

Sensitive Areas

Introduction

Article 66B requires jurisdictions to protect streams and their buffers; the 100 year floodplain; habitats of threatened and endangered species; and steep slopes, wetlands and agricultural and forest lands intended for resource protection or conservation. Jurisdictions may at their discretion, identify and protect other sensitive areas relevant to their particular circumstance.

Poolesville is located in the piedmont geophysical region of the State of Maryland and positioned within the 93 thousand acre Montgomery County Agriculture Reserve, the largest percentage of preserved agricultural land in the United States. Land use has been primarily dedicated to farming and grain production since the late seventeen hundreds. The topography is relatively flat with no significant steep slopes and drains toward the Dry Seneca Creek basin, Russell Branch of Dry Seneca Creek, Horsepen Branch, and branches of Broad Run. There are no known threatened or endangered species living within Town limits, and no steep slopes that would require sensitive area attention at this time. This section is concerned with streams and their buffers, floodplains, wetlands and agricultural and forest lands, and states the goals, objectives, principles, policies and standards established to protect these areas from the adverse effects of development.

Goals:

- To protect the quality of the air, water, and land from the adverse effects of development and growth;
- Enhance the quality of the air, water, and land where feasible and practical;
- Protect the diversity of natural resources, with special attention to potential habitats of threatened and endangered species;
- Adhere to the Chesapeake Bay Watershed Implementation Plans, if applicable.

Objectives:

- Identify and protect sensitive and other environmentally significant areas as part of the comprehensive planning and zoning process;
- Direct growth away from sensitive areas so that impacts are avoided or at least minimized to the greatest extent possible;
- Integrate and coordinate sensitive areas protection with other locally adopted environmental and growth management programs such as stream valley protection, forest conservation, Chesapeake Bay Critical Area protection, watershed management and protection, open space and recreation, water and sewerage, transportation, and community design;
- Promote a positive stewardship ethic for land and water through outreach and education efforts.



Principles and Policies:

- Development should avoid impacts on sensitive areas;
- Impact to habitats of threatened and endangered species, or natural systems that are otherwise important and unique, should be avoided altogether.

Standards:

- As a general rule, all areas should meet Federal or State environmental standards, developers should strive to make the post-development quality of air, land and water as good as pre-development levels;
- The quality of stormwater runoff associated with developing or redeveloping should be in compliance with Federal and State regulations.

Strategies set forth in this section will be accomplished through existing Town Ordinances, reviewing plans to ensure that all County, State and Federal regulatory program compliances have been obtained and by proposing new or modified ordinances from time-to-time as needed. The Town also relies on Montgomery County, (Stormwater Plan approval authority) State of Maryland and U.S. Army Corps of Engineers (permits within designated wetlands), the Federal Emergency Management Administration (delineates 100-year floodplain) and other agencies review when evaluating the submittal of preliminary plans for development.

During the initial preliminary review process, plans are examined for existing features including, but not limited to, significant tree groves, scenic or historic areas, streams, drainage areas, outstanding natural topographic features, wells, wetlands, and 100-year flood plains, as stated in the existing Town Subdivision Regulations.

Environmentally sensitive areas are depicted in Appendix E, Map 13. They generally consist of wetlands, flood plains, forested areas, and the wellhead protection areas. Sensitive areas depicted in Map 10 are for planning purposes only. Neither the scale depicted nor the methods employed to identify the resources are sufficiently accurate for final determinations. Future development plans must identify each of these resources at a level of detail consistent with applicable Town, County, State and Federal regulations prior to submittal to the Town for approval.

Proposed Development Impact

The current Town limits incorporate approximately 2,641 acres, 209 of which are impervious surfaces, and it is projected that an additional 39 acres of impervious surface shall be added to the Town when the current and proposed development is complete. Currently 8.6% of the Town acreage consists of impervious material. Upon completion of submitted construction projects, the percentage will rise to approximately 9.4%.



Streams and Buffers

As part of the planning process, the Town considers and recognizes the importance of streams and seasonal streams and it considers the various impacts that may occur if these stream systems are disturbed without proper remediation. The Town understands that these stream systems serve as a purification system for the waters that eventually enter the Chesapeake Bay and thus these stream systems are an integral part of a clean and safe environment. Areas around these stream systems also serve as wildlife refuge areas that are essential to the ecological diversity of the area. The Town identifies these areas by using existing FEMA maps and through site observation. The Town has taken the position that wetlands, the 100 year flood plain, and the 25 foot buffer to the flood plain are to be placed into a conservation easement. This process serves two purposes:

- 1) To aid the Town in creating ecological niches for diverse species growth;
- 2) To provide the Town with the ability to enforce no construction or extremely limited construction within conservation easements.

The Town recommends that intermittent and perennial streams be regarded as environmental features and surrounded with a 100 foot buffer. Similarly, a 25 foot buffer should be designated around wetlands as is the practice within parts of Montgomery County.

The 2000 Maryland Stormwater Design Manual allows the following processes to be applied :

- The use of standard design computations.
- The use of bio-retention in the design.
- Controlled release of stormwater flows into the existing streams.

Habitats of Threatened and Endangered Species

The State of Maryland and Federal government are responsible for identifying threatened and endangered species. When new development is planned, the State of Maryland Department of Natural Resources (DNR) supplies a letter identifying possible threatened and endangered species present in the general area to the developer. A natural resource inventory statement will inform the developer if any action is needed in this regard, and of any action relating to forest conservation.

Forest Conservation

The forest canopy and its supporting system is the starting point for filtration of precipitation and control of runoff and further more is an integral part of the environment. Forest Conservation and afforestation efforts are critically important components to protecting and promoting healthy water.

To this end, the Town plans to continue implementation of its Forest Conservation Ordinance (Chapter 7-1 – 7-30, Poolesville Code), which is in full compliance with the Maryland Forest Conservation Act (Natural Resources Article, Sections 5-1601 – 5-1612, Annotated Code of



Maryland). All plans submitted for development must have a Forest Conservation Plan consistent with the Town Code.

Sensitive Area Protection and Improvements

Poolesville's responsibility is to be a steward of the land. This stewardship responsibility can be summarized as: "to protect, where possible, and to enhance the existing natural environment of the area within the Town Limits of Poolesville, in coordination with County, State, and Federal Government programs". This process provides the Town a coordinated regulatory program and an understanding of its responsibility with regards to sensitive areas.

Sensitive Area Element

It is the goal of this plan to ensure that all future development is planned, designed and constructed in a manner, which will conserve sensitive natural resources and promote a healthy and sustainable environment for present and future residents.

Mineral Resources

Water is the only mineral resource that has been identified within the boundaries of the Town. The aquifer from which the Town's water is supplied is discussed in Appendix A.

Water provided by the Town wells is of very high quality. The blanket of soils that overlies the aquifer under Poolesville acts as a purifying filter. There is only a thin mantle of overlying soils in the vicinity of Poolesville and the threat of groundwater contamination is very real.

Annually, the Maryland Department of the Environment in conjunction with the Town sample and analyze Poolesville's Water Supply. They have also worked with the Town to develop a Wellhead Protection Plan and a wellhead protection area (all areas within the Town boundaries and some overlapping into the county). These efforts help ensure that Poolesville will continue to have a safe and adequate water supply .

