



MEMORANDUM

TO: Montgomery County Planning Board

VIA: Jeff Zyontz, Division Chief, Countywide Planning Division
John Hench, Supervisor, Park Planning and Resource Analysis

FROM: Brenda Sandberg, Legacy Open Space Program Manager

DATE: February 9, 2004

RE: Legacy Open Space Recommendations for New Sites and Reclassification of Class III sites: Recommend the addition of four sites to Legacy Open Space out of 13 sites studied

Recommended Action

Staff recommends that the Planning Board approve the addition of the following four sites to the Legacy Open Space program:

- Hyattstown lots, Frederick Road, Clarksburg (Heritage Resource, Class II)
- Cochran & Casey Farms, West Offutt & Mt. Nebo Roads, Poolesville (Farmland and Rural Open Space target area, Class II)
- Cahoon Property, Glen Road, Potomac (Natural Resource, Class I)
- Left Fork Headwaters, Good Hope and Spencerville Roads, Colesville (Natural Resource, Class I)

Staff further recommends that the Planning Board approve the removal of the following three sites from the list of Class III sites in the appendix of the *Legacy Open Space Functional Master Plan*:

- Brigham Property, Ashton Road, Ashton
- Verbits Property, Blackburn Road, Burtonsville
- Peach Orchard/Allnut Subdivision, Right Fork of Paint Branch, Peach Orchard & Spencerville Roads, Colesville

See the table following the text for a summary of the analysis conducted on all thirteen sites and attached maps showing each site.

Background

Staff has completed an evaluation of 13 sites for potential addition to the Legacy Open Space program. The *Legacy Open Space Functional Master Plan* directs staff to conduct outreach in every odd-numbered year to identify new sites that should be considered for Legacy Open Space. As a result of a public outreach effort in the spring and summer of 2003, eight new sites were identified for review. Five Class III (Appendix D) properties were added to the list for evaluation at this time. Class III Legacy sites were previously nominated for inclusion in the *Master Plan* but have not been completely evaluated for full incorporation into the Legacy Open Space program.

The public outreach effort started in the spring of 2003 with a kickoff meeting with the Legacy Open Space Advisory Group. Two public forums were held in the upper and lower County to publicize the search for new sites. Meetings were also held with Commission and other public agency staff to solicit nominations, including the Upper Paint Branch Technical Work Group.

Nominated sites were put through an initial screening process followed by field work and GIS evaluation to evaluate natural, historic, and other site resources. Many Commission staff were involved in the evaluation process from Parks, Natural Resources, Countywide Planning, and Community Based Planning. Other public agencies were consulted as appropriate. The draft and final staff recommendations were reviewed with the LOS Advisory Group at the summer and fall quarterly meetings.

Site Analysis

The overall philosophy of Legacy Open Space is to identify resources of exceptional countywide significance for preservation efforts: those that “rise above the rest”. The 13 sites before you today have been reviewed according to the general criteria spelled out in the Legacy Open Space Functional Master Plan. In addition to these criteria, specific factors relevant to each resource category (e.g., Heritage or Natural Resources) were also evaluated.

The Legacy criteria from the functional master plan are as follows:

1. The Resource has particular countywide, regional, or national significance in terms of (a) known or potential habitats for rare, threatened, or endangered species; (b) a “best example” of terrestrial or aquatic community; (c) unique or unusual ecological communities; (d) large, diverse areas with a variety of habitats; or (e) exceptional views, architectural character, or historic association.
2. The Resource is critical to the successful implementation of public policy such as the protection of the Agricultural Reserve and public water supply.
3. The Resource is part of a “critical mass” of like resources that perform an important environmental or heritage function.
4. The Resource makes a significant contribution to one or more heritage themes.
5. The Resource provides human or ecological connectivity between significant park, natural or historic areas and/or corridors.
6. The Resource helps to buffer and thereby protect other significant resources.

7. The Resource represents an opportunity for broadening interpretation and public understanding of natural and heritage resources.
8. The Resource provides a significant opportunity (a) to increase access to public open space in communities with high population densities, (b) to protect scarce open space in an urbanized community, (c) to improve the character of a green boulevard of countywide or regional significance, or (d) to provide for a new regional park facility.

A summary of the analysis for each site is contained in the attached table. The four sites recommended for addition to the Legacy program are highlighted in the table. The next section provides more detailed analysis of the four sites recommended for addition to the program.

Analysis of Overall Legacy Criteria and Resource Category Factors for Selected Sites

Hyattstown lots, Frederick Road, Clarksburg (Heritage Resource, Class II)

Staff analysis of the undeveloped back lots in the Hyattstown Historic District and their significance to the overall Legacy Criteria and the Heritage Resources Criteria has determined that:

- The resource has particular countywide and regional significance in terms of architectural character and historic association.
- The resource is part of a “critical mass” of like resources that perform an important heritage function – the open space surrounding an historic farm town.
- The resource makes a significant contribution to the Heritage theme of the Farming History Cluster.
- The resource helps to buffer and thereby protect the significant heritage resources in the Hyattstown Historic District.

Hyattstown is an important historic farming community in Montgomery County. The back lots that make up the backyards of many historic buildings in the Hyattstown Historic District are significant open spaces that contribute to the character of the town and the Farming History Cluster. The Legacy Open Space master plan already contains the large forested properties east and west of Hyattstown as both a Natural Resource site and a Heritage Resource because of their importance for buffering the historic town. The addition of the back residential lots to Legacy is a logical extension of the open space sites already identified within the plan.

Easements are the primary method of preservation for these lots, either donated (which is preferable) or purchased. Acquisition may be considered in limited circumstances to achieve the desired protection.

Cochran & Casey Farms, West Offutt & Mt. Nebo Roads, Poolesville (Farmland and Rural Open Space target area, Class II)

Staff analysis of the Cochran and Casey Farms and their importance to the Legacy Criteria and the Farmland and Rural Open Space category has determined that:

- The resource has particular countywide significance in terms of known or potential habitats for rare, threatened, or endangered species, and in terms of exceptional views and historic association.
- The resource is critical to the implementation of the public policy to protect the Agricultural Reserve.
- The resource provides ecological connectivity between significant natural areas near the Potomac River.

The Casey and Cochran Farms contain large areas of productive farmland and many significant forest areas that contain unique wetland communities. The farms are adjacent to the Potomac River and contribute to the natural and wildlife corridors in that area. A Green Infrastructure corridor as identified by the State of Maryland flows through much of these two properties. In addition, the historic house on the Cochran property (Thomas Chiswell House, Locational Atlas Resource #17/47) is a significant part of the farming heritage of Montgomery County.

The farms are recommended for addition to the Farmland and Rural Open Space target area and for protection through agricultural easement programs (County AEP, Maryland Rural Legacy, or MALPF easement). The significant natural and historic resources on these farms lead Legacy staff to deem them “exceptional” under the plan. As a result of this designation, Legacy Open Space could supplement the agricultural easement programs to make easement purchase more attractive, or direct easement purchase through the Legacy program could be considered.

Cahoon Property, Glen Road, Potomac (Natural Resource, Class I)

Staff analysis of the Cahoon Property and its importance to the Legacy Criteria and the Natural Resources Category has determined that:

- The resource is part of a “critical mass” of like resources that perform an important environmental function – the protection of the Watts Branch stream system.
- The resource provides ecological connectivity between significant natural areas in the Watts Branch Stream Valley Park.
- The Resource helps to buffer and thereby protect other significant resources in the Watts Branch.

The Cahoon property consists of 8.3 acres of forest, much of it on steep slopes, that is largely surrounded by existing parkland (Watts Branch Stream Valley Park and Adventure Conservation Park). The property is a key link in the greenway corridor along the Watts Branch. The property is already identified for park acquisition in the Potomac Master Plan (2001). The Legacy recommendation for acquisition reinforces the Potomac Master Plan recommendation and adds a potential funding source for acquisition of the property.

Left Fork Headwaters, Good Hope and Spencerville Roads, Colesville (Natural Resource, Class I)

Staff analysis of the Left Fork Headwaters properties and their importance to the Legacy Criteria and the Natural Resources Category has determined that:

- The resource is part of a “critical mass” of like resources that perform an important environmental function – the protection of the unique aquatic resources in the Upper Paint Branch Special Protection Area.
- The resource provides ecological connectivity to significant natural areas in the Upper Paint Branch Stream Valley Park.
- The resource helps to buffer and thereby protect other significant resources in the Paint Branch.
- The resource contains good quality forest and a diversity of habitats to support wildlife.

The Upper Paint Branch is a significant aquatic resource in Montgomery County, and this headwaters area is a critical part of that resource. Parts of this area were previously identified in the Cloverly Master Plan (1997) for park acquisition. The Legacy recommendation is that the headwater forest and springs/seeps on these properties make them important enough to consider the entire area a Legacy site and protect through park acquisition.

Protection of this site will need to be coordinated with SHA and other agencies as part of the ICC planning process. Should the Northern Alignment be selected as the preferred alternative for the ICC, the roadway may cross through these properties. In that case, protection for the Left Fork Headwaters properties will be reviewed as part of the ICC planning and design process. SHA has been informed of the Legacy recommendation.

Implications of Legacy Open Space Designation

The four sites described above are recommended for either Class I or Class II status within the Legacy Open Space program. The Hyattstown back lots and the Casey & Cochran Farms are recommended for Class II status and the two natural resource sites (Cahoon Property and Left Fork Headwaters) are recommended for Class I status.

The only difference between Class I and Class II properties is whether one tool will be available for the protection of the site: the use of involuntary reservation is provided for Class I sites but not for Class II sites through the Legacy Master Plan. In all other respects, the same tools are available for preservation efforts for both Class I and Class II properties. In general, most Natural Resources, Urban Open Spaces, and Greenway Connections are identified as Class I while most Heritage Resources and all land within the Farmland & Rural Open Space and Water Supply Protection target areas are identified as Class II properties. Today’s recommendations are consistent with those general designation patterns.

Note that a different classification does not mean a difference in the quality or importance of the resource. The difference is simply that for Class II properties, a policy decision has been made that protection is likely to be achieved without the use of involuntary reservation. For instance, Heritage Resources (Class II) are not inherently lesser quality or less important than Natural Resources (Class I), but were placed in Class II because most of the sites can be preserved through easement without the use of in-fee acquisition.

Preservation may be accomplished for these four sites by donation or purchase of easements, protection of the resource through the development review process, or acquisition through dedication or purchase. Specific protection options for each property are described in the attached table.