



MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 10-86
Forest Conservation Plan No. MR2010714
Plum Gar Recreation Center
Date of Hearing: June 17, 2010

AUG 19 2010

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Chapter 22A, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to review forest conservation plan applications; and

WHEREAS, on March 15, 2010, Montgomery County Department of General Services ("Applicant"), filed an application for approval of a Forest Conservation Plan on 8.48 acres of land known as the Plum Gar Recreation Center located at 19561 Scenery Drive, Gaithersburg, MD; bounded by Scenery Drive on the north, and residential development on the south, east and west ("Property" or "Subject Property"), in the Germantown Sector Plan area ("Master Plan"); and

WHEREAS, Applicant's forest conservation plan application was designated as Forest Conservation Plan No. MR2010714, Plum Gar Recreation Center ("Forest Conservation Plan" or "Application"); and

WHEREAS, following a review and analysis of the Application by Planning Board staff ("Staff") and the staff of other governmental agencies, Staff issued a memorandum to the Planning Board, dated May 26, 2010, setting forth its analysis, and recommendation for approval with conditions of the Application ("Staff Report"), and on June 17, 2010, the Planning Board held a public hearing on the Application (the "Hearing"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on June 17, 2010, the Planning Board approved the Preliminary Forest Conservation Plan, on motion of Commissioner Alfandre and seconded by Commissioner Presley; with a vote of 4-0, with Commissioners Wells-Harley, Presley, Alfandre and Dreyfuss voting in favor and one position being vacant.

Approved as to
Legal Sufficiency:

8787 Georgia Avenue, N.C. 30108 | Chairman's Office: 301.495.4605 Fax: 301.495.1320

www.MCParkandPlanning.org E-Mail: mcp-chairman@mncppc.org

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the relevant provisions of Montgomery County Code Chapter 22A, the Planning Board APPROVES Preliminary Forest Conservation Plan No. MR2010714 on 8.48 acres of land located at 19561 Scenery Drive, Gaithersburg, MD; bounded by Scenery Drive on the north, and residential development on the south, east and west ("Property" or "Subject Property"), in the Germantown Sector Plan area ("Master Plan"), subject to the following conditions:

1. *Compliance with the preliminary forest conservation plan received on April 13, 2010.*
2. *Submission of a final forest conservation plan consistent with 22A.00.01.09(B) of the Forest Conservation Regulations.*

BE IT FURTHER RESOLVED, that having given full consideration to the recommendations and findings of its Staff as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein) and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.

BE IT FURTHER RESOLVED, that this constitutes the written opinion of the Planning Board in this matter, and the date of this Resolution is AUG 19 2010 (which is the date that this Resolution is mailed to all parties of record); and

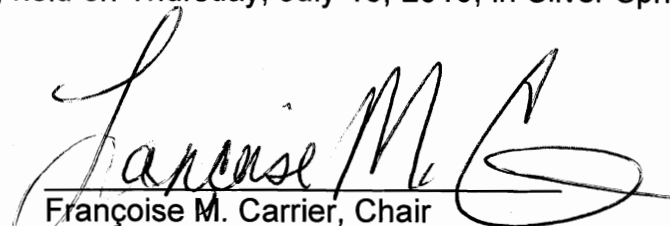
BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Dreyfuss, seconded by Commissioner Wells-Harley, with Commissioners Alfandre, Dreyfuss, and Wells-Harley

voting in favor of the motion, and with Chair Carrier abstaining and Commissioner Presley absent, at its regular meeting held on Thursday, July 15, 2010, in Silver Spring, Maryland.



Françoise M. Carrier, Chair
Montgomery County Planning Board