

OCT 11 2010



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 10-126
SPA Water Quality Plan Plan No. MR2010721
Travilah Fire Station #32
Date of Hearing: July 29, 2010

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Chapter 19, Article V, Water Quality Review in Special Protection Areas, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to review Special Protection Area (SPA) water quality plan applications; and

WHEREAS, on May 28, 2010, Montgomery County Department of General Services ("Applicant"), filed an application for approval of a SPA water quality plan on 5.63 acres of land known as Street Dedication Plat #19653 located on the northwest corner of Shady Grove Road and Darnestown Road, Rockville, Maryland; bounded by Darnestown Road on the south and west, Shady Grove Life Sciences center on the north, and Shady Grove Road on the east in the Great Seneca Science Corridor master plan area ("Property" or "Subject Property");, and

WHEREAS, Applicant's SPA water quality plan application was designated Water Quality Plan No.MR2010721, Travilah Fire Station #32 ("Water Quality Plan" or "Application"); and

WHEREAS, Staff issued a memorandum to the Planning Board, dated July 16, 2010, setting forth its analysis, and recommendation for approval with conditions of the Application ("Staff Report"); and

WHEREAS, on July 29, 2010, following review and analysis of the Application by Planning Board staff ("Staff") and the staff of other governmental agencies, 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

Approved as to
Legal Sufficiency: *[Signature]* 8/31/10
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WHEREAS, on July 29, 2010, the Planning Board approved the Water Quality Plan, on motion of Commissioner Alfandre and seconded by Commissioner Presley; with a vote of 5-0, with Commissioners Alfandre, Carrier, Dreyfuss, Presley, and Wells-Harley voting in favor.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 19, Article V, and given that the Montgomery County Department of Permitting Services ("DPS"), in coordination with the Montgomery County Department of Environmental Protection are the lead agencies for these components of the SPA Water Quality Plan, the Planning Board approved SPA Water Quality Plan No. MR2010721 on the Property subject to the following conditions:

1. The Applicant must conform to the conditions as stated in that letter dated July 15, 2010, from the Montgomery County Department of Permitting Services ("DPS") regarding Preliminary/Final Water Quality Plan and Stormwater Management Concept (SM File # 237925), which was presented as Attachment #1 in the Staff Report.

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff as presented at the Hearing, and 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 SPA Law, Montgomery County Code, Chapter 19, Article V.

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is OCT 11 2010 (which is the date that this Resolution is mailed to all parties of record); and

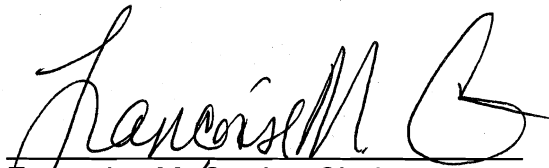
BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of

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 Alfandre, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Alfandre and Dreyfuss present and voting in favor of the motion, and Commissioner Presley absent at its regular meeting held on Thursday, September 16, 2010, in Silver Spring, Maryland.



Françoise M. Carrier, Chair
Montgomery County Planning Board