



Duggal Day Care, Conditional Use No. CU201709

AS

Atul Sharma, Planner Coordinator, Area 2 Division, Atul.Sharma@montgomeryplanning.org, 301-495-4653

PB

Patrick Butler, Acting Supervisor, Regulatory Team, Area 2 Division, Patrick.Butler@montgomeryplanning.org, 301-495-4561

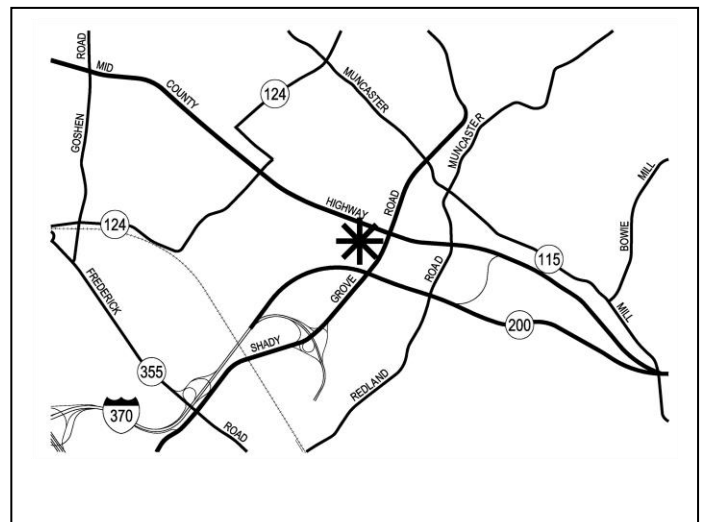
KA

Khalid Afzal, Acting Chief, Area 2 Division, Khalid.Afzal@montgomeryplanning.org, 301-495-4650

Completed 2/16/17

Description

- Request to increase the maximum number of children at an existing eight-child day care facility to a Group Day Care Facility with up to twelve children;
- Located at 17216 Vestry Court, Rockville;
- 2006 *Shady Grove Sector Plan*;
- 17,471-square-foot lot in the R-90 Zone;
- Applicant: Veenu Duggal;
- Application acceptance date: 12/2/16;
- The public hearing by the Hearing Examiner is scheduled for March 24, 2017.



Summary

- Staff recommends approval with conditions.
- Staff supports the Applicant's waiver request from Section 59.6.2.4.C of the Zoning Ordinance for the one required long-term bicycle parking space.

STAFF RECOMMENDATION

Staff recommends approval for CU201709 subject to the following conditions:

1. The proposed Group Day Care facility is limited to 12 children up to 7 years in age.
2. Non-resident employees are limited to two.
3. The hours of operation are limited to Monday through Friday, 7:00 A.M. to 6:00 P.M.
4. The Applicant must schedule staggered drop-off and pick-up of children with no more than two vehicles entering and exiting the site in any 15-minute period. The Applicant must provide parental agreements for all children to the Hearing Examiner indicating that the drop-off and pick-ups will be staggered as conditioned.
5. No more than six children may play outside at any one time, except for up to four times a year when, during special events, no more than 12 children are permitted to be outside at any one time.
6. Outside play time may not occur prior to 9:15 A.M. or after 5:15 P.M.

Site and Neighborhood Description

Site Description

The Site is Lot 63, Block G of the Mill Creek South Subdivision. It is located at 17216 Vestry Court and has a two-story, single-family detached house with a partial basement (see Figure 1). The Applicant has been operating an eight-child day care facility on the premise since July 1995. The property backs onto park land owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC).

The Site has a two-car parking garage and a driveway approximately 17 feet wide and 65 feet long. A portion of the rear yard is within the limits of the 100-year flood plain, and a part of the rear yard is enclosed with a six-foot-high privacy fence. This enclosed area is outside the limits of the floodplain and its associated buffer and contains play areas and equipment for the existing day care facility. There are no sidewalks along Vestry Court. Pedestrian access to the Site is through the driveway and a concrete walkway that connects the driveway to the main entrance of the house.

There are shrubs on each side of the concrete walkway. There is one shrub to the east of the front door and two mature cherry trees in the front yard. The area west of the garage is landscaped with a small flower garden and a shrub. There are two wall-mounted lamps on each side of the front door and one wall-mounted lamp on the top left corner of the garage door. There is also a three-lamp solar powered, motion activated fixture mounted on the top of the garage door.



Figure 1: Aerial photo of the Subject Site

Neighborhood Description

The Staff-defined Neighborhood (see Figure 2) is generally bounded by Midcounty Highway to the north; the Intercounty Connector to the south; Shady Grove Road to the east; and by a stream valley to the west. The neighborhood is composed of single-family residential properties and a cluster of 31 town houses along Weatherby Drive in the R-90 zone in the southern portion of the neighborhood. The neighborhood contains no approved conditional use/special exception uses.

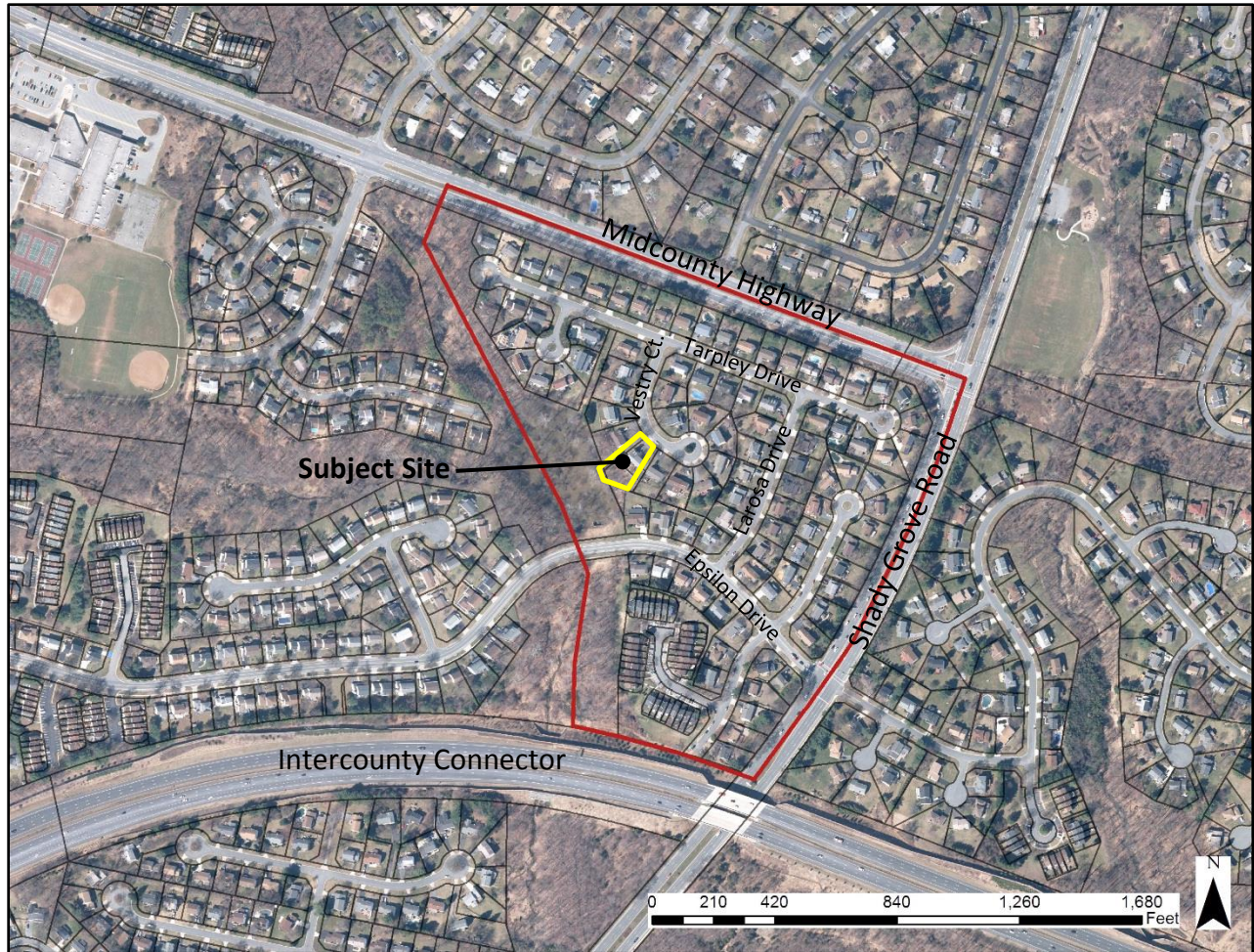


Figure 2: Staff-Defined Neighborhood

Project Description

The Applicant, Veenu Duggal, is requesting to expand her existing day care facility with eight children to a Group Day Care of up to 12 children ranging in age from newborn up to 7- year olds. The Applicant is registered to provide care to children up to 20 years in age. Besides the Applicant, there is currently one part-time employee on site. In the future, the Applicant may engage the current employee on a full-time basis, but does not intend to hire additional employees.

The current day care facility operates Monday through Friday, from 7am to 6pm. The Applicant has not proposed any changes in the hours of operation of the proposed use. The proposed facility will also occupy the same space as the existing day care facility. The day care areas are all located on the partial basement level, which is flush with, and opens on to, the back yard through a pair of sliding doors. The indoor day care areas are approximately 963 square feet in total. The outdoor play area measures approximately 100 feet wide by 40 feet deep and is enclosed by a six-foot-tall privacy fence. There are vinyl doors in the fence on each side of the house that lead to the front yard, and the doors have secure locks. There is a deck that extends from the upper floor into the play area, supported by wooden posts.

During the site visit Staff noticed that the structural members were deteriorating with age and some of the railing planks were partially coming off the deck.

Children play outside in groups no larger than six, for approximately one hour in the morning and one hour in the afternoon. Children use slides, tricycles, playhouse and other toys, but are not permitted to play music outside. Parent drop-off and pick-up times are staggered from 7:30 A.M. to 9:30 A.M. and 4:45 P.M. to 6:00 P.M. The part time employee currently works from 10:00 A.M. to 1:00 P.M. and 3:30 P.M. to 5:30 P.M.

The Applicant is proposing to accommodate the two minimum required residential parking spaces on-site in the garage. Ample on-street parking is available on Vestry Court for one required employee parking space. The Applicant is proposing to use the existing six-car driveway for the required parent drop-off and pick-up.

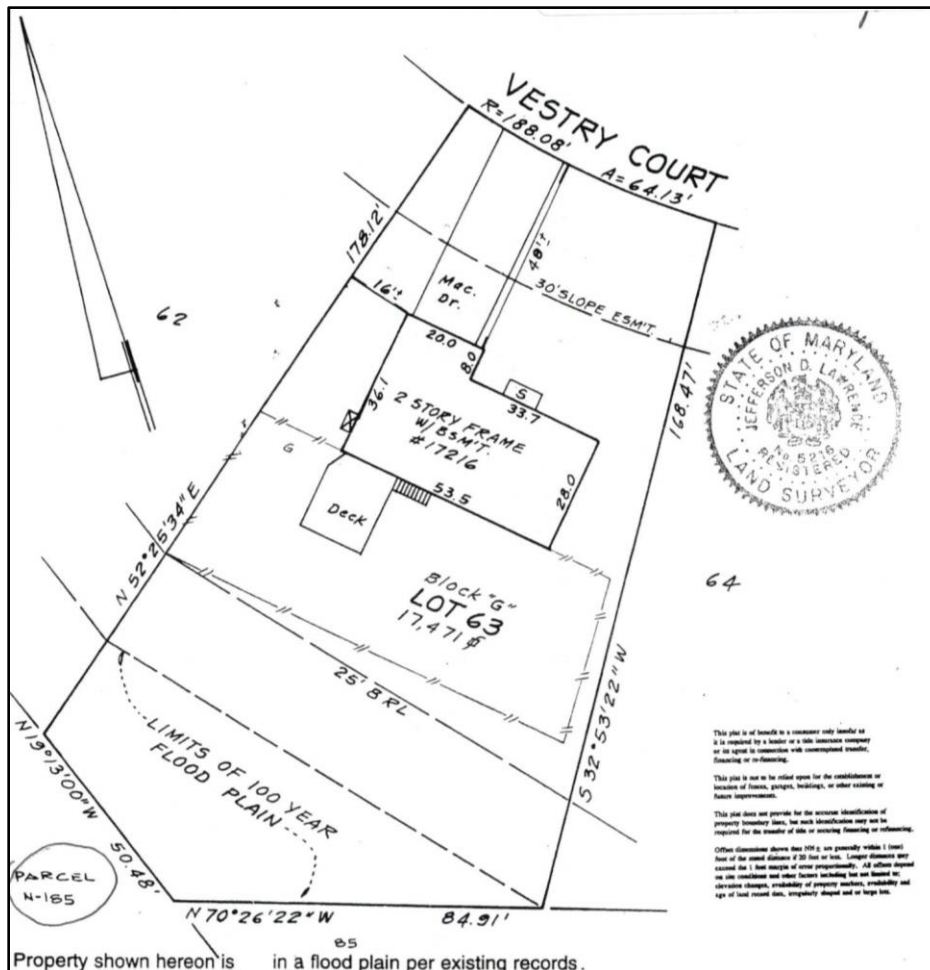


Figure 3: Survey drawing of existing conditions

Analysis

Applicable Master Plan

The Site is located within the *2006 Shady Grove Sector Plan*. The Sector Plan does not specifically discuss this Site, but it expresses support for more child day care centers within the Sector Plan Area. “As the planning area changes there will be an increased need for social services, especially child day care. Services such as elderly day care, teen programs, child day care, and recreation should be provided in convenient locations.” (p.102).

More specifically, the Site is located within the area referred to as the “Derwood Communities” in the Sector Plan. The Sector Plan recommends preserving the residential neighborhoods within the Derwood Communities and protecting them from enhanced traffic congestion.

The Subject Site is an appropriate location for a day care facility. The existing eight-child day care facility has been on the Site for 21 years, and the proposal is a small expansion, which will not change the character of the neighborhood and will have a minimal projected increase in traffic. Therefore, the proposal is in substantial conformance with the Sector Plan.

Transportation

Master-Planned Roadways and Bikeways

The Site is within the *2006 Shady Grove Sector Plan*. The driveway access to the existing house is from Vestry Court, a county-maintained road that is not mentioned in the Sector Plan. Vestry Court is a secondary residential street with a 60-foot-wide right-of-way. For traffic entering and exiting the neighborhood, Vestry Court is connected to Epsilon Drive (P-18) via Tarpley Drive and Larosa Drive, which are also county-maintained roads. Nearby master-planned bikeways are along Midcounty Highway (SP-70), Shady Grove Road (BL-30), and Amity Drive (B-12 & B-4). These bikeway recommendations are not affected by this application.

Pedestrian Facilities and Transit Access

There are no sidewalks on Vestry Court, Tarpley Drive, or Larosa Drive, which are all low-volume residential roads. The nearest sidewalk is located along the south side of Epsilon Drive (P-18), which is 0.3 miles (6-minute walk) from the Site. The Shady Grove Metrorail Station is approximately 1.9 miles from the Site. Bus transit service is available along Midcounty Highway (Ride On routes 60, 64, 65) and Shady Grove Road (Ride On routes 58, 60, 64, 65, 90). Walking distance to the nearest bus stop on Shady Grove Road is approximately 0.4 miles (8 minutes) from the Site.

On-Site Circulation and Parking

Vestry Court serves as access for 12 single-family residential houses. The applicant has proposed to schedule staggered drop-off and pick-up to no more than two children in any 15-minute period to evenly distribute the vehicular trips to and from the Property. However, there may be one, two or more children from the same family attending the day care. Therefore, the proposed drop-off and pick-up of “children” should be limited to no more than two vehicles every 15 minutes. This will maintain

consistency in the staggering of drop-offs and pick-ups and assure no negative impact on existing vehicle through trips in the neighborhood.

The existing driveway would serve as the primary on-site parking for drop-off and pick-up. On-street parking spaces are also available on Vestry Court. Drivers should be able to safely maneuver by pulling into and out of the driveway space given the existing low volume of vehicular traffic.

The Applicant is requesting a waiver to the required one long-term bicycle parking space on-site. To comply with the bicycle parking requirement either an outdoor bicycle storage locker or storage within the existing garage will have to be provided. The garage is being utilized to provide resident parking and does not have additional space for bike parking. Alternatively, a bicycle storage locker would need to be constructed and appropriately screened from other residential uses. These site design improvements with additional landscaping could change the appearance of the residential property as outdoor bicycle storage lockers are not usually found on R-90 zoned lots.

Discussions with the Applicant revealed that the current staff does not bike to the site. Clients also drop off and pick up their children by private automobile. Staff believes that these transportation patterns will continue in the future and it is highly unlikely future clients or staff will bike to the site. Thus, staff supports the Applicant's waiver request for the 1 required bicycle parking space.

Local Area Transportation Review

As an adequate public facilities test for an application filed before January 1, 2017, the Applicant is subject to the 2012-2016 Subdivision Staging Policy. The proposed Group Day Care Center will generate one additional, and up to nine total, peak-hour trips during both the weekday morning peak-period (6:30A.M. to 9:30A.M.) and the evening peak-period (4:00P.M. to 7:00P.M.). A traffic study is not required to satisfy the Local Area Transportation Review (LATR) test because the proposed use generates fewer than 30 total peak-hour trips within the weekday morning and evening peak periods.

Transportation Policy Area Review

The Transportation Policy Area Review (TPAR) test would typically be satisfied by paying 25% of the transportation impact tax for the square footage located in the Derwood Policy Area. For the current TPAR test, the roadway test for this policy area is adequate, and the transit test is inadequate. However, the TPAR payment is calculated as a percent increase of the Montgomery County Department of Permitting Services' transportation impact tax that is determined by multiplying a unit cost by the increase square footage on non-residential land uses. Thus, a TPAR payment will not be required because the square footage of the existing single-family residential unit will not be expanded to accommodate the increase in the number of children in the proposed Group Day Child Care.

Environment

The site contains no streams, wetlands or their buffers, or known habitats of rare, threatened, or endangered species. The record plat shows that the back of the lot contains a portion of a 100-year floodplain, but the Applicant does not propose placing any permanent structure within the 100-year floodplain or 25-foot building restriction line. The proposal does not include any significant property

improvements or clearing of forest. On November 21, 2016, Planning Department staff determined that Chapter 22A, Forest Conservation, does not apply to this proposal. The project is in conformance with the *Environmental Guidelines*, and meets the environmental findings necessary for approval.

Play Area Screening

There is a six-foot-tall privacy fence that screens the outdoor play areas from the neighbors. There are no physical changes to the property or structure under this request. The existing on site landscaping and screening will continue to ensure the compatibility of this conditional use to the surrounding neighborhood.



Figure 4: Existing 6-foot-tall privacy fence in the back yard

Community Comment

As of the date of posting of this staff report, Staff has not received any comments from the community. As a part of the application, the Applicant has submitted eight letters of support from various parents whose children are either currently enrolled in the day care or were previously enrolled at the facility. All letters strongly recommended the approval of this Conditional Use Application.

Conditions for Granting a Conditional Use

Section 7.3.1.E. Necessary Findings

1. *To approve a conditional use application, the Hearing Examiner must find that the proposed development:*

- a. satisfies any applicable previous approval on the subject site or, if not, that the previous approval must be amended.*

There are no applicable previous approvals on the Site. The existing eight-child day care facility is allowed by right.

- b. satisfies the requirements of the zone, use standards under Article 59-3, and to the extent the Hearing Examiner finds necessary to ensure compatibility, meets applicable general requirements under Article 59-6;*

The Proposal satisfies the requirements of the R-90 Zone and the Group Day Care Facility Use Standards as follows:

Section 4.4.8 Zone Requirements

B. R-90 Zone, (Standard Method Development Standards)

Development Standards	Required/Permitted	Proposed
Minimum Lot Area: (Section 59.4.4.8.B.1)	9,000 sq. ft.	17,471 sq. ft.
Minimum Lot Width at Front Building Line (Section 59.4.4.8.B.1)	75 feet	±79 feet
Minimum Lot Width at Front Lot Line (Section 59.4.4.8.B.1)	25 feet	±59 feet
Maximum Density (Section 59.4.4.8.B.1)	1.94 units (4.84 dwelling units/acre)	1 unit
Maximum Lot Coverage (Section 59.4.4.8.B.1)	30 percent	±9.49%
Minimum Front Setback (Section 59.4.4.8.B.2)	30 feet	±48feet

Development Standards	Required/Permitted	Proposed
Minimum Side Setback (Section 59.4.4.8.B.2)	8 feet	±11 feet
Minimum Sum of Side Setbacks (Section 59.4.4.8.B.2)	25 feet	±27 feet
Minimum Rear Setback (Section 59.4.4.8.B.2)	25 feet	±40 feet
Maximum Height (Section 59.4.4.8.B.3)	35 feet	±26.6 feet
Vehicle Parking Requirement (Section 59.6.2.4.B)	Group Day Care: 1 (1/employee) Dwelling: 2 On-street parking allowed	Group Day Care: 1 on- street employee space Dwelling: 2 on-site Drop Off / Pick Up: Up to 6 on-site spaces in the driveway
Bicycle Parking Requirement (Section 59.6.2.4.C)	Group Day Care: 1 Long-Term	Applicant must provide one long-term bicycle space, preferably in the garage.

Section 3.4.4.D Group Day Care Facility Use Standards

1. Defined

Group Day Care (9-12 Persons) means a Day Care Facility for 9 to 12 people where staffing, operations, and structures comply with State and local regulations and the provider's own children under the age of 6 are counted towards the maximum number of people allowed.

The proposal is to accommodate a maximum of twelve children. The Applicant has no children under the age of six living in the house.

2. Use Standards.

- a. *Where a Group Day Care (9-12 Persons) is allowed as a limited use, it must satisfy the following standards:*
 - i. *The facility must not be located in a townhouse or duplex building type.*

- ii. *In a detached house, the registrant is the provider and a resident. If the provider is not a resident, the provider may file a conditional use application for a Day Care Center (13-30 Persons) (See Section 3.4.4.E)*
- iii. *In a detached house, no more than 3 non-resident staff members are on-site at any time*
- iv. *In the AR zone, this use may be prohibited under Section 3.1.5, Transferable Development Rights.*

Not applicable; the Proposal is for a conditional use in the R-90 Zone, not a limited use. However, the proposal complies with the above paragraph as required by (b) below.

- b. *Where a Group Day Care (9-12 Persons) is allowed as a conditional use, it may be permitted by the Hearing Examiner under all limited use standards and Section 7.3.1, Conditional Use;*

The proposal complies with the limited use standards as follows:

i), the facility is not located in a townhouse or duplex; ii), the registrant is the provider and a resident; iii) no more than one non-resident staff members will be on-site at any time; and iv), the Site is not located in the AR Zone.

- c. *substantially conforms with the recommendations of the applicable master plan;*

As discussed in the Analysis section, the Site is located within the 2006 Shady Grove Sector Plan and the proposal is in substantial conformance with the Sector Plan.

- d. *is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan;*

The proposal is harmonious with, and will not alter the character of, the surrounding neighborhood. As discussed above, the Sector Plan encourages day care uses in the area. There already exists a six-foot privacy fence that provides screening and privacy to the adjoining properties. No physical changes are proposed for the main house or the lot. Therefore, the proposed expansion of the existing day care use will not alter the character of the neighborhood.

- e. *will not, when evaluated in conjunction with existing and approved conditional uses in any neighboring Residential Detached zone, increase the number, intensity or scope of conditional uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area; a conditional use application that*

substantially conforms with the recommendations of a master plan does not alter the nature of an area;

There are no existing and approved conditional uses within the Staff-defined neighborhood. The existing day care has been operating on the Site since July 1995. The Applicant is not proposing any changes to the building or the lot. Although the proposal will increase the number of patrons, the increase is modest and will not affect the area adversely or alter the area's predominantly residential nature.

- f. will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the conditional use is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required and:*
- i. if a preliminary subdivision plan is not filed concurrently or required subsequently, the Hearing Examiner must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage, or*
 - ii. if a preliminary subdivision plan is filed concurrently or required subsequently, the Planning Board must find that the proposed development will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage, and*

There are adequate public services and facilities to serve the proposed use. A Preliminary Plan of Subdivision is not required.

- g. will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone or the combination of an inherent and a non-inherent adverse effect in any of the following categories:*
- i. the use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood;*
 - ii. traffic, noise, odors, dust, illumination, or a lack of parking; or*
 - iii. the health, safety, or welfare of neighboring residents, residents, visitors, or employees*

The first step in analyzing the inherent and non-inherent adverse effects of a conditional use is to define the boundaries of the surrounding neighborhood, which is outlined in the Neighborhood Description section of this report.

An analysis of inherent and non-inherent adverse effects considers size, scale, scope, light, noise, traffic and environment. Every conditional use has some or all of these effects in varying degrees. What has to be determined during the course of review is whether these effects are acceptable or would create adverse impacts sufficient to result in denial. To that end, inherent effects associated with the use have to be determined. In addition, non-inherent effects have to be determined as these effects may, by themselves, or in conjunction with inherent effects, form a sufficient basis to deny a conditional use.

Staff has identified the following inherent impacts of the proposal:

The inherent physical and operational characteristics necessarily associated with a Group Day Care facility include: (1) vehicular trips to and from the site; (2) outdoor play areas; (3) noise generated by children; (4) drop-off and pick-up areas; and (5) lighting.

The drop-offs and pick-ups will be limited by the conditions of approval of the proposed use. The play area is adequate, and the number of children outside at one time will be limited to no more than six, except for the four times a year for special events. The scheduled outdoor play times will also be limited by the conditions of approval to be only from 9:15 A.M. to 5:15 P.M., ensuring that children are playing in the back yard only when many in the neighborhood will likely not be in their residences so that the noise generated will have little negative impact on nearby neighbors.

The existing driveway will serve as the primary drop-off and pick-up area, with negligible impacts to the surrounding neighborhood. On-street parking spaces are also available on Vestry Court. Drivers should be able to safely maneuver by pulling into and out of the driveway space given the existing low volume of vehicular traffic.

The existing lighting and landscaping on the Site is adequate for the proposal. The existing lighting fixtures are residential in nature and will not intrude on neighboring properties.

Staff has determined that the proposal will not have any non-inherent effects at this location.

2. *Any structure to be constructed, reconstructed, or altered under a conditional use in a Residential Detached zone must be compatible with the character of the residential neighborhood.*

The proposal is for the expansion of an existing day care facility in an existing house; no construction, reconstruction or alteration of any structure is proposed.

3. *The fact that a proposed use satisfies all specific requirements to approve a conditional use does not create a presumption that the use is compatible with nearby properties and is not sufficient to require conditional use approval.*

The proposed use with the proposed conditions of approval satisfies all specific requirements. The proposal will be compatible with the nearby residential properties.

4. *In evaluating the compatibility of an agricultural conditional use with surrounding Agricultural or Rural Residential zoned land, the Hearing Examiner must consider that the impact does not necessarily need to be controlled as stringently as if it were abutting a Residential Zone.*

Not Applicable. The proposal is not for an agricultural use.

5. *The following conditional uses may only be approved when the Hearing Examiner finds from a preponderance of the evidence of record that a need exists for the proposed use to serve the population in the general neighborhood, considering the present availability of identical or similar uses to that neighborhood:*

- a. *Filling Station*
- b. *Light Vehicle Sales and Rental (Outdoor)*
- c. *Swimming Pool (Community); and*
- d. *the following Recreation and Entertainment Facility use: swimming pool, commercial*

Not Applicable. The proposal is for a 12-child group day care facility.

6. *The following conditional uses may only be approved when the Hearing Examiner finds from a preponderance of the evidence of record that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood:*

- a. *Funeral Home; Undertaker*
- b. *Hotel, Motel*
- c. *Shooting Range (Outdoor)*
- d. *Drive-Thru*
- e. *Landfill, Incinerator, or Transfer Station; and*
- f. *A Public Use Helipad, Heliport or a Public Use Helistop*

Not Applicable. The proposal is for a group day care facility.

Conclusion

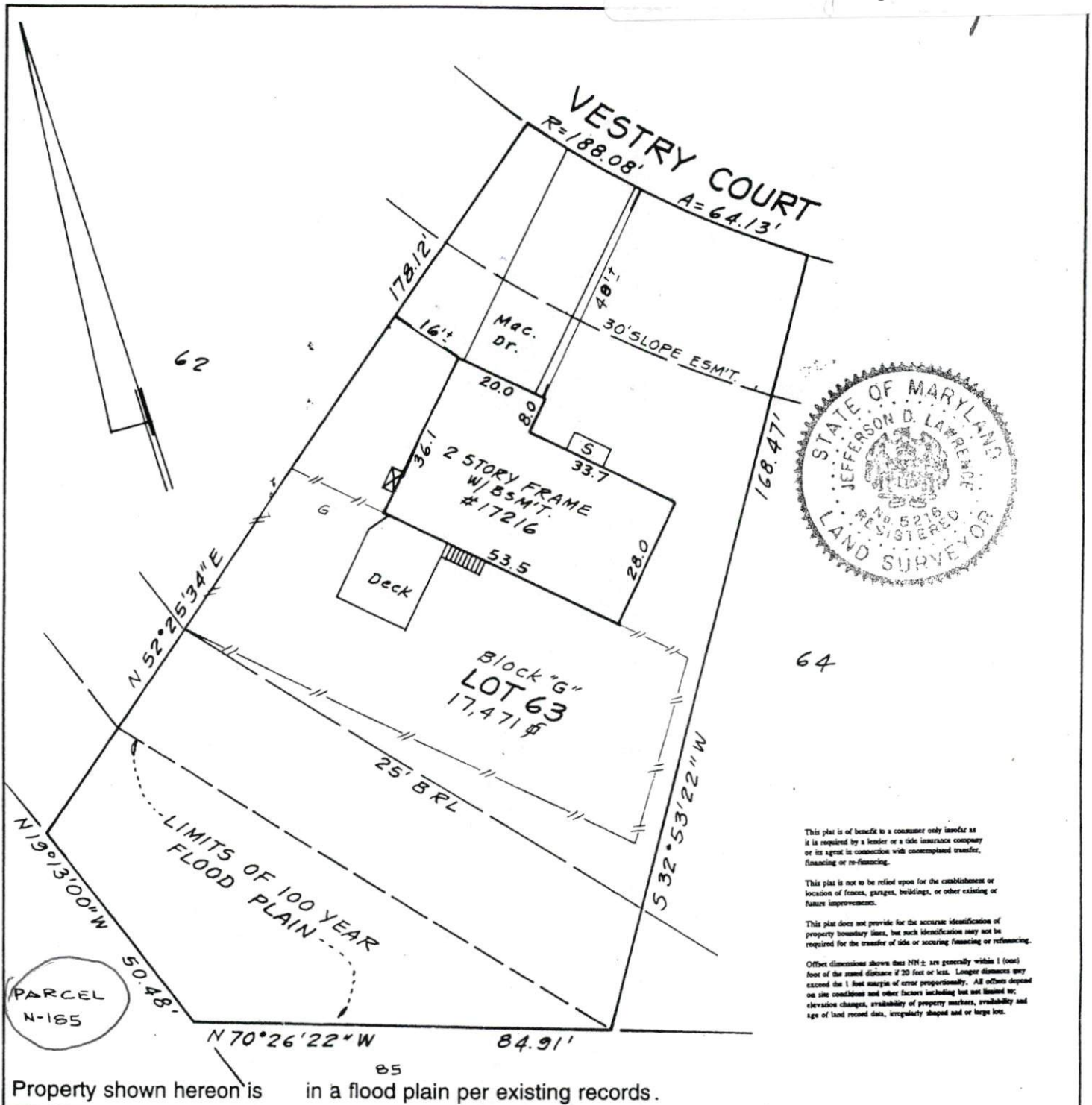
The proposed conditional use complies with the general conditions and standards of a Group Day Care Facility conditional use. The proposed use is consistent with the goals and recommendations of the 2006 *Shady Grove Sector Plan*, will not alter the residential character of the surrounding neighborhood, and will not result in any unacceptable noise, traffic, or environmental impacts on surrounding properties. Staff recommends approval with conditions.

Attachments:

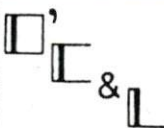
Attachment 1: Site Plan

Attachment 2: Forest Conservation Applicability for Conditional Uses/Special Exceptions

Attachment 3: General Site Photographs



Property shown hereon is in a flood plain per existing records.



O'CONNELL & LAWRENCE, INC.
 SURVEYORS, ENGINEERS & LAND PLANNERS
 17904 Georgia Avenue, Suite 302
 Olney Maryland 20832
 (301) 924-4570 Fax (301) 924-5872

HOUSE LOCATION
PLAT FIVE
LOT 63 BLOCK "G"
MILL CREEK SOUTH
MONTGOMERY COUNTY, MD.
PB: 109 P# 12755

SURVEYOR'S CERTIFICATION

I hereby certify to the best of my knowledge and belief that the property delineated hereon is in accordance with the Plat of Subdivision and/or deed of record, that the improvements were located by accepted field practices and include permanent visible structure and encroachments, if any. This Plat is not for determining property lines, but prepared for the exclusive use of present owners of property and also those who purchase, mortgage, or guarantee the title thereto, within six months from the date hereof, and as to them I warrant the accuracy of this Plat. No title report furnished.

NOTE: EXISTENCE OF PROPERTY CORNERS NOT GUARANTEED BY THIS PLAT. DO NOT ATTEMPT TO ERECT FENCES FROM INFORMATION CONTAINED ON THIS DRAWING.

Jefferson D. Lawrence
 MD. Reg. Professional Land Surveyor • Jefferson D. Lawrence

Job No	718-02
Scale	1"=30'
DATES	
Wall Ck	
Final Loc	12-21-94
Recert	5/15/94

950455

Development Applications and Regulatory Coordination

Effective 9/30/2013

M-NCPPC • 8787 Georgia Avenue, Silver Spring, MD 20910 • 301-495-4550; fax: 301-495-1306

APPLICATION

Forest Conservation Law Applicability for Special Exceptions

PROPERTY LOCATION

Street Address: 17216 VESTRY COURTSubdivision: 0022 Parcel(s) # 0000 Lot #(s): 63 Block(s): 6Property Tax Identification Number: 01957672 (ACCOUNT #)

Applicant (Owner or Contract Purchaser):

GULSHAN and VEENU DUGGAL
 Name 17216 VESTRY COURT
 Street Address ROCKVILLE MD 20855
 City State Zip Code
 Phone No. (301) 977-2305 Fax No. _____

Total Area of Property: — acres 17,471 square feet

APPLICANT ATTESTS THAT THE FOLLOWING STATEMENTS APPLY TO THE SUBJECT SPECIAL EXCEPTION APPLICATION

Applicant attests that the following statements apply to the subject special exception:

- The application does not propose any clearing or grading activities on or near the special exception site.

OR, all of the following:

- The application applies to a property of less than 40,000 square feet.
- The property is not subject to a previously approved Forest Conservation Plan.
- The special exception proposal will not impact any champion tree as defined by the Montgomery County Forestry Board.

Signature of applicant (Owner or Contract Purchaser): Veenu DuggalSignature Veenu DuggalDate 11/20/16

FOR STAFF USE ONLY

M-NCPPC acknowledges that the special exception for the above property:

☒ is not subject to the Forest Conservation Law as defined in Chapter 22A of the Montgomery County Code

☐ is exempt from the Forest Conservation Plan requirements under Section 22A-5 (q)(1) of the Forest Conservation Law

Signature of M-NCPPC Environmental Planning staff reviewer:

Signature ClarkDate 11/21/16





