



MAY 23 2012

MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 12-15

Forest Conservation Plan No. MR2012011

Colesville Depot

Date of Hearing: January 26, 2012

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 22A, the Montgomery County Planning Board is authorized to review forest conservation plan applications; and

WHEREAS, on November 17, 2011, the Montgomery County Department of General Services ("Applicant"), filed an application for approval of a Forest Conservation Plan on approximately 11.73 acres of land located at 14435 Cape May Road that fronts on the southeast side of Cape May Road approximately 700 feet northeast of the intersection of Cape May Road and New Hampshire Avenue, MD Route 650 ("Subject Property"), in the Cloverly master plan ("Master Plan") area; and

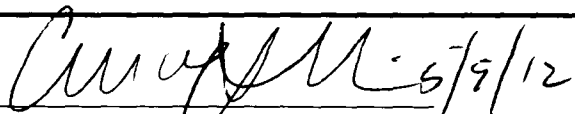
WHEREAS, Applicant's Forest Conservation Plan application was designated Forest Conservation Plan No. MR2012011, Colesville Depot ("Forest Conservation Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board dated January 16, 2012, setting forth its analysis and recommendation for approval of the Application ("Staff Report"); and

WHEREAS, on January 26, 2012, the Planning Board held a public hearing on the Application, and at the hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on January 26, 2012, the Planning Board voted to approve the Forest Conservation Plan on a motion of Commissioner Anderson, seconded by Commissioner Presley, with a vote of 5-0; Commissioners Anderson, Carrier, Dreyfuss, Presley and Wells-Harley, voting in favor.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board APPROVES Forest Conservation Plan No. MR2012011, Colesville Depot.

Approved as to
Legal Sufficiency: 

8787 Georgia Avenue, Silver Spring, Maryland 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

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

BE IT FURTHER RESOLVED, that having given full consideration to the recommendations and findings of its Staff as presented at the hearing and 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 Planning Board FINDS that:

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

Forest Conservation

The Forest Conservation Plan shows 0.11 acres of forest clearing and 0.55 acres of forest retention generating 1.22 acre planting requirement. The Applicant will meet the planting requirement through 1.37 acres of planting onsite, 0.09 acres of planting offsite, and 0.04 acres of landscaping credit. No specimen trees are being impacted.

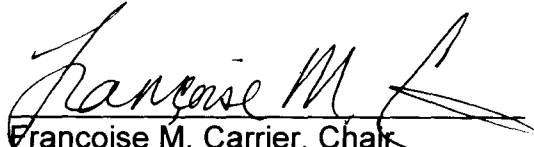
BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Planning Board in this matter, and the date of this Resolution is MAY 23 2012 (which is the date that this Resolution is mailed to all parties of record); and

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 Vice Chair Wells-Harley, seconded by Commissioner Presley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor of the motion at its regular meeting held on Thursday, May 17, 2012, in Silver Spring, Maryland.


Françoise M. Carrier, Chair
Montgomery County Planning Board