



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
7/11/02
Item # 5

MEMORANDUM

DATE: July 3, 2002
TO: Montgomery County Planning Board
VIA: John Carter, Chief, Community-Based Planning Division
FROM: Judy Daniel, AICP for the Department of Park and Planning

REVIEW: Special Exception
APPLYING FOR: Commercial Riding Stable
REVIEW BASIS: Chapter 59, Zoning Ordinance; advisory to the Board of Appeals
APPLICANT: Green Acres, LLC
CASE NUMBER: S-2486

ZONE: Rural Density Transfer Zone
LOCATION: 15501 Partnership Road
MASTER PLAN: Preservation of Agricultural and Rural Open Space

FILING DATE: August 6, 2001
PLANNING BOARD: July 11, 2002
PUBLIC HEARING: July 22, 2002

STAFF RECOMMENDATION: APPROVAL with the following conditions:

1. The applicant is bound by all elements of the submitted operations plan and site plan except as modified below.
2. Lighting:
 - a. No arena lights may be used after 8pm Sunday - Thursday, or after 10pm Friday and Saturday.
 - b. Only one arena may use lights at any one time.
 - c. The lighting plan must reflect changes proposed by the M-NCPPC staff and agreed to by the applicant reducing overall site lighting levels.
3. Stable hours of operation limited to 6:00 a.m. to 10:00 p.m. except Friday nights, when the hours may be extended to 11:00 p.m. Lighting for outdoor activity is limited to the hours noted in "2a" above.
4. The two outer bridle path crossings must be made with full span, wood deck bridges that are no more than 12 feet wide. And the driveway/bridle

path combined crossing must be limited to no more than 50 feet in width, done with either a bridge or an open-bottom arched culvert.

5. Compliance with the conditions of approval of the preliminary forest conservation plan, including:
 - i. forest clearing limited to the area encompassed by the 12' bridle path along the stream valley, this clearing must be included in the forest conservation worksheet; and
 - ii. final forest conservation plan must be submitted and approved prior to MCDPS issuance of a sediment and erosion control permit.
6. A Category I conservation easement to be recorded over the stream buffer/forest conservation areas.
7. Bridle trail within the forest not to exceed twelve feet in width, inclusive of the limits of disturbance, and final trail alignment to be field located with M-NCPPC Environmental staff.
8. Compliance with the conditions of the Montgomery County Department of Permitting Services stormwater management concept approval dated May 8, 2002.
9. Compliance with all Soil Conservation District's requirements for feeding and pasture management, manure management, and fly, insect and rodent control.
10. Applicant to comply with the Well and Septic Division requirements for well and septic permits appropriate for the approved number of tenants, visitors, and horses prior to release of building permits.
11. Receipt of letter from the Maryland Department of Environment (MDE) or the Army Corps of Engineers (COE) regarding the acceptability of the revised plan or the need for wetland permitting.
12. The maximum number of horses permitted to be kept on the property (either boarded or owned by the owner or manager is 82, based on 1 horse per half acre of existing open pasture area. All horses are to be stall boarded, and primarily fed in their stalls. No horses may be field boarded.
13. No forest may be removed to create additional pasture area. The site plan must be revised to remove the area of pasture to be created by removing trees.
14. Special events associated with the equestrian facility limited to:
 - a. No more than 4 events per year for up to 200 people (participants and spectators).

- b. No more than 6 events per year for up to 100 people (participants and spectators).
 - c. No more than 8 events per year for up to 80 people (participants and spectators).
 - d. These events may include:
 - 1. "Schooling" horse shows for 50-80 participants and spectators.
 - 2. Arena polo tournaments for 50-100 participants and spectators.
 - 3. "Local Rated" horse shows 100-200 participants and spectators.
 - e. No more than one weekend event per month for 80 people or more (participants and spectators), and cumulatively no more than 12 special events per year.
 - g. All parking associated with the equestrian facility and any sponsored activity must be accommodated on site.
 - h. Traffic control must be provided for any event that may attract 80 or more persons.
 - i. Any public address system used for horse shows or polo matches must meet all regulations of the Montgomery County Noise Ordinance.
 - j. Any activity on the site beyond riding lessons and horse training is limited to the equestrian events and activities noted in these conditions. No other special events are permitted.
14. All polo activity limited to "arena" polo only. No more than two interclub polo matches per weekend (Friday, Saturday and Sunday). No more than 35 participants and spectators per match. And no interclub polo matches or tournaments to be held concurrently with rated or local horse shows.

PROPOSAL DESCRIPTION

Statement

This is an application for an agricultural use in an agricultural zone. The scale and intensity of the agricultural use as originally proposed generated a range of impacts upon the surrounding area that cumulatively imposed too great a burden on the surrounding community and the site itself. The scope of activities intended and the characteristics of the operation have been significantly modified to address the concerns raised by the staff, the Board and the community since this application was heard before the Board in April.

It will be a sizable commercial riding stable, but this is the type of use envisioned in the Agricultural Reserve and the Rural Density Transfer Zone and the staff now recommends that it be approved.

Neighborhood

The surrounding area is agricultural and estate in character, reflecting farming and a number of other equestrian land uses. In the vicinity are two approved special exceptions. Harkaway Farm (located at 16039 Partnership Road), is a commercial riding stable with an approved special exception for up to 15 horses on 20 acres. Ashgrove Farm (located at 16001 Partnership Road) has an approved special exception for a 40 student riding school on 98 acres. In addition, several nearby residents maintain personal riding stables. Overall the character of the surrounding area is mixed rural – cropland, pasture, equestrian facilities and pasture, and estate residences.

Site

The proposed site is an 88.08-acre parcel in the RDT Zone on Partnership Road. The property is located on the east side of Partnership Road between River Road to the south and Route 107 to the north. It is bordered by Dry Seneca Creek and Montgomery County parkland to the east, Russell Branch to the north (a tributary to Dry Seneca Creek), and the Burruss Property (a working farm) to the south. The properties on the west side of Partnership are active farms or farm estates and pasture. The property has no structures, and was farmed with row crops until recently. An intermittent stream, tributary to Russell Branch, runs through the center of the property. The site is forested along the east and north edges, primarily bordering the three streams. The site topography is gently to moderately rolling with isolated steeper slopes.

Application

Green Acres LLC represents applicants Fuad and Nancy El-Hibri, who are applying for a commercial riding stable. The applicants are equestrians and polo enthusiasts. They hope to create a professional quality horse facility devoted to various equine sports. The principle activities will be horse boarding, horse training, and instruction in various equestrian sports. Horse shows and polo matches are also proposed. The application has been revised in a number of ways to reflect concerns noted in the previous report.

The structures for the facility will occupy approximately one-half of the property, preserving the remainder in pasture or woodland. The facility will consist of 7 equestrian related structures, 2 dwellings for on-site staff, and 4 outdoor equestrian facilities.

Facilities - The primary structures proposed for this use include:

Indoor Structures:

1. Main Barn/tackroom (20,400 sf)
2. Secondary Barn/tackroom (17,000 sf)
3. Indoor Arena I (37,500 sf)
4. Indoor Arena II (20,000 sf)
5. Office/Viewing area (1,200 sf)
- 6/7. 2 Tenant Houses (2,100 sf; 1,200 sf)
8. Farm Machinery Shed (2,500 sf)
9. Shavings Storage Shed (1,200 sf)

Outdoor Facilities:

- A. Polo Arena (180x360) [lighted]
- B. Show Arena (100x200) [lighted]
- C. *Removed*
- D. Warm-up Arena (150x100) [lighted]
- E. Round Training Pen (60' radius)

The outdoor “dressage” arena (“C” on the previously submitted site plan) has been removed in order to create more pasture acreage. The application states that the polo arena (A) has been located in a valley behind a natural “berm”, and that the higher elevation of the adjacent woodlands and extensive setback (approximately 1,100 feet from the roadway) screen the arenas and barns from off-site views.

The two barns are designed to accommodate up to 100 stall-boarded horses. The complex will also include a farm office with a meeting room and indoor viewing areas for patrons to observe lessons, shows and other activities. One tenant house will provide housing for the property manager, and the other will provide living quarters for up to 4 student-instructors, located for security purposes in proximity to the main barn. In addition, small “run-in sheds” (that provide temporary shelter from storms for horses in the pasture areas) are to be located in the pastures.

Employees - The application proposes to employ a maximum of 7 full-time and up to 10 part time staff. Additionally, event officials will be used on an as needed basis for special events. There will be a full-time resident manager, up to 4 other resident staff, 1 clerk, and up to 2 specialty trainers. The resident manager will live in one dwelling on the site and up to 4 other staff will share the other tenant house. Resident staff is necessary for this type of use to enhance security, respond to emergencies, and ensure regular maintenance and landscaping of the facilities and the horses. The proposed part-time employees will work on staggered schedules. These will include other trainers, stall cleaners, and maintenance staff.

Hours of operation - The application proposes hours of operation between 6am and 10pm Sunday through Thursday, and from 6am to 11pm Friday and Saturday.

Proposed Activities - Primary activities at the facility are to include horse boarding, training, and instruction in riding, dressage, and polo. No horse rental for pleasure riding or sports will be provided. Riding and equestrian sport lessons will be offered to children and adults. Horse training services for the specialized sports of dressage and polo will also be provided.

Boarding - The application proposes to board up to 88 stall-boarded horses, reduced from the 100 previously proposed. Horses are normally turned out in limited numbers during the day (or night in the summer) for free exercise. They spend their time in stall when not participating in training, exercise riding, sport participation or free exercise.

Polo - The application proposes an “arena” polo field, and arena polo will be the only type of polo played at this facility. The applicants are a part of the Seneca Polo Club that will use this facility for arena polo. This sport uses fewer horses (6 - 3 per team) and is not as spectator oriented as traditional polo. Most matches are intra-club, although there are some “inter-club” matches. The application states that most polo matches are sparsely attended (generally family and friends only).

The “arena” polo will be played in a 180 x 360 square foot outdoor field located below a natural “berm” that is designed to screen noise from this activity from adjacent properties. Matches include two teams of three players each plus a referee and take 1-2 hours. However, although the application states that these matches are usually played during weekend days, and some early weekday evenings. This field is proposed to have lights for evening play.

Competitive Events - The application proposes competitive events for both horse riding and polo. Those that are anticipated to draw 50 or more people include:

1. Up to 12 "schooling" horse shows per year that draw 50-80 (students, relatives, friends). These are in the nature of "recitals" for the students.
2. Up to 6 polo "tournaments" per year that draw 50-100 (participants and spectators).
3. Up to 4 "local rated" horse shows per year that draw 100-200 (participants and spectators).

The arena polo program will include intra-club scrimmage matches and inter-club matches that attract no more than 20 people. The "schooling" riding shows generally last one day. The "local rated" shows are held primarily on weekends and can last 1-3 days (although spectators are generally only anticipated on weekends). The length of the show depends on the type of show and the number of participants, and few horses remain overnight (as "guest" boarders) during a rated show. Both types of horse shows normally run from 8:30am to 6:30pm, and the polo matches last no more than a few hours. They may be held in the indoor or outdoor arenas.

Other Activity - The applicant proposes no social activities for the general public. No events are to be allowed beyond the equestrian events noted. Event attendance is to be limited to patrons and their guests. Food and refreshments related to activities will be provided for events, but no permanent commercial food preparation facilities are proposed. Food service will be on a special event basis in accord with applicable regulations.

Operations Management Plans

Feeding and Pasture Management - The site plan indicates pasture space of approximately 44.26 acres divided into 11 fenced pasture areas of varied sizes for multiple horse turnout and isolation paddocks. The site plan indicates approximately 2 acres of additional pasture area are to be created by cutting down a portion of the wooded area on the site.

The horses would have access to the pastures for limited free exercise only. These horses are turned out in small groups for several hours each day or evening. The pastures will be used for free exercise, and rest from training and sport events. It also states that because these are very expensive animals, their owners insist that they have a safe environment. Ensuring this requires careful monitoring of the size of pastures, type of fencing, topography, pasturemates, accessibility of water.

Because the grass available in these areas will receive heavy traffic, a strong pasture management plan is necessary, and the applicant has submitted a "Feeding and Pasture Management Plan" (see attachment for the full report). Because the horses in this facility will be sport horses, not pleasure horses, they are fed and exercised differently, and grass is not a significant food source for them. But horses do graze when in a pasture, so to maintain the quality of the grass in the pasture areas supplemental hay will be placed there. The pastures are to be monitored regularly, and any uneaten, trodden on hay will be removed and disposed of with the manure.

The pastures will also be regularly dragged with tools to break up and evenly distribute manure. Use of the pastures will be rotated, and very carefully rotated and monitored in the

spring to protect delicate emerging grass. They will also be fertilized and aerated as necessary. Horses will not be allowed in very soft areas after rain, both to protect the grass and the horses.

Manure Management - The applicant states that anticipated number of horses generate enough manure to require removal from the site approximately every 5 days. Manure removed daily from the barns and other necessary areas on the site will be placed in a roll-off container (like a dumpster) in a manure shed, located next to the barns. The plan calls for a space for 2 containers on the site - one being filled, and a space to place an empty one when it arrives. No manure will be stored on the ground. A contract has been arranged with a local farmer for mature removal.

Insect and Rodent Control - Insect, especially fly control, centers on limiting their possible feeding and breeding areas. To prevent this, all horses would be regularly sprayed with a repellent during the fly season. With the regular pasture dragging, and frequent manure removal, there will be less opportunity for fly breeding. Indoor areas likely to attract flies will have fly attractants or pest strips.

Primary rodent control will be achieved through the use of sealed containers for opened feed. Grains are delivered weekly and placed in the sealed containers, and barn cats will monitor residual rodents.

Lighting - Lighting is proposed for the polo and show arenas (A, B, D on the site plan) but not the dressage arena. The proposed lighting design was one of the areas of significant concern to the staff and area residents, and these plans have been substantially altered to address these concerns.

The revised proposed exterior lighting for the property includes various types of fixtures to illuminate the proposed polo arena, the outdoor show arena, the outdoor warm-up area, vehicular parking areas and building service areas. The polo arena is illuminated using multiple fixtures mounted on 50-foot poles. [Because there are currently no IESNA (Illuminating Engineering Society of North America) standards for polo fields the applicant used the IESNA standards for field hockey for the design of the polo arena.] The outdoor show arena and warm-up area are illuminated using full cut-off shoebox type fixtures on 40-foot poles.

The service areas are illuminated using wall-mounted fixtures with a mounting height of 18 feet. The vehicular parking areas are illuminated with full cut-off type fixtures mounted on 14-foot poles.

The applicant has not modified their proposals for when the outdoor lighting would be used. The applicant proposes that all arena lights will be turned off 10pm except Friday, when an 11pm turnoff is requested. After closing, there will be security lighting only. The application does not limit use of lights on a seasonal basis, and does not indicate a limitation on which facility lights will be used at a time. The applicant states that the location of the lighted arenas has been chosen to minimize the amount of light visible from Partnership Road and neighboring properties.

Riding Trail - A bridal trail/walking path is proposed along the perimeter of the property and circling near the primary facilities. It is to be located within the wooded areas and along the edges of the pastures. The trail was designed to follow existing "deer paths" and will not

exceed 12 feet in width in the woods. The applicant states that the design of the meandering trail is planned to avoid the removal of any significant trees and to assure a minimum 60-foot setback from both the perennial and intermittent streams on the property. Both the width of this trail and its design were worked out in consultation with the Environmental Planning staff.

The facility proposes landscaping primarily along the entry road and at the entrance to the stable from Partnership Road. Trees will line the entrance drive and the edges of the structures and arenas.

The outdoor arenas will have surfaces suitable for the disciplines for which they will be used, with the safety of the rider and horse foremost, and will be maintained in accord with standard equestrian practices to control dust. The indoor arena is to have a timed overhead mist system to control dust. The outdoor arena will be watered from a truck. A sand and rubber mixture will be used on the outdoor arenas, as this requires less moisture to keep dust under control.

Parking - The site plan indicates three primary parking areas that will accommodate for 32 cars and 7 horse trailers (by Arena "D"). Two are at the center of the activity area and one adjoining the polo ring. The applicant states that on-site parking is sufficient for all vehicle and trail parking for any show or event, and Arena "A" (the polo arena) would be used for auxiliary parking (up to 50 spaces). No off-site parking of vehicles will be allowed. All parking areas are to be surfaced with crushed stone. The only paved surface is just at the entrance area of the driveway at Partnership Road.

Traffic - The submitted traffic plan indicates that the surrounding roads are adequate to support the anticipated traffic for the use and the proposed use will not significantly increase traffic in the area.

ANALYSIS

Zoning

The riding stable use is allowed by special exception in the RDT Zone. The application meets all development requirements for this zone.

Master Plan

The proposed use does not conflict with, and in fact is the type of use envisioned for the RDT Zone within the Master Plan for the Preservation of Agricultural and Rural Open Space. Further, the M-NCPPC has increased its commitment to the equestrian community in recent years through investment in riding trails and development of equestrian park facilities.

Traffic

The special exception proposal involves relocation of activities and events currently taking place at other sites to the subject property. It was therefore possible within the context of the traffic study to count the traffic generated by the current activities at the separate sites and combine the data to obtain a good estimate of the amount of vehicular activity that will

be associated with the special exception as defined in the Statement of Operation provided by the applicant for the riding facility and polo activities. The study also involved study of a typical "local rated" horse show (in Howard County) to determine anticipated traffic and congestion.

The recommendation of approval is based on the operations statement and the conclusions reached in the traffic study, and subject to the conditions noted in this report. The attached staff report includes an analysis of the submitted traffic studies and copies of the graphs of the anticipated traffic flow patterns.

Master Plan Roadways and Bikeways - In the vicinity of the proposed special exception, Partnership Road, CA-3, is classified as a county arterial with a recommended 80-foot right-of-way. North of the site, Partnership Road intersects Whites Ferry Road (MD 107) also classified as a county arterial. South of the site, Partnership Road crosses Sugarland Road, classified as an Exceptional Rustic Road before intersecting with River Road A-29, a County Arterial. No bikeways are planned in the vicinity of the site. Consistent with the rural character, no sidewalks exist along any of the roads in the area.

Local Area Transportation Review (LATR) - The proposed use will incorporate existing traffic being transferred from the Bascule Farm Riding Stable and the Seneca Polo Club sites. The site-generated traffic was determined based on the driveway counts from these existing facilities, and actually counts from a show held by the Howard County Horse shows Association in May 2002.

This traffic study was undertaken to evaluate the cumulative traffic impacts of the various equestrian activities proposed as part of the Green Acres Special Exception Petition. The study evaluated both the impact on the operation of local intersections, and average daily traffic volumes (ADT) as well as the traffic aspects of compatibility with the neighborhood.

Based on the projected site-generated traffic from this study, the proposed special exception generates fewer than 50 peak hour trips during the weekday morning peak period (7-9 am) and evening peak period (4-6pm). Thus a traffic study is not needed to satisfy Local Area Transportation Review. However, given the unique traffic characteristics of the proposed uses (attracting significant amounts of traffic during weekends) a detailed traffic statement was prepared to show that there would be no adverse traffic impacts. An initial traffic analysis (dated August 2001) was supplemented by a more in-depth analysis dated May 2002. The full findings of this report are attached to this staff report. This report details:

- Table 1. Proposed On-Site Facilities*
- Table 2. Maximum Number of Persons Attending On-Site Activities*
- Table 3. Maximum Number of Persons On-Site for Concurrent Events*
- Table 4. Site Generated Peak-Hour Traffic*

- Table 5. Observed Number of Vehicles Arriving and Leaving a Local Rated Show*

This table indicates that short-term traffic impact is nominal. The maximum number of vehicles arriving or leaving at during the highest attendance local rated show in any 15-minute time interval is 21 vehicles, or approximately one vehicle per minutes. This is not excessive.

Table 6. Anticipated Two-Way Hourly Traffic Volume and Percent of Volume to Capacity Along Partnership Road.

This table indicates that the site-generated traffic would increase the two-way traffic volume along Partnership Road - even during weekend peak events - by no more than 3%. This is considered a nominal impact.

Table 7. Congestion Analysis at the Site Entrance onto Partnership Road

This table indicates that the average delay for vehicles on Partnership Road at the site access point is a maximum of 7.5 seconds. This is a level of service "A". The calculated critical lane volumes (CLV) are significantly below the CLV congestion standards of 1.450 for intersections within a rural policy area.

Policy Area Review/Staging Ceiling Analysis - No staging ceiling capacity has been established for the Rural Policy Area under the FY 2002 Annual Growth Policy.

After review of the above, approval of the use is recommended as proposed in the statement of operations and as modified by the staff in this report.

Environmental

Forest Conservation - A revised preliminary forest conservation plan that reflects the calculations for the entire site has been submitted. The plan continues to show 2.12 acres of forest clearing for additional pasture area. Although this clearing would take place in a portion of the forest that is not designated as "highest priority", staff continues to believe that this forest removal is unnecessary, and would serve no purpose other than to intensify use of the site. Retention of the forest will eliminate the need for 4.24 acres of off-site reforestation.

Some off-site reforestation is already required to compensate for the loss of forest resulting from the location of the 12' bridle path within the forest along the stream valley. Such a wide path is not desirable, but staff has worked with the applicant to improve the alignment and has stipulated that no disturbance may occur beyond the twelve feet.

The staff recommends approval of the preliminary forest conservation plan conditioned upon it being revised to eliminate the 2.12 acres of forest clearing for additional pasture.

Management Plans - The proposed management plans reviewed in the April 3, 2002 staff memo have not changed. The staff has received a notice of approval of a "concept" soil and water quality conservation plan from the Montgomery Soil Conservation district. An (attached) letter from the Chairman of the MSCD Board of Supervisors notes the difficulty of approving a plan for a hypothetical situation, although that is the requirement of the special exception regulations. He notes that they will continue to work with the applicant to modify the requirements once the actual operation is in place, should the application be approved. The staff particularly supports the proposed non-chemical rodent management plan.

Hydrology - The proposed plan has been modified to include a 50-foot buffer recommended by the staff along either side of the stream that bisects the site from

south to north. While this buffer is 50 feet narrower than a typical buffer required for a Use I-P stream, the staff believes that width loss is compensated since the entire area is to be reforested.

The number of stream crossings proposed on the plan has been reduced from four to three. For environmental reasons, it would be preferable to eliminate an additional stream crossing (the southernmost), but in the interest of the horses' safety, a compromise has been agreed to that minimizes the impact on the stream. The two outer bridle path crossings must be made with full span, wood deck bridges that are no more than 12 feet wide. And the driveway/bridle path combined crossing must be limited to no more than 50 feet in width, done with either a bridge or an open-bottom arched culvert. The applicant has agreed to this modification.

As of the date of this memo, staff has not received any correspondence from the Maryland Department of Environment (MDE) or the Army Corps of Engineers (COE) regarding the acceptability of this revised plan or the need for wetland permitting although we have been informed that it is to be delivered soon. We remain unwilling to support any stream crossing that will result in the disturbance of wetlands. Relocation of the proposed stream crossings may be necessary once the COE wetland delineation is completed, and receipt of such confirmation from the COE is a condition for approval of this use.

Stormwater Management - Montgomery County Department of Permitting Services has reviewed and approved a stormwater management concept for this property. Stormwater management will be provided by a series of grass swales, sand filters, and groundwater recharge facilities located throughout the existing pasture area.

Well and Septic - Permits are needed for proposed wells on the property. Sewerage treatment will be provided by sand mounds instead of the typical septic field. Up to four sand mounds will be needed to support the proposed uses. Each sand mound must be fenced off from the horses. The area included in the sand mounds (approximately 12,000 square feet) may not be counted as available pasture.

The staff recommends approval of the special exception with the following conditions:

1. Compliance with the conditions of the approval of the preliminary forest conservation plan, including:
 - (a) forest clearing limited to the area encompassed by the 12' bridle path along the stream valley, this clearing must be included in the forest conservation worksheet; and
 - (a) final forest conservation plan must be submitted and approved prior to MCDPS issuance of a sediment and erosion control permit.
1. Category I conservation easement to be recorded over the stream buffer/forest conservation areas.
2. Limit the number of horses boarded on the property to those which can be supported on the existing pasture.

3. No more than three crossings of the intermittent stream on the property. These crossings shall be limited to:
 - (a) two bridge crossings, a maximum of 12' wide for bridle paths along the stream valley and the southern edge of the property; and
 - (b) one bridge or arched culvert crossing, a maximum of 50' wide for the combined driveway/bridle path.
4. Bridle trail within the forest not to exceed twelve feet in width, inclusive of the limits of disturbance, and final trail alignment to be field located with M-NCPPC Environmental staff.
5. Compliance with the conditions of the Montgomery County Department of Permitting Services stormwater management concept approval dated May 8, 2002.
6. Compliance with the Soil Conservation District's requirements for feeding and pasture management, manure management, and fly, insect and rodent control.
7. Applicant to comply with the Well and Septic Division requirements for well and septic permits appropriate for the approved number of tenants, visitors, and horses prior to release of building permits.

Subdivision

This proposed use will need to go through the subdivision process after special exception approval. The applicant had requested an exemption from subdivision since the use is agricultural in nature. The staff believes that while the use is agricultural in nature it is a commercial use that generates traffic, noise, activity, and two dwelling units and must go through subdivision.

Landscaping and Lighting

The staff recommends approval of the revised landscape and lighting plans for this use. The originally proposed lighting design resulted in excessive spillover light that would affect over one third (+/- 35 acres) of the property. To address these concerns, the application was redesigned to reduce lighting spillover and redirect it onto the arenas. The revised lighting plan reduces the area of influence in half to approximately 17 acres. The redesign maintains lighting levels for the polo field to a 20-footcandle average and a maximum to minimum uniformity ratio of 3:1 in keeping with the IESNA standards. Also, the fixtures on tall poles in the parking areas have been eliminated. Conventional lighting is now proposed in the parking areas using 14 foot, pole-mounted, full cut off fixtures. The parking areas can now maintain an overall project average maximum to minimum uniformity ratio of 15:1, and a 2-footcandle average light level.

Further modifications changed the lighting for all service areas to wall mounted, full cut off fixtures with flat lenses directing light downward rather than perpendicular as previously proposed. This change directs light downward to illuminate the ground and minimizes light spillover. These modifications (illustrated on the revised lighting plans):

1. Polo Arena - Reduce the excessive spillover light created by the arena lights and redirect the majority of the light onto the arena. Reduce the average footcandles to 15.3 and maintain a maximum to minimum uniformity ratio of 5.3:1.
2. Parking Areas - Eliminate the fixtures on the tall poles used to illuminate parking areas. Provide lighting for all parking areas using 14 foot, pole-mounted, full cut off fixtures. Maintain a maximum to minimum uniformity ratio of 12.5:1 and 0.8 footcandle average light level for the parking facility adjacent to the polo field. Maintain a maximum to minimum uniformity ratio of 19.3:1 and 2.5 footcandle average light level for the parking facility adjacent to the outdoor warm-up arena.
3. Service Areas - Provide lighting for all service areas via wall mounted, flat lens, full cut off fixtures directed downward. Maintain a maximum to minimum uniformity ratio of 15:1 and a 2 footcandle average light level.

The issue of when outdoor lighting is to be used remains a concern. The staff does not believe that it is fair to the surrounding area to allow unregulated use of arena lights until 11 pm on Fridays and Saturdays, and 10 pm the rest of the week. This is particularly problematic for the polo arena, which has the brightest lights. To address this concern the staff recommends two additional conditions related to the use of outdoor lighting:

1. All arena lighting would have to be turned off by 8pm on Sunday-Thursday, and by 10 pm on Friday and Saturday.
2. Only one set of arena lights may be used at any one time.

Compliance with Specific and General Special Exception Provisions

The proposed application, with conditions proposed, meets the criteria for a riding stable in the RDT Zone, as noted in the attached review.

Inherent/Non-Inherent

The major inherent characteristics of this type of use are manure management, pasture management, traffic, dust control, and insect/rodent control. Major non-inherent characteristics are light and noise. All stables have the inherent characteristics, that must be properly managed, but not all stables have lighted arenas, night activities, and horse shows.

The staff believes that the submitted Pasture Management Plan adequately addresses manure, pasture, insect and rodent control. They will continue to work with the Soil and Water Conservation Service on this aspect of their operation. And with the modifications to the lighting and frequency and duration of outdoor evening activities recommended, the lighting is adequately addressed.

Potential noise generated by horse shows and polo matches is governed by the Montgomery County Noise Ordinance, although limiting the frequency and size of outdoor activities is the best means of avoiding the potential for excess noise.

Other Operations Elements - The staff believes the requested number of employees to be acceptable, and with the previously discussed limits on site lighting, the hours of operation are acceptable. This will mean that the later hours (after 9pm on Sunday-Thursday and after 10pm on Friday and Saturday) can be used for activities in the indoor arenas only. The proposed parking plan is acceptable.

In addition, the level of proposed activity, particularly the 12 horseshows for up to 80 people in attendance, 6 polo tournaments for up to 100 in attendance, and up to 4 horseshows for up to 200 in attendance will impose burdens on the surrounding community. To limit that burden, the staff recommends that no more than one weekend event for 80 or more be allowed per month, and a cumulative total of 12 "special" events per year (where 80 or more persons are anticipated to attend) allowed.

Citizen Concerns

The applicant attended a neighborhood meeting to inform residents in the area about this proposal. The staff has heard from several area residents and rural area community groups who are opposed to the size and scope of this proposal. In the months since the April hearing, the staff met several times with the applicant's representatives and several times with concerned immediate and area residents. At the time this report was prepared only one new letter regarding the petition has been received. That letter and its attachments, from Dr. Carol Hansen, is attached. The staff anticipates that there will be citizens in opposition to the proposal at the hearing. Their primary concerns relate to environmental, traffic, noise, and lighting issues. Some of their concerns, such as well adequacy and pasture management, appear to be beyond the control of the zoning ordinance.

A significant number of concerns seem to relate to a long history of abuses that relate to a special exception that was granted for a polo club on Hughes Road. Most of the concerns seem to relate to an excessive number of non-equestrian related activities that were illegally being held on the property. With the conditions on this special exception that specifically exclude non-equestrian related activities, the staff does not think this will be a problem for this stable operation.

Another concern seems to relate to the size of the facility. While smaller commercial riding stables have been more frequently seen in the county, that does not preclude or even remotely imply that larger stables should not be approved. The conditions of approval are important, a proper and well managed operation is important, but if Montgomery County is going to continue to encourage equestrian activity as a part of our Agricultural preservation and Recreation programs, we may see some larger stables emerge to accommodate the interest in the equestrian sports. Sport horses do require specialized training that is not always efficiently supplied at smaller stables. And if larger commercial stables are proposed, it is preferable to see them located on an arterial road than a rustic or secondary road.

Another concern seems to relate to the fear of overgrazing on the property. The staff must rely on the expertise of the Soil and Water Conservation Service and the type of pasture management plan that has been outlined. The applicant will continue to work with this agency to maintain the grass in the proposed paddocks. Also, the staff does believe there is a significant difference in the feeding characteristics of horse that are primarily grain fed in their stalls and horses that are primarily hay and grass fed because they are field boarded.

Several other concerns relates to issues such as soil runoff from the site preparation required for the proposed use or insufficient water to serve the site - or impact on existing wells. These items are not in the realm of a special exception approval. The Department of Permitting Services would have to issue an erosion control permit for any site preparation, and the Division of Well and Septic is responsible for water issues. A well permit for the use would have to include the intended use and the amount of anticipated waster required for it. Certainly this use would use a lot of water and that would be taken into account. Noise from events is governed under the County's Noise Ordinance, but the limits imposed on the frequency of events is the best curb on this potential concern.

Finally, the staff concurs with the area residents concerns about the potential number of disruptive events. That is why the number of possible "special" events has been capped at 12 per year, and no more than one weekend per month. Similarly, the staff shared the concerns expressed regarding lighting and overgrazing. That is why all horses on the site are to be staff-boarded. And that is why significant modifications have been made to the proposed lighting fixtures, and the times when lights may be used.

CONCLUSION

The first application for this use posed a philosophically difficult decision for the staff. The Rural Team has a deep commitment to protecting and enhancing and expanding agricultural uses in the RDT Zone, and the Agricultural Reserve as a whole. Encouraging agricultural, and recreational agricultural uses is important for the future in the Agricultural Reserve. Working land, land being utilized for crops or livestock, or horses is far more likely to stay open and rural than land that is fallow. Unused land is inevitably susceptible to development pressure. The County's philosophical and monetary investment Agricultural Reserve will be meaningless if it becomes merely a collection of large estate lots.

Therefore, the staff would very much like to see a commercial riding stable approved for this property. It not only supports an important part of our agricultural economy (as evidenced by the letters of support attached to the recommendation), but it provides income for the farmers who grow the hay and grain that feed the horses - not mention a good livelihood for the barn cats who will be gainfully employed keeping rodents at bay.

The scope of the stable facility now proposed is still large and complex. But the problem with the previously submitted plan was not the use, but the scale of the use. The proposed site is a very rural location so the level of activity and its attendant traffic, lighting, and environmental concerns must be carefully considered. Those issues, as outlined in the April report, created an application that the staff could not support.

In the ensuing months, the applicant made major strides to resolve the staff concerns related to the environmental issues, traffic concerns, operational characteristics, and lighting. The applicant has reduced the proposed number of horses, made modifications to address the environmental concerns, made modifications to address the lighting concerns, and limited the potential for "non-equestrian" events, and supplied certain studies and approvals missing previously.

The revised application now before the Board is significantly different, although in a few areas the application still exceeds what staff believes would be appropriate. But because these are area of relatively minor discrepancy, the staff recommends approval of this use

with the conditions noted. The primary issues of difference include the number of horses to be allowed to “reside” on the property, the hours when lighting may be used for outdoor equestrian activity, the number of concurrent events allowed, and the frequency of competitive events.

The proposed additional limits stem from a belief that it would be inappropriate in this rural area to have outdoor activity as late as 11 pm, or to have multiple simultaneous events that attract spectators and participants beyond those who board or train at this facility, or to subject the community to more than one larger event (attracting 80 or more people and horses) per month. This would impose an undue burden on the surrounding area.

The staff acknowledges that allowing the removal of trees to create more “buildable area” is a fairly common practice in subdivision development when an appropriate off-site afforestation area is feasible. In this type of instance, the staff does not believe this is appropriate or necessary. The clearing of forest just to allow more horses on the site is not justified. Locating an acceptable off-site location for afforestation may be difficult anyway in this watershed.

If the applicant wishes to return after being in operation for a few years and request a modification for a broader operation the Boards and the staff would have the benefit of knowing how well this facility has been run and how well they have met the conditions of the original special exception. Therefore with the conditions noted at the beginning of this report the staff recommends approval of this special exception.

Special Exception Criteria

Section 59-C-9.3. Land Uses

All riding stables in agricultural zones must meet the following criteria found in footnote #17 of section 59-C-9.3 of the Zoning Ordinance.

1. Minimum for up to 2 horses is two acres, and 3-10 horses is five acres. More than 10 horses requires additional ½ acre per horse.

The use as proposed will allow no more than 82 horses.

2. All with more than 10 horses must have a soil/water conservation plan.

Approval of a concept soil/water conservation plan from the Soil Conservation Service has been received.

Sec. 59-G-1.2. Conditions for granting.

59-G-1.21. General conditions.

(a) A special exception may be granted when the board, the hearing examiner, or the district council, as the case may be, finds from a preponderance of the evidence of record that the proposed use:

(1) Is a permissible special exception in the zone.

The use is so allowed.

(2) Complies with the standards and requirements set forth for the use in division 59-G-2.

The use complies with these standards.

(3) Will be consistent with the general plan for the physical development of the district, including any master plan or portion thereof adopted by the Commission.

The proposed use is consistent with all applicable master plans.

(4) Will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions and number of similar uses.

With the conditions recommended, the use is in harmony with the neighborhood considering these criteria.

(5) Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity.

With the conditions recommended, the proposed use will not have these detrimental impacts on the surrounding area.

- (6) Will not, when evaluated in conjunction with existing and approved special exceptions in the neighboring one-family residential area, increase the number, intensity or scope of special exception uses sufficiently to affect the area adversely or alter its predominantly residential nature. Special exception uses in accord with the recommendations of a master or sector plan are deemed not to alter the nature of an area.

Not applicable. The proposed use is not in a residential location.

- (7) Will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area;

The use will not have such adverse affect on the area or its' residents.

- (8) Will be served by adequate public services and facilities. If the use requires approval of a preliminary plan of subdivision in accordance with Chapter 50, "Subdivision of Land," the adequacy of public facilities will be determined by the Planning Board at the time of subdivision approval. In that case, the Board of Appeals must include such Planning Board approval as a condition of the grant of the special exception.

The staff believes that this use will be adequately served with public services and facilities, but that sufficiency will be considered at time of subdivision.

Specific Conditions

Sec. 59-G-2.49. Riding stable.

The following provisions apply to a riding stable in any zone where allowed by special exception:

- (a) The minimum lot area for one or 2 horses is 2 acres.
(b) If 3 to 10 horses are kept, the minimum lot area is 5 acres. If more than 10 horses are kept, the minimum lot area of 5 acres must be increased by one-half acre per horse.

By a straight reading of this clause, the use would only require 50 acres for a 100 horse operation. However, the staff believes that this clause is intended to relate to available open pasture rather than just gross acreage, and should be interpreted to be 1/2 acre of open pasture per horse. The staff calculates that approximately 42 acres of the proposed site are available for open pasture, allowing 84 horses. The conditions of approval limit the facility to 84 horses.

- (c) No building may be located less than 50 feet from the nearest property line, unless the Board or Hearing Examiner grants a waiver upon a finding that the reduced setback is compatible with adjacent land uses.

The application meets this standard.

- (d) In order to prevent adverse impact on adjoining uses, the board may limit:
- (1) The number of horses not belonging to the property owner that may be boarded.

The applicant proposes to board up to 88 horses. The staff recommends that should be reduced to no more than 82 horses on this property whether boarded or owned by the property owner or manager.
 - (2) The number of horses that may be rented out for recreational riding or instruction.

Not applicable.
 - (3) The number of horse shows that may be held in a one-year period.

The applicant proposes up to 4 events for up to 200 (participants and spectators), up to 6 events for up to 100, and up to 12 events for up to 80 (participants and spectators) per year. The staff recommends that there should be no more than one weekend event with an anticipated attendance of 80 or more in any month - and cumulatively no more than 12 in a year.
- (e) Any riding stable for more than 10 horses must coordinate with the soil conservation district in the development of a soil and water conservation plan.

The applicant has received approval of a conceptual soil and water conservation plan. Final plans cannot be determined until the operation is underway.
- (f) In evaluating the compatibility of this special exception with surrounding land uses, the Board must consider that the impact of an agricultural special exception on surrounding land uses in the agricultural zones does not need to be controlled as stringently as the impact of a special exception in the residential zones.

If this use were limited to purely agricultural activities, it would easily meet this condition. However, agricultural activities generally do not draw traffic and site activity to a significant extent. Some retail farms to generate activity seasonally, but primarily on weekends. The use proposed, however, will generate some activity daily, and considerable weekend activity up to 22 times per year, and will impact the activity level in the general vicinity. Therefore, while the agricultural elements of this plan can be less stringently considered, the community impact elements - activity frequency and lighting - must be more stringently considered. The staff believes that with the modifications that have been made to this application - and the further limitations recommended by the staff - it will be a compatible use.

The area residences are much more dispersed than in a residential area, so the potential for impact is much less. The greatest potential impacts are traffic, lighting, and noise.

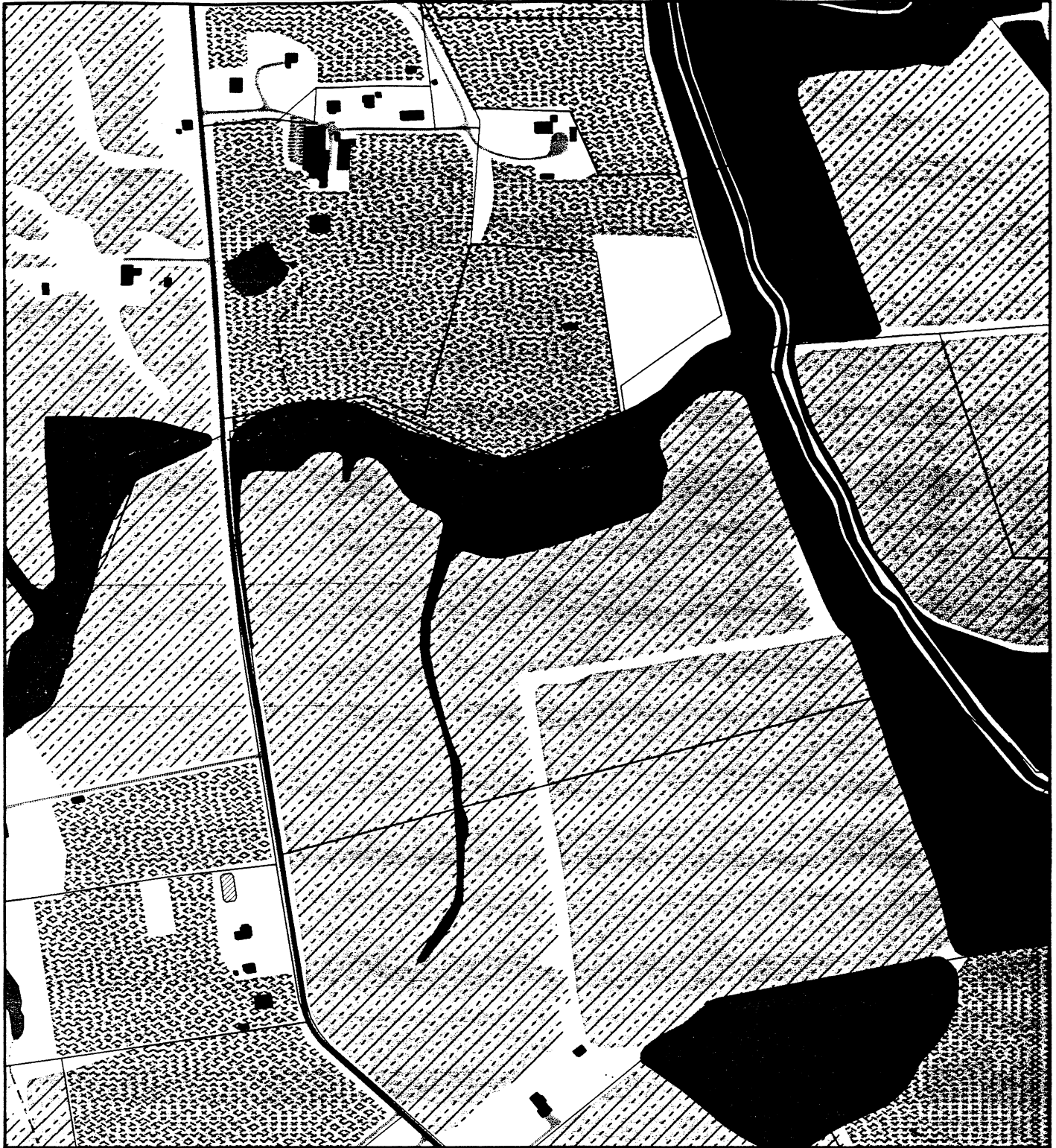
Noise is governed by the County Noise Ordinance, but the limitations recommended on the timing and frequency of competitive activities will be most effective means to control the potential of noise from a public address system.

On-site lighting has been significantly reduced - although the recommended restrictions on evening outdoor activity and on concurrent use of lights in multiple arenas will be the best means to control the potential of light disruption.

Finally, the traffic studies appear to indicate that the increased traffic from the stable activities will not cause an undue burden on this area, but again - the proposed limits on the duration and frequency of competitive events are the best means of limiting this potential impact.

VICINITY MAP FOR

S-2468 GREEN ACRES FARM



Map compiled on March 15, 2002 at 11:51 AM | Site located on base sheet no - 221NW18

NOTICE

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1999

Key Map

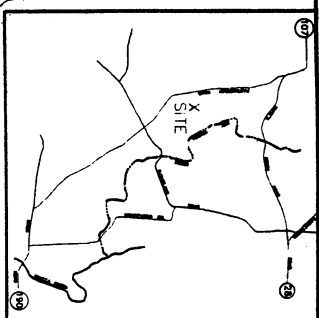


1 : 7200

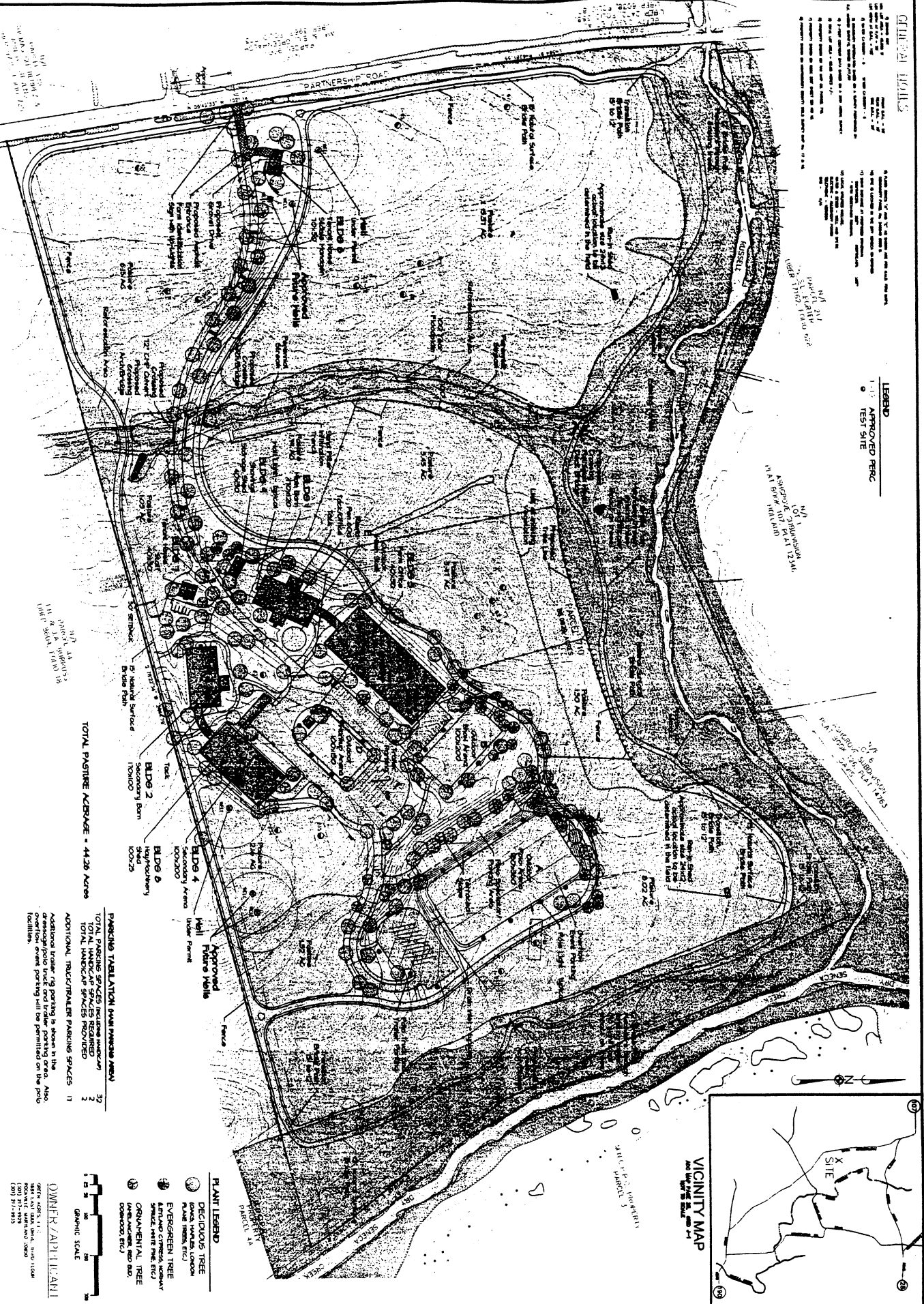
GRTICAL HILLS

THE SITE OF THE PROPOSED DEVELOPMENT IS LOCATED ON THE EAST SIDE OF PARTNERSHIP ROAD, APPROXIMATELY 0.7 MILES WEST OF THE INTERSECTION OF PARTNERSHIP ROAD AND WISCONSIN AVENUE. THE SITE IS BOUNDARY BY PARTNERSHIP ROAD TO THE NORTH, WISCONSIN AVENUE TO THE WEST, AND THE RIVER TO THE SOUTH. THE PROPOSED DEVELOPMENT IS A MIXED-USE COMMUNITY CENTER INCLUDING OFFICE SPACE, RETAIL, AND RESIDENTIAL DEVELOPMENT. THE SITE IS DIVIDED INTO SEVERAL PLOTS AND BUILDINGS ARE INDICATED BY SHADING AND LABELS. THE PLAN SHOWS THE LAYOUT OF BUILDINGS, PARKING SPACES, AND LANDSCAPE FEATURES. A LEGEND IN THE UPPER RIGHT CORNER IDENTIFIES APPROVED PERMITS AND TEST SITES. A VICINITY MAP IN THE LOWER RIGHT CORNER SHOWS THE LOCATION OF THE SITE WITHIN THE LOCAL ROAD NETWORK.

LEGEND
1. APPROVED PERMITS
TEST SITE



VICINITY MAP



TOTAL PAVED AREAS = 44.26 ACRES

PARKING TABULATION (SHOWN PERMITS ONLY)

TOTAL PARKING SPACES (INCLUDES HANDICAPPED)	32
TOTAL HANDICAPPED SPACES REQUIRED	3
ADDITIONAL TRUCK/TRAILER PARKING SPACES	11

Additional trailer parking is shown in the design/pool area and trailer parking area. Also, design/pool area and trailer parking area. Also, design/pool area and trailer parking area. Also, design/pool area and trailer parking area.

PLANT LEGEND

- DECIDUOUS TREE
- EVERGREEN TREE
- ORNAMENTAL TREE
- SHRUB
- FLOWERING SHRUB
- PERENNIAL
- ANNUAL
- GRASS
- GROUND COVER
- ROCK
- WATER FEATURE
- LANDSCAPE LIGHT
- LANDSCAPE SIGN
- LANDSCAPE BENCH
- LANDSCAPE TABLE
- LANDSCAPE SEAT
- LANDSCAPE WALKWAY
- LANDSCAPE BIKEWAY
- LANDSCAPE TRAILWAY
- LANDSCAPE COURTYARD
- LANDSCAPE DECK
- LANDSCAPE PATIO
- LANDSCAPE BALCONY
- LANDSCAPE PORCH
- LANDSCAPE GARAGE
- LANDSCAPE DRIVEWAY

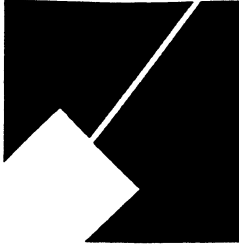
OWNER: RAMPART LLC

106 East Roppens Blvd. Mount Airy, MD 21771
 DC Metro (301) 607-8031 FAX (301) 607-8045

WARWICK ASSOCIATES, INC.
 Engineering & Construction Management
 2631 Trenton Church Road
 Upperco, Maryland 21166 (301) 230-4334

TIMOTHY PRAGG ASSOCIATES
 2631 Trenton Church Road, Upperco, Maryland 21166
 (410) 230-4334

GREEN ACRES FARM POLESVILLE (3RD) ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND REVISED SPECIAL EXCEPTION SITE PLAN AND LANDSCAPE PLAN CASE NUMBER: S 2486	DATE	REVISION	PROJECT	DATE
	5/24/02	PER MDC/PC, MDE, CODE COMMENTS	0:008	3/13/02
			ELABORATION	ENGINEERING
		SCALE		
		1" = 100'		



July 3, 2002

MEMORANDUM

TO: Judy Daniel, Team Leader
Community-Based Planning Division

VIA: Daniel K. Hardy, Supervisor *DKH*
Transportation Planning

FROM: Ed Axler for Janet Gregor, Planner/Coordinator *EA*
Transportation Planning

SUBJECT: Special Exception Case No. S-2486
Green Acres Equestrian Facilities
15501 Partnership Road, Poolesville
Poolesville (Rural) Policy Area

This Transportation Planning staff memorandum updates the previous memorandum prepared by Janet Gregor dated April 3, 2002, and includes traffic-related data from the petitioner's transportation consultant's Supplement Analysis dated May 22, 2002. The subject special exception case is being reviewed for the adequate public facilities (APF) test of relocating selected activities at the existing Bascule Farm Riding Stable and the existing Seneca Polo Club to the subject site, Parcel P710.

RECOMMENDATIONS

Transportation Planning staff recommends the following condition as part of the transportation-related requirements to approve this Special Exception Case as follows:

Limit the special exception uses to those described in the Petitioner's Statement of Operations as modified by Community-Based Planning staff and summarized in the DISCUSSION section below.

DISCUSSION**Existing Subject Land Use**

The subject site, Parcel P710, is an 88.09-acre site that is presently unimproved and consists of open fields, streams, and forested areas. Limited areas are used for agricultural purposes.

Anticipated Land Use of the Existing Sites after the Two Users Relocate to the Subject Site

Upon relocation of the Bascule Farm Riding Stable and the Seneca Polo Club to the subject site, the status of the existing sites are as follows:

1. According to the transportation consultant, the existing site of the Bascule Farm Riding Stable has been sold to a breeder as a rural area to raise horses.
2. The existing Seneca Polo site, also known as the Potomac Polo Club, is on the west side of Hughes Road approximately one mile north of River Road. Since the Seneca Polo Club leases the existing site, the other uses would continue to occur at the Hughes Road site including field polo and other non-equestrian events such as soccer matches. Spectators were observed parking off-site along the side of Hughes Road for soccer matches. The transportation consultant indicated that any parking that may have occurred related to the polo matches was as a result of the fact that the matches are played on a field adjacent to the road.

Site Location, Access, and Parking

The subject site is located on the east side of Partnership Road between Whites Ferry Road and Sugarland Road. The site vehicular access is from a driveway off Partnership Road. No sidewalks exist along any of the roads in the area, consistent with the rural character. On-site parking is to be provided for up to 32 vehicles and 7 truck/trailers in the main parking area and up to 50 parking spaces of auxiliary parking for special events.

Master Plan

According to the *Rustic Roads Functional Master Plan*, the adjacent and nearby roadways are classified as follows:

1. Partnership Road is classified as a country arterial with an 80-foot right-of-way, CA-3.
2. Whites Ferry Road (MD 107) to the north is classified as a country arterial with an 80-foot right-of-way, CA-35.
3. The Sugarland-Lane-to-Whites-Ferry-Road segment of Sugarland Road to the south is classified as an exceptional rustic road, E-7, with an 80-foot right-of-way.

A portion of Partnership Road and Sugarland Road are part of the Seneca Brownstone Trail bicycle route.

Summary of Petitioner's Statement of Operations and Staff's Modifications

This summary is divided into five different operational areas. The first four areas are from the petitioner's information and the fifth area is Park and Planning staff's modifications.

1. The transportation-related aspects include the following:
 - a. An access driveway is to be built 1,500-feet long from Partnership Road into the site.
 - b. All parking associated with the equestrian facility and any sponsored activity shall be accommodated on site. The proposed main parking area has space for 32 cars and 7 horse trailers. Auxiliary parking is provided for special events for up to 50 parking spaces.
 - c. Traffic control must be provided for any event for 80 or more persons (participants and spectators).
 - d. The number of employees is no more than seven full-time persons (i.e., five of who will live on site) and no more than ten part-time persons (i.e., working on staggered schedules).
2. The horseback riding activities associated with the subject special exception case includes riding, instruction in riding, jumping, dressage, and horse training. The special equestrian events are as follows:
 - a. Local rated shows typically have an attendance of no more than 200 participants and spectators per show and may occur on more than one day during the weekend.
 - b. Schooling horse shows typically have an attendance of no more than 80 participants and spectators per show and last one day.
3. Arena polo activities are as follows:
 - a. Arena polo activities are practices, scrimmages, interclub matches, and tournaments for arena polo. All other activities should be excluded that are now occurring at the existing Seneca (or Potomac) Polo Club site off Hughes Road.
 - b. Arena polo differs from open field polo that uses a larger field and has more participants. Arena polo tournaments are considered special events. Arena polo tournaments occur on the weekends. Arena polo tournaments and interclub matches may not be held on the same weekend as a local rated show.

4. On-site physical facilities are shown on Table No. 1 below according to the Revised Special Exception Site Plan and Landscape Plan dated May 24, 2002, (with the deleted facilities indicated in parentheses):

Table No. 1: Proposed On-Site Facilities

Plan Label	Size	Type	Use
Parking Area	(Unspecified)	Cars & Trucks & Trailers	
Parking Area	(Unspecified)	Trailers	
Building (no #)	24 ft. by 12 ft.	Shed (in NW)	Run-In
Building (no #)	24 ft. by 12 ft.	Shed (in NE)	Run-In
Building No. 1	170 ft. by 120 ft.	Barn	Main (& Tack Room)
Building No. 2	170 ft. by 100 ft.	Barn	Secondary (& Tack Room)
Building No. 3	125 ft. by 300 ft.	Arena	Indoor
Building No. 4	200 ft. by 100 ft.	Arena	Secondary
Building No. 5	40 ft. by 30 ft.	Office	Farm (& Viewing Area)
Building No. 6	70 ft. by 30 ft.	Tenant House	Stable Manager
Building No. 7	40 ft. by 30 ft.	Tenant House	Staff
Building No. 8	100 ft. by 25 ft.	Shed	Hay & Machinery
Building No. 9	40 ft. by 30 ft.	Shed	(Wood) Shavings Storage
Outdoor A	180 ft. by 360 ft.	Arena	Polo
Outdoor B	100 ft. by 200 ft.	Arena	Show
(Outdoor C)	(150 ft. by 80 ft.)	(Arena)	(Dressage)
Outdoor D	100 ft. by 150 ft.	Arena	Warm-Up
(Outdoor)	(60 ft. Radius Round)	(Pen)	(Training)

5. Modifications of Petitioner's Statement of Operations by the Park and Planning staff are as follows:
- a. The applicant is bound by all elements of the submitted operations plan and site plan except as modified below.
 - b. Lighting plan:
 - 1) No arena lights may be used after 8:00 p.m. Sunday - Thursday, or after 10:00 p.m. Friday and Saturday.
 - 2) Only one arena may use lights at any one time.
 - 3) The lighting plan must reflect changes proposed by the M-NCPPC staff to reduce overall site lighting levels.

- c. Hours of operation limited to 6:00 a.m. to 10:00 p.m. except Friday nights, when the hours may be extended to 11:00 p.m.
- d. Agreement to abide by all conditions proposed by the supporting staff as noted in their memoranda.
- e. The maximum number of horses permitted to be kept on the property (either boarded or owned by the owner or manager) is limited to 80. All horses must be housed in stalls.
- f. Special events associated with the equestrian facility are limited to:
 - 1) No more than four events per year for up to 200 persons (participants and spectators).
 - 2) No more than six events per year for up to 100 persons (participants and spectators).
 - 3) No more than eight events per year for up to 80 persons (participants and spectators).
 - 4) No more than one weekend event per month for 80 persons or more (participants and spectators).
 - 5) These events may include:
 - a) "Schooling" horse shows for 50 to 80 participants and spectators.
 - b) Arena polo tournaments for 50 to 100 participants and spectators.
 - c) "Local rated" horse shows 100 to 200 participants and spectators.
- g) All polo activity limited to "arena" polo only. No more than two interclub polo matches per weekend (Friday, Saturday and Sunday). No more than 35 participants and spectators per match. And no interclub polo matches or tournaments to be held concurrently with rated or local horse shows.
- h) All parking associated with the equestrian facility and any sponsored activity must be accommodated on site.
- i) Traffic control must be provided for any event that may attract 80 or more persons.
- j) Any public address system used for horse shows or polo matches must meet all regulations of the Montgomery County Noise Ordinance.

- k) Any activity on the site beyond riding lessons and horse training is limited to the equestrian events and activities noted in these conditions.

Local Area Transportation Review

The site-generated traffic was determined based on driveway counts from the existing Bascule Farm Riding Stable site, the existing Seneca Polo Club site, and during a show by the Howard County Horse Shows Association in May 2002.

Based on the projected site-generated traffic, the special exception land use on the site generates fewer than 50 peak-hour trips during the weekday morning peak period (7:00 a.m. to 9:00 a.m.) and evening peak period (4:00 p.m. to 6:00 p.m.). Thus, a traffic study is not needed to satisfy Local Area Transportation Review. However, given the unique traffic characteristics of the proposed uses, a detailed traffic statement was prepared to show that there would be no adverse traffic impacts. The petitioner's transportation consultant submitted a traffic analysis dated August 24, 2001, and a supplemental analysis dated May 22, 2002, containing further details related to show events.

The Maximum Number of Persons Attending On-Site Activities at Any One Time

Table No. 2 and No. 3 below show the maximum number of persons (participants and spectators) proposed to be on the site during the peak hour of the weekday morning, weekday evening, Saturday, and Sunday:

Table #2: Maximum Number of Persons Attending On-Site Activities

On-Site Activity	Maximum Number Attending	Activity Occurs When?	
		Weekday	Weekend
Related to Horseback Riding:		Weekday	Weekend
Lessons	40 Persons	Yes	Yes
School Shows	80 persons	No	Yes
Local Rated Shows	200 persons	No	Yes
Related to Arena Polo:		Weekday	Weekend
Scrimmage/Practice	20 persons	Yes	No
Interclub Match	35 persons	Yes	Yes
Tournament	100 persons	No	Yes

Table #3: The Maximum Number of Persons On-Site for Concurrent Events at Any One Time

Events Occurring Weekday				Maximum Combined No. of Persons
Related to Horseback Riding		Related to Arena Polo		
Event	Maximum # Persons	Event	Maximum #Persons	
Lessons	40	Scrimmage/Practice	20	60
Lessons	40	Interclub Match	35	75
Events Occurring on Saturdays and Sundays				
Event	Maximum # Persons	Event	Maximum # Persons	
School Show	80	Interclub Match	35	115
Lessons	40	Tournament	100	140
Local Rated Show	200	(none)		200

Site-Generated Vehicular Traffic

Table No. 4 shows the maximum number of trips generated by each equestrian activity during the morning and evening peak hour for weekdays, Saturdays, and Sundays.

Table #4: Site-Generated Peak-Hour Traffic by On-Site Activities

		On-Site Activity				
		Horseback Riding		Arena Polo		
		Lessons	Local Rated Show	Scrimmage/ Practice	Match	Tournament
Weekday Morning	Peak Hour*	7-8 a.m.	n/a	10-11 a.m.	9-10 a.m.	n/a
	Increase	+6	n/a	+8	+5	n/a
Weekday Evening	Peak Hour*	5-6 p.m.	n/a	6-7 p.m.	5-6 p.m.	n/a
	Increase	+10	n/a	+14	+31	n/a
Saturday Morning	Peak Hour*	11-12 a.m.	8-9 a.m.	n/a	n/a	10-11 a.m.
	Increase	+6	+56	n/a	n/a	+18
Saturday Evening	Peak Hour*	4-5 p.m.	8-9 p.m.	n/a	n/a	12-1 p.m.
	Increase	+14	+49	n/a	n/a	+26
Sunday Morning	Peak Hour*	11-12 a.m.	8-9 a.m.	n/a	n/a	9-10 a.m.
	Increase	+12	+35	n/a	n/a	+28
Sunday Evening	Peak Hour*	1-2 p.m.	3-4 p.m.	n/a	n/a	5-6 p.m.
	Increase	+13	+44	n/a	n/a	+18

* The peak hours are of the specific activity during each time period. The peak hour is not for the adjacent street (i.e., Partnership Road).

The maximum amount of site-generated peak-hour traffic is 56 vehicular trips per hour (i.e., on Saturday mornings for local rated shows). The five attached charts showing the pattern of traffic flow on Partnership Road from 6:00 a.m. to 9:00 p.m. for:

1. Chart No.1: An average weekday with riding activity and a polo scrimmage/practice/match
2. Chart No. 2: Saturday with riding activity and a polo tournament
3. Chart No. 3: Sunday with riding activity and a polo tournament
4. Chart No. 4: Saturday with riding activities and local rated horse show
5. Chart No. 5: Sunday with riding activity and local rated horse show

Short-Term Traffic Impact - Maximum Number and Duration of the Arriving and Leaving Vehicles for a Local Rated Show

Table No. 5 shows the number of vehicles arriving and leaving in 15-minute time intervals for a local rated show occurring off of Mullinix Mill Road in Damascus.

Table #5: The Observed Number of Vehicles Arriving and Leaving a Local Rated Show

		Weekend Day					
		Saturday			Sunday		
15-Minute Interval		Inbound	Outbound	Both	Inbound	Outbound	Both
Morning							
6:45 a.m.	7:00 a.m.	11	1	12	4	1	5
7:00 a.m.	7:15 a.m.	14	2	16	9	2	11
7:15 a.m.	7:30 a.m.	10	3	13	10	0	10
7:30 a.m.	7:45 a.m.	10	2	12	8	1	9
7:45 a.m.	8:00 a.m.	13	2	15	2	0	2
8:00 a.m.	8:15 a.m.	14	7	21	13	3	16
8:15 a.m.	8:30 a.m.	8	1	9	5	3	8
8:30 a.m.	8:45 a.m.	6	3	9	4	1	5
8:45 a.m.	9:00 a.m.	1	0	1	4	2	6
Evening							
3:00 p.m.	3:15 p.m.	6	2	8	3	5	8
3:15 p.m.	3:30 p.m.	13	4	17	3	8	11
3:30 p.m.	3:45 p.m.	3	7	10	2	15	17
3:45 p.m.	4:00 p.m.	3	3	6	2	6	8
Max. 15-Minute Volume		14	7	21	13	15	17

The short-term traffic impact is nominal. The maximum number of vehicles arriving or leaving in any 15-minute time interval is 21 vehicles, or approximately an average of one vehicle per minute.

Change in Two-Way Hourly Traffic Volume and the Corresponding Volume to Capacity Ratio along Partnership Road

Table No. 6 below shows the increase in (shown in parentheses) the following:

1. The two-way hourly traffic volume and
2. The congestion level as measured by the volume to capacity ratio and the roadway segment's level of service based on the *Highway Capacity Manual* procedures along Partnership Road (south of the site access point) during the weekday morning, weekday evening, Saturday, and Sunday peak hours.

The traffic count data along Partnership Road was collected in early June 2001, at four different points along Partnership Road - north of River Road, south of Sugarland Road, north of Sugarland Road, and south of Whites Ferry Road. Based on this data, the existing traffic volumes increase between 2% and 5% on each segment from Whites Ferry Road to River Road. Based on the existing travel patterns, the site-generated traffic was assigned similarly.

Table #6: Two-Way Hourly Traffic Volume and Percent of the Volume to Capacity along Partnership Road South of the Proposed Site Access Point

Peak Hour	Existing Vehicular Traffic				Existing with Site-Generated Traffic			
	*2-Way Volume	**2-Way Capacity	%=Volume to Capacity	Level of Service	*2-Way Volume	**2-Way Capacity	%=Volume to Capacity	Level of Service
Weekday Morning 7-8 a.m.	255	1,020	25%	C	260 (+5)	1,000	26% (+1%)	C
Weekday Evening 5-6 p.m.	186	1,095	17%	C	213 (+27)	1,065	20% (+3%)	C
Saturday 4-5 p.m.	95	1,190	8%	B	118 (+23)	1,310	9% (+1%)	B
Sunday 1-2 p.m.	110	1,220	9%	B	135 (+25)	1,230	11% (+2%)	B

* The average weekday two-way traffic volume at a point north of Sugarland Road.

** The two-way capacity is defined according to the *Highway Capacity Manual* procedures and varies based upon the directional (northbound and southbound) distribution of traffic.

Along Partnership Road, the increase in the volume to capacity ratio by the site-generated traffic is a maximum of 3% that is considered a nominal impact.

Congestion Analysis at the Intersection of Partnership Road at Site Access Point

Table No. 7 below shows the results of the congestion analysis at the intersection of Partnership Road and the proposed site access point for the following peak hours:

1. During the peak hour of the weekday two-hour morning peak period (7:00 a.m. to 9:00 a.m.) and evening peak period (4:00 p.m. to 6:00 p.m.) using site-generated traffic by the combination of horseback riding lessons and an interclub arena polo match.
2. On Saturdays and on Sundays using the site-generated traffic by the combination of horseback riding lessons and an arena polo tournament.

Table #7: Congestion Analysis at the Intersection of Partnership Road at Site Access Point

Peak Hour	Highway Capacity Manual Procedure			Critical Lane Volume (CLV) Computation		
	Average Delay (in Seconds)		Level of Service	CLV Computation		Percent Increase
	Existing	With Site		Existing	With Site	
Weekday Morning	Zero delay because existing traffic would not turn into the site.	7.3	A	190	219	15%
Weekday Evening		7.5	A	166	188	13%
Saturday		7.3	A	88	93	6%
Sunday		7.4	A	96	103	7%

Using the Highway Capacity Manual procedure for intersections controlled by two-way stop signs, the calculated average delay for vehicles on Partnership Road at the proposed site access point is a maximum of 7.5 seconds which is a level of service of "A". The calculated CLV are significantly below the CLV congestion standard area of 1,450 for intersections within a rural policy area.

Policy Area Review/Staging Ceiling Condition

The site is located in the rural Poolesville Area with no established transportation staging ceilings for non-residential and residential development under the *FY 2002 Annual Growth Policy (AGP)*.

EA:cmd

Attachments

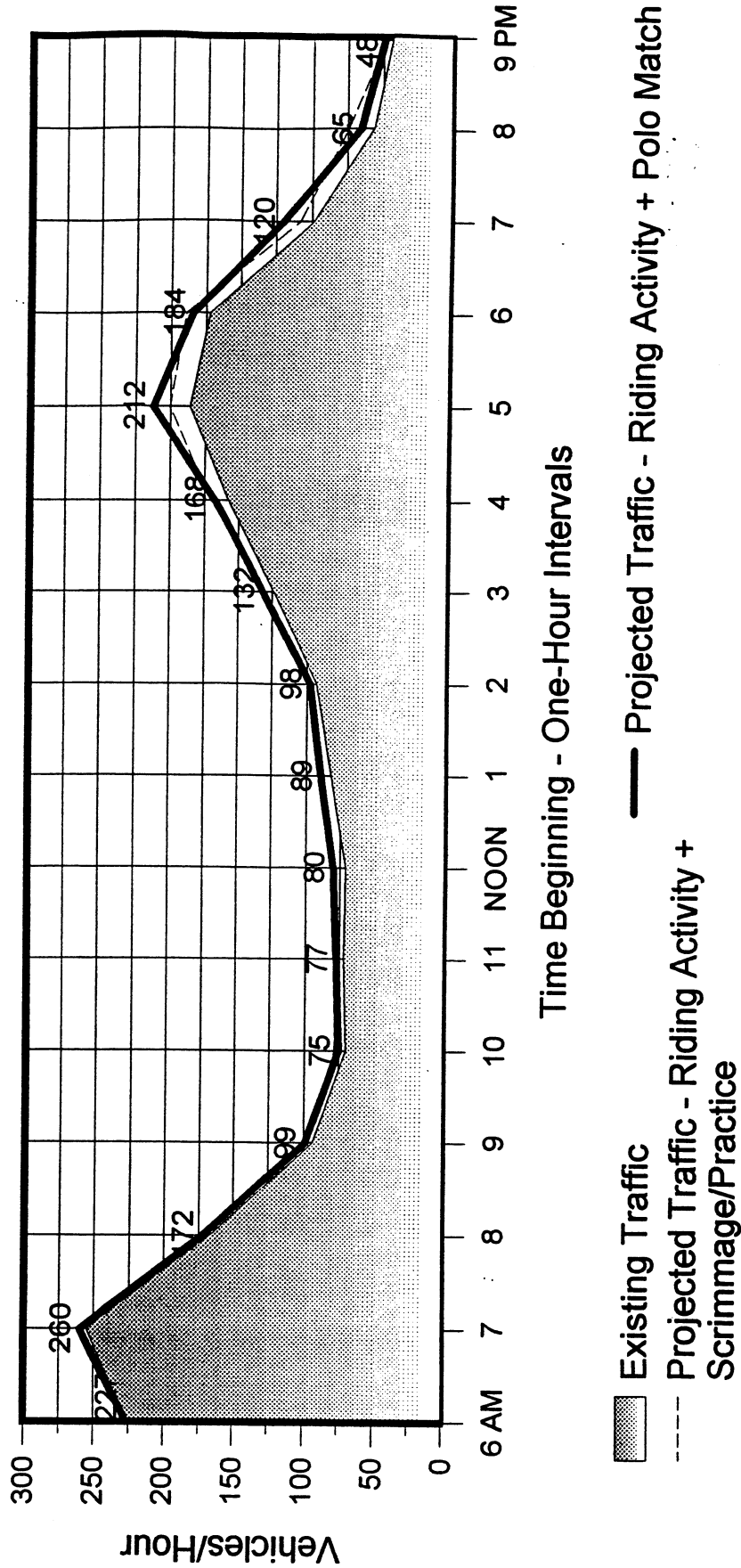
cc: Mary Goodman
 Janet Gregor
 Stephen J. Orens
 Stephen G. Petersen

SPEX S-2486 Green Acres Equestrian Facilities.doc

PATTERN OF TRAFFIC FLOW - AVERAGE WEEKDAY

Partnership Road, Poolesville, Maryland

Existing and Projected with Green Acres Development - Revised May 22, 2002

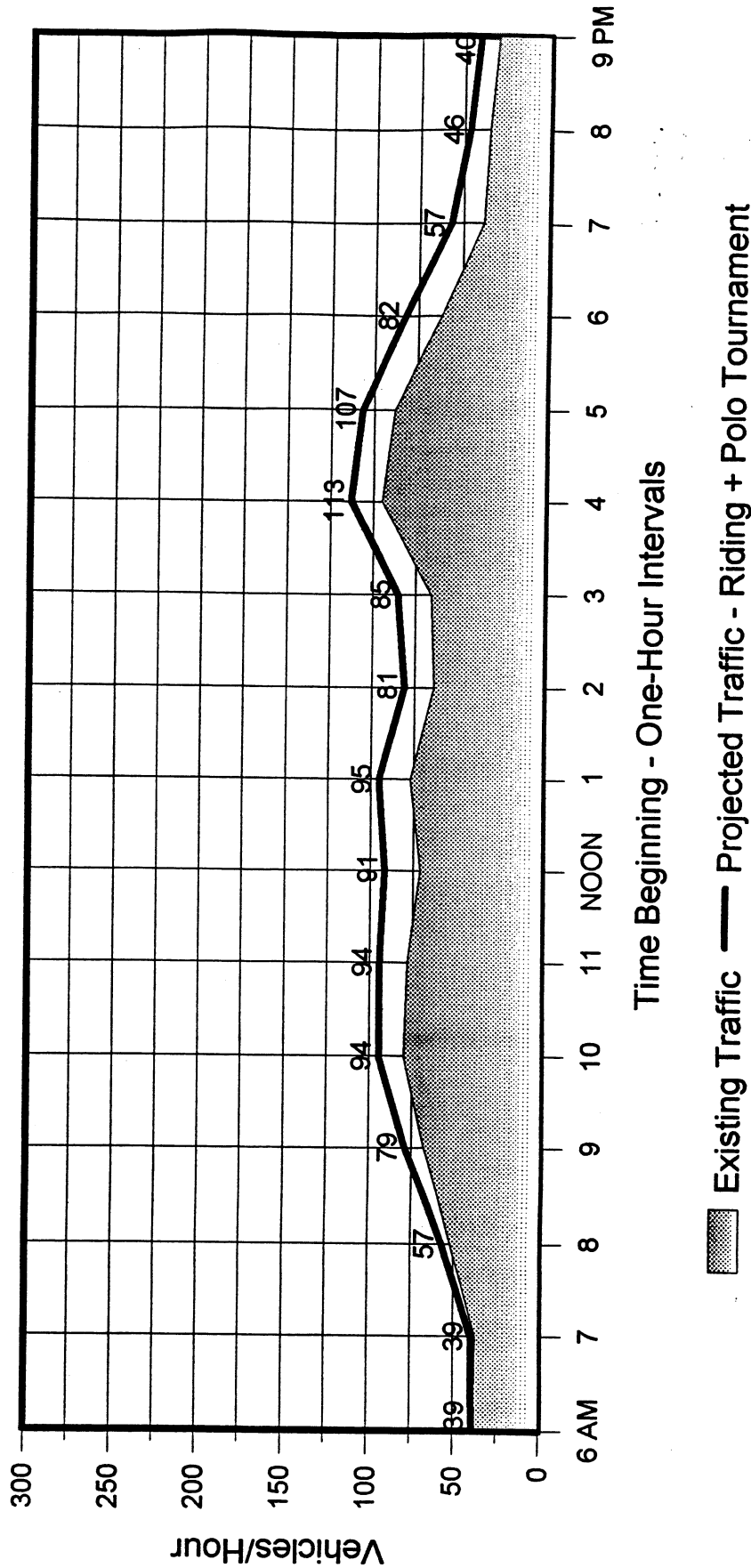


Sources:
 ATR counts: Vehicle Volume Recording Company, Gaithersburg, Maryland
 Trip Generation Projections: Computations by Consultant, Street Traffic Studies, Ltd.

PATTERN OF TRAFFIC FLOW - SATURDAY

Partnership Road, Poolesville, Maryland

Existing and Projected with Green Acres Development - Revised May 22, 2002

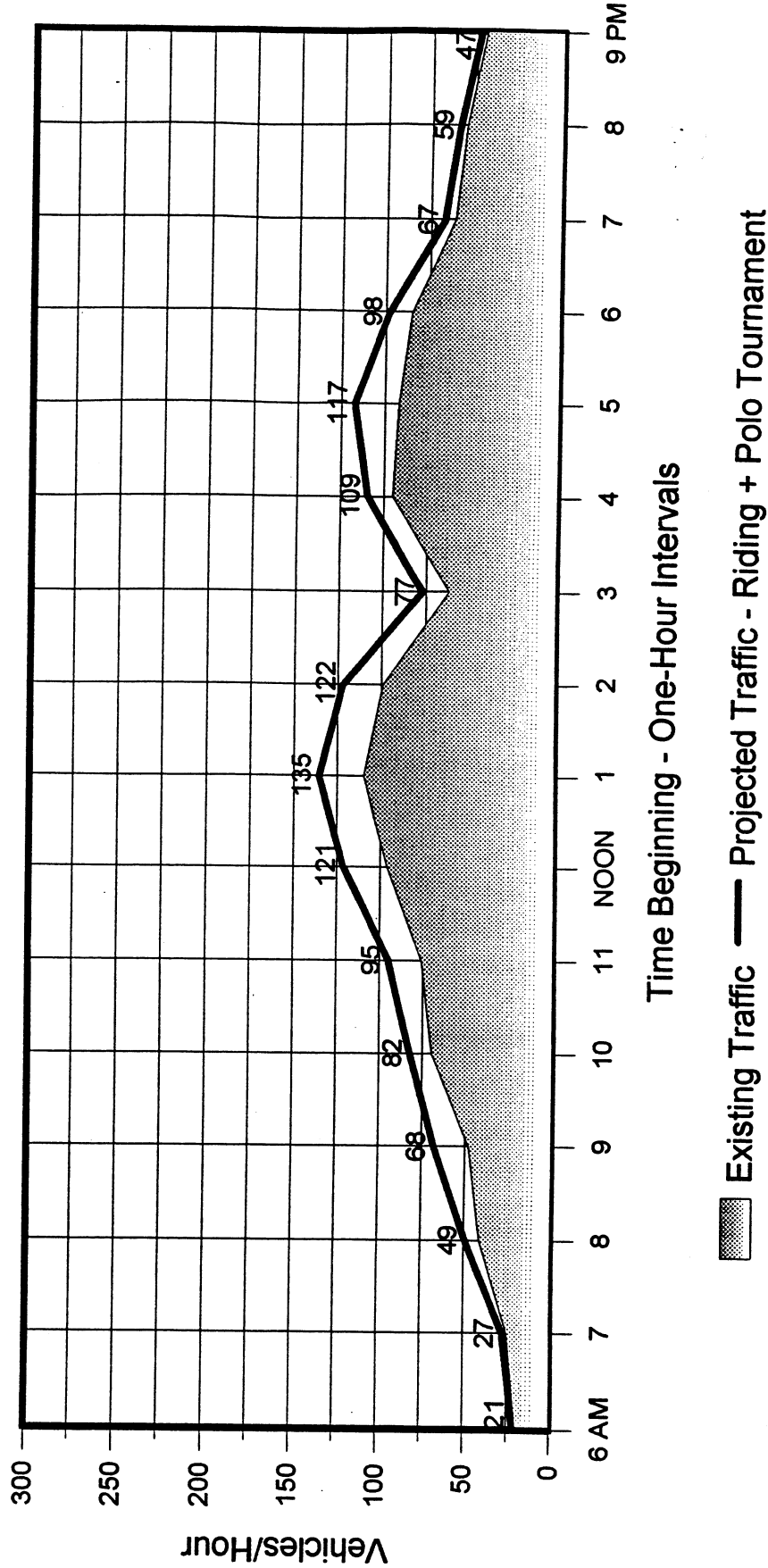


Sources:
 ATR counts: Vehicle Volume Recording Company, Gaithersburg, Maryland
 Trip Generation Projections: Computations by Consultant, Street Traffic Studies, Ltd.

PATTERN OF TRAFFIC FLOW - SUNDAY

Partnership Road, Poolesville, Maryland

Existing and Projected with Green Acres Development - Revised May 22, 2002

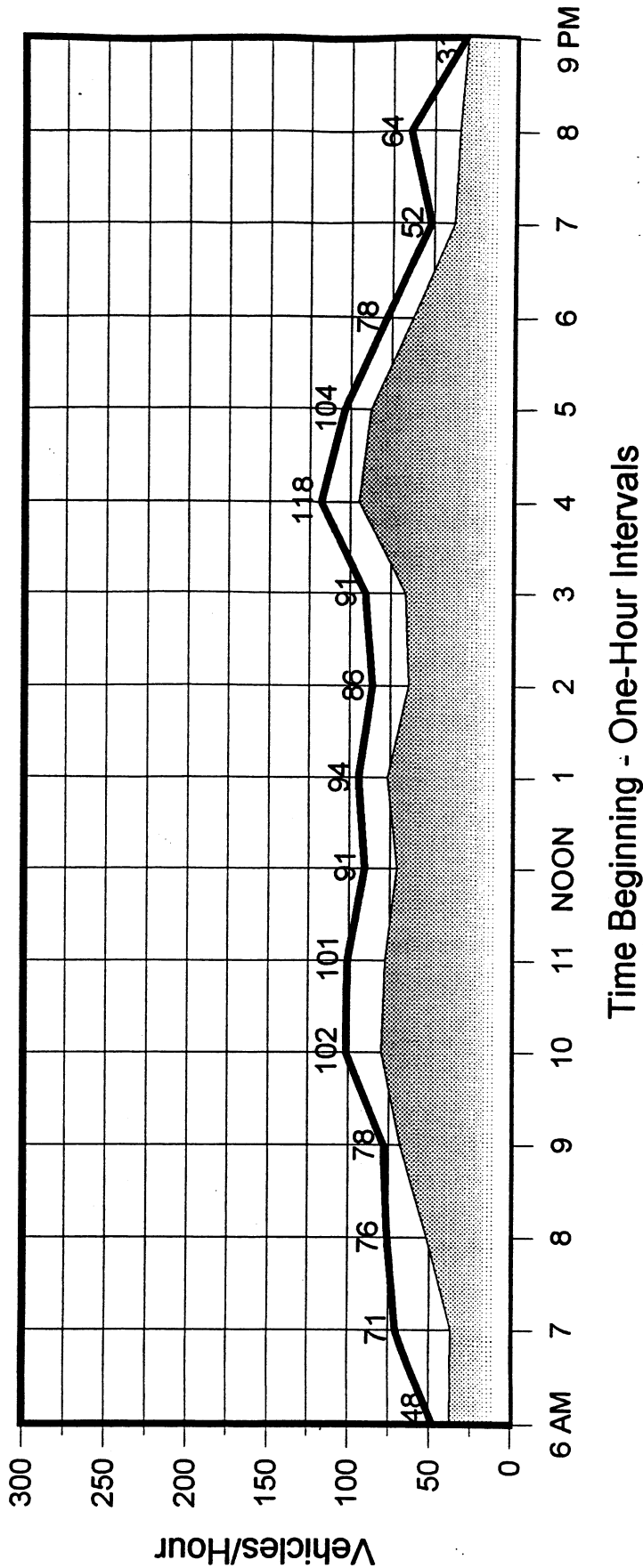


Sources:
 ATR counts: Vehicle Volume Recording Company, Gaithersburg, Maryland
 Trip Generation Projections: Computations by Consultant, Street Traffic Studies, Ltd.

PATTERN OF TRAFFIC FLOW - SATURDAY

Partnership Road, Poolesville, Maryland

Existing and Projected with Green Acres Development - Revised May 22, 2002



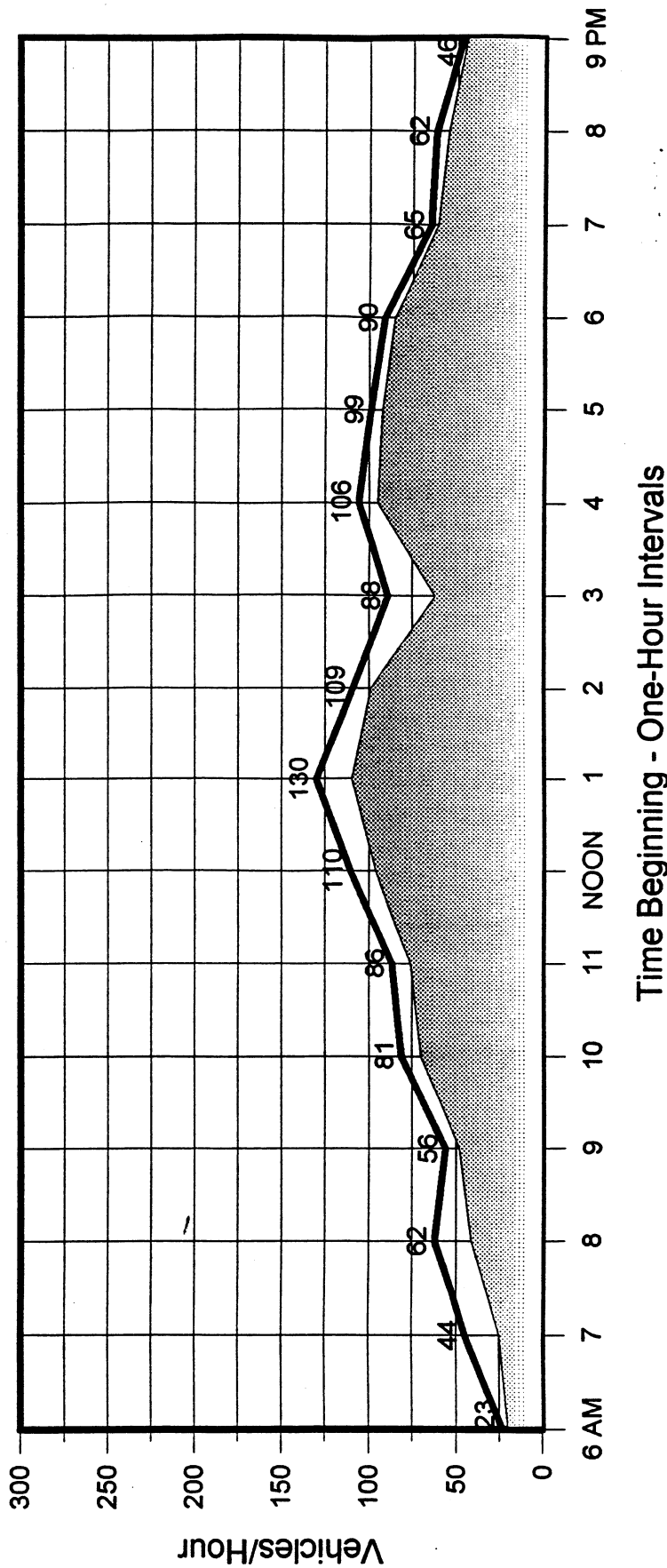
Existing Traffic — Projected Traffic - Local Rated Horse Show

Sources: Vehicle Volume Recording Company, Gaithersburg, Maryland
 Trip Generation Projections: Computations by Consultant, Street Traffic Studies, Ltd.

PATTERN OF TRAFFIC FLOW - SUNDAY

Partnership Road, Poolesville, Maryland

Existing and Projected with Green Acres Development - Revised May 22, 2002



Existing Traffic — Projected Traffic - Local Rated Horse Show

Sources:
 ATR counts: Vehicle Volume Recording Company, Gaithersburg, Maryland
 Trip Generation Projections: Computations by Consultant, Street Traffic Studies, Ltd.



Montgomery Soil Conservation District
18410 Muncaster Road - Derwood, MD 20855 - Phone (301) 590-2855

April 8, 2002

Arthur Holmes, Chairman
MNCPPC
8787 Georgia Avenue
Silver Spring, MD 20910

RE: Special Exception NOS-2486
Green Acres Equestrian Center

Dear Chairman Holmes,

It is my understanding that the above referenced Equestrian Center is scheduled with the Planning Board on April 11, 2002. I would like to follow-up with you on what has occurred since my October 8, 2001 letter (copy attached). The applicant has continued to coordinate with MASCD staff on the development of a soil and water quality conservation plan. On April 5, 2002 a final coordinating meeting was held at the MSCD office. What our office can provide at this time, is a "concept plan" that will address the anticipated conservation needs of the proposed agricultural operation. Typically when our office develops a conservation plan the entire infrastructure (barns etc.), livestock and special farming operation already exists. This is not the case here. Due to the unique nature of this proposed special exception use, the MSCD staff is challenged with developing recommendations based on hypothetical conditions. Once the infrastructure is in place and the livestock located to the property, then the plan will be revised by our office. Any specific conditions either the Planning Board or Board of Appeals might have regarding the farms relationship with the environment should be recommended to me for consideration within the conservation plan.

In closing, I would like to recommend that the pending Special Exemption be approved with the condition that the applicant obtain from the District an approved soil and water quality conservation plan, once the above mentioned issues have been addressed.

Thank you for the attention given this matter

Sincerely,

George Lechliden, Chairman
MSCD Board of Supervisors

Cc: Donald Spence, Board of Appeals
Judy Daneils, MNCPPC
Julie Atherton, Equestrian Center

April 11, 2002

Arthur Holmes Jr., Chairman
Montgomery County Planning Board
Maryland-National Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Md. 20910

Re: Green Acres Farm – Special Exception Application No S-2486
Nutrient Management Plan Submission

Dear Chairman Holmes:

I am pleased to submit into the record the enclosed Nutrient Management Plan for Green Acres Farm Equestrian Center. The Maryland Cooperative Extension Service (MCES), at the request of Fuad and Nancy El-Hibri and Julie Atherton, prepared this Plan.

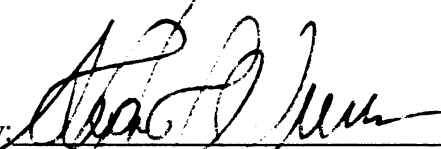
This Nutrient Management Plan has been in preparation since September 2001, when Julie Atherton began working with The Maryland Cooperative Extension Service on its preparation. The Maryland Cooperative Extension Service normally requires that an agricultural use be "operational" before it will complete a Nutrient Management Plan. MCES advised M-NCPPC staff of that procedure last October.

Following the issuance of the Technical Staff Report for this Special Exception, we implored The Maryland Cooperative Extension Service to depart from its standard practice and approve this Plan because M-NCPPC Staff required it and we were in a catch 22 position.

We appreciate the cooperation of the Extension Service and the Montgomery Soil Conservation District, both of which departed from their usual procedures to provide, out of sequence, what the Technical Staff required. Hopefully, M-NCPPC, MCES and MSCD can agree on the sequence of reviews and approvals required for future applications involving approvals by all three agencies.

Very truly yours,

DUFOUR & KOHLHOSS, CHTD.

By: 
Stephen J. Orens

Encl.



Montgomery County Office

NUTRIENT MANAGEMENT PLAN

Green Acres Farm

BRIEF DESCRIPTION OF OPERATION: Green Acres is a horse farm and riding stable that is proposed to be built on Partnership Road. As part of the proposal the applicant agrees to work with the Montgomery Co. Cooperative extension office to develop a comprehensive grazing management plan. The applicant also agrees to work with the Natural Resources Conservation Service in the development of a soil and water quality conservation plan. By incorporating the expertise of these two agencies, the operation will be conducted in an environmentally sensitive manner.

DATE OF PLAN: 4/8/02

DURATION OF PLAN: 2002-2003

SOIL SAMPLING AND TESTING: Soil Tests were performed by Willard Agri Services and was analyzed at Spectrum Labs.

MANURE SAMPLING AND TESTING: Cindy Smith extracted the manure sample from the spread and the sample was run at the University of MD

BASIS OF RECOMMENDATIONS: Nitrogen Based

SOURCE OF YIELD GOAL INFORMATION: (MASCAP) Maryland Agronomic Soil Capabilities Assessment Program.

TIMING: Guidance on the timing of fertilizer applications is included on the recommendation sheet(s). Additional information of a general nature is included in the "TIMING" and "NUTRIENT MANAGEMENT GUIDELINES" sections of this plan.

BEST MANAGEMENT PRACTICES: "Operator has agreed to contact his/her Soil Conservation District about obtaining a Soil Conservation Water Quality Plan."

RECORD KEEPING REQUIREMENTS: The Water Quality Improvement Act requires that producers keep records on fertilizer usage. Consult the model form and directions included in the record keeping section of this plan for the type of information required.

Please contact us if you have any questions or concerns about this plan. If desired, we also will provide information and assistance on calibration of manure application equipment, yield checks and manure and soil sampling. We encourage you to keep records in order to facilitate future plan preparation.

We have enclosed two copies of the plan. Your name and the number of acres covered by this plan will also be included in our quarterly report to the *Soil Conservation District*. A packet of the information required by Maryland Department of Agriculture is also included.

We appreciate the opportunity to work with you in the preparation of this plan.

Sincerely,



Cindy Smith
Nutrient Management Advisor
Certification #1698
License #2030



Charles Schuster
Extension Educator
Certification #1790
License #2030

GREEN ACRES FARM

FEEDING AND PASTURE MANAGEMENT PLAN

This Feeding and Pasture Management Plan has been prepared in connection with Special Exception Application No. S-2468 by Julie Atherton- Nelson who has consulted with Montgomery County Office of the Maryland Cooperative Extension Service Soil Conservation and Water Quality.

The available pasture turn out space consists of approximately 44 acres. The proposed maximum number of resident high performance horses is 100. These animals will have access to the pastures for limited exercise only. The Applicant and operator understand the forage available in these areas will receive heavy traffic and have devised the following plan consistent with the applicant's commitment to good soil and pasture management practices.

REQUIRED NUTRIENTS FOR HIGH PERFORMANCE HORSES

There is a difference between high performance horses and pleasure horses. The horses to be stabled at Green Acres Farm are considered high performance horses in what is commonly understood as "intense work". Both Polo and upper level Eventing horses fall into this category. Intense work includes extended periods of galloping and jumping. Accordingly, management has devised a feeding program based not only on size and body type, but on exercise and workload as well.

Horses in the "intense work" category receive a higher level of concentrates (i.e. Grains) to forage (i.e. Hay and grass) at almost a 2:1 ratio. The only other equines that need this type of feeding program are foals under one year of age. This explains why we are not using the grass as significant forage in the pastures areas as part of our feeding program.

Management will, of course, be supplementing hay in the pastures areas to best maintain the natural growth, as well as keeping the non-working horses occupied.

EXERCISE REQUIREMENTS FOR HIGH PERFORMANCE HORSES

The various sized pastures areas will be used for free exercise of those high performance horses, which are otherwise idle for that period. The proposed facility has been designed to have numerous areas for riding, lunging and games. The daily riding, lunging and training will compose most of the high performance horses daily exercise requirements, with pastures used for those horses not exercising on that particular day.

Free exercise can have a great deal of potential danger to high performance horses. Most of these horses are serious investments as well as offering their owner's pleasure and escape. Managements job is to be sure they have the safest environment possible, to include size of pastures, fencing, topography, pastures mates, accessibility to water and all types of weather conditions and footing. This is why, when you get to these levels of performance, most owners and managers agree that exercise controlled by humans is far safer than exercise with the horse left to his own devises.

MAINTENANCE OF PASTURES

The pastures will receive regular dragging with a fine tooth harrow to break up and more evenly distribute manure which is already minimized because all of the horses are stall boarded. This keeps horses from developing the typical "rough" area, and will help keep grass more evenly maintained. All the fenced areas will also be regularly mowed to help keep potential weeds in check during the growing season. This gives the grasses the best chance to continue developing. Very small areas, otherwise known as "sacrifice areas", will have the manure hand picked and disposed of with the stall cleanings.

Pasture use will be rotated in the spring months as new growth starts to appear. Regular dragging and mowing will keep weeds at bay and help initiate new growth. As grass growth slows in the summer, it will need longer re-growth periods as well as continued mowing and dragging. In the fall we will have each area soil tested to determine how much lime and fertilizer the pastures need. This time of year is also ideal for reseeding thin spots and aerating. As late winter approaches we will lime and reseed based on the fall soil tests.

Attention is paid to the condition of the ground following heavy rains and spring thaws, and horses will be kept out of very soft areas. This practice keeps erosion at bay, and prevents "pocking" (hooves sinking into turf) which destroys grass root systems. Turning high performance horses out in soft ground (with the ensuing slipping and sliding) is one of the main causes of serious injury to soft tissues in the horses legs, putting them out of work for weeks and even months.

Typically, high performance horses are turned out in small groups for several hours each day and evening when they are not in work. Due to the performance levels of most of our expected resident horses, we will concentrate turnout on an individual bases for shorter periods of time. The proposed pastures are large enough should we wish to put two horses out together, yet small enough to facilitate catching the single horse turned out privately. Hay and clean water will be available in all turn out areas. Both round and square bales will be used. Any uneaten, trodden on hay will be removed and disposed of with the manure.

During the heat of the summer months, some horses will be turned out during the night for longer periods. We have two pastures areas where we propose sheds for shelter in inclement weather at night. We will continue the limited and rotational nature of pastures use. Summer being the peak riding and training time, and as such all the high performance horses at their fittest.

MANURE MANAGEMENT PLAN

The Applicant's plan for Green Acres Farm is to keep the property in grass. A nutrient management plan will be developed once horses reside on the property. The Facility has been designed to facilitate hauling away all of the stall cleaning and smaller pastures cleanings at regular intervals. Typically, 100 high performance horses will generate enough manure to require the container to be removed and replaced approximately every 5 days. The current plan includes space for two containers. One space for a container to be filling, the other space for the new container to be placed when the full one is to be removed. There will be no manure stored on the ground. Alan Belt of Beallsville Valley Farm currently runs a county approved composting site nearby, and has agreed to handle manure removal. This practice is commonly employed at similar farm operations throughout the country.

FLY AND RODENT CONTROL

Insect and fly control centers on limiting their possible feeding and breeding areas. All horses on the property are regular sprayed with a repellant during the fly season. The animals are kept indoors during daylight hours, which keep them out of the flies feeding area. With regular dragging of pastures, and frequent manure removal from the property, flies will have nowhere to breed, and the fly population will remain minimal. There will also be small areas indoors, where grains are kept, which will have fly attractants or strips.

Rodents are controlled through diligent attention to sealed containers for opened feed. Grains are delivered weekly, and the several barn cats keep a watchful eye out for rodents attempting to break into feedbags. Based on managements experience at Bascule Farm, Green Acres will employ an experienced person to deliver grain who will be instructed to stack grain bags with enough room around them to let the "mousers" patrol all sides. Bagged grain will be stored off the floor on pallets. This has been a very simple, effective way of controlling rodents.

WATER USAGE

Horses typically consume anywhere from 5 to 20 gallons of water per 24 hour period. All high performance horses have access to water at all times through a system of buckets kept clean and filled in their stalls. General practice is to fill them or top them off up to 4 times per day.

Pastures generally have a large water tank to hold water. The size of the tank will depend on the actual use of the area. Typically, a 100-gallon tank will serve 4 horses for several days. It is more difficult to keep the tanks clean if they are much larger. Private turnout areas need only smaller water containers of up to 20 gallons.

The indoor arena will have a timed overhead mist system to control dust. The proposed footing will not require a great deal of moisture, as most footings become slippery when too wet. A typical overhead mist system in a 20,000 square foot arena will use less than 2/10ths of an inch. The system also has a valve to control slow refilling of the water tank.

Outdoor arena watering will most likely be with a water truck. When possible, the water truck will be filled with water from a cistern. A sand and rubber mixture will be used on the outdoor riding arenas, requiring less moisture to keep dust under control. The additive "Dust Down", which the county uses successfully on gravel roads in controlling dust, helps retain moisture thereby reducing the volume of water needed. This has proven to be very successful in riding arena applications.

CONCLUSION

Based on my experience Green Acres Farm can physically accommodate the 100 horses that the applicant has proposed to be boarded at the farm. I am informed that under the standards in the Zoning Ordinance this 88-acre farm could accommodate 177 horses. As noted in this report, the capacity of any particular property to successfully accommodate a given number of horses depends on the number of stalls and other factors. For this farm we are providing a feeding plan that does not depend on pasture for nutrition, includes a rotation of pasture use and a grass replenishment plan that will maintain pastures, and a manure disposal plan that will accommodate the regular removal of manure and other waste. In preparation for this report I have visited other riding facilities in the county and am familiar with facilities in other locations that have a horse to pasture area ratio that is comparable or greater than that proposed. Based on all of this information, it is my opinion that Green Acres Farm can appropriately accommodate at least the 100 horses that are proposed.



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

~~MAY 8 2002~~

Mr. Curt A. Schreffler, P.E.
CAS Engineering
108 E. Ridgeville Road
Mt. Airy, MD 21771

Re: ~~Stormwater Management CONCEPT~~ Request
for Green Acres Farm.
SM File #: 204827
Tract Size/Zone: 88.08 Ac/RDT
Total Concept Area: 26.87Ac
Tax Plate: CS
Parcel: 710
Liber/Folio: 12468/191
Montg. Co. Grid: 25J02
Watershed: Dry Seneca Creek

Dear Mr. Schreffler:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is ~~acceptable~~. The stormwater management concept consists of on-site water quantity and water quality control via a sand filter and the use of grass swales with ground water/infiltration trenches for the remainder of the site.

The following **conditions** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Swale "A" must be constructed on a two percent grade, for a minimum of the final 100-feet of length. It should discharge into the large flat area along the creek.
2. Soil borings are required at all recharge locations to determine depth of rock and ground water. However, as discussed in the field, percolation testing will not be required.
3. Grading of the site should be staged so that large unstabilized areas are avoided.
4. 25 % of the water quality volume should be the target volume of the recharge structures.
5. All ditches where the slope will be 10:1 or steeper, require mechanical stabilization or a storm drain system.

This list may not be all-inclusive and may change based on available information at the time.

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. 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



Curt A. Schreffler
Page 2
May 8, 2002

amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Richard Gee at 240-777-6333.

Sincerely,

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

RRB:enm CN204827

cc: M. Shaneman
S. Federline
SM File # 204827

QN -on site; Acres: 26.87
QL -on site; Acres: 26.87

NCPPC
4-11-02
Testimony

CAROL RAE HANSEN

*14921 Sugarland Road
Poolesville, MD 20837*

Arthur Holmes, Jr., Chairman
National Capitol Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Sir,

I am writing emphatically to request that you and your colleagues recommend denial of the Green Acres Special Exception Application (S-2486). I make this request for myself and for my husband, Andrew Skitt Gilmour, as neighbors on Sugarland Road who would be adversely affected by such a huge commercial polo and horse boarding installation that also intends to mount large scale public events at least 16 times a year, in addition to a 7-8 month outdoor polo season in which games are played each weekend. As a spokeswoman for the Sugarland Foreign Citizens in Association, and as Secretary of the Historic Medley District, I will also include testimony from their archives that emphatically proves the exceptional character of this area and the threat that the Green Acres facility would oppose. With limited time allotted to public testimony, I strongly urge you to carefully consider my appendices, which elaborate in great detail on the key points that I will make today.

It is clear that the Green Acres project does not meet the burden of proof required under Section 59-G-1.12 of the Montgomery Zoning Ordinance. I agree most emphatically with the testimony of my neighbors, who, with one exception (Daniel and Wendy Fistere, 15220 Partnership Road, who have a business relationship with the owners of Green Acres to farm that parcel) are united in their opposition to the project because of its size, scope, and inappropriate nature incompatible with the neighborhood. Because of limited time I will only address issues not covered in depth by my neighbors under Section 59-G-1.12. In addition, I will include a description of distortions, over-statements, inaccuracies and omissions in the original "Green Acres Planning Report" (August 1, 2001) and the revised Application (dated March 13, which was received by the neighborhood around March 20, minus 17 studies or

documents promised to the neighborhood, our attorney and or the county.) In our opinion, the incomplete nature of the documentation alone should be sufficient grounds to deny this application.

You may recall from my letter to the Board that our community did not want to burden you, your colleagues, or the staff with a barrage of letters and testimony while we still had hopes that our differences with the El-Hibris and the Green Acres group could be reconciled. However, despite personal and private conversations with the El-Hibris and their project planners and attorneys, the intervention of friends and family, as well as professional colleagues, we were unable to persuade the El-Hebris and their agents of the destructive nature their project would have in the neighborhood. Much of the Green Acres commitment to the project, and that of their agent Julie Atherton Nelson's clients (who have written to you in an attempt to secure a boarding facility for their horses, as she must vacate her current stable on August 1, 2002), stems from a series of factual distortions, inaccuracies, and confusion over the essential nature of the Partnership/Sugarland Road area. Let me briefly detail why and how the Green Acres project is inconsistent both with the Master Plan goals of preserving farmland, protecting open spaces and natural resources as well as the residential nature of the locale, and the businesses that currently exist there.

1. *Green Acres LLC Not in Harmony with the Neighborhood:* On pages one and two of the revised application, Green Acres characterizes the neighborhood as one in which large-scale commercial horse operations (operating with county approval through the Special Exception process) abound. That is manifestly not the case. Instead, all of the horse properties are *owner-operated*, with the *owners living on the grounds*, and the vast majority of them have 15 or fewer horses. Most host no horse shows, they teach a limited number of lessons, they have few boarders, they do not have outdoor rings with lights, they use a public address system less than three times a year, and even the large ones usually close up barn operations by eight or nine o'clock in the evening at the latest. They also do not host interscholastic events and charity functions, as Green Acres proposes, although a limited number of pony club events already do occur here. Most of these farms have, at most, one or two accessory structures for machinery and storage in addition to their barn (unlike Green Acres with nine); none have more than one outdoor riding ring (unlike Green Acres with 5); none have an extensive driveway and or parking system with attendant run-off; none have a system of trails with crossings over sensitive stream beds; none of them routinely operate public week-end events with large-scale trailers turning

onto their property (as Green Acres proposes to do with a 7-8 month polo season and 16 horse shows); and none operates until 11:00 p.m. in the evening!

Specific inaccuracies concerning the character of the neighborhood include: Harkaway Farm has 10-15 boarders, not 40; San Mar Stables has 15 horses on 20 acres (5 belong to the owners); Ashgrove Farm has no horses, lesson students, or boarders; Sweet Dreams has a limited number of retired horses and or broodmares, with no late night activity or riders; R and F Stables has 37 horses; the Kiplinger Farm is used 5-6 days a year by the Pony Club and the Hunt; and Tulip Pond Farm, which moved in two years ago, is operating *without* a Special Exception with 25 horses. In addition, six other neighbors have small private barns with five horses or less. Only one of these properties regularly uses a large outdoor lit ring into the evening, Tulip Pond, which lights up 70 degrees of the night sky when its outdoor ring lights are on, to the considerable distress of its neighbors.

Other inaccuracies:

1. The property is described as "gently to moderately rolling," with "isolated steeper slopes in the wooded areas." In reality, the grassy areas designated in their 44 acres of pasture are quite steeply sloped, as the topo maps indicate, and would need to be substantially engineered by heavy equipment to accommodate the uses that they have described. The consequences of such contouring could have a most destructive impact on the streambeds and wildlife habitat, as well as neighboring wells.

2. On page three, in the top paragraph, Green Acres indicates that the horse facility will occupy about one third of the 88 acres, leaving the rest in woodlands and pasture. Green Acres has set aside 44 acres in various pastures and paddocks, a figure that might be *legally* acceptable for 100 horses, but which could turn that lovely property into a dustbowl. I must respectfully disagree with the assessment that 80-100 horses could be accommodated on this property. As a professional horsewoman, and a certified Therapeutic Riding Instructor, I rely on the MD Department of Agriculture assessment for Montgomery County, which recommends two acres of grazing land for a cow/calf combination or a mature horse. (Ponies can get by on one acre, and the larger warmbloods doing heavy work, which Ms. Atherton-Nelson intends to board, require more than two acres.) Please note the measuring guide provided by the Montgomery County Extension Service, which

recommend 1-6 acres per horse depending on the quality of grass. Please see appendix A.

When Ms. Atherton-Nelson rented Sugarland Farm, across the road from our property on Sugarland Road, in the early 1990s she so over-grazed the land that the red dirt clearly showed up through the weeds six to eight months of the year, generating dust-storms that blew on the Fistere property, coating their cattle with a fine dust. Mrs. Ruth Priest went to considerable expense cultivating, fertilizing, and re-seeding that property after Ms. Atherton-Nelson left abruptly. The property required nearly three years of rest before it again provided adequate forage. Although Ms. Atherton-Nelson argues that the sport horses she will board on that property will not be turned out to graze much, it stretches credulity to countenance that assertion. If owners are paying \$2,000 a month for boarding, lessons, and training, as the owners writing to you have described, it seems unlikely that they will willingly accept a situation wherein their horse will be locked up in a stall 22 hours a day. This is particularly unlikely, knowing what veterinary research has discovered concerning the increased likelihood of potentially fatal colic, enhanced arthritic tendencies and joint degeneration brought on by enforced inactivity punctuated by intense work (the sport horse regimen that she has described).

3. Issues Lacking Clarity. These include, but are not limited to, the following: when the revised report says, on page six, that *up to 100 horses will be boarded*, it leaves open the question of where the *personal horses* belonging to the El-Hibris, Ms. Atherton-Nelson (who reportedly owns or controls 10 or more), and the staff (who usually get shelter and feed free-of-charge for one animal as part of their compensation package) will be. They are not described in this document, but could easily run to 25 to 30 more animals on the property.

Secondly, the revised document asserts that they will run up to four rated shows a year that are expected to draw 200 persons and spectators. What will happen if more than 100 are entered (as almost always happens), each bringing along at least one parent or groom (vital for minors)? Will they be refused because the number is likely to go over 100? I submit that no paid admissions would be refused, and that with no inspectors on the premises, the shows would grow like topsy. This number is woefully unrealistic, as little local shows in our area each host 30-50 classes in one day (please see appendix B for a sample of local show programs). Rated shows (which award points for year-end state and national awards), by contrast, can run to several hundred exhibitors

and spectators. Indeed, the two Pony Club events on Partnership Road are of that size, with more than a 100 staff involved as volunteers on event weekends alone as jump judges, officials, timers, score keepers, announcers, and so forth. Similarly, local shows with only 80 riders and spectators occur usually on *rainy* days when several other shows are directly competitive elsewhere. Even the local shows in our area are advertised on web sites, count for points in various local year end awards (which enhances entries), and are publicized in many arenas. Please see appendix B.

Sixteen of such events, with loud speakers and evening classes, along with dozens of heavily-loaded trailers on our narrow roads, is a series of accidents waiting to happen. Please see appendix C, for a detailed description of the exceptional nature of winding and narrow Partnership Road, which I prepared for your Commission seven years ago in conjunction with the Rustic Roads effort. If you wish to view the slides and get an arm-chair tour of this exceptional road, please check your archives for my slides, which were submitted at the same date. Please note that the traffic study that reported favorably on this report did NOT "analyze the impacts associated with the shows that will occur on weekends due to lack of information." That omission alone seems ample reason for denying this application.

Ladies and gentleman, that is a major omission and one hardly to be countenanced. When the traffic study omits data on peak activity in the evenings (when those who can afford \$2,000 a month to board a horse actually ride it) and the 28-32 weekends in which they propose to host polo events (a 7-8 month schedule) and horse shows (up to 16 more weekends affected), then there really isn't a traffic study. To that end, you have already heard Delores Milmoie and Caroline Taylor detail the horrors of the mammoth sporting events that have occurred over the past ten years on the Polo Grounds at Hughes and River. Up to 10,000 persons a day used those fields, far beyond the guidelines in the Special Exception, and despite County protests and the prospects of fines. That effort turned River Road into a snail trail all the way back to Travilia, on Hughes 4.5 miles to Poolesville, and Budd as well.

Finally, the petitioner proposes in both submissions to use this property for "interscholastic events" and "charitable events." As you will see in appendix D, the same occurred at the polo grounds on Hughes and River, and generated as many as 10,000 visitors a day. They came for Punt-Pass-and Kick events, dog shows, airplane shows, soccer and volleyball tournaments, *et al.* Vehicle license plates were observed from

C. R. Hansen
B.Z.A. 5-2486

virtually all states east of the Mississippi, and events were described and advertised as "eastern seacoast," "mid-Atlantic," and so forth. Some proudly stated that they would draw 6,000 people (see appendix E), when in fact they drew many more. Ladies and Gentleman, this simply cannot happen again on Partnership Road. It would be an unconscionable assault on the public and the neighborhood.

Thus, in summary, it is clear that the Green Acres project does not meet the criteria established for an approved Special Exception use that is in harmony with the neighborhood, is not detrimental to the use and peaceful enjoyment and or economic value of surrounding properties, and will not cause objectionable noise, illumination, glare or physical activity at the site. Moreover, it would surely adversely alter the predominately residential nature of the area. Therefore, I strongly urge you to recommend that this application be denied.

Thank you!

Sincerely,



Carol Rae Hansen, Ph.D.