



Snowdens Manor Enlarged: Preliminary Plan No. 120160090

RS

Ryan Sigworth, AICP, Area 3, Ryan.Sigworth@Montgomeryplanning.org 301-495-2112

RAW

Richard Weaver, Acting Chief, Area 3, Richard.Weaver@Montgomeryplanning.org 301-495-4544

Completed: 01/13/17

Description

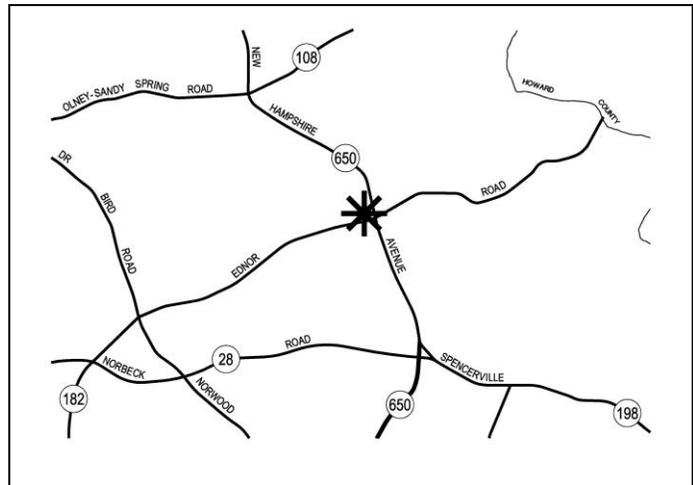
A. Snowdens Manor Enlarged: Preliminary Plan No. 120160090: Application to create one lot and an outlot for a religious assembly, located at the northwest corner of New Hampshire Avenue/MD 650 and Ednor Road; 15.33 acres, RE-2; 1998 Sandy Spring/Ashton Master Plan.

Recommendation – Approval with conditions

Applicant: Shri Mangal Mandir Religious Educational and Charitable Trust

Submittal Date: November 12, 2015

Review Basis: Chapter 22A, Chapter 50



Summary

- Staff recommends **Approval with conditions**.
- The Property is located in the 1998 Sandy Spring/Ashton Master Plan.
- Proposes a new religious assembly building of 40,000 square feet with a 12,750 square feet assembly area, not to exceed 50 feet in height.
- Utilizes existing parking facilities on the Property
- Forest Conservation Plan amendment removes and re-records areas of existing Category 1 Conservation Easement to allow for instillation of utilities, a lead-in sidewalk and to accommodate a 10 foot wide PUE

SECTION 1 – RECOMMENDATIONS AND CONDITIONS

PRELIMINARY PLAN NO. 12010090: Staff recommends approval of the Preliminary Plan subject to the following conditions:

- 1) This approval is limited to one lot and one outlot for a religious assembly building with an assembly area of no greater than 12,750 square feet and with no weekday daycare or private educational institution
- 2) The Applicant must comply with the conditions of the approved Amended Final Forest Conservation Plan (“FFCP”) No. 120160090, which supersedes the previously approved FCP #120060920 subject to the following:
 - a. The Applicant must extinguish the existing Category I Conservation Easements and record new Category I Conservation Easements in the locations shown on the approved amended FFCP (Forest Conservation Areas 3 and 4) along New Hampshire Avenue/MD 650 and Ednor Roads prior to any demolition, clearing or grading on the Property.
 - b. Applicant must provide financial surety to the M-NCPPC Planning Department for the acreage of new forest planting prior to the start of any demolition, clearing or grading on the Property.
 - c. The Applicant must submit a two-year Maintenance and Management Agreement approved by the M-NCPPC Office of General Counsel prior to the start of any demolition, clearing or grading on the Property. The maintenance and management agreement is required for all forest planting areas credited toward meeting the requirements of the Forest Conservation Plan, including the reforestation of environmental buffers.
 - d. Afforestation plantings that are located outside the limits of disturbance must occur within the first planting season following release of the first Montgomery County Department of Permitting Services sediment control permit. Plantings within areas of future disturbance must occur in the first planting season following the stabilization of the applicable disturbed area.
 - e. The Applicant must install permanent Category I Conservation Easement signage along the perimeter of all conservation easements on the Property prior to the initial afforestation planting acceptance inspection.
 - f. The limits of disturbance (“LOD”) shown on the Final Sediment Control Plan must be consistent with the final LOD shown on the approved FFCP.
 - g. The Applicant must comply with all required M-NCPPC site inspections as specified in section 22A.00.01.10 of the Forest Conservation Regulations (“FCR”).
 - h. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector at the pre-construction meeting.
- 3) The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated September 1, 2016, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of

the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.

- 4) The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service (“MCDPS”) – Water Resources Section in its stormwater management concept letter dated May 18, 2011, and reconfirmed on January 12, 2017 and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 5) The Applicant must dedicate and show on the record plat sixty (60) feet of dedication from the centerline of New Hampshire Avenue/MD 650 along the Subject Property’s entire frontage.
- 6) The Applicant must dedicate and show on the record plat forty (40) feet of dedication from the centerline of Ednor Road along the Subject Property’s entire frontage.
- 7) The Applicant must construct a 10-foot wide shared use path along the Property’s frontage of New Hampshire Avenue/MD 650 except for approximately 16 feet at the northern edge of the Subject Property. The shared use path may be narrowed to 8-feet in width at specific points shown on the Certified Preliminary Plan to avoid utilities.
- 8) The certified Preliminary Plan must contain the following note:
“Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board’s approval.”
- 9) Record plat must show necessary easements.
- 10) Prior to issuance of any building permit, a landscape and lighting plan must be submitted for review and approval by M-NCPPC technical staff which addresses the area the building area to ensure screening from adjacent residential use as well as the lead-in sidewalk connection to New Hampshire Avenue/MD 650. The lighting plan must demonstrate compliance with the requirements of the Zoning Ordinance.

SECTION 3 – SITE LOCATION & DESCRIPTION

Site Location

The subject property is located at the northwest corner of New Hampshire Avenue/MD 650 and Ednor Road and consists of Parcel P491 on tax map JT561 (“Property” or “Subject Property”) (Figure 1). The Subject Property is 15.33 acres in size in the RE-2 zone and is located in the New Hampshire Avenue/MD 650 Area of the 1998 Sandy Spring/Ashton Master Plan.

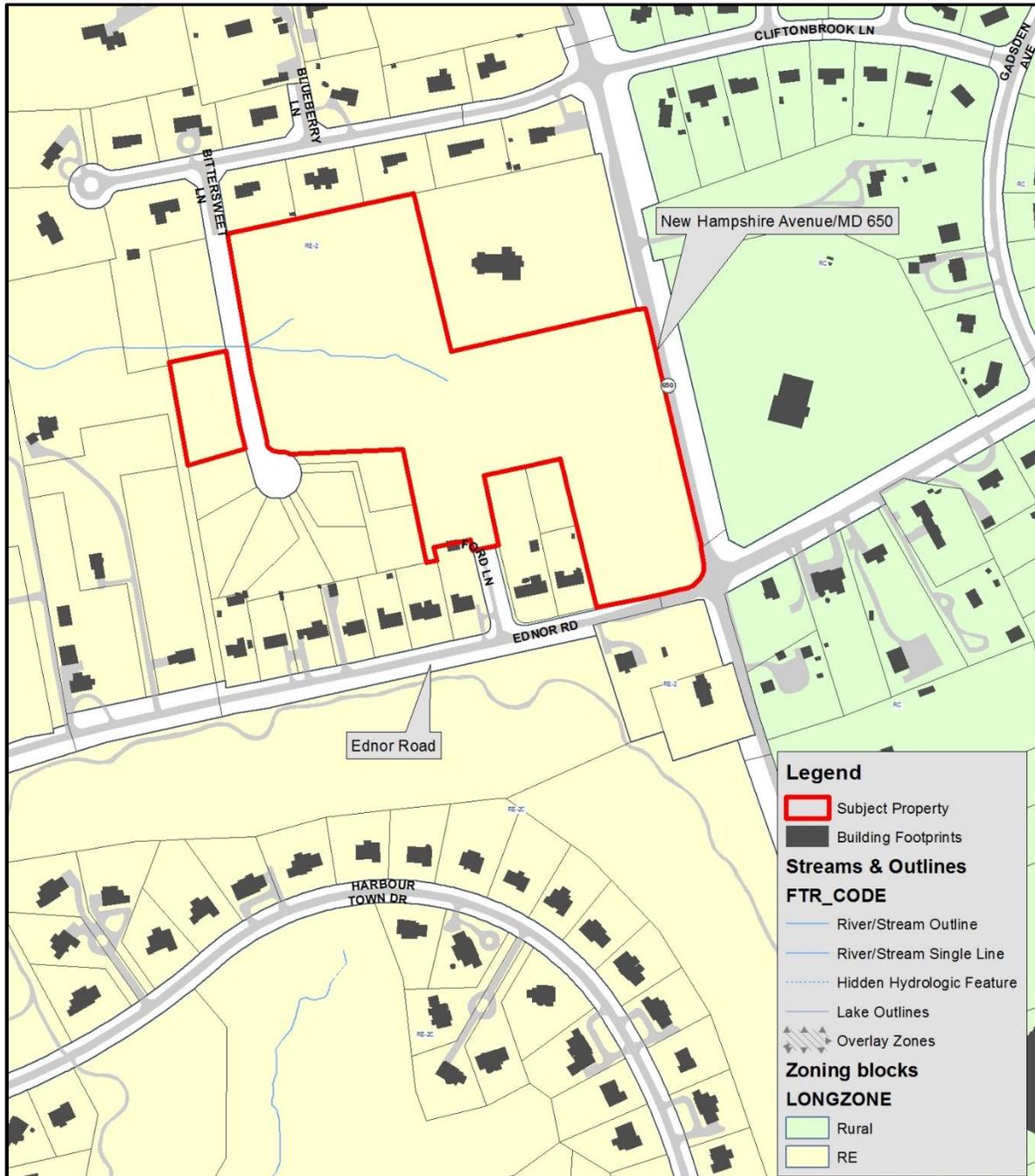


Figure 1 - Vicinity

Site Vicinity

Properties to the north and west of the Subject Property are primarily residential in the RE-2 zone. To the south across Ednor Road are properties in the RE-2C zone. There are two properties at the southwest corner of New Hampshire Avenue/MD 650 and Ednor Road which are zoned RE-2. Properties across New Hampshire Avenue/MD 650 to the east of the Subject Property in the RC zone are primarily residential with the exception the Resurrection Baptist Church. Additional property to the southwest in RC zone are made up of a few residential properties and numerous religious institutions along the east side of New Hampshire Avenue/MD 650.

Site Analysis

The Subject Property is improved with a 255-space parking lot with surrounding landscaping and provides extra parking for the Applicant's adjacent parcel containing the Shri Mangal Mandir Temple. The remainder of the Property is undeveloped with existing forest cover and a small stream running from the Property to the west. The Property is generally flat but slope gradually from east to west.



Figure 2 - Vicinity

SECTION 4 – APPLICATIONS AND PROPOSAL

Previous Regulatory Approvals

Preliminary Plan No. 120060920 (Ford Property)

Preliminary Plan No. 120060920 was approved for the Property by Resolution No. 07-86 on July 3, 2007 to create four lots for four single family detached home by another applicant. The Subject Property was then sold to the current Applicant. The previously approved preliminary plan for the Ford Property was never platted and will be superseded upon approval of this Application.

Sewer Category Change, Resolution 17-504

Approved with the following conditions on July 24, 2012:

- 1.) A maximum impervious level of 24 percent.
- 2.) A low-pressure sewer main extension that follows New Hampshire Avenue/MD 650 south from the site to connect with the existing gravity sewer in front of Immanuel's Church (DEP will verify that this alignment satisfies the requirement of the PIF policy)
- 3.) A wooded buffer, approximately 50 feet deep, screening on-site development from the street view along the property frontage of New Hampshire Avenue/MD 650 and Ednor Road, with an allowance for the needed sewer extension access to the site.

Current Application

Preliminary Plan 120160090

The Preliminary Plan, No. 120160090, proposes to subdivide Parcel P491 for one lot and an outlot for a religious assembly use ("Preliminary Plan" or "Application").

Proposal

The Application proposes one 40,000 gross square foot structure with a 12,750 square foot assembly area inside the building. The building will not exceed 50 feet in height. The Application will utilize the existing 255 parking spaces and stormwater facilities located on the Subject Property. A strip of mature trees and vegetation approximately 50 feet wide along New Hampshire Avenue/MD 650 and Ednor Road will remain and will be protected in the Category I Conservation easement to address the goals of the Sandy Spring/Ashton Master Plan and meet the requirements of the category change that permits access to sewer for the Property.

Vehicle access to the Property will be provided through the Applicant's adjacent property along New Hampshire Avenue/MD 650. The Application will enter into a covenant with the Montgomery Department of Transportation (MCDOT) for a 5-foot sidewalk along Ednor Road to be paid for by the Applicant if and when a capital improvement project occurs along Ednor Road in the future. The Applicant will construct a 10-foot wide shared use path along almost all of the New Hampshire Avenue/MD 650 frontage except at specific point the path will be 8-feet wide to avoid utilities, and the path will not cover the northernmost 16 feet of Property frontage. The shared use path will not be constructed across the northernmost 16 feet of New Hampshire Avenue/MD 650 frontage due to an existing culvert under New Hampshire Avenue/MD 650 that significantly impedes completion of the path. A new lead-in sidewalk will connect the proposed structure to the shared use path to be constructed in conjunction with this Application along New Hampshire Avenue/MD 650.

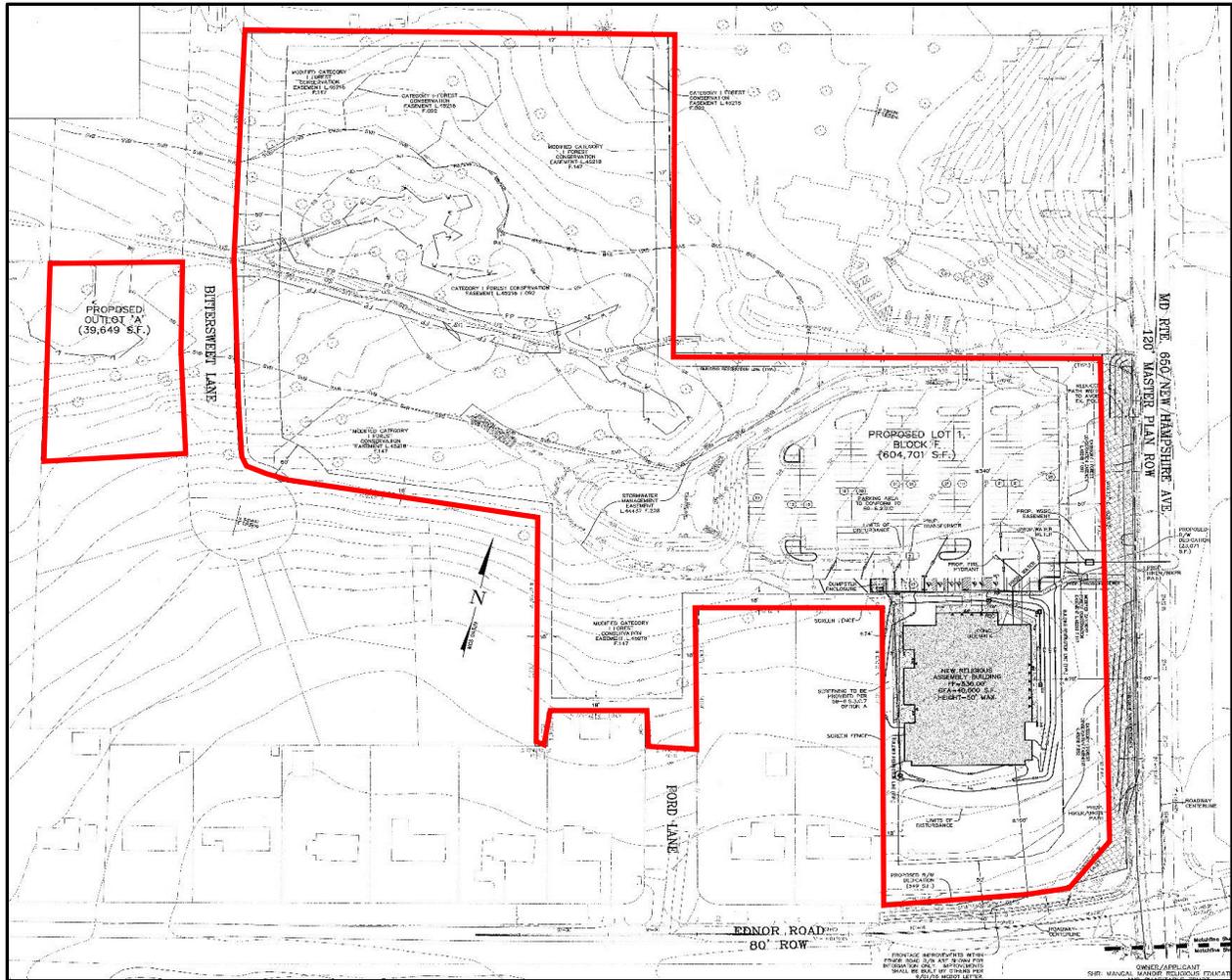


Figure 3 - Preliminary Plan

SECTION 5 – ANALYSIS AND FINDINGS - Preliminary Plan No. 20160030

1. *The Preliminary Plan substantially conforms to the Master Plan*

The Property proposed for development is at the southern edge of the Sandy Spring-Ashton Master Plan Area. The 1998 Sandy Spring-Ashton Master Plan includes the Subject Property in the New Hampshire Avenue/MD 650 area, but makes no specific land use recommendations for it. The Master Plan has as its objective for this area the maintenance of the existing rural character along New Hampshire Avenue/MD 650. The Master Plan provides a series of design guidelines for new development. In general, these guidelines are aimed at new residential development, but two are germane to the proposed house of worship.

The Master Plan's Land Use and Transportation chapters recommend the maintenance of vegetated edges close to the road pavement and the placement of new trees in ways that echo traditional placement along rural roads. Previous approvals on this Property included the granting of Category I Conservation easements along the Hampshire Avenue/MD 650 to maintain its wooded nature, which met the master plan recommendations. Adjustments to the Category I Conservation easement proposed as part of this proposal do not diminish its conformance with Master Plan recommendations. The proposal also includes the recommended shared use path, substantially complying with the Master Plan recommendations.

The Land Use Plan also recommends a hiker/biker path along the west side of New Hampshire Avenue/MD 650. As previously mentioned, the shared use path is proposed to not be constructed across the entire New Hampshire Avenue/MD 650 frontage and instead will end approximately 16-feet short of the northern property boundary (Figure 4).

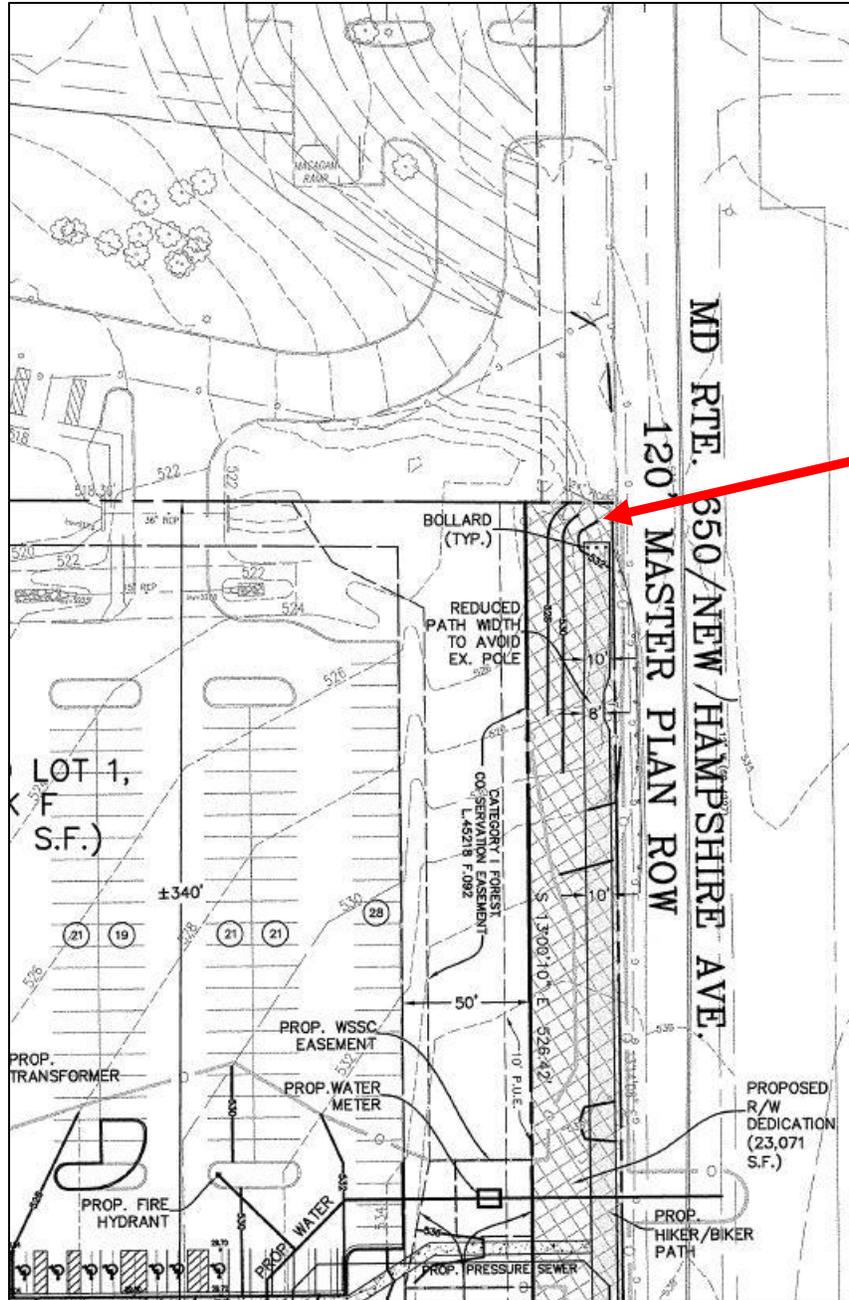


Figure 4 – Termination of the Shared Use Path

This is due to an existing drainage structure obstructing the alignment of the shared use path extension which will require major reconstruction of the drainage structure with retaining walls, which the Maryland State Highway Administration won't allow in their right-of-way. As a result, the engineering required to reconstruct and extend the drainage structure for this 16-foot portion of shared use path would require additional drainage easements and structures on the Subject Property as well as adjacent property, which while owned by the Applicant is not part of this Application. Completing this remaining 16-foot section of the shared use path along New Hampshire Avenue/MD 650 will likely need to occur via a capital improvement project in the future in order to systematically address this obstruction as well as other

obstructions further to the north of the Shri Mangal Mandir Temple. Given the scope of this Application, Staff is of the opinion that completing the shared use path for this final 16 feet is an unreasonable request given the complexity and expense to the Applicant.

The Preliminary Plan substantially conforms with the recommendations of the 1998 Sandy Spring/Ashton Master Plan (“Master Plan”).

2. *Public facilities will be adequate to support and service the area of the approved subdivision.*

Master-Planned Roadways and Bikeways

In accordance with the 1998 *Sandy Spring Master Plan* and the 2005 *Countywide Bikeways Functional Master Plan*, the master-planned roadways and bikeway are as follows:

- New Hampshire Avenue/MD 650 is designated as a two-lane major highway, M-12, with a recommended 120-foot wide right-of-way and an unbuilt Class I, PB-23, bikeway. The *Countywide Bikeways Functional Master Plan* recommends a shared-use path, SP-15, on the property/west side. The Application will grant 60 feet of right-of-way from the centerline of New Hampshire Avenue/MD 650.
- Ednor Road is designated as a two-lane arterial, A-50, with an 80-foot wide right-of-way and an existing Class I, PB-40, bikeway. The *Countywide Bikeways Functional Master Plan* recommends a shared-use path, SP-31, on the opposite/south side. The Application will grant 40 feet of right-of-way from the centerline of Ednor Road.

Available Public Transit Service

Only the Metrobus route Z2 operates between the Olney (i.e., MD 108 & Georgia Avenue intersection) and Silver spring Metrorail Station with half hour headways on weekdays only. The closest bus stops are at the intersections of New Hampshire Avenue/MD 650 with Ednor Road and Cliftonbrook Lane.

Pedestrian and Bicycle Facilities

Given the existing Metrobus service along New Hampshire Avenue/MD 650 frontage, a lead-in sidewalk from New Hampshire Avenue/MD 650 for people to walk from the nearby bus stops will be constructed to the proposed Assembly Hall.

Local Area Transportation and Policy Area Review

As a religious assembly building associated with the existing house of worship on the adjacent property, (with no weekday daycare or private educational institution) the Application is exempt from the transportation components of the Adequate Public Facilities test.

Other Public Facilities and Services

The Subject Property received a sewer category change approval with conditions on July 24, 2012 by request No. 11A-CLO-01 (Attachment 13) and the Preliminary Plan proposes that the religious assembly structure will be served by public water and sewer. The Preliminary Plan has also been reviewed by the Montgomery County Fire and Rescue Services who have determined that the Application provides adequate access for fire and emergency vehicles (Attachment 10).

3. *The size, width, shape, and orientation of the approved lots are appropriate for the location of the subdivision, taking into account the recommendations included in the applicable master plan, and for the type of development or use contemplated.*

The Preliminary Plan meets all applicable sections of the Subdivision Regulations. The proposed lot size, width, shape and orientation for the building for religious assembly are appropriate for the location of the subdivision taking into account the design recommendations for forest conservation along Property frontages included in the Master Plan, and for the structure contemplated for the Property. The outlot proposed will be fully encompassed by a Category I Forest Conservation Easement.

The lots were reviewed for compliance with the dimensional requirements for the RE-2 zone as specified in the Zoning Ordinance. The lots as proposed will meet all the dimensional requirements for area, frontage and can accommodate a building which can reasonably meet the width and setbacks requirements in that zone. Staff has required in the conditions section of this Staff Report that the Applicant submit a revised landscape and lighting plan prior to building permit addressing the area around the building footprint to increase screening and compatibility between existing residential uses to the extent possible. A summary of this review is included in attached Table 1. The Preliminary Plan has been reviewed by other applicable county agencies, all of whom have recommended approval.

Table 1 – Development Review Table

RE-2	Required by the Zone	Proposed for Approval
Minimum Lot Size	2 acres	13.88 acres
Lot Coverage	25%	4.42%
Lot Width at front lot line	25 ft	642 ft.
Lot Width at Front Lot Line	150 ft.	609 ft.
Setbacks		
Front	50 ft.	+/- 70 ft. from MD 650 and +/- 160 ft. from Ednor Road
Side	17 ft.	17 ft. Min
Rear	35 ft.	N/A, through lot, no rear yard
Building Height**	50 ft. Max	50 ft. Max
Parking	255 spaces based on 20 space per 1,000 sq. ft. for a 12,750 assembly area	255 spaces

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

Forest Conservation Plan

A Preliminary Forest Conservation Plan (“PFCP”) was submitted as part of the Application for the Ford Property, Preliminary Plan number 12006092, and was approved by the Planning Board on July 3, 2007. A FFCP, plan number SC2011021, was submitted on June 9, 2011 and approved at the staff level on July 11, 2011 for the installation of a parking lot and a storm water management pond on the Property. The FFCP

also shows an Open/Play Area and a future Phase 2 building adjacent to the intersection of Ednor Road and New Hampshire Avenue/MD 650.

This Application requests an amendment to the approved FFCP. This current amendment shows the addition of the proposed building within the previous Open/Play Area and the necessary sewer/water connections out to MD 650. The FFCP amendment shows the total net tract area to be 20.15 acres and is zoned RE-2, but the actual use is for a religious institution which is assigned a Land Use Category of Institutional Development Area (IDA) in the Land Use Table of the Environmental Guidelines. This gives the Property an afforestation requirement of 3.02 acres, 15% of the net tract; and a conservation threshold of 4.03 acres, 20% of the net tract.

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law. The Property contains 16.01 acres of existing forest. As part of the FFCP, the Applicant proposes to remove 5.51 acres of forest and retain 10.50 acres. This results in a total afforestation/reforestation requirement of 0.00 acres since the amount of retained forest is greater than the forest retention threshold of 6.43 acres for this Application. The retained forest, the stream, the wetland and their associated buffers will be protected through both a standard Category I Conservation Easement and a Modified Category I Conservation Easement.

This Application requests an amendment to the approved FFCP. This current amendment shows the addition of the proposed building within the previous Open/Play Area and the necessary sewer/water connections out to New Hampshire Avenue/MD 650. The necessary Forest Conservation Easements ("FCE") were recorded in the County Land Records as part of the original FFCP. These FCEs met the reforestation requirements specified under section 22A-12 of the Forest Conservation Law and the FFCP worksheet. As part of that original approval, the basic FFCP requirements were met with the protection of the existing forest by FCEs. In addition to meeting the basic requirements, the Applicant also protected additional existing forest with Modified FCEs. These Modified FCEs allowed for the removal of these segments of forest without penalty, as long as the removal was documented by amending the FFCP and the forest removal numbers were adjusted in the FFCP worksheet.

The Applicant is showing the proposed removal of a small segment of Modified FCE between the proposed building and New Hampshire Avenue/MD 650. The removal of 1,742.41 square feet (0.04 acres) of forest and Modified FCE is for the installation of the necessary sewer/water connection for the proposed building. This removal has been accounted for in the amended FFCP worksheet and data tables. The necessary FFCP reforestation requirements are still being met with the preservation of the existing forest with the standard FCEs.

This amendment also requests modifications to the existing standard FCE along New Hampshire Avenue/MD 650 and Ednor Road. This modification is necessary due to the development requirements to provide a public utility easement (PUE) along both roads immediately adjacent to the rights-of-way. The approved FFCP did not account for this addition of a PUE. The Applicant proposes to remove 10-feet of standard FCE along the outside edges of these easements and add 10-feet to the inside edge of the easements. The FCE will stay the same width, but will be shifted into the Subject Property by 10-feet. The Applicant has also proposed to plant 20 1 ½" to 2" caliper Maryland native overstory trees within the new 10-foot wide segment of FCE.

Forest Conservation Variance

Section 22A-12(b) (3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection. Any impact to these trees, including removal of the subject tree or disturbance within the tree's critical root zone ("CRZ") requires a Planning Board approved variance from this section of the law. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. The law requires no impact to trees that: measure 30 inches or greater DBH; are part of an historic site or designated with an historic structure; are designated as a national, State, or County champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species.

Variance Request

The Applicant submitted a variance request in a letter dated November 14, 2016 (Attachment 6). The Applicant proposes to impact thirteen (13) trees that are 30 inches or greater DBH, that are considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law. No specimen trees are scheduled to be removed.

Unwarranted Hardship Basis

Per Section 22A-21, a variance may only be granted if the Planning Board finds that leaving the variance trees in an undisturbed state would result in unwarranted hardship, denying the Applicant reasonable and significant use of the property. In this case, the unwarranted hardship is caused by the necessary installation of the sewer connection and the required sidewalk installation. The proposed construction has been designed to minimize the impacts to priority areas. However, despite this minimization, impacts to thirteen (13) specimen trees cannot be avoided while still providing the necessary sewer connection and the installation of the required sidewalk. The location of the closest existing sewer line is approximately 1,600 feet south of the Subject Property in New Hampshire Avenue/MD 650 right-of-way. The sewer connection must be installed in the right-of-way of New Hampshire Avenue/MD 650 and will impact multiple specimen trees along this right-of-way. The location of the sewer connection has been positioned to create the smallest impact on the specimen trees and wherever possible the impacts have been minimized by tightening proposed contours and shifting the sewer line.

Based on the above requirements placed on the Applicant for the necessary sewer connection and the installation of a sidewalk along New Hampshire Avenue/MD 650, Staff concurs that the Applicant has a sufficient unwarranted hardship to justify a variance request.

Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, in order for a variance to be granted. Staff has made the following determinations in the review of the variance request and the proposed forest conservation plan:

Variance Findings - Staff has made the following determination based on the required findings that granting of the requested variance:

1. *Will not confer on the applicant a special privilege that would be denied to other applicants.*

Granting the variance will not confer a special privilege on the Applicant as the impacts to the 13 trees is a result of necessary requirements to provide sewer and pedestrian access to the Subject

Property. Therefore, Staff believes that the granting of this variance is not a special privilege that would be denied to other applicants.

2. *Is not based on conditions or circumstances which are the result of the actions by the applicant.*

The requested variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon the existing site conditions and necessary design requirements of this Application.

3. *Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.*

The requested variance is a result of the existing conditions and not as a result of land or building use on a neighboring property.

4. *Will not violate State water quality standards or cause measurable degradation in water quality.*

The variance will not violate State water quality standards or cause measurable degradation in water quality. The specimen trees being impacted are not located within a stream buffer. Therefore, Staff concurs that the Application will not violate State water quality standards or cause measurable degradation in water quality.

Mitigation for Trees Subject to the Variance Provision – Mitigation is only required in the event that specimen trees are removed. In this case, no specimen trees are being removed, so mitigation will not be required.

County Arborist's Recommendation on the Variance - In accordance with Montgomery County Code Section 22A-21(c), the Planning Department is required to refer a copy of the variance request to the County Arborist in the Montgomery County Department of Environmental Protection for a recommendation prior to acting on the request. The request was forwarded to the County Arborist on November 15, 2016. The County Arborist responded by letter on December 6, 2016 with a recommendation to approve the variance request.

Variance Recommendation - Staff recommends approval of the variance request.

The Amended FFCP meets all applicable requirements of Chapter 22A of the County Code. Therefore, Staff recommends that the Planning Board approve the tree variance request and the FFCP with the conditions cited in this Staff Report.

5. *All stormwater management requirements shall be met as provided in Montgomery County Code Chapter 19, Article II, titled "Storm Water Management," Sections 19-20 through 19-35.*

The Preliminary Plan received an approved stormwater concept plan from the Montgomery County Department of Permitting Services (DPS), Water Resources Section on May 18, 2011 (Attachment 11). The stormwater concept was reconfirmed by DPS, Water Resources Section on January 12, 2017 (Attachment 12). The Application will meet stormwater management goals through the installation of a submerged gravel wetland.

SECTION 7: CITIZEN CORESPONDENCE AND ISSUES

The Applicant has met all proper signage, noticing and pre-submission meeting requirements for the submitted Applications. A pre-submission meeting for the Preliminary Plan was held on September 15, 2015 at Ashton United Methodist Church. According to the meeting sign-in sheets and provided minutes, there were 18 people in attendance. The Applicant provided a re-cap of issues raised in this meeting which included whether a school would be located in the new building, building square footage, amount of impervious surfaces, parking and lighting, frequency of use, playgrounds, access, screening from adjacent residential uses, building height, any use of Ford Lane and when construction will begin, building occupancy, architecture, concerns over rural character, and the 50-foot wooded buffer along New Hampshire Avenue/MD 650 and Ednor Road. The minutes show the Applicant attempted to address all questions as they were raised at the meeting. As of this writing, Staff received one letter of an adjacent property owner concerned about the allowances of the zoning and compatibility between their home and the proposed building. Staff has tried to address these issues to the extent possible within the code by requiring an amended landscape and lighting plan for staff review prior to issuance of a building permit.

SECTION 8: CONCLUSION

The Application meets all requirements established in the Subdivision Regulations and the Zoning Ordinance. Access and public facilities will be adequate to serve the proposed lots, and the Applications have been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Staff finds the Applicant has adequately addressed the recommendations of the 1998 Sandy Spring/Ashton Master Plan. Staff recommends approval of this Application, with the conditions as enumerated in the Staff Report.

ATTACHMENTS

Attachment 1 – State of Justification

Attachment 2 – Preliminary Plan

Attachment 3 – Forest Conservation Plan, Sheet 1

Attachment 4 – Forest Conservation Plan, Sheet 2

Attachment 5 – Forest Conservation Plan, Sheet 3

Attachment 6 – Tree Variance Request

Attachment 7 – County Arborist Tree Variance Recommendation

Attachment 8 – Impervious Surface Exhibit

Attachment 9 – MCDOT Approval

Attachment 10 – MC Fire and Rescue Approval

Attachment 11 – Stormwater Management Concept Approval

Attachment 12 – Stormwater Management Concept Reconfirmation Letter

Attachment 13 – County Council Sewer Category Change Resolution

Attachment 14 – Citizen Correspondence

Statement of Justification
Snowdens Manor Enlarged, Parcel P491
Application for Preliminary Plan
May 2016

Shri Mangal Mandir Religious Education and Charitable Trust (the “Applicant”) requests approval of a Preliminary Plan for the property known as parcel P491, Snowdens Manor Enlarged Subdivision (the “Property”). The property is located in the northwest quadrant of the New Hampshire Ave. (MD Route 650) and Ednor Road intersection. The Preliminary Plan would allow for the subdivision of the parcel into 1 lot which would include the existing parking lot and proposed religious assembly hall (the “Project”), in conformance with the recommendations of the 1998 Sandy Spring/Ashton Master Plan (the “Master Plan”). The Property is not located within the Sandy Spring Rural Village planning area.

This Application is submitted for the standard method of development in the Residential Estate – 2 Zone (RE-2).

I. Property Description

The property is located in the northwest quadrant of the New Hampshire Ave. (MD Route 650) and Ednor Road intersection. A surface parking lot is located on the Property. The parking lot is currently utilized by the Applicant for excess parking associated with the Shri Mangal Mandir Temple located at 17100 New Hampshire Avenue.

Access to the existing parking area is provided via the driveway entrance to 17100 New Hampshire Avenue. The total area of the Property is approximately 667,970 square feet (15.3345 acres). The mapped zoning of the Property is RE-2.

Adjoining the Property are properties also located within the RE-2 zone. These include the Shri Mangal Temple to the immediate north as well as single family residential located to the north and west. Confronting the Property on the south side of Ednor Road are two properties zoned RE-2 as well as portions of the Hampshire Greens Golf Course, zoned RE-2C. Confronting the property on the east side of New Hampshire Avenue is the Resurrection Baptist Church located within the RC zone.

Under existing and proposed conditions runoff from the site is tributary to Northwest Branch. The Northwest Branch Watershed is designated as Class IV water use by the State. An unnamed tributary of Northwest Branch is located within the Property and flows toward the western Property boundary.

A Preliminary Plan for the property was previously approved by the Montgomery County Planning Board on June 14, 2007 (Preliminary Plan No. 120060920). The plan proposed four single family detached dwelling units. However, this Preliminary Plan was never implemented.

The Shri Mangal Mandir Temple located at 17100 New Hampshire Avenue was built in 1988. The Applicant acquired the adjacent parcel P491 in 2009 and constructed additional surface parking in 2013. Both the approved Forest Conservation Plan and the approved Soil Erosion, Sediment Control and Stormwater Management Plan prepared for the surface parking construction indicate that an additional building would be constructed on parcel P491 in a future phase.

The existing water and sewer service area categories for the Property are W-1 and S-6. On July 24, 2012, the Montgomery County Council adopted a Resolution (Resolution 17-504) which conditionally approved a change in the sewer service area category from S-6 to S-3. This approval is conditioned on the Montgomery County Planning Board's approval of a Preliminary Plan of Subdivision that substantially conforms to the plans presented to the Council by the applicant, especially in terms of:

- a. A maximum impervious level of 24 percent.
- b. A low-pressure sewer main extension that follows New Hampshire Avenue south from the site to connect with the existing gravity sewer in front of Immanuel's Church (the Montgomery County Department of Environmental Protection will verify that this alignment satisfies the requirements of the private institutional facilities policy).
- c. A wooded buffer, approximately 50 feet deep, screening on-site development from the street view along the property frontage of New Hampshire Avenue and Ednor Road, with an allowance for the needed sewer extension access to the site.

II. Proposed Development

Attendance at the Shri Mangal Mandir Temple has increased since its construction in 1988. The Applicant acquired the adjacent parcel P491 in 2009 with the long term goal of providing additional parking and religious assembly space for members. A surface parking area was constructed in 2013. Currently, the Applicant does not have adequate space within the existing Temple for religious assembly activities. To provide this needed space, the Applicant proposed the following: (i) to subdivide the Property into one (1) lot and one (1) outlot; and (ii) to construct a religious assembly hall under the standard method of development for the RE-2 zone. The proposed hall will be designed to provide space for approximately 1,000 people. Square footage of the proposed hall is 26,742 square feet. Based on a gross tract area of 604,701 square feet, maximum building coverage is 4.42% which is less than the 25% maximum permitted. In connection with the Preliminary Plan, the Applicant will dedicate approximately 23,071 square feet within the New Hampshire Avenue public right-of-way and 549 square feet within the Ednor Road public right-of-way.

The existing parking area located on the Property will be utilized to provide parking for the proposed religious assembly hall. The existing parking area contains 259 parking spaces. Minor modifications to the existing parking area are proposed such as the reconfiguration of a number of parking islands and restriping to provide ADA compliant spaces. With these modifications, the total number of proposed parking spaces is 255. Existing vehicular access to the parking area is currently provided via the drive entrance to the Temple located on Parcel A to the north. Proposed vehicular access to the Property will remain unchanged with the proposed development.

The proposed development does not generate 30 or more vehicle trips during the morning or evening peak hours. The application is not, therefore, subject to Local Area Transportation Review. A Traffic Impact Statement is enclosed with this application. The Traffic Impact Statement indicates that the proposed development will generate 29 morning peak hour trips and 27 evening peak hour trips. In

addition, the Property is located within the Rural East Transportation Policy Area which is exempt from Transportation Policy Area Review.

III. Sandy Spring/Ashton Master Plan Conformance

The Master Plan makes no specific recommendations with regard to the Property. However, it does make the general recommendation that the RE-2 zone continue to be applied to the Property. The Master Plan also makes specific recommendations for Ednor Road and New Hampshire Avenue within the area of the Property.

Within the area of the Property, The Master Plan of Highways and Transitways classifies New Hampshire Avenue as a Major Highway. The Master Plan recommends that design within the New Hampshire Avenue right-of-way and on adjoining property be in keeping with the roadways rural character in this area. It recommends a 120' right-of-way and vegetated edges as close to the road pavement as possible. The Master Plan recommends New Hampshire Avenue not be widened beyond two through lanes except for essential acceleration/deceleration or turn lanes. The Master Plan recommends a Class I off-road hiker/biker path on the west side of New Hampshire Avenue.

Within the area of the Property, The Master Plan of Highways and Transitways classifies Ednor Road as an Arterial Roadway. The Master Plan recommends that the rural character of the roadway be maintained. It also states that if safety improvements are need to Ednor Road west of New Hampshire Avenue, every effort should be made to retain existing trees north of Ednor Road. The Master Plan recommends the minimum right-of-way width for Ednor Road to be 80'.

The proposed Project conforms to Master Plan recommendations. Project conformance with the development standards of the RE-2 zone is discussed in Section IV. Dedication is proposed along New Hampshire Avenue. The resulting right-of-way width is 120' along the Property frontage. Additionally, a hiker/biker path is proposed within the dedication area along the west side of New Hampshire Ave.

Additional dedication is proposed along Ednor Road such that 40' of right-of-way width is provided from the centerline of the Roadway to the Project property boundary. In addition, a Forest Conservation Easement (L. 45218, F. 072) exists along the Property frontage with Ednor Road so that existing trees north of Ednor Road may be retained. A sidewalk is also proposed along Ednor Road property frontage.

IV. Zoning Ordinance Conformance

Section 59.4.4.4 of the Zoning Ordinance states that the intent of the RE-2 zone is to provide designated areas of the County for large-lot residential uses. The predominant use is residential in a detached house. However, additional uses are allowed within the RE-2 zone including Religious Assembly as per the Use Table in Section 59.3.1.6.

The proposed Project conforms to the development standards of the RE-2 zone as follows:

**Development Standards - RE-2 Zone
Proposed Use: Religious Assembly**

Gross tract area = 667,970 sq. ft.

Net Lot area (to be verified) = 644,350 sq. ft.

	Permitted/Required	Provided
<u>Lot & Density</u>		
Min. lot area [59-4.4.4.B.1]	2 acres	13.88 acres
Min. lot width at front building line [59-4.4.4.B.1]	150'	609'
Min lot width at front lot line [59-4.4.4.B.1]	25'	642'
Max. density (units/acre) [59-4.4.4.B.1]	1/2	N/A
Max. coverage [59-4.4.4.B.1]	25%	4.42%
<u>Placement (Principal Building)</u>		
Min. front setback [59-4.4.4.B.2]	50'	84' (New Hampshire Ave.) 170' (Ednor Rd.)
Min. side street setback abutting lot fronts on the side street (Residential Detached zone) [59-4.4.4.B.2]	50'	N/A
Min. side setback [59-4.4.4.B.2]	17'	17'
Min. sum of side setbacks [59-4.4.4.B.2]	35'	35'
Min. rear setback [59-4.4.4.B.2]	35'	N/A ²
<u>Height</u>		
Max. height (principal building)	50'	50' Maximum
<u>Parking</u>		
Min. number of spaces, Religious Assembly [59-6.2.4.B]	255 Spaces ¹ 20 per 1,000 SF Assembly Area	255 Spaces

1. Based upon 12,750 SF Assembly Area
2. Through Lot, no rear yard

V. Montgomery County Council Resolution 17-504 Conformance

The proposed Project conforms to the conditions of Resolution 17-504 as follows:

- a. *A maximum impervious level of 24 percent.*

Proposed gross tract area of proposed Lot 1 is 604,701 square feet or 13.88 acres. Total imperviousness area is 114,280 square feet or 18.9% percent which is less than 24 percent.

- b. *A low-pressure sewer main extension that follows New Hampshire Avenue south from the site to connect with the existing gravity sewer in front of Immanuel's Church (the Montgomery County Department of Environmental Protection will verify that this alignment satisfies the requirements of the private institutional facilities policy).*

A pressure sewer main extension is proposed to provide sewer service for the Project. A Hydraulic Planning Analysis for the sewer extension was completed by the Washington Suburban Sanitary Commission and the project was conditionally approved on February 5, 2015. The Montgomery County Comprehensive Water Supply and Sewerage Systems Plan defines private institutional facilities (PIFs) as buildings constructed for an organization which qualifies for a federal tax exemption under the provisions of Section 501 of the United States Code (Chapter 1.II.E.4). This plan states that PIFs located within the acknowledged water and/or sewer envelopes, service area category changes may be approved by the Montgomery County Department of Environmental Protection (DEP) through the administrative delegation process. The Project qualifies for a federal tax exemption under Section 501 and is therefore considered a PIF. As shown in the Master Plan, the Property is within the proposed water and sewer service envelope and would therefore the sewer category change is eligible for approval by DEP.

- c. *A wooded buffer, approximately 50 feet deep, screening on-site development from the street view along the property frontage of New Hampshire Avenue and Ednor Road, with an allowance for the needed sewer extension access to the site.*

Associated with the approval of the Final Forest Conservation Plan, a Forest Conservation Easement on the Property was recorded on November 5, 2012 (L. 45218, F.072). This easement has a minimum width of 50' and provides for a wooded buffer along the property frontage of New Hampshire Avenue and Ednor Road. A 50' window exists in the easement area along New Hampshire Avenue. Proposed water and sewer connections are located within this window.

VI. Subdivision Regulation Compliance

The Preliminary Plan indicates that the size, width, shape and orientation of the proposed lot are appropriate for the location of the proposed subdivision.

VII. Forest Conservation

The Maryland-National Capital Park and Planning Commission approved a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) for the Property on May 24, 2011 (NRI/FSD no. 420111100). The Final Forest Conservation Plan (FFCP) for the Property as well as adjacent Parcel "A" to

the north was approved by the Maryland-National Capital Park and Planning Commission on July 12, 2012 (Plan No. SC2011021). The approved FFCP accounted for construction of the parking area (installed in 2013) and the proposed religious assembly hall. Copies of each plan are enclosed with this submission.

VIII. Stormwater Management

The Stormwater Management Concept for the Property was approved by MCDPS on May 18, 2011. The Soil Erosion, Sediment Control and Stormwater Management (SESC/SWM) Plan was approved for the Property by MCDPS on July 26, 2012. As designed, stormwater management is provided for proposed site improvements through the use of environmental site design practices. As shown on the approved SESC/SWM plan, these improvements included the parking area (installed in 2013) as well as the religious assembly hall (identified as Future Phase 2 on the SESC/SWM Plan). Copies of the SWM Concept approval letter and approved SESC/SWM Plan are enclosed with this submission.

IX. Adequate Public Facilities

Public facilities are more than adequate to support and service the proposed Project. With respect to roads, the proposed development does not generate 30 or more vehicle trips during the morning or evening peak hours as described in Section II.

Because the proposed development is a non-residential use, adequacy of schools is not applicable to the Project.

The existing water and sewer service area categories for the Property are W-1 and S-6. As described in Section I, Montgomery County Council Resolution 17-504 conditionally approved a change in the sewer service area category from S-6 to S-3. Electric, gas, and telecommunications services will be available for use by the Project.

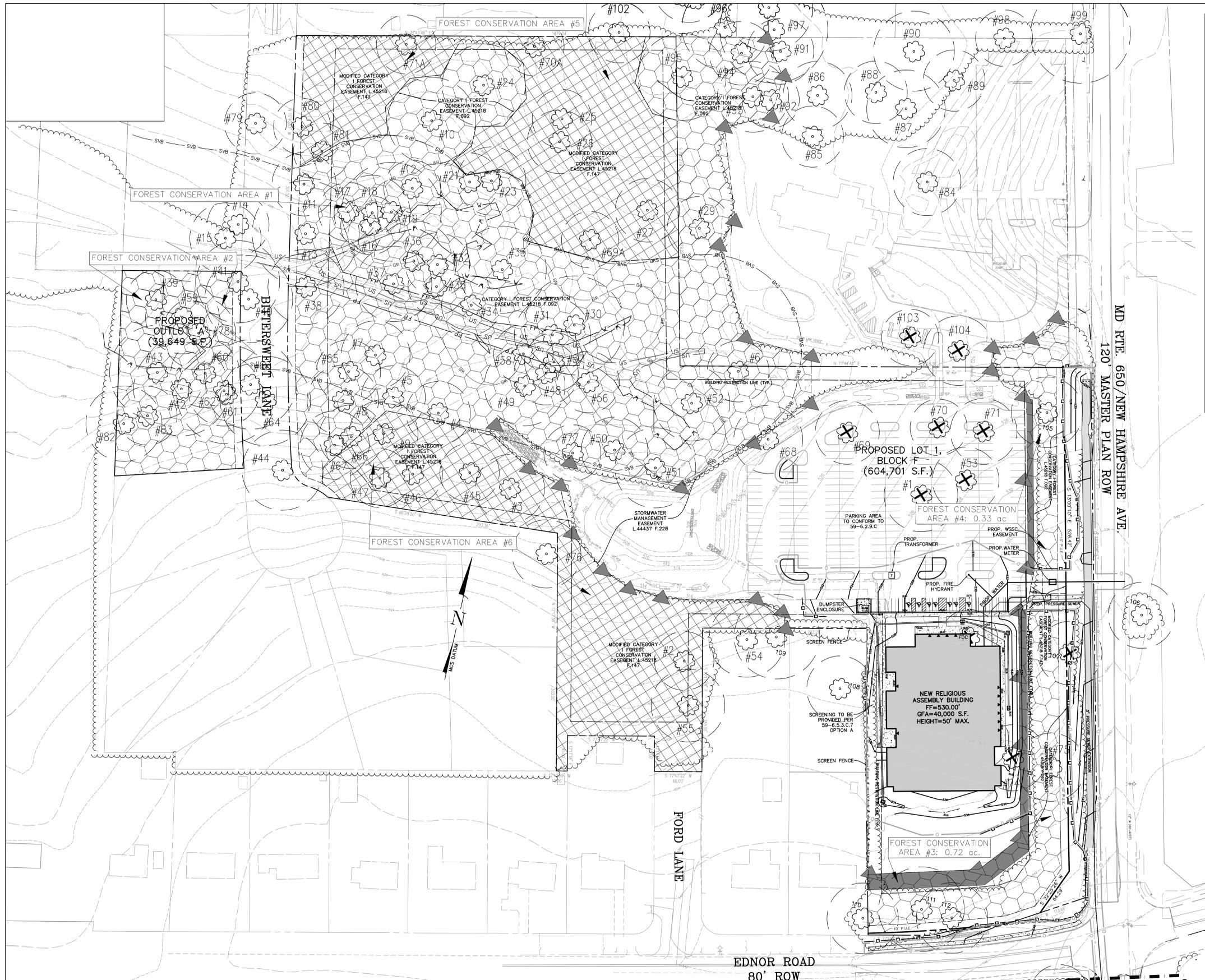
Police stations, firehouses, and health care facilities serving the Property will continue to be sufficient following construction of the Project. The Sandy Spring Volunteer Fire Department (Station 4) is located approximately 2 miles from the Property at 17921 Brooke Road. The Olney Police Substation is located approximately 5 miles from the Property at 17821 Georgia Avenue.

X. Community Outreach

The Applicant conducted a public pre-submission meeting on September 15, 2015 at the Ashton United Methodist Church located at 17315 New Hampshire Avenue in Ashton. Additional information regarding this meeting, including meeting minutes, are enclosed with this submission as required by the Zoning Ordinance and by the Planning Department's Manual of Development Review Procedures.

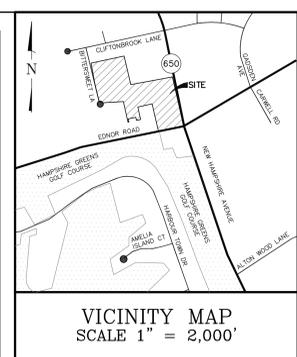
XI. Conclusion

The proposed subdivision of parcel P491 and the development of the proposed religious assembly hall conforms to the recommendations and goals of the 1998 Sandy Spring/Ashton Master Plan. In addition, the Project complies with all applicable requirements of the Zoning Ordinance with regard to the RE-2 zone. Therefore, we request that the Planning Board approve the Preliminary Plan as proposed.



LEGEND

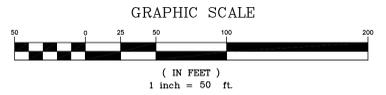
- TREE
- SPECIMEN TREE
- TREES TO BE REMOVED
- EXISTING TREE LINE
- FOREST CONSERVATION AREA
- FOREST CONSERVATION PLANTING AREA
- FOREST CONSERVATION AREA MODIFIED
- PERMANENT FOREST CONSERVATION SIGNAGE
- CRITICAL ROOT ZONE
- TREE PROTECTION FENCE, ROOT PRUNING, & TEMPORARY TREE PROTECTION SIGNAGE (AS SHOWN IN TREE FENCE DETAIL) (SEWER LINE - ROOT PRUNE IN TRENCH)
- LIMITS OF DISTURBANCE
- SVB - STREAM VALLEY BUFFER
- - - - - STREAM
- WL - WETLAND
- WB - WETLAND BUFFER
- FP - FLOOD PLAIN



Attachment 3

LEGEND

EXISTING	PROPOSED
LIGHT POST	LIGHT POST
EX. 8" SEW - SANITARY SEWER	8" SEWER
EX. 15" S/D - STORM DRAIN	15" RCP
EX. 6" WAT - WATER LINE	4" WATER
G - GAS	G - GAS
UGT - TELEPHONE	TELE
771 - SPOT ELEVATION	75.5+ - SPOT ELEVATION
470 - CONTOUR	474 - CONTOUR
CURB & GUTTER	CURB & GUTTER
CONCRETE	CONCRETE
SIGN	SIGN
BUILDING	BUILDING
LIMITS OF DISTURBANCE	LIMITS OF DISTURBANCE
WL - APPROXIMATE WETLAND BOUNDARY	WL - APPROXIMATE WETLAND BOUNDARY
WB - WETLAND BUFFER	WB - WETLAND BUFFER
SVB - STREAM VALLEY BUFFER	SVB - STREAM VALLEY BUFFER
FP - FLOODPLAIN	FP - FLOODPLAIN
US - WATERS OF THE U.S.	US - WATERS OF THE U.S.



DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. SC2011021A, including, financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: Shri Mangal Mandir Religious Educational and Charitable Trust
Printed Company Name

Contact Person or Owner: Mr. Navin N. Chitalia
Printed Name

Address: 17110 New Hampshire Ave., Silver Spring, MD 20905

Phone and Email: (301)345-2300 santoshinc1@hotmail.com

Signature: _____

QUALIFIED PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT AND THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF EXISTING STATE AND COUNTY FOREST CONSERVATION LEGISLATION.

DATE: _____

FRANK C. JOHNSON

RECOGNIZED AS QUALIFIED PROFESSIONAL BY MD. DEPT. OF NATURAL RESOURCES COMAR 08.19.06.01

OWNER/APPLICANT
SHRI MANGAL MANDIR RELIGIOUS EDUCATIONAL AND CHARITABLE TRUST
17110 NEW HAMPSHIRE AVENUE
SILVER SPRING, MD 20905
CONTACT: NAVIN CHITALIA
PHONE: (301) 345-2300

NO.	DATE	DESCRIPTION	BY
1	5/27/16	Assembly Hall and sewer added	FCJ

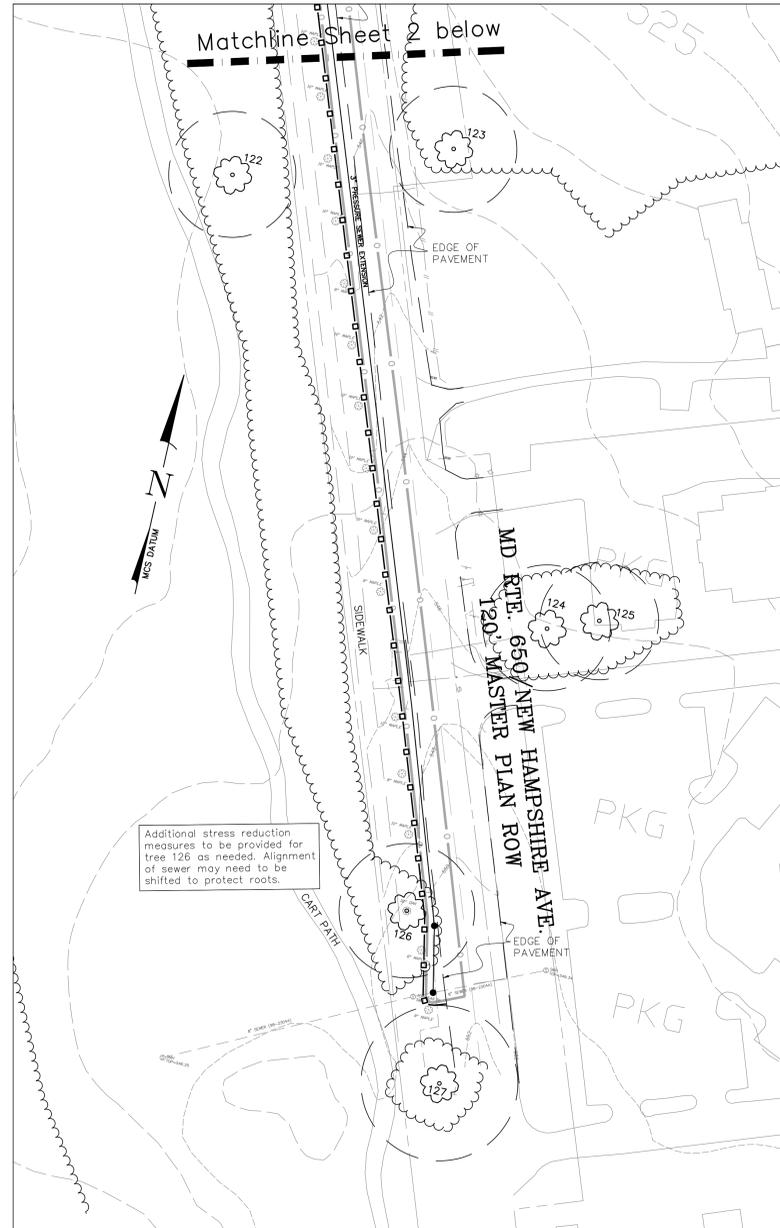
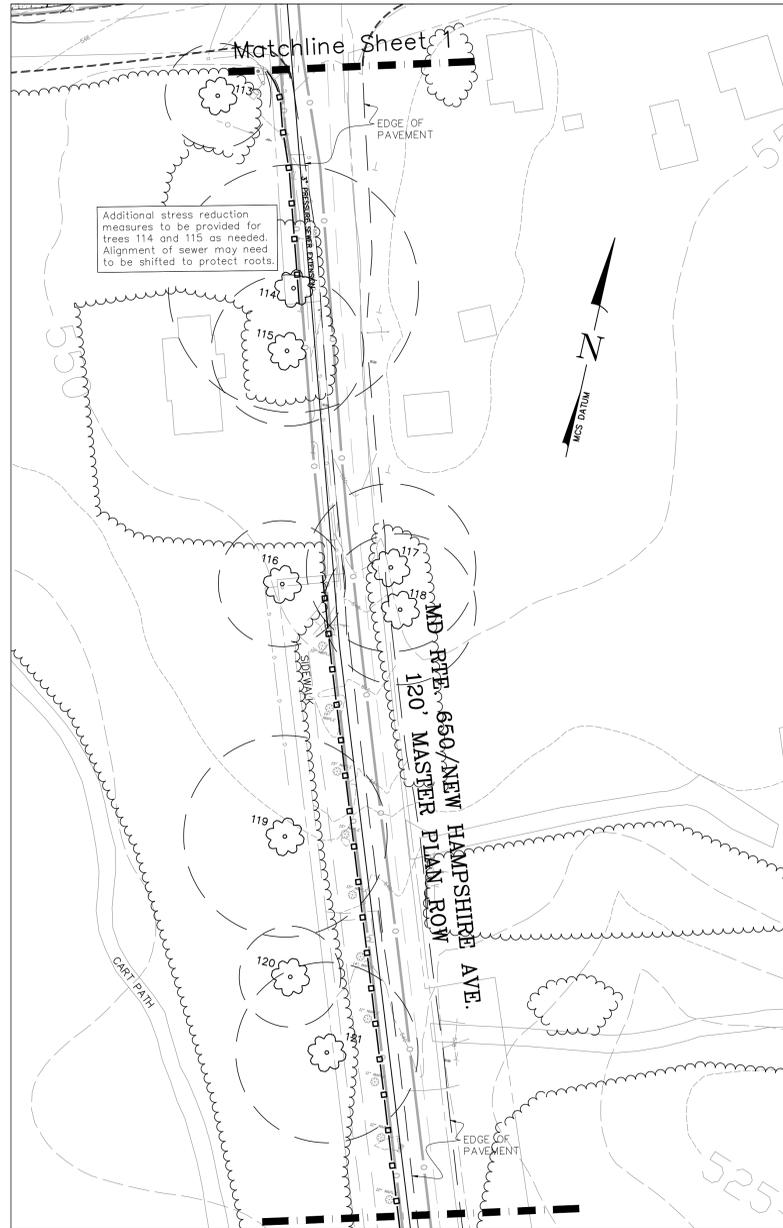
TAX MAP J7561 WSSC 223NE01

FINAL FOREST CONSERVATION PLAN
PARCEL P491
SNOWDENS MANOR ENLARGED
L.36525 F.169
8TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

MHG Macris, Hendricks & Glascock, P.A.
Engineers • Planners
Landscape Architects • Surveyors

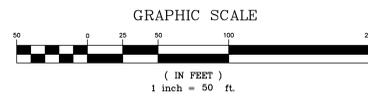
9220 Wightman Road, Suite 120
Montgomery Village, Maryland
20886-1279
Phone 301.670.0840
Fax 301.948.0693
www.mhga.com

Proj. Mgr. KDJ	Designer FCJ
Date 5/27/16	Scale 1"=50'
Project No. 2014.255	Sheet 1 of 3



Matchline Sheet 2 above

NOTE: Root Prune in sewer line trench to minimize tree root impacts



FOREST CONSERVATION DATA TABLE

DESCRIPTION	SIZE
Total Tract Area	20.15 Acres
Tract remaining in Agricultural Use	0.00 Acres
Road & utility ROW (unimproved)	0.00 Acres
Existing Forest	16.01 Acres
Total Forest Retention	10.50 Acres
Total Forest Cleared	5.51 Acres
Land Use Category	IDA
Afforestation Threshold	15%
Reforestation Threshold	20%
Forest in Wetlands Retained	0.58 Acres
Cleared	0.00 Acres
Planted	0.00 Acres
Forest in 100-year Floodplain Retained	0.31 Acres
Cleared	0.00 Acres
Planted	0.00 Acres
Forest in Stream/Valley Buffer Retained	4.22 Acres
Cleared	0.02 Acres
Planted	0.00 Acres
Forest in other Priority Areas Retained	4.14 Acres
Cleared	0.10 Acres
Planted	0.00 Acres
Stream Valley Buffer Length	1043 Feet
Avg. Width	125 Feet

DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. SC2011021A including financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: Shri Mongal Mandir Religious Educational and Charitable Trust
Printed Company Name

Contact Person or Owner: Mr. Navin N. Chitalia
Printed Name

Address: 17110 New Hampshire Ave. Silver Spring, MD 20905

Phone and Email: (301)345-2300 santoshinc1@hotmail.com

Signature: _____

QUALIFIED PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT AND THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF EXISTING STATE AND COUNTY FOREST CONSERVATION LEGISLATION.

DATE _____ FRANK C. JOHNSON

RECOGNIZED AS QUALIFIED PROFESSIONAL BY MD. DEPT. OF NATURAL RESOURCES COMAR 08.19.06.01

TAX MAP JT561 WSSC 223NE01

FINAL FOREST CONSERVATION PLAN
PARCEL P491
SNOWDENS MANOR ENLARGED
L.36525 F.169
8TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

	Macris, Hendricks & Glascock, P.A. Engineers • Planners Landscape Architects • Surveyors	Proj. Mgr. KDJ	Designer FCJ
		Date 05/27/16	Scale 1"=50'
9220 Wightman Road, Suite 120 Montgomery Village, Maryland 20886-1279	Phone 301.670.0840 Fax 301.948.0693 www.mhgpa.com	Project No. 2014.255	Sheet 2 of 3

Sequence of Events for Properties Required To Comply With Forest Conservation Plans and/or Tree Save Plans

Pre-Construction

1. An on-site pre-construction meeting shall be required after the limits of disturbance have been staked and flagged, but before any clearing or grading begins. The owner shall contact the Montgomery County Planning Department inspection staff prior to commencing construction to verify the limits of disturbance and discuss tree protection and tree care measures. The attendees at this meeting should include: developer's representative, construction superintendent, ISA certified arborist or MD license tree expert that will implement the tree protection measures, Forest Conservation Inspector, and DPS sediment control inspector.
2. No clearing or grading shall begin before stress-reduction measures have been implemented. Appropriate measures may include, but are not limited to:
 - a. Root pruning
 - b. Crown Reduction or pruning
 - c. Watering
 - d. Fertilizing
 - e. Vertical mulching
 - f. Root aeration matting
 Measures not specified on the forest conservation plan may be required as determined by the Forest Conservation Inspector in coordination with the arborist.
3. A State of Maryland licensed tree expert, or an International Society of Arboriculture certified arborist must perform all stress reduction measures. Documentation of stress reduction measures must be either observed by the Forest Conservation Inspector or sent to the Forest Conservation Inspector at 8787 Georgia Avenue, Silver Spring, MD 20910. The Forest Conservation Inspector will determine the exact method to convey the stress reduction measures during the pre-construction meeting.
4. Temporary tree protection devices shall be installed per the Forest Conservation Plan/Tree Save Plan and prior to any construction activities. Tree protection fencing locations should be staked prior to the pre-construction meeting. The Forest Conservation Inspector, in coordination with the DPS sediment control inspector, may make field adjustments to increase the survivability of trees and forest shown as saved on the approved plan. Temporary tree protect devices may include:
 - a. Chain link fence (four feet high)
 - b. Super slip fence with wire strung between the support poles (minimum 4 feet high) with high visibility flagging.
 - c. 14 gauge 2 inch x 4 inch welded wire fencing supported by steel T-bar posts (minimum 4 feet high) with high visibility flagging.

5. Temporary protection devices shall be maintained and installed by the contractor for the duration of construction project and must not be altered without prior approval from the Forest Conservation Inspector. No equipment, trucks, materials, or debris may be stored within the tree protection fence areas during the entire construction project. No vehicle or equipment access to the fenced area will be permitted. Tree protection shall not be removed without prior approval of Forest Conservation Inspector.
6. Forest retention area signs shall be installed as required by the Forest Conservation Inspector, or as shown approved plan.
7. Long-term protection devices will be installed per the Forest Conservation Plan/Tree Save Plan and attached details. Installation will occur at the appropriate time during the construction project. Refer to the plan drawing for long-term protection measures to be installed.

During Construction

8. Periodic inspections by Forest Conservation Inspector will occur during the construction project. Corrections and repairs to all tree protection devices, as determined by the Forest Conservation Inspector, must be made within the timeframe established by the Forest Conservation Inspector.

Post-Construction

9. After construction is completed, an inspection shall be requested. Corrective measures which may be required include:
 - a. Removal and replacement of dead and dying trees
 - b. Pruning of dead or declining limbs
 - c. Soil aeration
 - d. Fertilizing
 - e. Watering
 - f. Wound repair
 - g. Clean up of retention areas
10. After inspection and completion of corrective measures have been undertaken, all temporary protection devices shall be removed from the site. Removal of tree protection devices that also operate for erosion and sediment control must be coordinated with both the Department of Permitting Services and the Forest Conservation Inspector. No additional grading, sodding, or barial may take place after the tree protection fencing is removed.

FOREST CONSERVATION WORKSHEET										
NET TRACT AREA:										
A. Total tract area ...										20.15
B. Land dedication acres (parks, county facility, etc.) ...										0.00
C. Land dedication for roads or utilities (not being constructed by this plan) ...										0.00
D. Area to remain in commercial agricultural production/use ...										0.00
E. Other deductions (specify)										0.00
F. Net Tract Area										20.15
LAND USE CATEGORY: (from Trees Technical Manual)										
Input the number "1" under the appropriate land use, limit to only one entry.										
	ARA	MDR	IDA	HDR	MPD	CIA				
	0	0	1	0	0	0				
G. Afforestation Threshold ...					15%	x F =				3.02
H. Conservation Threshold ...					20%	x F =				4.03
EXISTING FOREST COVER:										
I. Existing forest cover										16.01
J. Area of forest above afforestation threshold										12.99
K. Area of forest above conservation threshold										11.98
BREAK EVEN POINT:										
L. Forest retention above threshold with no mitigation										6.43
M. Clearing permitted without mitigation										9.58
PROPOSED FOREST CLEARING:										
N. Total area of forest to be retained										5.51
O. Total area of forest to be cleared										10.50
PLANTING REQUIREMENTS:										
P. Reforestation for clearing above conservation threshold										1.38
Q. Reforestation for clearing below conservation threshold										0.00
R. Credit for retention above conservation threshold										6.47 *
S. Total reforestation required										0.00
T. Total afforestation required										0.00
U. Credit for landscaping (may not exceed 20% of "S")										0.00
V. Total reforestation and afforestation required										0.00

FOREST CONSERVATION - CATEGORY I FCE

FOREST CONSERVATION AREA #1	5.14 AC.
FOREST CONSERVATION AREA #2	0.88 AC.
FOREST CONSERVATION AREA #3	0.72 AC.
FOREST CONSERVATION AREA #4	0.33 AC.
TOTAL FOREST CONSERVATION	7.07 AC.

FOREST CONSERVATION - MODIFIED CATEGORY I FCE

FOREST CONSERVATION AREA #5	1.74 AC.
FOREST CONSERVATION AREA #6	1.67 AC.
TOTAL FOREST CONSERVATION	3.41 AC.

PER THIS AMENDMENT 0.18 ACRES OF CATEGORY ONE FOREST CONSERVATION EASEMENT TO BE REMOVED AND TO BE REPLACED ON-SITE WITH 0.20 ACRES OF CATEGORY ONE FOREST CONSERVATION EASEMENT TO BE PLANTED.

PER THIS AMENDMENT 0.04 ACRES OF MODIFIED CATEGORY ONE FOREST CONSERVATION EASEMENT TO BE REMOVED AND WILL NOT BE MITIGATED AS DETAILED IN THE APPROVED AND RECORDED EASEMENT.

FOREST CONSERVATION PLANTING NOTES

- Planting:
1. Owner shall contact MC Planning Department staff before planting.
 - a. Contractor to mow afforestation area and remove all invasive plants (i.e. multiflora rose, mulberry trees) and apply herbicide, only if determined to be needed by MC Planning Department inspector, to eliminate competition of weed seed prior to planting. MC Planning Dept. inspector will determine if additional measures are needed.
 - b. All plant material shall be approved by the Owner or their appointed representative prior to planting. If plant material is not available substitutions may be made with prior approval from the developer and MC Planning Dept.
 2. Size and standards of plant materials shall conform to latest edition of "USA Standards for Nursery Stock", by the American Association of Nurserymen, Inc. (AAN).
 3. All plants shall be placed so as not to obstruct drainage.
 4. Plants shall be installed randomly in a triangular or staggered pattern (not in a straight line). Container stock shall be spaced minimum 8'-12' feet on center (See detail).
 5. Slow release fertilizer (Osmocote® 10-10-5) shall be applied at the time of planting at the rate of 600 lbs. per acre. If Osmocote is not available, equivalent product or other means of fertilizer shall be determined during pre-planting meeting.
 6. Where field conditions exist which would adversely affect plant performance, or interfere with proper planting procedures, the contractor shall notify the Owner prior to installation of plant materials.
 7. All trees are to be located a minimum distance of 5' from all utility boxes, 5' from a storm drain inlet or manhole, 10' from a fire hydrant, 15' from any public street light, and 5' from any driveway apron.
 8. Remove litter and debris as required during the first growing season and at the beginning of the second growing season.
 9. Plants shall be installed only between the months of January and May and between September and December when the ground is not frozen.
 10. All disturbed areas within the Forest Conservation easement to be seeded with Southern Tier Consulting, Inc. (716-268-3100) Native/Naturalized Meadow Seed Mix (Northeast) at a rate of 23 pounds per acre.
 11. After planting is complete, MNCPPC Inspector must inspect the planted area to determine if planted area is acceptable and required maintenance period may begin or whether additional measures are needed in order for the planted area to be accepted. At the discretion of the MNCPPC Plan reviewer, up to one-half of the financial security may be released if stock and planted area is in good condition. Plant pre-planting meeting maintenance/warranty period from the time of installation with MNCPPC acceptance. Any replacement must be installed as above.
 12. See top soil specifications this sheet for restoring disturbed areas within the proposed conservation easements to ensure proper soil mix for planting.
 - A. Remove and replace all dead or diseased vegetation.
 - B. Remove all invasive non-native plants.
 - C. Necessary watering, fertilization, or pest control.
 - D. Mowing shall not occur unless performed under a valid MNCPPC maintenance and management agreement.
 - E. Deer protection measures as seen necessary.
 13. Maintenance of the afforestation/reforestation area for a period of two years is required per the Montgomery County Tree Technical Manual. During this maintenance period the health and vigor of the plantings shall be monitored and any necessary corrective actions to correct existing problems. The following inspection schedule shall be carried out:
 - Year 1 and 2: Two inspections per year; inspect in the beginning of the growing season (May or June), and in-late at the end of the growing season (September or October).
 - At the end of the second year the survival rate of all the afforestation/reforestation areas shall be to a minimum standard of 100 trees per acre or 75% of the total trees planted per acre (whichever is greater). Additional material may need to be planted to bring the total count up to the minimum standard needed.
 14. At the end of the maintenance period a final inspection shall be set up at the site with the Owner or owner's representative and a staff member from MNCPPC to ensure that the required afforestation/reforestation survival rate has been achieved.

SIGNIFICANT TREE LIST (ON-SITE)

No.	Common Name	Species Name	DBH (Inches)	Condition
2	Yellow Poplar	Liriodendron tulipifera	25	Good
3	Yellow Poplar	Liriodendron tulipifera	24	Good
4	Yellow Poplar	Liriodendron tulipifera	21	Good
5	Yellow Poplar	Liriodendron tulipifera	21	Fair - Vine Cover
6	Yellow Poplar	Liriodendron tulipifera	21	Fair - Vine Cover
7	Yellow Poplar	Liriodendron tulipifera	21	Good
8	Yellow Poplar	Liriodendron tulipifera	24	Good
9	Yellow Poplar	Liriodendron tulipifera	24	Good
10	Yellow Poplar	Liriodendron tulipifera	24	Good
11	Black Cherry	Prunus serotina	25	Fair - Trunk Dead
12	Black Cherry	Prunus serotina	25	Fair - Crown Dieback, 4 Hollow Trunk
13	Yellow Poplar	Liriodendron tulipifera	25	Good
14	Yellow Poplar	Liriodendron tulipifera	25	Good
15	Yellow Poplar	Liriodendron tulipifera	25	Good
16	Yellow Poplar	Liriodendron tulipifera	21	Good
17	Yellow Poplar	Liriodendron tulipifera	21	Good
18	Red Maple	Acer rubrum	21	Good
19	Red Maple	Acer rubrum	25	Fair - Learning
20	Red Maple	Acer rubrum	25	Fair - Learning
21	Red Maple	Acer rubrum	25	Fair - Learning
22	Red Maple	Acer rubrum	25	Fair - Learning
23	Red Maple	Acer rubrum	25	Fair - Learning
24	Red Maple	Acer rubrum	25	Fair - Learning
25	Red Maple	Acer rubrum	25	Fair - Learning
26	Red Maple	Acer rubrum	25	Fair - Learning
27	Red Maple	Acer rubrum	25	Fair - Learning
28	Red Maple	Acer rubrum	25	Fair - Learning
29	Red Maple	Acer rubrum	25	Fair - Learning
30	Red Maple	Acer rubrum	25	Fair - Learning
31	Red Maple	Acer rubrum	25	Fair - Learning
32	Red Maple	Acer rubrum	25	Fair - Learning
33	Red Maple	Acer rubrum	25	Fair - Learning
34	Red Maple	Acer rubrum	25	Fair - Learning
35	Red Maple	Acer rubrum	25	Fair - Learning
36	Red Maple	Acer rubrum	25	Fair - Learning
37	Red Maple	Acer rubrum	25	Fair - Learning
38	Red Maple	Acer rubrum	25	Fair - Learning
39	Red Maple	Acer rubrum	25	Fair - Learning
40	Red Maple	Acer rubrum	25	Fair - Learning
41	Red Maple	Acer rubrum	25	Fair - Learning
42	Red Maple	Acer rubrum	25	Fair - Learning
43	Red Maple	Acer rubrum	25	Fair - Learning
44	Red Maple	Acer rubrum	25	Fair - Learning
45	Red Maple	Acer rubrum	25	Fair - Learning
46	Red Maple	Acer rubrum	25	Fair - Learning
47	Red Maple	Acer rubrum	25	Fair - Learning
48	Red Maple	Acer rubrum	25	Fair - Learning
49	Red Maple	Acer rubrum	25	Fair - Learning
50	Red Maple	Acer rubrum	25	Fair - Learning
51	Red Maple	Acer rubrum	25	Fair - Learning
52	Red Maple	Acer rubrum	25	Fair - Learning
53	Red Maple	Acer rubrum	25	Fair - Learning
54	Red Maple	Acer rubrum	25	Fair - Learning
55	Red Maple	Acer rubrum	25	Fair - Learning
56	Red Maple	Acer rubrum	25	Fair - Learning
57	Red Maple	Acer rubrum	25	Fair - Learning
58	Red Maple	Acer rubrum	25	Fair - Learning
59	Red Maple	Acer rubrum	25	Fair - Learning
60	Red Maple	Acer rubrum	25	Fair - Learning
61	Red Maple	Acer rubrum	25	Fair - Learning
62	Red Maple	Acer rubrum	25	Fair - Learning
63	Red Maple	Acer rubrum	25	Fair - Learning
64	Red Maple	Acer rubrum	25	Fair - Learning
65	Red Maple	Acer rubrum	25	Fair - Learning
66	Red Maple	Acer rubrum	25	Fair - Learning
67	Red Maple	Acer rubrum	25	Fair - Learning
68	Red Maple	Acer rubrum	25	Fair - Learning
69	Red Maple	Acer rubrum	25	Fair - Learning
70	Red Maple	Acer rubrum	25	Fair - Learning
71	Red Maple	Acer rubrum	25	Fair - Learning
72	Red Maple	Acer rubrum	25	Fair - Learning
73	Red Maple	Acer rubrum	25	Fair - Learning
74	Red Maple	Acer rubrum	25	Fair - Learning
75	Red Maple	Acer rubrum	25	Fair - Learning
76	Red Maple	Acer rubrum	25	Fair - Learning
77	Red Maple	Acer rubrum	25	Fair - Learning
78	Red Maple	Acer rubrum	25	Fair - Learning
79	Red Maple	Acer rubrum	25	Fair - Learning
80	Red Maple	Acer rubrum	25	Fair - Learning
81	Red Maple	Acer rubrum	25	Fair - Learning
82	Red Maple	Acer rubrum	25	Fair - Learning
83	Red Maple	Acer rubrum	25	Fair - Learning
84	Red Maple	Acer rubrum	25	Fair - Learning
85	Red Maple	Acer rubrum	25	Fair - Learning
86	Red Maple	Acer rubrum	25	Fair - Learning
87	Red Maple	Acer rubrum	25	Fair - Learning
88	Red Maple	Acer rubrum	25	Fair - Learning
89	Red Maple	Acer rubrum	25	Fair - Learning
90	Red Maple	Acer rubrum	25	Fair - Learning
91	Red Maple	Acer rubrum	25	Fair - Learning
92	Red Maple	Acer rubrum	25	Fair - Learning
93	Red Maple	Acer rubrum	25	Fair - Learning
94	Red Maple	Acer rubrum	25	Fair - Learning
95	Red Maple	Acer rubrum	25	Fair - Learning
96	Red Maple	Acer rubrum	25	Fair - Learning
97	Red Maple	Acer rubrum	25	Fair - Learning
98	Red Maple	Acer rubrum	25	Fair - Learning
99	Red Maple	Acer rubrum	25	Fair - Learning
100	Red Maple	Acer rubrum	25	Fair - Learning
101	Red Maple	Acer rubrum	25	Fair - Learning
102	Red Maple	Acer rubrum	25	Fair - Learning
103	Red Maple	Acer rubrum	25	Fair - Learning
104	Red Maple	Acer rubrum	25	Fair - Learning
105	Red Maple	Acer rubrum	25	Fair - Learning
106	Red Maple	Acer rubrum	25	Fair - Learning
107	Red Maple	Acer rubrum	25	Fair - Learning
108	Red Maple	Acer rubrum	25	Fair - Learning
109	Red Maple	Acer rubrum	25	Fair - Learning
110	Red Maple	Acer rubrum	25	Fair - Learning
111	Red Maple	Acer rubrum	25	Fair - Learning
112	Red Maple	Acer rubrum	25	Fair - Learning
113	Red Maple	Acer rubrum	25	Fair - Learning
114	Red Maple	Acer rubrum	25	Fair - Learning
115	Red Maple	Acer rubrum	25	Fair - Learning
116	Red Maple	Acer rubrum	25	Fair - Learning
117	Red Maple	Acer rubrum	25	Fair - Learning
118	Red Maple	Acer rubrum	25	Fair - Learning
119	Red Maple	Acer rubrum	25	Fair - Learning
120	Red Maple	Acer rubrum	25	Fair - Learning
121	Red Maple	Acer rubrum	25	Fair - Learning
122	Red Maple	Acer rubrum	25	Fair - Learning
123	Red Maple	Acer rubrum	25	Fair - Learning
124	Red Maple	Acer rubrum	25	Fair - Learning
125	Red Maple	Acer rubrum	25	Fair - Learning
126	Red Maple	Acer rubrum	25	Fair - Learning
127	Red Maple	Acer rubrum	25	Fair - Learning
128	Red Maple	Acer rubrum	25	Fair - Learning
129	Red Maple	Acer rubrum	25	Fair - Learning
130	Red Maple	Acer rubrum	25	Fair - Learning
131	Red Maple	Acer rubrum	25	Fair - Learning
132	Red Maple	Acer rubrum	25	Fair - Learning
133	Red Maple	Acer rubrum	25	Fair - Learning
134	Red Maple	Acer rubrum	25	Fair - Learning
135	Red Maple	Acer rubrum	25	Fair - Learning
136	Red Maple	Acer rubrum	25	Fair - Learning
137	Red Maple	Acer rubrum	25	Fair - Learning
138	Red Maple	Acer rubrum	25	Fair - Learning
139	Red Maple	Acer rubrum	25	Fair - Learning
140	Red Maple	Acer rubrum	25	Fair - Learning
141	Red Maple	Acer rubrum	25	Fair - Learning
142	Red Maple	Acer rubrum	25	Fair - Learning
143	Red Maple	Acer rubrum	25	Fair - Learning
144	Red Maple	Acer rubrum	25	Fair - Learning
145	Red Maple	Acer rubrum	25	Fair - Learning
146	Red Maple	Acer rubrum	25	Fair - Learning
147	Red Maple	Acer rubrum	25	Fair - Learning
148	Red Maple	Acer rubrum	25	Fair - Learning
149	Red Maple	Acer rubrum	25	Fair - Learning
150	Red Maple	Acer rubrum	25	Fair - Learning
151	Red Maple	Acer rubrum	25	Fair - Learning
152	Red Maple	Acer rubrum	25	Fair - Learning
153	Red Maple	Acer rubrum	25	Fair - Learning
154	Red Maple	Acer rubrum	25	Fair - Learning
155	Red Maple	Acer rubrum	25	Fair - Learning
156	Red Maple	Acer rubrum	25	Fair - Learning
157	Red Maple	Acer rubrum	25	Fair - Learning
158	Red Maple	Acer rubrum	25	Fair - Learning
159	Red Maple	Acer rubrum	25	Fair - Learning
160	Red Maple	Acer rubrum	25	Fair - Learning
161	Red Maple	Acer rubrum	25	Fair - Learning
162	Red Maple	Acer rubrum	25	Fair - Learning
163	Red Maple	Acer rubrum	25	Fair - Learning
164	Red Maple	Acer rubrum	25	Fair - Learning
165	Red Maple	Acer rubrum	25	Fair - Learning
166				



Attachment 6

May 27, 2016

Maryland National Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Re: Snowdens Manor Enlarged FFCP
MNCPPC No. SC2011021A
MHG Project No. 14.255.11

To Whom It May Concern:

On behalf of Shri Mangal Mandir, the applicant of the above referenced Forest Conservation Plan Amendment, we hereby request a variance for the impact of thirteen specimen trees as required by the Maryland Natural Resources Article, Title 5, Subtitle 16, Forest Conservation, Section 5-1611, and in accordance with Chapter 22A-21(b) of the Montgomery County Code. In accordance with Chapter 22A-21(b) of the Montgomery County Code, the proposed impact of thirteen trees over thirty inches in diameter would satisfy the variance requirements.

1. *Describe the special conditions peculiar to the property which would cause the unwarranted hardship;*

The total property area subject to the associated forest conservation plan includes 20.15 acres with a total of 10.19 acres of forest in a forest conservation easement including 4.22 acres within a stream valley buffer as well as a significant number of specimen trees protected. The original forest conservation plan was approved with the anticipation of a phase two future building which is now being proposed. As part of that future building a sewer line extension is needed and a sidewalk is being required by the county which requires extensive grading.

The proposed construction has been designed to minimize impacts to priority areas. Unfortunately, despite the many specimen trees being saved, these thirteen specimen trees cannot be avoided while still providing the necessary sewer connection to serve the property and meet the county sidewalk requirements. The location of the existing sewer line is down New Hampshire Avenue. The sewer connection must go down the right of way and impacts multiple specimen trees along the right of way. The location of the sewer connection has been positioned to create the smallest impact on the subject trees. Wherever possible we have minimized impacts by tightening proposed contours and shifting the sewer line. The majority of the impacts will be minor and only require root pruning. Two of the trees, #114 and #115 will require additional stress reduction measures which may require a shift in the alignment of the sewer line.

For all thirteen trees, necessary stress reduction measures will be provided by an arborist to promote their survivability. For all of the above reasons, not allowing the proposed removals and impacts would be a hardship that is not warranted.

2. *Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas;*

All of the affected trees are located within the buildable area on the property or along the right of way for utilities. The improvements are located outside environmentally sensitive areas, and the majority of the impacts are due to impacts within the right of way which is a common occurrence for landowners who need to construct utilities for their property. The inability to impact the subject trees would limit the development of the property. This creates a significant disadvantage for the applicant and deprives the applicant of the rights enjoyed by the neighboring and/or similar properties not subject to this approval process.

3. *Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance;*

A Stormwater Management Concept was submitted and approved for the proposed improvements. Approval of this plan confirms that the goals and objectives of the current state water quality standards are being met.

4. *Provide any other information appropriate to support the request.*

Pursuant to Section 22A 21(d) Minimum Criteria for Approval.

(1) The Applicant will receive no special privileges or benefits by the granting of the requested variance that would not be available by any other applicants.

All of the affected trees are located along the right of way in proximity to the required sidewalk and along the proposed sewer line. Installing a sewer line within the right of way would not be a special privilege that would not be available by any other applicants.

(2) The variance request is not based on conditions or circumstances which result from the actions of the applicant.

The requested variance is not based upon site conditions and development constraints which are the result of specific actions by the Applicant outside the norm of a development application allowed under the applicable zoning and associated regulations. The variance is based on the proposed site layout that is utilizing the existing right of way for utilities and the requirement for a sidewalk.

(3) The variance is not based on a condition relating to the land or building use, either permitted or nonconforming on a neighboring property.

The requested variance is a result of the proposed site design and layout on the subject property and location of the existing sewer and not a result of land or building on a neighboring property.

(4) Will not violate State water standards or cause measurable degradation in water quality. Full ESD stormwater management will be provided as part of the proposed development.

The variance will not violate State water quality standards or cause measurable degradation in water quality. The specimen trees being impacted are not within a stream valley buffer, wetland, or special protection area. The Montgomery County Department

of Permitting Services has approved the storm water management concept for the proposed project.

As required under the law, stress reduction measures will be provided for all of the impacted trees. A copy of the Forest Conservation Plan and a variance tree spreadsheet has been provided as part of this variance request. Please let us know if any other information is necessary to support this request.

Please contact me via email, at fjohnson@mhgpa.com, or by phone, at (301) 670-0840 should you have any additional comments or concerns.

Thank you,

Frank Johnson

Frank Johnson

Tree Variance Detail Table

<u>Tree ID #</u>	<u>Species</u>	<u>DBH</u>	<u>Impact / Remove</u>	<u>% Impacted</u>	<u>Condition</u>	<u>Mitigation</u>
105	White Ash	30	Impact Only	20%	Fair/Poor	stress reduction measures
109	Tulip Poplar	36	Impact Only	1%	Good	stress reduction measures
110	Siberian Elm	30	Impact Only	4%	Good	stress reduction measures
111	Black Cherry	36	Impact Only	9%	Fair	stress reduction measures
112	Tulip Poplar	30	Impact Only	23%	Fair	stress reduction measures
114	White Oak	59	Impact Only	46%	Fair/Poor	stress reduction measures
115	White Oak	36	Impact Only	35%	Fair	stress reduction measures
116	Am. Elm	30	Impact Only	2%	Fair	stress reduction measures
117	Black Locust	40	Impact Only	22%	Poor	stress reduction measures
118	Black Locust	36	Impact Only	17%	Poor	stress reduction measures
119	Silver Maple	48	Impact Only	10%	Fair	stress reduction measures
121	Silver Maple	43	Impact Only	14%	Fair	stress reduction measures
126	Black Oak	32	Impact Only	33%	Poor	stress reduction measures



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett
County Executive

Lisa Feldt
Director

December 6, 2016

Casey Anderson, Chair
Montgomery County Planning Board
Maryland National Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

RE: Snowden's Manor Enlarged, ePlan 120160090, application for amendment to FFCP accepted on 11/12/2015

Dear Mr. Anderson:

All applications for a variance from the requirements of Chapter 22A of the County Code submitted after October 1, 2009 are subject to Section 22A-12(b)(3). Accordingly, given that the application for the above referenced request was submitted after that date and must comply with Chapter 22A, and the Montgomery County Planning Department ("Planning Department") has completed all review required under applicable law, I am providing the following recommendation pertaining to this request for a variance.

Section 22A-21(d) of the Forest Conservation Law states that a variance must not be granted if granting the request:

1. Will confer on the applicant a special privilege that would be denied to other applicants;
2. Is based on conditions or circumstances which are the result of the actions by the applicant;
3. Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or
4. Will violate State water quality standards or cause measurable degradation in water quality.

Applying the above conditions to the plan submitted by the applicant, I make the following findings as the result of my review:

1. The granting of a variance in this case would not confer a special privilege on this applicant that would be denied other applicants as long as the same criteria are applied in each case. Therefore, the variance can be granted under this criterion.
2. Based on a discussion on March 19, 2010 between representatives of the County, the Planning Department, and the Maryland Department of Natural Resources Forest Service, the disturbance of trees, or other vegetation, as a result of development activity is not, in and of itself, interpreted as a condition or circumstance that is the result of the actions by the applicant. Therefore, the variance can be granted under this criterion, as long as appropriate mitigation is provided for the resources disturbed.

255 Rockville Pike, Suite 120 • Rockville, Maryland 20850 • 240-777-0311 • 240-777-7715 FAX
www.montgomerycountymd.gov/dep

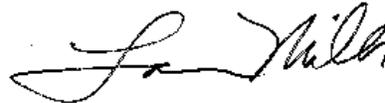
3. The disturbance of trees, or other vegetation, by the applicant does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property. Therefore, the variance can be granted under this criterion.
4. The disturbance of trees, or other vegetation, by the applicant will not result in a violation of State water quality standards or cause measurable degradation in water quality. Therefore, the variance can be granted under this criterion.

Therefore, I recommend a finding by the Planning Board that this applicant qualifies for a variance conditioned upon meeting 'conditions of approval' pertaining to variance trees recommended by Planning staff, as well as the applicant mitigating for the loss of resources due to removal or disturbance to trees, and other vegetation, subject to the law based on the limits of disturbance (LOD) recommended during the review by the Planning Department. In the case of removal, the entire area of the critical root zone (CRZ) should be included in mitigation calculations regardless of the location of the CRZ (i.e., even that portion of the CRZ located on an adjacent property). When trees are disturbed, any area within the CRZ where the roots are severed, compacted, etc., such that the roots are not functioning as they were before the disturbance must be mitigated. Exceptions should not be allowed for trees in poor or hazardous condition because the loss of CRZ eliminates the future potential of the area to support a tree or provide stormwater management. Tree protection techniques implemented according to industry standards, such as trimming branches or installing temporary mulch mats to limit soil compaction during construction without permanently reducing the critical root zone, are acceptable mitigation to limit disturbance. Techniques such as root pruning should be used to improve survival rates of impacted trees but they should not be considered mitigation for the permanent loss of critical root zone. I recommend requiring mitigation based on the number of square feet of the critical root zone lost or disturbed. The mitigation can be met using any currently acceptable method under Chapter 22A of the Montgomery County Code.

In the event that minor revisions to the impacts to trees subject to variance provisions are approved by the Planning Department, the mitigation requirements outlined above should apply to the removal or disturbance to the CRZ of all trees subject to the law as a result of the revised LOD.

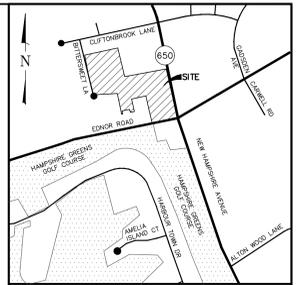
If you have any questions, please do not hesitate to contact me directly.

Sincerely,

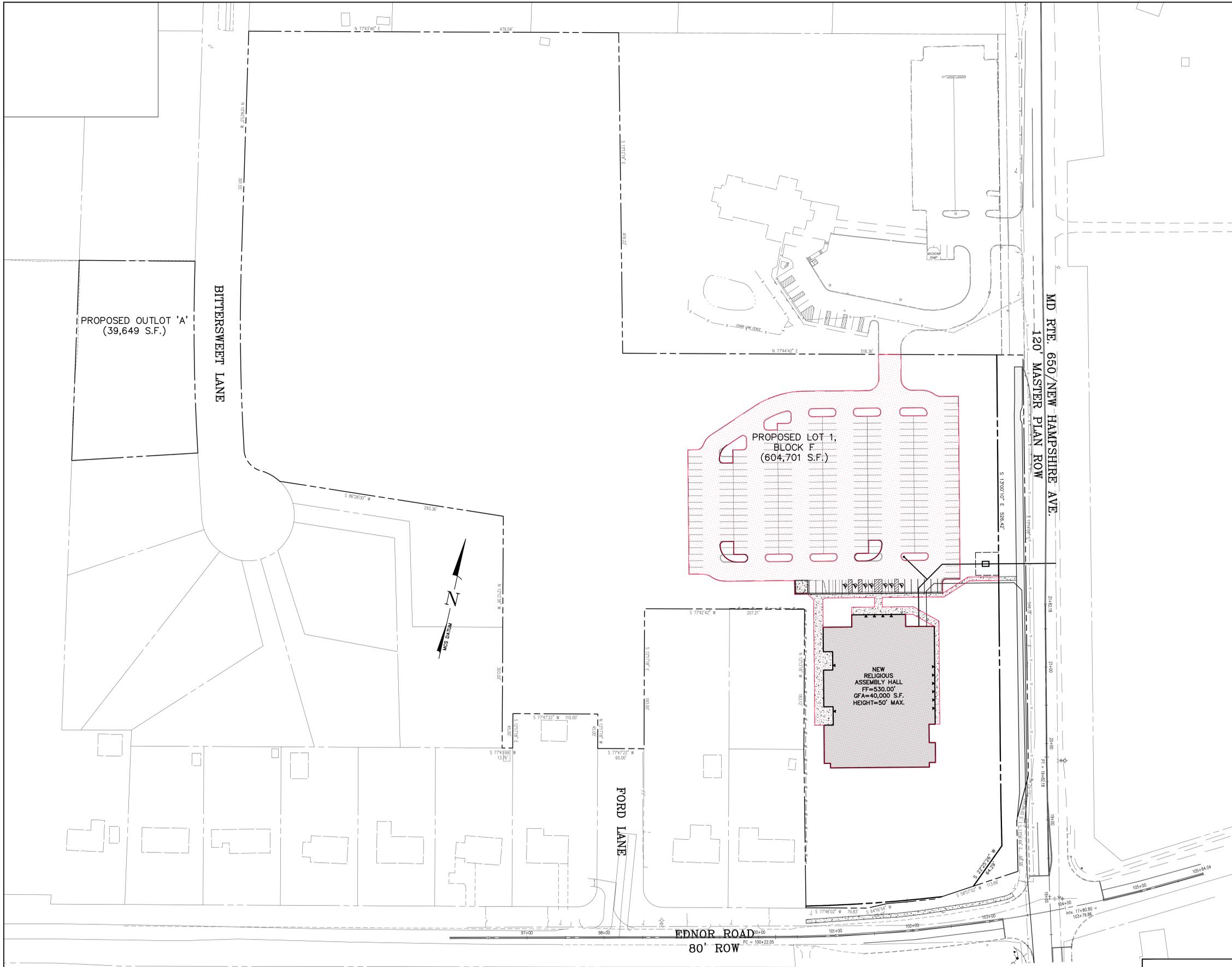
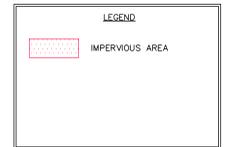


Laura Miller
County Arborist

cc: Doug Johnsen, Senior Planner



VICINITY MAP
SCALE 1" = 2,000'



PROPOSED LOT 1,
BLOCK F
(604,701 S.F.)

NEW RELIGIOUS
ASSEMBLY HALL
FF=530.00'
GFA=40,000 S.F.
HEIGHT=50' MAX.

PROPOSED OUTLOT 'A'
(39,649 S.F.)

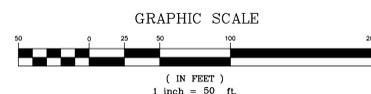
BITTERSWEET LANE

FORD LANE

MD RTE. 650/NEW HAMPSHIRE AVE.
120' MASTER PLAN ROW

EDNOR ROAD
80' ROW

IMPERVIOUS AREA SUMMARY	
NET LOT AREA:	LOT 1 - 604,701 S.F. (13.8820 ACRES)
	OUTLOT 'A' - 39,649 S.F. (0.9102 ACRES)
	TOTAL - 644,350 S.F. (14.7922 ACRES)
IMPERVIOUS AREA:	115,341 S.F. (2.6479 ACRES)
	17.90%



OWNER/APPLICANT
SHRI MANGAL MANDIR RELIGIOUS EDUCATIONAL
AND CHARITABLE TRUST
17110 NEW HAMPSHIRE AVENUE
SILVER SPRING, MD 20905
CONTACT: NAVIN CHITALIA
PHONE: (301) 345-2300

NO.	DATE	DESCRIPTION	BY

Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the Laws of the State of Maryland License No. 19905, Expiration Date: 04/21/2018

TAX MAP JT561 WSSC 223NE01

IMPERVIOUS AREA EXHIBIT
PARCEL P491
SNOWDENS MANOR ENLARGED
L.36525 F.169
8TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

<p>Macris, Hendricks & Glascock, P.A. Engineers • Planners Landscape Architects • Surveyors</p>	<p>Proj. Mgr. KDJ</p>	<p>Designer KDJ</p>
	<p>Date 5/27/16</p>	<p>Scale 1"=50'</p>
<p>3220 Wightman Road, Suite 120 Montgomery Village, Maryland 20886-1279</p>	<p>Phone 301.670.0840 Fax 301.948.0893 www.mhgpa.com</p>	<p>Project No. 2014.255</p>

Sheet 1 of 1



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Al R. Roshdieh
Director

September 1, 2016

Mr. Ryan Sigworth, Senior Planner
Area 3 Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910-3760

RE: Preliminary Plan No. 120160090
Snowden Manor Enlarged

Reply
Dear Mr. Sigworth:

We have completed our review of the preliminary plan submitted on August 18, 2016 and reviewed by the Development Review Committee at its December 7, 2015 meeting. We appreciate the cooperation and additional information provided by the applicant and their consultant. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Necessary dedication for New Hampshire Avenue (MD-650) and Ednor Road is required in accordance with the Master Plan.
2. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. Access and improvements along New Hampshire Avenue (MD-650) as required by the Maryland State Highway Administration (MSHA).
4. The owner will be required to furnish this office with a recorded covenant whereby said owner agrees to pay a prorata share for the future construction or reconstruction of improvements along the Ednor Road site frontage, whether built as a Montgomery

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX

www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

County project or by private developer under permit, prior to DPS approval of the record plat. The deed reference for this document is to be provided on the record plat.

5. Prior to approval of the Certified Preliminary Plan, we recommend plans be amended to remove Ednor Road typical section and sidewalk improvement along Ednor Road.
6. We have accepted the consultant's storm drain capacity and impact analysis (dated August, 2015). We agree that no capacity improvements to the downstream county maintained storm drain system are necessary for this project.
7. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Mr. Avinash Dewani, our Development Review Engineer for this project, at avinash.dewani@montgomerycountymd.gov or (240) 777-2132.

Sincerely,



Gregory M. Leck, Manager
Development Review Team

cc: Navin Chitalia Shri Mangal Mandir Trust
Patricia Harris Lerch, Early & Brewer, Charter, Chtd.
Kenneth Jones Macris Hendricks & Glascock, P.A.
Preliminary Plan folder
Preliminary Plan letters notebook

cc-e: Pranoy Choudhary MDSHA
Sam Farhadi MCDPS RWPR
Richard Weaver M-NCPPC
Marie LaBaw MCFRS
Patricia Shepherd MCDOT DTS
Avinash Dewani MCDOT OTP



**Department of Permitting Services
Fire Department Access and Water Supply Comments**

DATE: 27-Jul-16
TO: Stephen Crum - scrum@mhgpa.com
Macris, Hendricks & Glascock
FROM: Marie LaBaw
RE: Snowden Manor Enlarged (Parcel P491)
120160090

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **27-Jul-16** .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid
Director

May 18, 2011

Ms. Natalya Basumallick
Gutschick, Little & Weber, P.A.
Burtonsville Office Park
3909 National Drive, Suite 250
Burtonsville, MD 20866

Re: Stormwater Management **CONCEPT** Request
for Ford Property - Shri Mangal Mandir
Preliminary Plan #: NA
SM File #: 239888
Tract Size/Zone: 15.33 acres / RE-2
Total Concept Area: 5.5 acres
Lots/Block: NA
Parcel(s): P491 & Parcel A / Snowdens Manor

Enlarged

Watershed: Northwest Branch

Dear Ms. Basumallick:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals for the proposed parking lot via installation of a Submerged Gravel Wetland.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this project.
4. This stormwater concept approval is for the parking lot only. Any other proposed use will require submission of a new stormwater management concept.
5. The property at 17110 New Hampshire Avenue includes a stormwater pond that was intended to serve that property. However the swale that would direct flows from the existing parking lot to the pond was either not constructed or has been compromised. The swale must be constructed on that property per the original stormwater management plans; and, the swale must be placed within a stormwater management easement. This work can be performed before (with appropriate sediment control permit) or concurrent with the parking lot construction. However, construction permits will not be issued until the easement is recorded. The parking lot construction will not be approved unless the swale construction precedes it or is sequenced to be done at the same time.

6. The Submerged Gravel Wetland must be designed to provide twelve hour release of the ESD volume. If the required control orifice to achieve this is less than 2-inches in diameter, a 2-inch diameter orifice must be used. Adequate access to the control orifice for inspection and maintenance must be provided.
7. The Submerged Gravel Wetland and the swales and storm drain that direct flow to it must be included within a recorded stormwater management easement.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is not required**.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Mark Etheridge at 240-777-6338. Please note that this approval is only acknowledges that the stormwater management concept plan meets State and County regulatory standards. Other regulatory codes and standards concerning zoning, land use, and forest conservation will need to be addressed prior to submitting a sediment control permit application for the project .

Sincerely,


Richard R. Brush, Manager
 Water Resources Section
 Division of Land Development Services

RRB: tla mce

cc: SM File # 239888

ESD Acres: 5.5
 STRUCTURAL Acres: 0
 WAIVED Acres: 0



SM 239888

Macris, Hendricks and Glascock, P.A.
Engineers • Planners • Surveyors • Landscape Architects

9220 Wightman Road, Suite 120
Montgomery Village, Maryland
20886-1279

Phone 301.670.0840
Fax 301.948.0693

www.mhgpa.com



Attachment 12

January 12, 2017

Mr. Mark Etheridge, Manager
Montgomery County
Department Permitting Services
Water Resources Section
255 Rockville Pike
Rockville, MD 20850

Re: Snowdens Manor Enlarged
Parcel P491
Preliminary Plan No. 1201600090
SM File No. 239888
MHG Project No. 2014.255

Dear Mr. Etheridge:

On behalf of our client, the Shri Mangal Mandir Religious, Educational & Charitable Trust, we hereby request that you confirm the validity of the May 18, 2011 Stormwater Management Concept approval letter with respect to the subject Preliminary Plan application. Condition #4 of the approval letter states that "this stormwater concept approval is for the parking lot only. Any other proposed use will require submission of a new stormwater management concept." Despite this statement, a review of the stormwater management design computations indicates that stormwater management facilities installed based upon the 2011 SWM Concept approval were sized to provide management of future additional improvements.

A submerged gravel wetland was constructed in accordance with the 2011 concept approval. A summary of the design sizing computations for this facility and the proposed drainage area based on the Preliminary Plan application is below:

Site SWM Requirements		
	Original Design	Proposed Preliminary Plan
Total Site Area	15.33 acres	14.79 acres
Total Impervious Area	3.48 acres	2.65 acres
Total ESD Required	16,406 cf	16,110 cf
ESD provided by SGW	16,837 cf	

Mr. Mark Etheridge, Manager
MCDPS
Re: Snowdens Manor Enlarged
January 12, 2017
Page 2 of 2

The ESDv provided by the submerged gravel wetland exceeds site requirements based upon the proposed Preliminary Plan. Please note, the disturbed area and associated impervious area used to compute the ESD required includes all disturbed area currently shown on the Preliminary Plan as well as previous disturbed area associated with the parking lot construction. This then also includes disturbed area associated with the proposed sewer extension within the New Hampshire Avenue ROW. While this area is not directly tributary to the submerged gravel wetland, no new impervious is proposed with the sewer extension. Additionally, the submerged gravel wetland has sufficient capacity to compensate for the disturbance and existing impervious area associated with the sewer extension.

If you concur that that the May 18, 2011 SWM concept approval letter is valid based upon the proposed Preliminary Plan, please indicate so by signing below.

* Signed: 
Title: MANAGER, WATER RESOURCES

Date: 12 January 2017

Thank you for your consideration of this request. Please contact me if you have any questions or if you need any additional information.

Sincerely,



Kenneth D. Jones, P.E.

* THE stormwater management concept approval for File No. 239888, Dated MAY 18, 2011, is hereby confirmed to be acceptable for preliminary plan no. 1201600090, including removal of condition no. 4 from that original concept approval letter. The existing stormwater facility on the subject property was constructed to acceptably accommodate the proposed BUILDING.

Resolution No.: 17-504
Introduced: May 8, 2012
Adopted: July 24, 2012

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Amendments to the Comprehensive Water Supply and Sewerage Systems Plan

Background

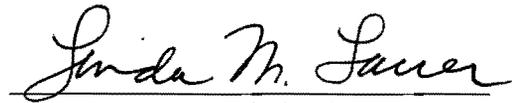
1. Section 9-501 et seq. of the Environmental Article of the Maryland Code requires the governing body of each County to adopt and submit to the State Department of the Environment a comprehensive County Plan, and from time to time amend or revise that Plan for the provision of adequate water supply systems and sewerage systems throughout the County.
2. Section 9-507 of the Environmental Article of the Maryland Code provides that the Maryland Department of the Environment (MDE) has 90 days to review a county governing body's action to amend the County's Water and Sewer Plan. Upon notice to the County, MDE may extend that review period for another 90 days, if necessary. At the conclusion of this review, MDE must either approve or reject the Council's action on each of these amendments, or the action is confirmed by default. Any action approved or taken by this resolution is not final until that action is approved by the MDE or the period for final MDE action has expired.
3. In accordance with the State law on December 30, 1969, by Resolution No. 6-2563, the County Council adopted a Comprehensive Ten-Year Water Supply and Sewerage Systems Plan which was approved by the State Department of the Environment.
4. The County Council has from time to time amended the Plan.
5. On April 27, 2012, the County Council received recommendations from the County Executive regarding 4 Water and Sewer Plan amendments.
6. Recommendations on these amendments were solicited from the Maryland-National Capital Park and Planning Commission, Washington Suburban Sanitary Commission Staff, and affected municipalities.

7. A public hearing was held on June 21, 2012.
8. The Transportation, Infrastructure, Energy & Environment Committee discussed these amendments on July 12, 2012 and made recommendations to the Council.
9. The Council held a worksession on July 17, 2012.

Action

The County Council for Montgomery County, Maryland approves the following actions on amendments to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan as shown in the attachments to this resolution.

This is a correct copy of Council action.

A handwritten signature in cursive script that reads "Linda M. Lauer". The signature is written in black ink and is positioned above a horizontal line.

Linda M. Lauer, Clerk of the Council

**Montgomery County Comprehensive Water Supply and Sewerage Systems Plan
April 2012 Amendment Transmittal: Water/Sewer Category Map Amendments**

Montgomery County uses water and sewer service area categories, in part, to identify those properties that should use public water and/or sewer service versus those that should use on-site systems, usually wells and/or septic systems. Category 1 identifies properties approved for public service and that have access to public system mains. Category 3 identifies properties approved for public service but need new main extensions in order to receive public service. Categories 4 and 5 identify properties that currently should use on-site systems, but are proposed for public service in the future. Category 6 identifies properties that should use on-site systems, where public service is not planned for at least the next ten years.

Property owners file category change map amendment requests seeking to change the service areas for their property from one category to another, often based on anticipated development plans. The following charts present the County Council's actions on water/sewer category map amendment requests filed with DEP and transmitted by the County Executive to the Council for consideration in April 2012.

WSSCR 11A-CLO-01: Shri Mangal Mandir Religious Educational and Charitable Trust							
Property Information and Location Property Development	Applicant's Request: County Council Action						
<ul style="list-style-type: none"> 17100 block, New Hampshire Ave.(MD 650), Cloverly Parcel P491, Snowdens Manor Enl; district 08, acct. no. 00706865 Map tile: WSSC – 223NE01; MD – JT61 Northwest quadrant, intersection of New Hampshire Ave. and Ednor Rd. RE-2 Zone; 16.53 ac. Sandy Spring Ashton Master Plan (1998) Northwest Br. Watershed (MDE Use IV) <u>Existing use</u>: unimproved <u>Proposed use</u>: congregation center for an existing, adjacent place of worship 	<table border="1"> <thead> <tr> <th>Existing –</th> <th>Requested – Service Area Categories</th> </tr> </thead> <tbody> <tr> <td>W-1</td> <td>W-1 (no change)</td> </tr> <tr> <td>S-6</td> <td>S-3</td> </tr> </tbody> </table> <p>Action</p> <p>Maintain S-6, with advancement to S-3, under the private institutional facilities (PIF) policy, conditioned on the Planning Board's approval of a preliminary plan that substantially conforms to the plans presented to the Council by the applicant, especially in terms of:</p> <ul style="list-style-type: none"> A maximum impervious level of 24 percent. A low-pressure sewer main extension that follows New Hampshire Avenue south from the site to connect with the existing gravity sewer in front of Immanuel's Church (DEP will verify that this alignment satisfies the requirements of the PIF policy). A wooded buffer, approximately 50 feet deep, screening on-site development from the street view along the property frontage of New Hampshire Avenue and Ednor Road, with an allowance for the needed sewer extension access to the site. <p>Sewer service will be limited to the use presented by the applicant, a congregation meeting building; no other use may connect to public sewer service without subsequent consideration and approval by the County Council.</p>	Existing –	Requested – Service Area Categories	W-1	W-1 (no change)	S-6	S-3
Existing –	Requested – Service Area Categories						
W-1	W-1 (no change)						
S-6	S-3						

WSSCR 11A-PAX-01: Samson Getachew & Solomon Wubet							
Property Information and Location Property Development	Applicant's Request: County Council Action						
<ul style="list-style-type: none"> 16900 Block of New Hampshire Ave, Cloverly Outlot A, Block B, Glencoe District 05, acct. no. 01680377 Map tile: WSSC – 223NE01; MD – JT61 East side of New Hampshire Ave. (MD 650) south of Ednor Rd. RC Zone; 2.00 acres Patuxent Watershed Conservation Planning Area Cloverly Master Plan (1997) Lower Patuxent River Watershed (MDE Use I) <u>Existing use</u>: unimproved outlot <u>Proposed use</u>: one single-family house 	<p>Service Area Categories:</p> <table border="1"> <thead> <tr> <th>Existing</th> <th>Requested</th> </tr> </thead> <tbody> <tr> <td>W-1</td> <td>W-1 (no change)</td> </tr> <tr> <td>S-6</td> <td>S-1</td> </tr> </tbody> </table> <p>Action</p> <p>Deny the request for sewer category S-1; maintain category S-6.</p>	Existing	Requested	W-1	W-1 (no change)	S-6	S-1
Existing	Requested						
W-1	W-1 (no change)						
S-6	S-1						

Applicants receiving a denial under this action may not apply again until July 24, 2013, unless previously approved by DEP. See Attachment B for mapping of approved, conditionally approved, and deferred category change amendments.

**Montgomery County Comprehensive Water Supply and Sewerage Systems Plan
April 2012 Amendment Transmittal: Water/Sewer Category Map Amendments**

WSSCR 11A-TRV-06: Mitchell Rales for the Glenstone Foundation									
Property Information and Location Property Development		Applicant's Request County Council Action							
<ul style="list-style-type: none"> • 12002, 12204, & 12702 Glen Rd., Potomac (See below for additional property information) • Map tile: WSSC – 216NW12; MD – EQ63 • South side of Glen Rd. opposite Greenbriar Rd. • RE-2 Zone; 127.7 acres • Travilah Planning Area Potomac Subregion Master Plan (2002) • Watts Branch Watershed (MDE Use I) • <u>Existing use</u>: museum, private residence, agricultural <u>Proposed use</u>: expansion of existing museum use (residential and agricultural uses to remain without sewer service) 		Service Area Categories: <table border="1"> <thead> <tr> <th>Existing</th> <th>Requested</th> </tr> </thead> <tbody> <tr> <td>W-6</td> <td>W-6 (no change)</td> </tr> <tr> <td>S-6</td> <td>S-3</td> </tr> </tbody> </table>		Existing	Requested	W-6	W-6 (no change)	S-6	S-3
Existing	Requested								
W-6	W-6 (no change)								
S-6	S-3								
		Action							
		Approve sewer category S-3 under the private institutional facilities (PIF) policy, with the following conditions and restrictions: <ul style="list-style-type: none"> • Public sewer service is provided for the specific and exclusive use by the Glenstone Foundation for its existing and proposed museum facilities. No other structures on the site, including the applicant's personal residence and ancillary buildings, will receive public sewer service unless they become part of the non-profit foundation. 							
<ul style="list-style-type: none"> • Under this action, only those five properties identified in the following table as part of WSSCR 11A-TRV-06 will change from category S-6 to S-3 and will be eligible to receive public sewer service. All other properties in the applicant's holdings adjacent to or near the subject site will retain category S-6 and be excluded from public sewer service. (Other properties owned by the applicant may be considered for future sewer service by the County Council through the appropriate category change processes.) • As a non-residential use, WSSC will require the applicant to pay all sewer extension costs and acquire any necessary sewer easements from other property owners. • In conformance with the service extension requirements of the PIF policy, the off-site low-pressure extension is expected to run along Lake Potomac Dr. to the existing gravity sewer at Great Elm Dr. WSSC will allow access to the new main extension to only the museum; no other properties can connect to the pump/pressure sewer system. Extension costs can include: <ul style="list-style-type: none"> ○ Any odor mitigation measures required by WSSC, including those at and below the pressure sewer outfall point on Great Elm Drive, and ○ Any extraordinary sewer construction measures needed to mitigate the effects of sewer construction across Greenbriar Branch. • The applicant will submit a stormwater management concept plan to the Department of Permitting Services that specifies no more than 15 percent impervious area for the site included in the category change request. 									
Property Listing:	Address	Property I.D.	Tax Acct. No.						
	12002 Glen Rd.	Pt. Lot 3 (Par. N766), Oak Grove	03039982						
	12204 Glen Rd.	Lot 4 (Par. N538), Oak Grove.....	03676467						
	12702 Glen Rd.	Parcel P527, Belmont.....	00390652						
	Glen Rd.	Parcel P600, Belmont.....	02718853						
	Glen Rd.	Pt. Lot 3 (Par. N547), Oak Grove	03412381						

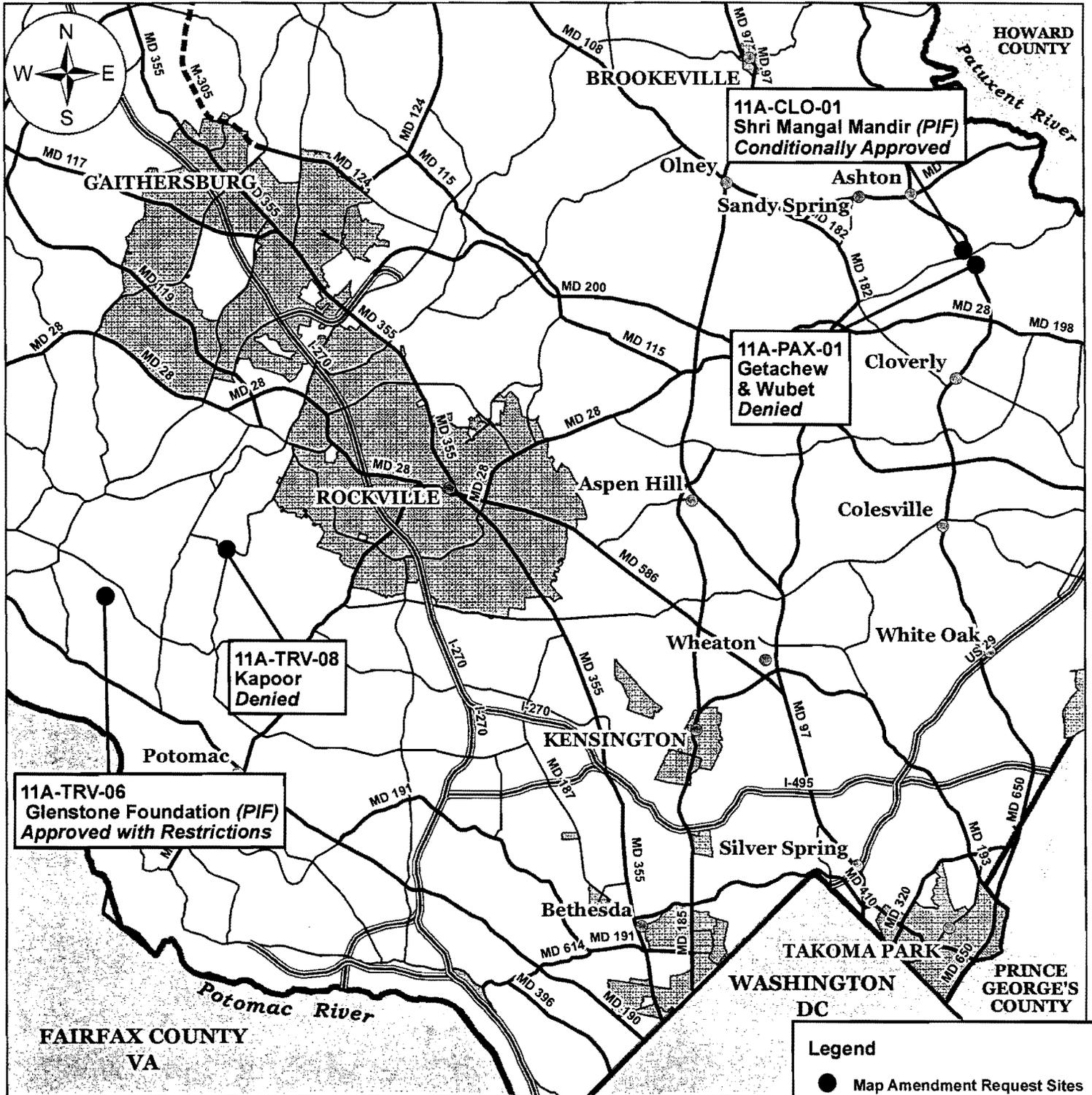
Applicants receiving a denial under this action may not apply again until July 24, 2013, unless previously approved by DEP. See Attachment B for mapping of approved, conditionally approved, and deferred category change amendments.

**Montgomery County Comprehensive Water Supply and Sewerage Systems Plan
April 2012 Amendment Transmittal: Water/Sewer Category Map Amendments**

WSCCR 11A-TRV-08: Ravinder & Ritu Kapoor							
Property Information and Location Property Development	Applicant's Request County Council Action						
<ul style="list-style-type: none"> • 10401 Boswell La., Potomac • Parcel P666, Wickham & Pottinger Piney Level • District 04, acct. no. 00053133 • Map tile: WSSC – 217NW10; MD – FR31 • North side of Boswell La. at Glen Mill Rd. • RE-2 Zone; 2.00 acres • Travilah Planning Area Potomac Subregion Master Plan (2002) • Watts Branch Watershed (MDE Use I) – Piney Branch subwatershed (Mont. Co. SPA) • <u>Existing use</u>: one single-family house (built 2006) • <u>Proposed use</u>: same, sewer service for the existing house 	Service Area Categories:						
	<table border="1"> <thead> <tr> <th>Existing</th> <th>Requested</th> </tr> </thead> <tbody> <tr> <td>W-1</td> <td>W-1 (no change)</td> </tr> <tr> <td>S-6</td> <td>S-3</td> </tr> </tbody> </table>	Existing	Requested	W-1	W-1 (no change)	S-6	S-3
	Existing	Requested					
W-1	W-1 (no change)						
S-6	S-3						
Action	Deny the request for sewer category S-3; maintain category S-6.						

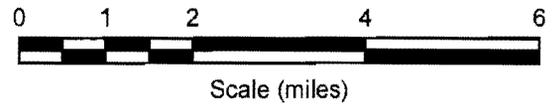
R:\Programs\Water_and_Sewer\Projects\actions-COUNCIL\packets\2012apr\council-process\attachment-A=draft-for-cr-vote.docx

Water and Sewer Plan Map April 2012 Transmittal: Map Amendment Locator



Legend

- Map Amendment Request Sites
- ⊙ Localities
- Major Roads & Highways
- County Roads
- State Roads & Highways
- ≡≡≡ US Highways & Interstates
- - - Proposed Roads
- ▨ Municipalities

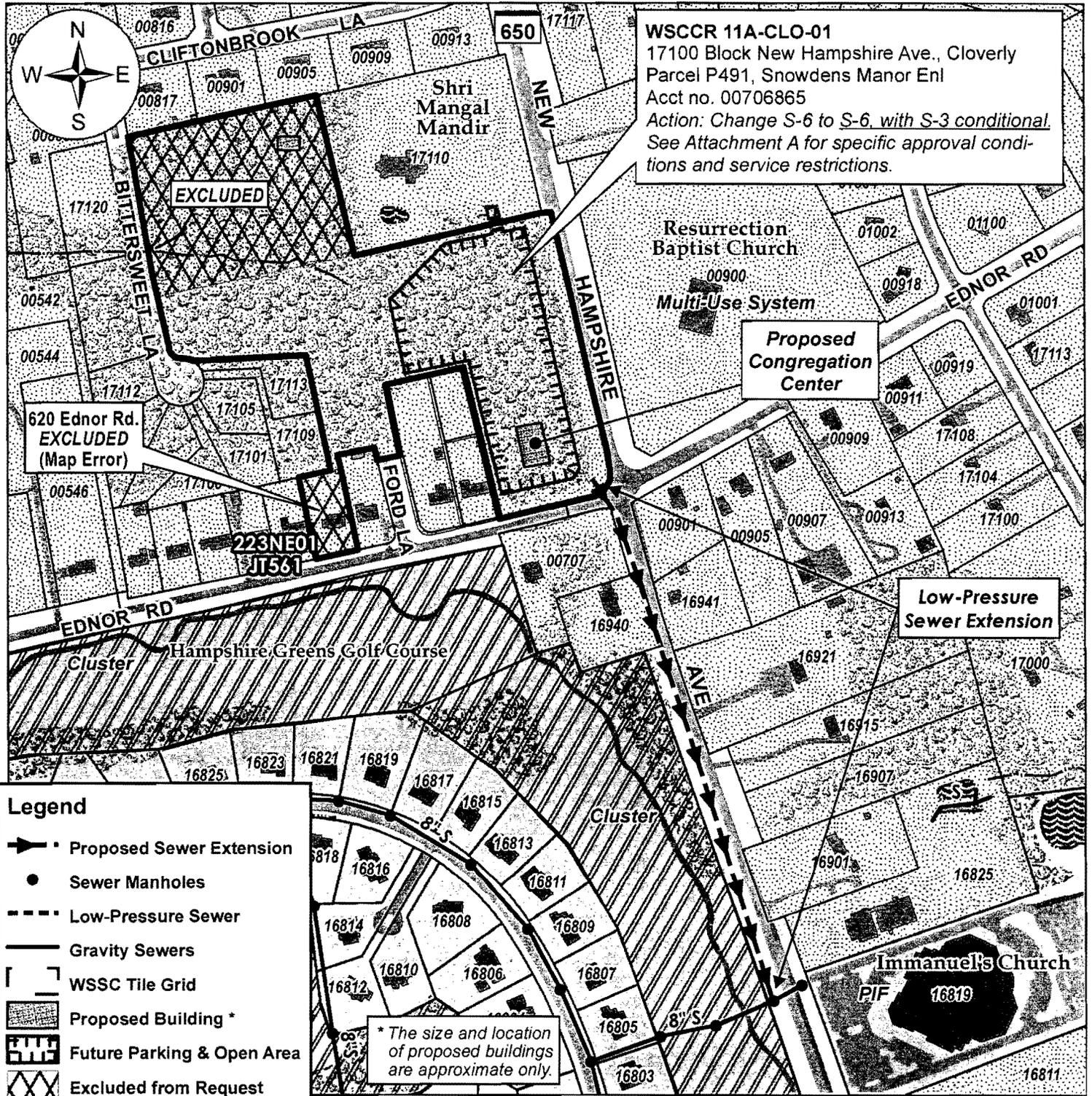


DEP
Water and Wastewater
Policy Group

**Montgomery County, Maryland
2003 Comprehensive Water Supply
and Sewerage Systems Plan**

Sewer Service Area Catagories Map

WSSCR 11A-CLO-01 (Shri Mangal Mandir Religious Educational & Charitable Trust)



WSSCR 11A-CLO-01
 17100 Block New Hampshire Ave., Cloverly
 Parcel P491, Snowdens Manor Enl
 Acct no. 00706865
 Action: Change S-6 to S-6, with S-3 conditional.
 See Attachment A for specific approval conditions and service restrictions.

620 Ednor Rd.
EXCLUDED
 (Map Error)

**Proposed
 Congregation
 Center**

**Low-Pressure
 Sewer Extension**

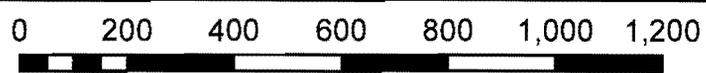
Legend

- Proposed Sewer Extension
- Sewer Manholes
- Low-Pressure Sewer
- Gravity Sewers
- WSSC Tile Grid
- Proposed Building *
- Future Parking & Open Area
- Excluded from Request
- Existing Parkland
- Woodlands

Sewer Categories

- S-1
- S-3
- S-6

* The size and location of proposed buildings are approximate only.



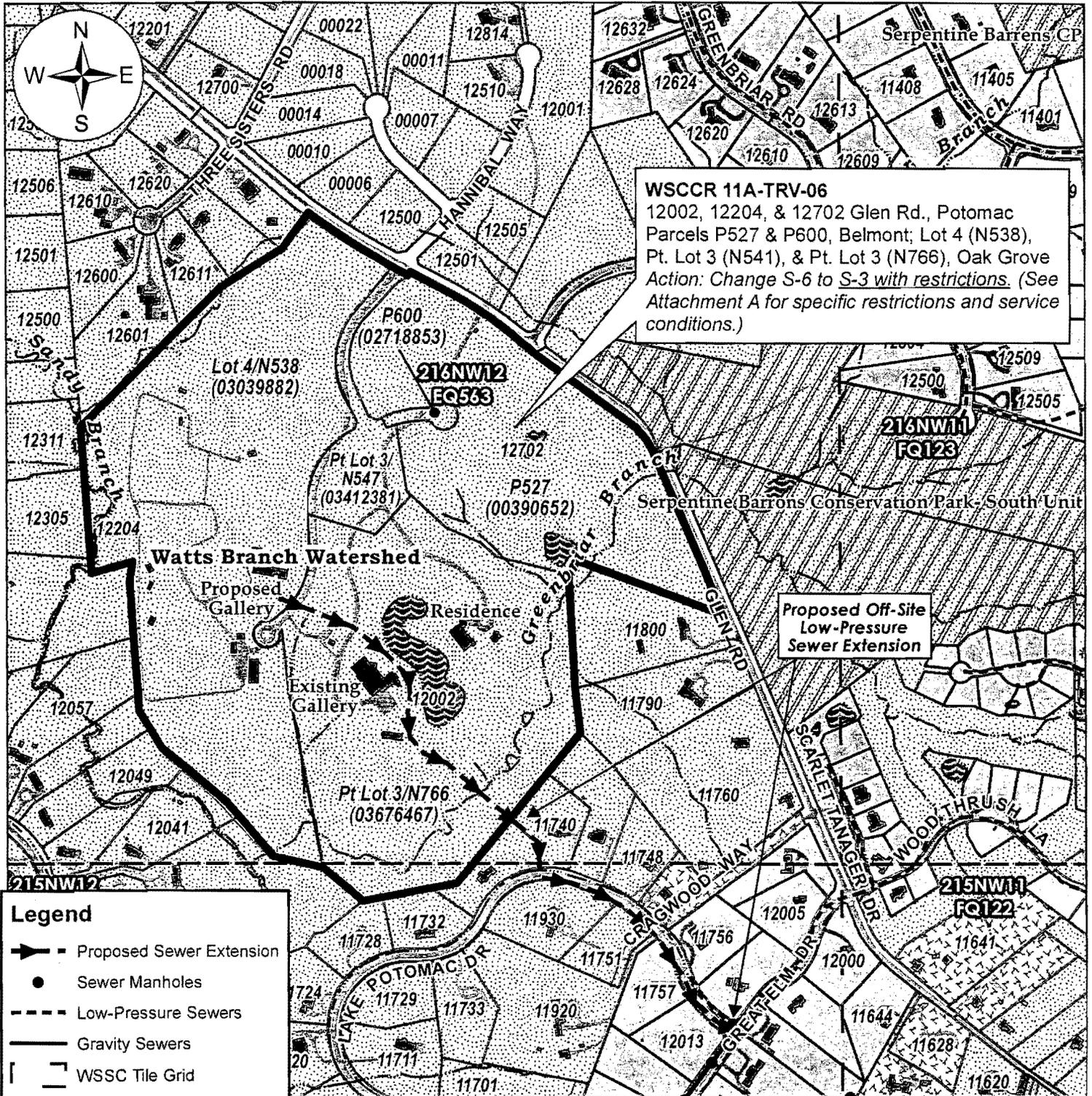
SCALE (Feet)

Montgomery County, Maryland
 Draft 2012 Comprehensive Water Supply
 and Sewerage Systems Plan



DEP
 Water and Wastewater
 Policy Group

Sewer Service Area Categories Map WSSCR 11A-TRV-06 (Glenstone Foundation)



WSSCR 11A-TRV-06
 12002, 12204, & 12702 Glen Rd., Potomac
 Parcels P527 & P600, Belmont; Lot 4 (N538),
 Pt. Lot 3 (N541), & Pt. Lot 3 (N766), Oak Grove
 Action: Change S-6 to S-3 with restrictions. (See
 Attachment A for specific restrictions and service
 conditions.)

**Proposed Off-Site
 Low-Pressure
 Sewer Extension**

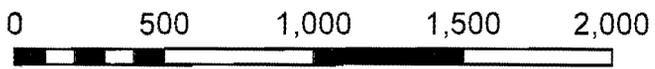
Legend

- Proposed Sewer Extension
- Sewer Manholes
- Low-Pressure Sewers
- Gravity Sewers
- WSSC Tile Grid
- stream-cl
- Subject Properties
- Existing Parkland

Sewer Categories

- S-1
- S-3
- S-6

Travilah Planning Area



SCALE (Feet)

Montgomery County, Maryland
 Draft 2011 Comprehensive Water Supply
 and Sewerage Systems Plan



DEP
 Water and Wastewater
 Policy Group

Sigworth, Ryan

From: ARLENE_44 <arleneheckman@comcast.net>
Sent: Saturday, May 21, 2016 2:34 PM
To: Sigworth, Ryan
Subject: Proposed Shri Mangal Mandir Temple building

Mr. Sigworth,

Recently I received a message from Derek Jackson regarding his communication with you related to the proposed construction of a new religious assembly hall by Shri Mangal Mandir Temple. You informed him that everything is pretty much at stalemate now because of unresolved issues concerning frontage of the religious hall. My name is Arlene Heckman. I am the property owner immediately adjacent to their planned building site. I live at 704 Ednor Road, Silver Spring. It seems to me that Park and Planning should be considering more aspects of this construction than mere frontage issues. Firstly, the land they are planning to develop is zoned 2-5 acre rural residential. Unless zoning is changed, and there has been no indication that this has occurred, there is no way that a religious hall qualifies as rural residential. Secondly, their plans call for a structure that will sit no more than 27 feet away from my property line. It will create a 10,00 sq. ft. footprint and will be 50 feet high. The land that it will sit on appears to be no more than 1 1/2 acres in size. This is a monstrous structure that they are planning, more in keeping with a commercial structure than a residential property. I am greatly concerned about the construction of this building, as I have a right to be. No other property owner in the area will be as directly impacted by this structure as I will be. My home is no more than 25 to 30 feet high. Picture a 50-foot high structure sitting no more than 27 feet away from my home. In use, people in the assembly hall will be able to look directly into my bedroom windows.

I am also greatly concerned about the removal of even more trees adjacent to my property. They have already removed trees almost to the edges of New Hampshire Ave. and Ednor Road. The removal of these trees has taken away a noise buffer for me created by traffic noise on New Hampshire Ave. and on Ednor Road. The temple is planning to hook onto the sewer which will necessitate the removal of yet more trees. I am also concerned about the noise this new structure will generate when they hold their weekly meetings which seem to occur three to five days a week, and when they hold their annual festivals and gather outside their temple to celebrate with bonfires and fireworks. They also serve food at most of these celebrations and will be depositing their trash in a dumpster right next to my property. This will undoubtedly create another rat infestation for me which occurred when they constructed their new parking lot. In the process, they destroyed rat burrows and the rats moved onto my property. It cost me \$1500 to get rid of them.

If this structure is to be built, I would expect--demand--that an 8-foot or taller solid fence be erected between me and the religious hall to provide me with privacy and to keep them, especially their children, away from my property. As it is now, whenever their devotees attend any kind of meeting, there is no provision for their children, and most often the children play outside.

I have lived in my home for 49 years in peace and privacy, and then the Hindus come along and build a temple above me in 1983-1984. Fortunately, they were not a problem for me except for the tremendous volume of traffic created when they held their festivals, or when they created a tremendous amount of noise when they chose to move their celebrations outside. They did, however, create problems for the community by parking on side streets, in people's front yards, and along New Hampshire Ave. But now things are greatly different for me. They took down hundreds of trees beside me and behind me to build their 250-space parking lot. They erected commercial-type parking lot lights which are a constant annoyance when they hold their festivals. And now they are

planning to build a monstrously big structure right beside me. Not fair! Not right! When is this county going to appreciate that residential property owners have rights, too? After all, we are the ones paying real estate taxes, and not these huge worship facilities that seem to be popping up all over Montgomery County.

Arlene Heckman
704 Ednor Road
Silver Spring, MD 20905
Phone: 301-774-1461
email: arleneheckman@comcast.net