



RECEIVED JUL 29 2005

DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

July 21, 2005

Mr. Philip Hughes
Rodgers Consulting
19847 Century Boulevard, Suite 200
Germantown, MD 20874

Re: Stormwater Management
CONCEPT RECONFIRMATION
Ruppert Nurseries
SWM Concept #: 213606

Dear Mr. Hughes:

Your request for a stormwater management reconfirmation for the above site has been evaluated. The original approved SWM concept dated October 15, 2004 is hereby reconfirmed. Please adhere to all conditions required as part of that approval.

If you have any questions regarding these actions, please feel free to contact William Campbell at 240-777-6345.

Sincerely,

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

RRB:dm

cc: SM File #: 213606





DEPARTMENT OF PERMITTING SERVICES

October 15, 2004

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

*Approved by
D. M. Duncan
10/15/04*

Mr. Philip Hughes, E.I.T.
Rodgers Consulting
18847 Century Boulevard, Suite 200
Germantown, MD 20874

Re: Stormwater Management **CONCEPT** Request
for Ruppert Nurseries
SM File #: 213006
Tract Size/Zone: 177.92 acres/ CI&RDT
Total Concept Area: 21 acres
Lots/Block: N/A
Parcel(s): P820/P666
Watershed: Hawlings River

Dear Mr. Hughes:

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 channel protection measures via a dry pond; on-site water quality control via surface sand filters, grass swales and a Baysaver; and onsite recharge via storage under the sand filters.

Please submit a revised stormwater management concept for water quantity and water quality control for review and approval. All submissions must be accompanied by a resubmittal application. The revised submission must incorporate the following items: *WRC 10/20/04*

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

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. Use the latest Montgomery County design criteria for all proposed Stormwater structures.

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.



255 Rockville Pike, 2nd Floor • Rockville, Maryland 20850-4166 • 240/777-6300, 240/777-6256 TTY

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

If you have any questions regarding these actions, please feel free to contact William Campbell at 240-777-5345.

Sincerely,



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

RRE:dm

cc: R. Weaver
S. Federline
SM File # 213006

QN - onsite: Acres: 21
QL - onsite: Acres: 21
Recharge is provided

August 24, 2005

Mr. Frank Bossong, IV, P.E.
Senior Vice President
Director of Operations
Rodgers Consulting
19847 Century Boulevard, Suite 200
Germantown, MD 20874

Re: Montgomery County
MD 108 General
Ruppert Nurseries/Fall Creek Farm East

Dear Mr. Bossong:

The State Highway Administration (SHA) would like to thank you for the opportunity to review the two sketch plan options that reflect improvements required to address the traffic impact study for the Ruppert Nurseries/Fall Creek Farm East development. In summary, sketch option 1 shows a 350' northbound deceleration lane, a 360' northbound acceleration lane, and an 850' southbound bypass lane to accommodate vehicles turning left into the property from MD 108. Sketch option 2 illustrated the same deceleration and acceleration lane measurements, but proposed a southbound left-turn lane instead of a bypass lane. We have completed our review and offer the following comments:

- SHA requires that the full deceleration lane shown in both options be provided due to the 50 MPH posted speed limit along this section of MD 108. The northbound deceleration lane shall consist of a 100' full width taper and a 250' lane. The taper will be delineated with pavement markings.
- SHA acknowledges that the proposed northbound acceleration lane will have impacts to several trees along MD 108. We will allow a reduction in the length of the overall acceleration lane and associated taper to eliminate impacts to the street trees as shown in Option 1. It appears that a total length of approximately 150' may be provided without disturbance to the trees. Please consider providing 75' or more for the acceleration lane and no less than 50' for the full width taper.
- SHA recognizes that there would be right-of-way impacts associated with the creation of the bypass lane (Option 1) or left-turn lane (Option 2). However, based on the results of the traffic study, we are still requiring southbound left turns be accommodated into the site. Please take the necessary steps to attempt to secure this right-of-way for accommodating the bypass lane. Ultimately, if the property owner is unwilling to sell the right-of-way, SHA will require a certified letter stating their denial.
- We are open to your consideration for phasing the roadway improvements only if the timeframe of such phasing does not have a negative effect on the safety and operations of traffic along this section of MD 108.

Mr. Frank Bossong, IV, P.E.
Page 2

If additional information is required from SHA regarding this project, please do not hesitate to contact Mr. Gregory Cooke at 410-545-5602, Mr. John Borkowski at 410-545-5595, or by using our toll free number in Maryland only, 1-800-876-4742 (x-5602 for Greg, x-5595 for John). You may also E-mail Greg at gcooke@sha.state.md.us or John at jborkowski@sha.state.md.us. Thank you for your cooperation.

Very truly yours,

Original signed by Gregory F. Cooke

Steven D. Foster, Chief
Engineering Access Permits Division

SDF/jb

cc: Mr. Darrell Mobley (Via E-mail)
Mr. Lee Starkloff (Via E-mail)
Mr. Richard Weaver (M-NCPPC via E-mail)
Ms. Caryl Ersenkal (Ruppert Nurseries)



Robert L. Ehrlich, Jr., Governor
Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation
May 24, 2005

Ms. Cathy Conlon
Acting Supervisor Development Review
Subdivision Division
Maryland National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Re: Montgomery County
MD 108 General
Ruppert Nurseries/Fall Creek Farm East



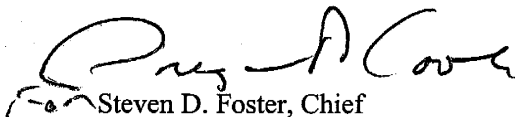
Dear Ms. Conlon:

The State Highway Administration (SHA) would like to thank you for the opportunity to review the preliminary plan and site plan applications for the Ruppert Nurseries/Fall Creek Farm East development. We have completed our review and offer the following comments:

- Truncation and right-of-way dedication needs to be in accordance with the Master Plan of Highways. SHA will require that right-of-way dedications be platted using SHA standards. Please contact Mr. David Slavish of the Plats and Surveys Division @ 410-545-8937 for additional information. You may also e-mail Mr. Slavish at (dslavish@sha.state.md.us).
- Access and improvements associated with this development are subject to permitting from this office for one (1) commercial two-way entrance with a minimum, 25'-wide entrance. SHA will require the construction of an exclusive southbound MD 108 left-turn lane and a northbound MD 108 deceleration/acceleration lane for the proposed entrance to the site.
- Please provide this office with a sight distance certification for both the existing and proposed entrances.

If additional information is required from SHA regarding this project, please do not hesitate to contact Mr. Gregory Cooke at 410-545-5602, Mr. John Borkowski at 410-545-5595, or by using our toll free number in Maryland only, 1-800-876-4742 (x-5602 for Greg, x-5595 for John). You may also E-mail Greg at gcooke@sha.state.md.us or John at jborkowski@sha.state.md.us. Thank you for your cooperation.

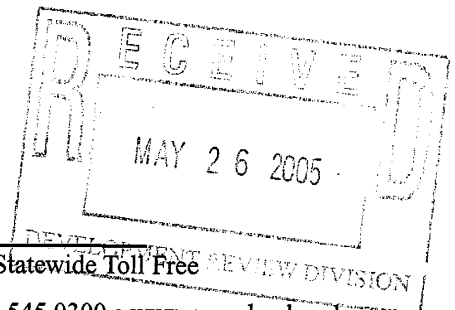
Very truly yours,


Steven D. Foster, Chief
Engineering Access Permits Division

SDF/jb

- cc: Mr. Darrell Mobley (Via E-mail)
Mr. Augustine Rebish (Via E-mail)
Mr. Dave Slavish (Via E-mail)
Mr. Richard Weaver (M-NCPPC via E-mail)
Mr. David McKee (Benning & Associates)

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free





DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

MEMORANDUM

July 29, 2005

TO: Mr. Richard Weaver, Development Review,
Maryland National Capital Park and Planning Commission

FROM: Robert Hubbard, Director
Department of Permitting Services

SUBJECT: Status of Preliminary Plan: #1-05090

Ruppert Nurseries/Fall Creek Farm East

This is to notify you that the status of the plan received in this office on January 21, 2005, is as follows:

Approved with the following reservations:

1. The record plat must be at the same scale as the preliminary plan, or submit an enlargement of the plat to match the preliminary plan.
2. Septic area use limited to a maximum of 1900 gal/day.
3. A Groundwater Appropriation Permit must be obtained from the State of Maryland (MDE) prior to record plat approval.
4. The potable water system must be registered with MDE as a public drinking water system.

If you have any questions, contact Gene von Gunten at (240) 777-6319.

cc: Owner
Surveyor
File



September 8, 2005

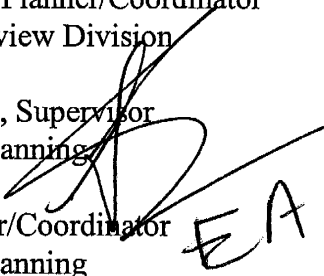
MEMORANDUM

TO: Richard Weaver, Planner/Coordinator
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning

FROM: Ed Axler, Planner/Coordinator
Transportation Planning

SUBJECT: Preliminary Plan No. 1-05090
Ruppert Nurseries / Falls Creek Farm East
23601 Laytonsville Road, Laytonsville
Patuxent (Rural) Policy Area



This memorandum is Transportation Planning staff's Adequate Public Facilities review of the subject preliminary plan to reconfigure Parcels P666 and P820 and record the new plat in the land records. The applicant proposes to relocate and consolidate his landscaping contractor operations (i.e., in Montgomery and Frederick Counties) and business operations (i.e., from its location on Hawkins Creamery Road, west of Laytonsville Road, MD 108) to the subject site in the RDT zone.

At the public hearing held on April 28, 2005, the Planning Board reviewed this proposed landscaping contractor use as Special Exception Case No. S-2636. At the public hearing held on April 14, 2005, the Planning Board recommended that the District Council approve the Remedial Map Amendment, No. G-835, that reclassified 2.5 acres of this site from the Country Inn zone to the RDT zone.

RECOMMENDATIONS

Transportation Planning staff recommends no additional conditions for approval as part of the transportation-related requirements of this preliminary plan to those proffered in the applicant's Land Use and Civil Engineering Report submitted for the special exception case.

Staff finds that the proposed action satisfies the Local Area Transportation Review test and will have no adverse effect on area roadway conditions based on the special exception's statement of operations.

DISCUSSION

Site Location and Vehicular Site Accesses

The subject site is located on the east side of MD 108 approximately 1,000 feet south of Hawkins Creamery Road. A new curb-cut from MD 108 is proposed at the southern end of the site as the primary commercial access point to the designated on-site parking areas. The existing curb-cut from MD 108 would be retained as a secondary site access point to the historic house (i.e., used as part of the business office). Access permits from the Maryland State Highway Administration (SHA) would be needed for the new and existing curb cuts from MD 108.

On-Site Parking

The applicant proposes parking for all vehicles associated with the landscaping use and business office in the designated parking areas as follows:

Type of Users	No. of Spaces	Location of the Parking Area
Business Office Employees	24	On the South Side of the Main Office
Visitors	11	Along the Perimeter of the Traffic Circle between the Main Office & Office Barn
Other Employees	98	On the Southeastern side of the Site
Designated for Future Parking Needs	33	On the East Side of the 98-Space Parking Area
Landscaping Vehicles & Trailers	38	On the Northeastern side of the Site
Seasonal-Sales Customers	Unspecified	On the Outlot Proposed for Season-Sales Shopping of such Items as Pumpkins & Christmas Trees

Pedestrian Facilities

Sidewalks and other pedestrian facilities do not exist along the segment of MD 108 in the vicinity of the subject site in this upcounty rural area. The vehicular traffic that is generated by the proposed land uses would not affect the existing pedestrian environment.

Master-Planned Roadways and Bikeway

The master-planned roadways and bikeway are designated as follows:

1. Laytonsville Road (MD 108) is designated as a major highway, M-60, with a 120-foot right-of-way and a Class III bikeway or signed shared roadway, SP-43.

- Hawkins Creamery Road is designated as a primary residential street with a 70-foot right-of-way.

On-Site Land Uses, Projected Number of Employees, and their Work Schedules

The proposed land uses on the subject site include a landscaping operation, a tree farm, seasonal sales, and a business office. The projection of each type of employee and their proposed work schedule follows:

- The landscaping functions were projected to employ up to 120 field workers and supervisors. Based on a survey, the employees commuting to and from work used the following modes of transportation shown by percent below:

Mode of Transportation	Percentage
Single-Occupant Vehicle	15%
Applicant's Van Service*	15%
Carpool (with up to 6 employees)	55%
Subtotal of Trips to the Site	85%
Trips <u>not</u> to the Site, but <u>directly</u> to & from the Particular Off-Site Work Location	15%

* Van Service operates between the subject site and Ruppert's other Montgomery County and Frederick County facilities

Eight-five percent of employees traveling to the subject site would arrive at 6:00 a.m. and then leave to their particular work site at 6:30 a.m. At the end of their workday, the field crew/supervisors would return to the subject site and leave for their homes by 4:00 p.m. The landscaping functions would utilize 34 trucks and 20 trailers.

- The business office was projected to employ approximately 100 persons now and up to 119 persons in the future. The office employees arrive between 8 :00 and 9:00 a.m. with the last person leaving by 6:30 p.m. These employees tend to commute in single-occupant vehicles and not carpool or use the van service. The proposed office on this site would include relocating the office employees working at an existing site off nearby Hawkins Creamery Road. The office-related activities are proposed from the existing historic "Queen Anne" Victorian-style house and a new 500-square-foot addition to the historic house and a freestanding 5,000-square-foot structure.

Adequate Public Transportation Facilities Review

As a worst-case scenario, the vehicular trips generated by the maximum number of employees and landscaping trucks discussed above were all assumed to arrive and leave within the same one-hour of the weekday morning peak period (6:30 to 9:30 a.m.) and evening peak period (4:00 to 7:00 p.m.). The table below gives the number of peak-hour trips for this worst-case scenario:

Type of Employee or Trip Purpose	Projected Max Number	Peak-Hour Vehicular Trips	
		Morning	Evening
Business Office	119 Persons*	78 In*	96 Out*
Field Crews/Supervisors	120 Persons	0**	29 Out
Landscaping Trucks	34 Vehicles	34 Out	0***
Total Trips		112 In & Out	125 In & Out

* Groups of business office employees arrive and leave at different times within the morning and evening peak periods.

** Field crew/supervisors arrive at the site before the start of the morning peak period at 6:30 a.m.

*** Landscaping Trucks return to the site before the start of the evening peak period at 4:00 p.m.

A traffic study was submitted to satisfy Local Area Transportation Review because 30 or more peak-hour trips could be generated in the worst-case scenario during the weekday morning and evening peak periods. Based on the results of the traffic study, the table below shows the critical lane volume (CLV) values in the existing and total traffic conditions. No unbuilt, but approved (or background) developments were identified as being located near the site or the analyzed intersections. Thus, the background traffic condition includes only the proposed relocation of the business office on Hawkins Creamery Road.

Intersection with Laytonsville Road (MD 108)	Peak Hour	Traffic Condition		
		Existing Land Uses Now on the Subject Site	Background Plus Land Uses at the Nearby Hawkins Creamery Road Site	Total
Hawkins Creamery Road	Morning	859	884	901
	Evening	683	715	742
Main Site Access Point	Morning	This access point does not currently exist		868
	Evening			776
Brink Road / Sundown Road	Morning	1,263	1,273	1,294
	Evening	1,375	1,375	1,376

On the table above, the CLV values at the three analyzed intersections are less than the congestion standard of 1,400 under the *FY 2005 Annual Growth Policy* for the intersections located within rural policy areas.

Under the *FY 2005 Annual Growth Policy*, Policy Area Transportation Review is no longer considered in the APF review for all non-rural and rural policy areas.

EA:kcw

cc: Craig Hedberg
Anne Martin

mno to weaver re 1-05090 Ruppert Nurseries.doc



HISTORIC PRESERVATION COMMISSION

Douglas M. Duncan
County Executive

Julia O'Malley
Chairperson

September 13, 2004

Katherine Freeman
Executive Director
Montgomery County Board of Appeals
100 Maryland Avenue
Rockville, MD 20850

NOV 1 - 2004

Re: 23601 Laytonsville Road, Laytonsville

Dear Ms. Freeman:

The Montgomery County Historic Preservation Commission (HPC) met with Craig Ruppert and Caryl Ersenkall of Ruppert Nurseries and their architect, Stephen Muse, on June 23, 2004 and July 28, 2004 regarding the Jacob Allnutt House at 23601 Laytonsville Road in Laytonsville (Master Plan Site #23/123). Ruppert Nurseries has purchased this historic property and is proposing to use it as their corporate headquarters for their landscaping contracting business. They will be coming before the Board of Appeals for rezoning and a Special Exception for this proposed use of the property.

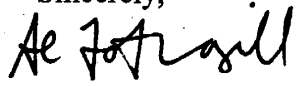
They are proposing to put an addition on the back of the historic farmhouse and to construct two new, unconnected buildings for their corporate headquarters behind the farmhouse. There will be approximately 130 parking spaces for cars with additional parking for company trucks and other vehicles. They plan to use the rest of the 177 acres for their tree farm, a permitted use, and they have already planted more than 30,000 trees on the property.

The Historic Preservation Commission reviewed this proposal over two meetings in June and July 2004. While there was much discussion at the HPC meetings about this proposal, the conclusion was that a majority of Commissioners support this proposed use. The Commission reviewed the proposed plans and made a number of suggestions regarding design and placement of the new buildings and parking, but overall the HPC was supportive of this use of the property, and felt that the proposed addition to the historic farmhouse and the new construction would be approvable through the Historic Area Work Permit process.



The minutes of the two HPC meetings and the proposed site plan are attached for review by the Board of Appeals. We understand that the Board of Appeals will review the rezoning application this fall and the Special Exception application later this year. Please call me at 301-563-3400 with any concerns or questions. Thank you for your time and consideration.

Sincerely,



Anne Fothergill
Historic Preservation Planner

cc: Mr. Craig Ruppert, Ruppert Nurseries
Mr. Stephen Muse, Muse Architects

Enclosures (3)

Weaver, Richard

From: Fothergill, Anne
Sent: Wednesday, September 07, 2005 9:16 AM
To: Weaver, Richard
Subject: FW: Special Exception

-----Original Message-----

From: Fothergill, Anne
Sent: Thursday, February 24, 2005 11:02 AM
To: Daniel, Judy
Cc: Oaks, Michele
Subject: Special Exception

Re: Special Exception #S-2636 -- proposed landscape contractor use in RDT zone
23601 Laytonsville Road, Laytonsville

The Montgomery County Historic Preservation Commission (HPC) met with Craig Ruppert and Caryl Ersenkall of Ruppert Nurseries and their architect, Stephen Muse, on June 23, 2004 and July 28, 2004 regarding the Jacob Allnut House at 23601 Laytonsville Road in Laytonsville (Master Plan Site #23/123). Ruppert Nurseries has purchased this historic property and is proposing to use it as their corporate headquarters for their landscaping contracting business. They are applying for a Special Exception for the landscape contractor use of the property.

They are proposing to put an addition on the back of the historic farmhouse and to construct two new, unconnected buildings for their corporate headquarters behind the farmhouse. There will be approximately 130 parking spaces for cars with additional parking for company trucks and other vehicles. They plan to use the rest of the 177 acres for their tree farm, a permitted use, and they have already planted more than 30,000 trees on the property.

The Historic Preservation Commission reviewed this proposal over two meetings in June and July 2004. While there was much discussion at the HPC meetings about this proposal, the conclusion was that a majority of Commissioners support this proposed use. The Commission reviewed the proposed plans and made a number of suggestions regarding design and placement of the new buildings and parking, but overall the HPC was supportive of this use of the property, and felt that the proposed addition to the historic farmhouse and the new construction would be approvable through the Historic Area Work Permit process.

The HPC sent a letter to the Board of Appeals stating their support of the Special Exception. Please call me at 301-563-3400 with any questions.

thanks,
Anne

Anne Fothergill
Historic Preservation Planner
Maryland-National Capital Park and Planning Commission
Montgomery County Historic Preservation Section
1109 Spring Street, Suite 801
Silver Spring, MD 20910
301-563-3400
301-563-3412 fax



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

MEMORANDUM

July 29, 2005

TO: Mr. Richard Weaver, Development Review,
Maryland National Capital Park and Planning Commission

FROM: Robert Hubbard, Director
Department of Permitting Services

SUBJECT: Status of Preliminary Plan: #1-05090

Ruppert Nurseries/Fall Creek Farm East

This is to notify you that the status of the plan received in this office on January 21, 2005, is as follows:

Approved with the following reservations:

1. The record plat must be at the same scale as the preliminary plan, or submit an enlargement of the plat to match the preliminary plan.
2. Septic area use limited to a maximum of 1900 gal/day.
3. A Groundwater Appropriation Permit must be obtained from the State of Maryland (MDE) prior to record plat approval.
4. The potable water system must be registered with MDE as a public drinking water system.

If you have any questions, contact Gene von Gunten at (240) 777-6319.

cc: Owner
Surveyor
File

