

MEMORANDUM

DATE: December 6, 2005

TO: Montgomery County Planning Board

VIA: Gwen Wright, Acting Chief
Countywide Planning Division *GW*
Jorge Valladares, Chief
Environmental Planning
Countywide Planning Division *JV*
Stephen D. Federline, Supervisor
Environmental Planning
Countywide Planning Division *SD*
CB

FROM: Candy Bunnag, Planner Coordinator (301)-495-4543
Environmental Planning
Countywide Planning Division

REVIEW TYPE: Forest Conservation Plan Review

PROJECT NAME: Preliminary Forest Conservation Plan for Burtonsville Access Road,
From Burtonsville Elementary School Access Road
To Spencerville Road (MD 198)

CASE NO.: FCP No. MR04802-DPWT-1

MASTER PLAN: Fairland

APPLICANT: Montgomery County Department of Public Works and Transportation

RECOMMENDATION

Approval of the preliminary forest conservation plan with the following conditions:

1. Utilize 1.0 acre of credits in the off-site reforestation bank established by the Department of Public Works and Transportation (DPWT).
2. Compliance with the conditions of approval of the preliminary forest conservation plan. These conditions include but are not limited to:
 - a. Final forest conservation plan to include a final planting plan and table for tree plantings around the stormwater management facility.
 - b. Required site inspections by M-NCPPC inspection staff to inspect tree protection measures and authorize the start of clearing and grading.

BACKGROUND

The Planning Board reviewed the mandatory referral for the Burtonsville Access Road project on June 17, 2004. Attachment 1 is the staff report for the mandatory referral review and Attachment 2 is the Planning Board Chairman's letter summarizing the Board's comments on the mandatory referral.

At that time, the project included the clearing of 38,904 square feet of forest and no specimen trees. Per Section 22A-9 of the Montgomery County Forest Conservation Law (Attachment 3), a County highway project is required to reforest if forest clearing is 40,000 square feet or greater. The project did not have to provide reforestation. However, the project did include a tree save plan that clearly defined the limits of disturbance, which minimized the loss of forest and trees during construction.

PROJECT DESCRIPTION

The mandatory referral project consists of a new road from the existing Burtonsville Elementary School Access Road to Spencerville Road (MD 198). This new road covers 1400 linear feet. The project includes a two-lane road, with parking bays, sidewalks, landscaping, and stormwater management facilities.

The proposed access road lies within a mostly developed area between Rte. 198 and the Burtonsville Elementary School. It is within the Patuxent River watershed (Use I-P). New right-of-way will be created from several commercially- and industrially-zoned properties and the old Burtonsville Volunteer Fire Station property. A portion of the proposed road will involve the reconfiguration of an existing driveway on the old Burtonsville Volunteer Fire Station property.

DISCUSSION

Since the Planning Board's review of the mandatory referral, DPWT has made some changes to the plans. There are some minor driveway access and parking lot revisions on the properties that the access road serves.

The most significant revision is the change in the location of a proposed stormwater management (SWM) facility. The original location of the SWM facility was located on the south side of the proposed road. Further engineering design work by

DPWT's consultant revealed that existing topography and storm drain elevations create constraints so that a SWM facility at this location cannot provide the required water quality or water quantity controls for the project. So, the SWM facility had to be relocated to the north side of the proposed road. This has resulted in an increase in the amount of forest clearing. Attachment 4 illustrates the proposed change to the SWM facility location.

FOREST CONSERVATION PLAN REVIEW

Two small forest stands and the edge of a large forest stand lie within the project area. The preliminary forest conservation plan proposes to clear 43,472 square feet (about 1.0 acre) of forest, which is 4568 square feet more than the original mandatory referral project reviewed by the Planning Board in June, 2004. Since the forest clearing now exceeds 40,000 square feet, DPWT needs to reforest on an acre per acre (1:1) basis. DPWT has an offsite reforestation bank (Triadelphia Reservoir, Advanced Reforestation CIP Project #500112) that it uses to meet reforestation requirements for its projects. DPWT has agreed to use this reforestation bank to meet this project's reforestation requirement of 1.0 acre.

Two specimen trees (a 33-inch red oak and a 36-inch pin oak) are within a forest clearing area and will need to be removed to construct the SWM facility. Mitigation for the loss of these two specimen trees is with planting of over 40 native trees around the SWM facility. Staff believes this is acceptable. The final planting plan for the SWM facility should be part of the final forest conservation plan.

The forest conservation plan also includes a tree save plan to protect remaining trees and forest within the project site.

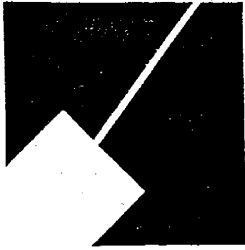
Notices of the forest conservation plan were mailed on November 22, 2005. Staff has not received any questions or comments to date.

Staff believes the proposed forest conservation plan is acceptable and meets the requirements of the Forest Conservation Law. Staff recommends approval of the forest conservation plan with conditions.

ATTACHMENTS

- Attachment 1 -- M-NCPPC staff report (6/11/04) for the Burtonsville Access Road Mandatory Referral
- Attachment 2 -- Letter (6/18/04) from Planning Board Chairman to Acting Director of DPWT regarding Planning Board comments on the mandatory referral
- Attachment 3 -- Section 22A-9 (County Highway Projects) of the Montgomery County Forest Conservation Law
- Attachment 4 -- Overall site plan showing proposed change in location of SWM facility

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

ATTACHMENT 1
(1 of 17)

MCPB
ITEM NO. 6
6-17-04

June 11, 2004

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Jeffrey Zyontz, Chief
County-wide Planning Division

William Barron, Team Leader for the Eastern County Team
Community-Based Planning

FROM: Larry Cole: 301-495-4528, for the Park and Planning Department LC

PROJECT: Burtonsville Access Road
From Burtonsville Elementary School Access Road
To Spencerville Road (MD 198)
CIP Project No. 509337

REVIEW TYPE: Forest Conservation and Mandatory Referral No. 04802-DPW&T-1

APPLICANT: Montgomery County Department of
Public Works and Transportation

APPLYING FOR: Plan Approval

COMMUNITY-BASED PLANNING TEAM AREA: Eastern County

RECOMMENDATIONS:

Forest Conservation Plan:

Staff recommends that the Board approve the Forest Conservation Plan for the proposed project (see Attachment 1: Location Map) with the following conditions:

1. Implement the proposed tree-save plan, as revised on June 8, 2004.
2. A Maryland-National Capital Park and Planning Commission inspector must be part of a pre-construction meeting to inspect tree protection measures and authorize the start of tree or forest clearing.

Mandatory Referral:

Staff recommends that the Board approve the proposed project with the following comments:

1. Commercial driveways should be designed per the applicable County standard, providing pedestrians with the least uninterrupted path of travel. The width of these driveways should be minimized.
2. The width of the Burtonsville Elementary School driveway on Burtonsville Access Road should be minimized. The first parking space to the east of the entrance should be eliminated.
3. Consider constructing a sidewalk along the east side of Burtonsville Elementary School Access Road.
4. Provide the right turn lane to the Burtonsville Shopping Center on Burtonsville Access Road only if landscape panels with street trees are provided on each side of the adjacent sidewalk.
5. On the southwest side of Burtonsville Access Road at the eastern end of the project, offset the sidewalk from the roadway and provide landscaped buffers with street trees.
6. Extend the proposed sidewalk along the northeast side of Burtonsville Access Road to the Spencerville Road intersection and construct handicap ramps on the opposite side of Spencerville Road.
7. Evaluate the locations of the nearest bus stops on Spencerville Road to see whether they should be moved closer to the proposed intersection at Burtonsville Access Road.
8. Provide more landscaping to screen the view of parking lots from the proposed roadway.
9. Continue to coordinate the design of this project with SHA's MD 28/MD 198 project.

PREVIOUS BOARD ACTION: The Facility Planning Project Prospectus was approved by the Planning Board on January 16, 2003. A copy of the follow-up letter from this meeting is included as Attachment 2.

The Board made three comments in its approval, the first two of which have been addressed by DPWT's coordination with the affected property owners and by the removal of the formerly proposed roundabout. Resolution of the third comment, to provide a gateway feature at the Spencerville Road intersection, is still pending DPWT's working with the business owners to see whether it can be included in the final design. This coordination is necessary since DPWT have stated that the County will not maintain such a feature.

PROJECT DESCRIPTION

This project would construct a new roadway from Burtonsville Elementary School Access Road to Spencerville Road (MD198), a distance of approximately 1,400 feet. The road would consist of two twelve-foot-wide travel lanes and eight-foot-wide parking bays on the north side. Concrete curb and gutter, sidewalks, landscaping, and stormwater management facilities would be included.

STAFF ANALYSIS

This project was initiated by DPWT to implement the recommendation for a Business District Street called for in the Fairland Master Plan (see Attachments 3a-c), noted as "Rear Access Road". The purpose of this road is to provide alternative access to the businesses on the north side of Spencerville Road so that traffic movements along Spencerville Road can be reduced (see Attachment 4).

The proposed access road lies within a fairly developed area between Route 198 and the Burtonsville Elementary School. The project site is within the Patuxent River watershed (Use I). New right-of-way would be created from several commercially and industrially-zoned properties and the old Burtonsville Volunteer Fire Station property.

Typical Section

Staff is in agreement with the proposed typical section as described above.

Driveway Design

This project includes several proposed driveways that are designed more like street intersections. The difference between the two treatments is that a sidewalk is kept level across a standard driveway treatment (see Attachment 5b, lower right) but pedestrians have to negotiate ramps to get down to the entrance grade and back up to the sidewalk where the driveway is treated as a road (the driveway entrance to Burtonsville Elementary School, shown at the upper center). Pedestrians have the right-of-way across driveways, but the design shown in the upper left does not reflect this. Staff believes that all driveways should be provided with standard driveway aprons, unless there is an overwhelming reason to treat the driveway as a road.

The driveway entrance to the school from Burtonsville Access Road is a secondary entrance whose width should be minimized by providing only one exit lane rather than two. Also, the first parking space to the east of the entrance appears to be too close to entering traffic and could pose a danger for pedestrians from drivers backing out of the space into the crosswalk. This parking space should be eliminated and the area landscaped.

Other driveways within the limits of this project have been proposed to be wider than the proposed Burtonsville Access Road, which also skews the view of who has the right-of-way. In addition to providing only standard driveway aprons, the width of commercial driveways should be minimized.

Parking Bays

Parking bays are proposed along the north side of Burtonsville Access Road, although most of the drivers using them will be destined for businesses on the south side. The reason this arrangement was chosen during the planning phase was that the parking bays would be more difficult to construct on the south side where there are more driveways, and where there could be more potential vehicular conflicts. DPWT proposes to install a mid-block crosswalk at the elementary school entrance to improve pedestrian safety for those crossing between the north and south sides of the road.

Bicyclist and Pedestrian Accommodation

No special accommodation for bicyclists is called for in the Master Plan and none would be provided. Staff believes that no special accommodation is needed since this is intended to be a low-speed business district street to be used for local circulation and there should not be a significant differential between operating speeds for bikes and motorized vehicles.

Pedestrians would be accommodated on five-foot sidewalks, which would be provided on both sides of Burtonsville Access Road, typically separated from the curb by eight-foot landscape panels with street trees. The pedestrian accommodation in general is good, but there are several locations where staff believes there is need for improvement.

The western end of the project ties into the Burtonsville Elementary School Access Road, which was built by the county a few years ago. The school road was built with a sidewalk only on the west side of the road; however, staff believes that a sidewalk is needed on the east side of the road also.

While continuous sidewalks are proposed along the length of Burtonsville Access Road, the eastern end of the project accommodates pedestrians rather poorly. Throughout this stretch, sidewalks are proposed directly adjacent to the roadway curb. While the sidewalk in front of the shopping center building is unavoidably against the building face also, the rest of the sidewalk in this segment is perched between the road and parking spaces. On the southwest side of the road, staff recommends that more landscaping be introduced to give pedestrians a better buffer between parked cars and running traffic.

On the northeast side of the road in this easternmost segment, staff had previously recommended that DPWT reconsider providing the proposed right turn lane to the Burtonsville Shopping Center since such a wide roadway and crossing at the Spencerville Road intersection would be created. While it appears that this is needed to serve the shopping center and their truck traffic, *an inhospitable pedestrian environment should not be created at what will be the main pedestrian access point to the shopping center from Spencerville Road. Staff recommends that the right turn lane to the shopping center be provided only if landscape panels with street trees are provided on each side of the adjacent sidewalk.* This would require the removal of seven to eight shopping center parking spaces.

Staff recommends that the proposed sidewalk be extended along the northeast side of Burtonsville Access Road to the Spencerville Road intersection and that handicap ramps be provided on the opposite side of Spencerville Road so that this new intersection of two public streets will be fully handicapped-accessible, as required by the Americans with Disabilities Act. Once this project has been constructed and traffic patterns established, the intersection will be evaluated to determine if a traffic signal is warranted.

The Z3 Metrobus runs along Spencerville Road in the project area. Since pedestrian safety in the area of bus stops has been shown to be closely related to the relative location of crosswalks, staff recommends that DPWT evaluate the locations of the nearest bus stops on Spencerville Road to see whether they should be moved closer to the proposed intersection at Burtonsville Access Road.

Landscaping

Street trees will be planted where there is sufficient room between the curb and sidewalk. Staff believes that more trees and other landscaping are needed to provide an attractive project in an area that has large asphalt parking lots that would be visible from the roadway.

Environmental Buffer

A stormwater management facility and a small segment of the access road are proposed to be located within the buffer of a 140 linear feet of open swale. This swale is a small remaining section of a stream that has been piped and rechanneled by past development activities between the Burtonsville Shopping Center and the existing Burtonsville Elementary School access road. The swale essentially functions as part of the storm drain conveyance system and is no longer part of a natural stream. Therefore, staff believes the proposed environmental buffer encroachment is acceptable and justified.

Patuxent River Primary Management Area

The proposed road lies within the Patuxent River Primary Management Area (PMA). The Environmental Guidelines recommend a 10 percent imperviousness limit on new development that lies within the PMA and on properties zoned for lower density (RE-2, RE-2C, Rural, RC, and RDT). The guidelines allow for "nonconformance requirements" to allow for

higher imperviousness projects where zoning densities are greater than RE-2 and high impervious land uses are planned. "Nonconformance requirements" include stormwater management controls and other best management practices that minimize environmental impacts.

For the proposed project, the 10 percent imperviousness limit would not apply because much of the new right-of-way would be created from commercially and industrially zoned properties. In addition, this road is recommended in the Fairland Master Plan. The proposed stormwater management controls and street trees (that would eventually provide some shading of road pavement) are consistent with the "nonconformance requirements" recommended by the Environmental Guidelines.

Stormwater Management

The proposed stormwater management plan is currently under review by the Montgomery County Department of Permitting Services. Two small wet ponds next to the road are proposed to provide water quality and some water quantity controls. Treated runoff would outfall to a stream located to the west of the existing Burtonsville Elementary School Access Road.

Forest Conservation

Two small forest stands and the edge of a large forest stand lie within the project area. The project proposes to clear a total of 38,904 square feet of forest. Per Section 22A-9 of the Forest Conservation Law, a County highway project is required to reforest only if forest clearing is 40,000 square feet or greater. Since the proposed project is clearing less than 40,000 square feet of forest, it is exempt from the forest conservation plan requirements and, therefore, does not have to provide any reforestation.

Although the project does not affect any specimen trees, it does incorporate tree protection measures to clearly define the limits of disturbance and minimize the loss of forest and trees during construction. Staff recommends that the project's tree-protection plan be implemented and that an M-NCPPC inspector be involved in its implementation, including participation in a pre-construction meeting to verify the location and extent of tree protection fencing.

RELATED PROJECTS

The Maryland State Highway Administration (SHA) is currently studying a widening of Spencerville Road in the area of the subject project as part of their MD 28/MD198 project planning study, which the Board reviewed on July 25, 2002. SHA is currently preparing the Draft Environmental Impact Statement and expects to have a Location/Design hearing this Fall.

In addition to widening Spencerville Road, SHA is also studying the closure and/or consolidation of some of the driveways in the subject project area to improve safety, pedestrian accessibility and aesthetics in the business area.

PUBLIC OUTREACH

During the Facility Planning, public meetings were held on February 20, 2001, and April 17, 2002, and a Focus Group was held for all of the local businesses on January 18, 2002.

During the design phase, a public meeting was held for this project on January 29, 2004, at the Burtonsville Elementary School.

Additional meetings have also been held with individual property owners affected by the project and Department of Public Works and Transportation has coordinated with State Highway Administration's staff on how individual properties would be affected by both projects.

LC:gw
Attachments

mno to MCPB re MR Burtonsville Access Road