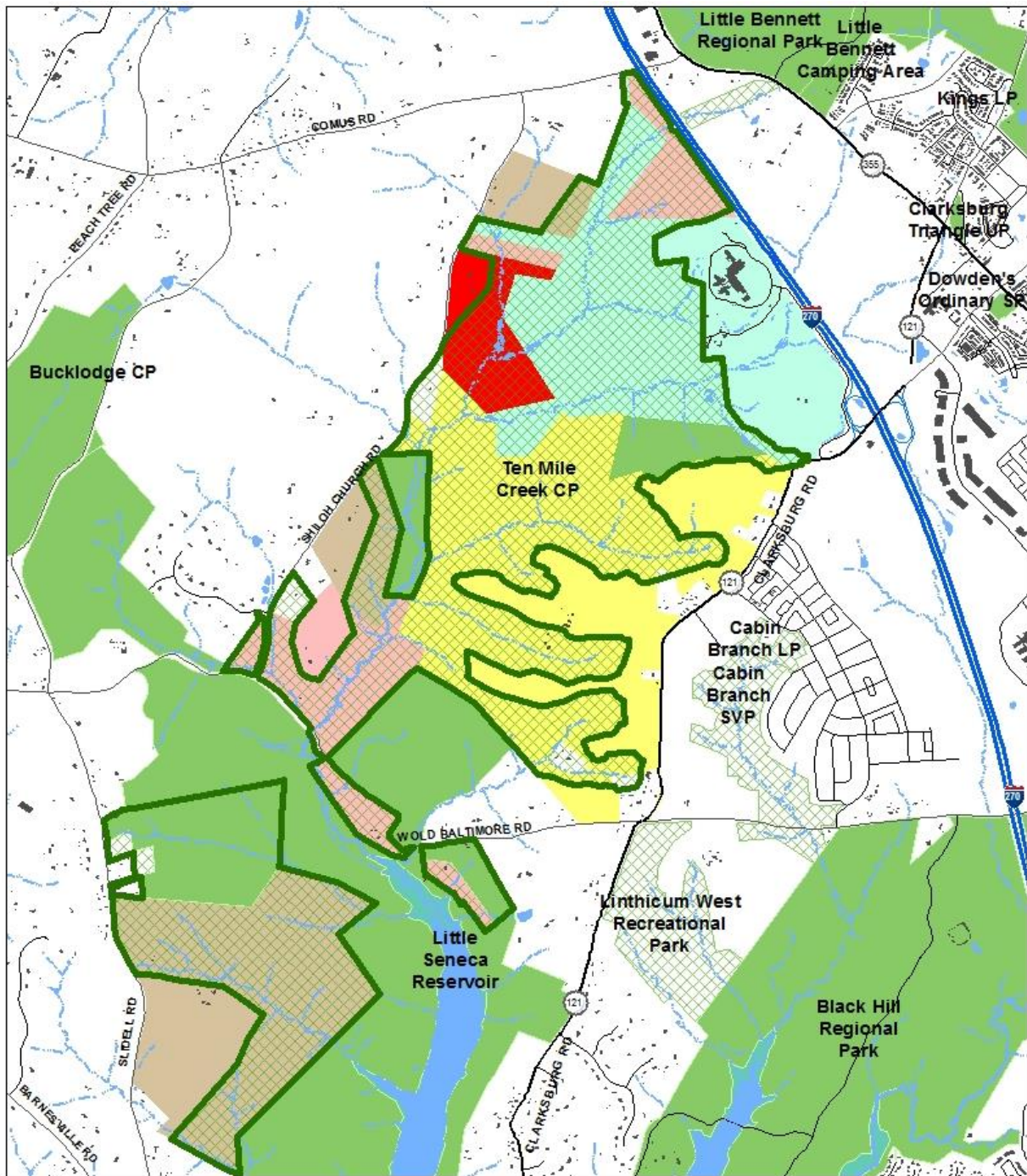
This acquisition is an opportune moment to illustrate the long-term plan for the implementation of this park as envisioned in the TMC Limited Amendment to the Clarksburg MP. The vast majority of this new park will be created via dedication through the development review process and transfer of management responsibility from County government, resulting in a significant new park with relatively low acquisition costs.

**Figure 11** illustrates the anticipated park creation mechanisms for the entire park. Approximately 600 acres of the future park will be created at no cost via dedication and interagency transfer. Approximately 125 acres will be added via future purchases after completion of this acquisition, resulting in a total of about 186 acres to be purchased including the Beck properties.

One of the key actions to create the northern portion of the TMC CP is the transfer of management responsibility over some County-owned forested land behind the County Detention Center to the Parks Department. The TMC Amendment to the Clarksburg Master Plan proposes the transfer to Parks of approximately 250 acres (as mapped in the plan) to protect the stream resource and support improved public access to this forested watershed. The acquisition of the Beck Properties, combined with the recent donation of the Clarkwood property to the east, creates the ideal opportunity create the initial unit of the park through transfer of management responsibility from the County via an Executive Order.

**Figure 12** indicates in green shading the anticipated short-term version of the park that could be made into a functional conservation park in the near future. This 340-acre northern unit of the Ten Mile Creek CP can stand on its own until future development provides the next segment of the park through dedication. This northern unit will provide public access for natural-resource based recreational opportunities from trailheads and public access at three locations along Shiloh Church Road, Comus Road, and Clarksburg Road. This portion of Ten Mile Creek CP will also provide the basis for a key trail connection to Little Bennett Regional Park along Comus Road.

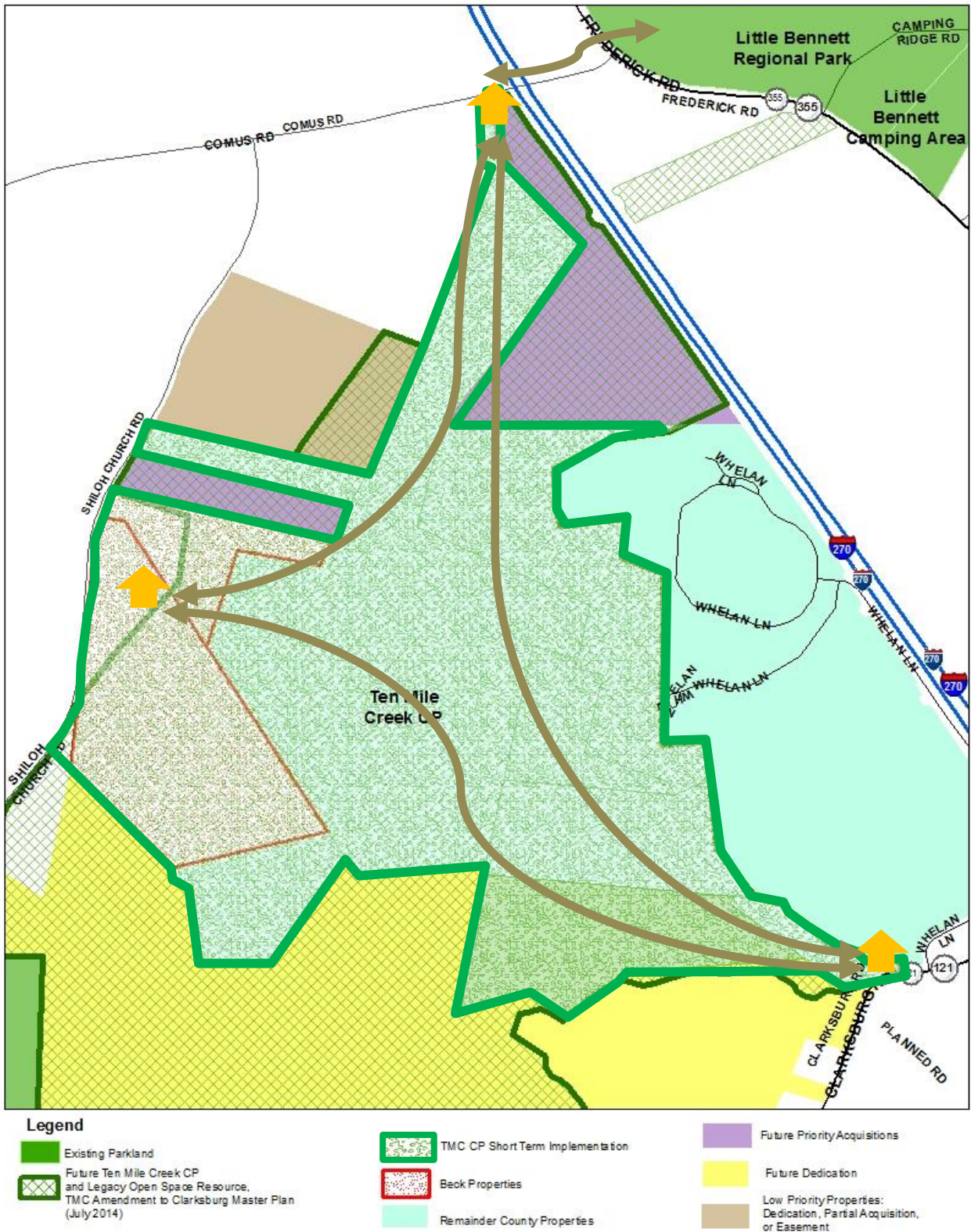
Figure 11: Ten Mile Creek Conservation Park Implementation Plan



**Legend**

- |  |   |   |
|--|---|---|
|  Existing Parks                                     |  Acquisition: Beck Properties        |  Future Priority Acquisitions  |
|  Proposed Parks                                     |  Executive Order: County Properties  |  Low Priority Properties: Dedication, Partial Acquisition, or Easement |
|  Legacy Open Space Area, TMC Clarksburg Master Plan |  Dedication: King & Pulte Properties |   |

Figure 12: Ten Mile Creek CP, Short-Term Implementation Plan



## Proposed Uses and Benefits

The proposed uses and resulting benefits of the Beck Properties derive from creating the opportunity and public access necessary to create the initial 340-acre north unit of the Ten Mile Creek Conservation Park. The Ten Mile Creek CP will provide significant resource-based recreation opportunities to the growing Clarksburg community, especially to the hundreds of residential units under construction west of I-270. The Beck Properties provide the following recreational and environmental benefits to the citizens of the County:

### **Resource Based Recreation, including:**

- Natural surface trails for hiking, cycling and equestrian use on the property itself
- A trailhead with parking at an important location to support trail use throughout this resource-based recreation hub (see proposed trailheads and conceptual trail links in **Figure 13**)
- A portion of the future regional natural surface trail that will connect Black Hill Regional Park to Little Bennett Regional Park via Ten Mile Creek Conservation Park, as proposed in the Countywide Park Trails Plan and in the Ten Mile Creek Amendment to the Clarksburg Master Plan

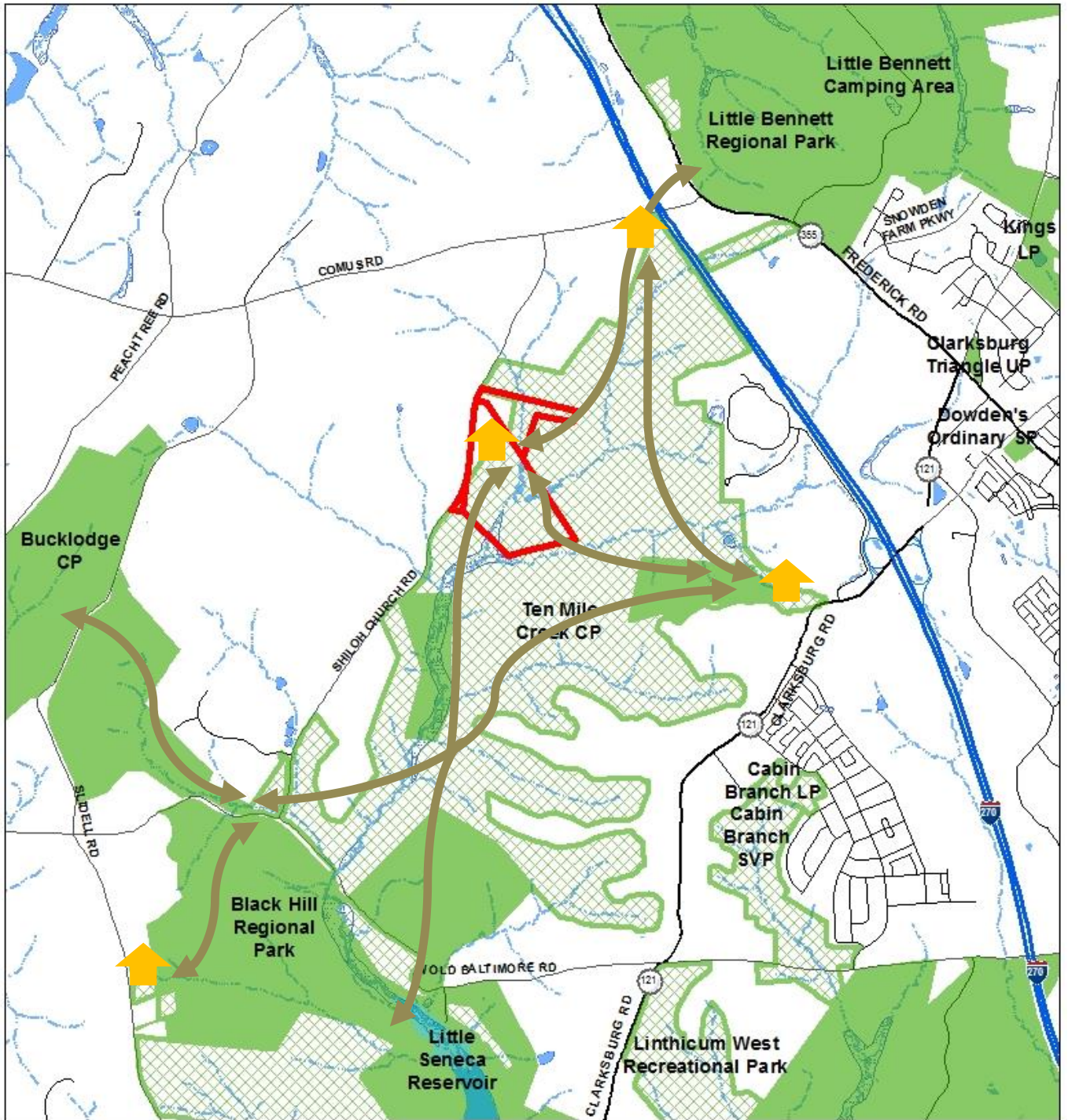
### **Environmental Protection**

- Additional protected land and contiguous interior forest to create the large natural areas necessary for sensitive wildlife and plants species, thus creating the space necessary for nature appreciation and bird and wildlife viewing
- Protection of the Best Natural Areas downstream in Black Hill Regional Park and the water quality in Little Seneca Lake
- Protection of the rural viewshed along Shiloh Church Road, at the edge of the Agricultural Reserve adjacent to the developed areas of Clarksburg

### **Additional Uses**

- Preservation of continued agricultural use of the 9 acres of open field on the Beck Property as an interim use until such time as another use is identified
- Provision of additional amenities on the open field acreage to support active use of the park and complement other parks in the Clarksburg region, potentially including a picnic area, community garden, dog run, interpretive nature trails, nature play area, or other appropriate features

Figure 13. Conceptual Trail Connectivity and Proposed Trailheads Between Clarksburg Area Parks West of I-270



## Start-Up Costs for Ten Mile Creek Conservation Park, Northern Section

Start-up costs to create the northern section of Ten Mile Creek Conservation Park, west of I-270 between Shiloh Church and Clarksburg Roads, will fall into two categories that can be funded through existing level-of-effort CIP funds:

- 1) Park cleanup, security and signage: Demolition of the structures on the Beck property, removal of any fences or other unwanted debris, placing security gates at access points along public roads, and installing MNCPPC property signage on the entire 340-acre north unit of TMC CP. Initial Non-Native Invasive (NNI) control efforts may be necessary on some forest edges and open fields on the entire park, as well. Estimated cost: **\$75K - \$100K**. Funding source: Legacy Open Space PDF "One-Time Cost" funds (\$250K/year typical funding level).
- 2) Natural surface trails and trail access points: The north unit of Ten Mile Creek Conservation Park will include three trailheads with associated gravel parking lots, kiosks and trail signage. Estimated cost: **\$60K – \$100K**. Funding source: Natural Surface Trail Implementation PDF (\$350/year typical funding level).

## Operating Budget Impact (OBI)

Park operating expenses (OBI) for an established Conservation Park with natural surface trails and other facilities would fall into three major categories:

- Park Operations
- Park Police
- Natural Resource Management, including
  - Deer Management
  - Non-Native Invasive control.

OBI for this park is expected to be similar to other conservation parks of this size in the Northern Region. A rough estimate of OBI for this additional acreage, after installation of parking lots and trails and other facilities, is around **\$55,000** per year.

The recently master-planned Beck properties add quality acreage in a critical location to one of the County's largest hubs for resource-based recreation, thus directly contributing to providing recreation and maintaining the quality of life for our rural and suburban residents in the Clarksburg region. This acquisition is an opportunity to implement the parks vision in a recently adopted master plan and to add to the valuable legacy of parkland for the future residents of our growing County.

cc: John Nissel  
Doug Ludwig  
Mike Little  
Jayne Hench  
Antonio DeVaul  
Jim Poore  
David Vismara  
Megan Chung  
Shuchi Vera  
Kristi Williams  
Kip Reynolds

**ATTACHMENT A: Planning Board Resolution**

MCPB  
16-

**RESOLUTION**

WHEREAS, the Maryland-National Capital Park and Planning Commission (“Commission”) is authorized by Md. Code Ann., Land Use, §17-101 (formerly Article 28, Section 5-101), to acquire, develop, maintain and operate a public park system within the Maryland-Washington Metropolitan District; and

WHEREAS, Montgomery County, Maryland (the “County”), has appropriated certain funds from the County’s General Obligation Bond proceeds to fund the Commission’s Legacy Open Space Acquisition Program; and

WHEREAS, the Commission identifies properties that are eligible for acquisition with funds from the Legacy Open Space Acquisition Program and recommends that the County acquire such properties with such funds; and

WHEREAS, the Mary Beth Lassetter Beck Revocable Trust, Barbara Gail Beck, Successor Trustee, owns certain properties identified as Tax Account #02-00016814, containing 14.18 acres, more or less, unimproved; Tax Account #02-00016791, containing 45.00 acres, more or less, improved; and Tax Account #02-00016803, containing 0.85 acres, more or less, unimproved (collectively, the “Property”), located in Boyds, Maryland, all of which lie within the Ten Mile Creek Watershed of the County and meets parkland acquisition criteria as an addition to the County’s existing Ten Mile Creek Conservation Park; and

WHEREAS, the Ten Mile Creek Watershed, including the Property, was designated as a Legacy Open Space Natural Resource site in the Ten Mile Creek Area Limited Amendment to the Clarksburg Master Plan of July 2014; and

WHEREAS, the Montgomery County Planning Board on behalf of the Commission recommends that the County acquire the Property from Barbara Gail Beck, Successor Trustee of the Mary Beth Lassetter Beck Revocable Trust, all as described above; and

WHEREAS, there are sufficient monies available in the Commission’s Legacy Open Space Acquisition Program CIP to pay for the acquisition of the Property.

NOW THEREFORE BE IT RESOLVED that the Montgomery County Planning Board recommends that the County execute the Land Purchase Agreement, on such terms acceptable to the Commission, to acquire the Property from the Mary Beth Lassetter Beck Revocable Trust for the purchase price of Nine Hundred Eighty-Five Thousand Five Hundred Dollars (\$985,500) and other valuable consideration.

\* \* \* \* \*

This is to certify the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, with Commissioners \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ voting in favor of the motion, at its regular meeting held on Thursday, September 22, 2016 in Silver Spring, Maryland.

\_\_\_\_\_  
Casey Anderson, Chair  
Montgomery County Planning Board

**ATTACHMENT B: Beck Family Memorial Plaque Text**

*Clifford Keith and Mary Beth Lassetter Beck*

*Owned this 62-acre property - "The Farm"*

*from 1957 to 2016.*

*For many years, they led efforts to protect Ten Mile Creek.*

*Because of their advocacy, the stream runs clear, the watershed is undisturbed, and the land remains unspoiled.*

*Mary Beth and Cliff were respected and loved for their commitment to conservation and community.*

*On this land, they raised four children, instilling in them an ethic of environmental stewardship.*

~~~~~

*I'm going out to clean the pasture spring;  
I'll only stop to rake the leaves away  
(And wait to watch the water clear, I may):  
I sha'n't be gone long. - You come too.*

*I'm going out to fetch the little calf  
That's standing by the mother. It's so young,  
It totters when she licks it with her tongue.  
I sha'n't be gone long. - You come too.*

*Robert Frost*

*Commissioned 2016 by their "chirren" Mary, Keith, Barbara & Jon*

The plaque is approximately 18 x 24 inches and placed on a red sandstone boulder. The boulder & plaque are placed at the creek-facing side of the house in the grove of mature beech/pine trees at a location chosen by the children, to remain on the property in perpetuity.

In addition, when the formal Ten Mile Creek trail is constructed along the creek valley, the family would like to pay for a bench to be placed at trailside, and the boulder and plaque would be relocated alongside.

Please note that the word "chirren" is not a typo – it's a Mississippi term that Mary Beth Lassetter Beck used with her children.