



MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**MCPB
ITEM #
3/22/07**



MEMORANDUM

DATE: March 6, 2007

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Development Review Division

FROM: Catherine Conlon, Supervisor (301-495-4542)
Development Review Division *CC*

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: Twenty-eight (28) lots for 17 one-family detached, and 11 one-family attached residential dwelling units, including 4 moderately priced dwelling units (MPDUs)

PROJECT NAME: Hallman Grove

CASE NO. 120073050

REVIEW BASIS: Pursuant to Chapter 50, the Subdivision Regulations and Chapter 59, the Zoning Ordinance

ZONE: R-200 and R-200/TDR-3

LOCATION: On Fellowship Lane approximately 1,600 feet west of Quince Orchard Road

MASTER PLAN: Potomac

APPLICANT: Hallman Grove LLC

ENGINEER: Site Solutions, Inc.

ATTORNEY: Linowes and Blocher

FILING DATE: November 6, 2006

HEARING DATE: March 22, 2007

Staff Recommendation: Approval, including the use of a reduced-width tertiary roadway with sidewalk on only one side, and terminating as an over-length cul-de-sac; and subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 28 lots for 17 one-family detached, and 11 one-family attached residential dwelling units, including a minimum 12.5% moderately priced dwelling units (MPDUs).
- 2) Final approval of the number and location of dwelling units and MPDUs shall be determined at site plan.
- 3) Final approval of on-site parking, site circulation, sidewalks, and bikepaths will occur at site plan.
- 4) No clearing, grading or recording of plats prior to approval of the certified site plan.
- 5) The applicant must comply with all conditions of the preliminary forest conservation plan. All conditions must be satisfied prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits, as applicable. Conditions include:
 - a) Applicant to construct a split rail, or better, fence at the back and/or sides of lots 1, 5, 6, 7, and 10 through 16 to delineate the off-lot forest planting areas and conservation easements.
- 6) The applicant must comply with the conditions of the MCDPS stormwater management approval dated January 22, 2007.
- 7) The applicant must dedicate the extension of Fellowship Lane as a reduced-width tertiary road and construct the road to reduced-width tertiary standards with at least a 4' wide sidewalk on one side.
- 8) The applicant must construct the proposed private street to the structural standards of a public tertiary road with at least a 4' wide sidewalk on one side.
- 9) The applicant must comply with conditions of the MCDPWT letter dated February 23, 2007, unless otherwise amended.
- 10) Record plat to reflect a Category I conservation easement over all environmental buffers and forest conservation areas.
- 11) Record plat to reflect public use, common ingress/egress and utility easements over the proposed private street.
- 12) Record plat to reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant must provide verification to Commission staff prior to release of final building permit that Applicant's recorded HOA Documents incorporate by reference the Covenant.
- 13) Record Plat to reflect all areas under Homeowners Association ownership and specifically identify stormwater management parcels.
- 14) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s).
- 15) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
- 16) Other necessary easements must be shown on the record plat.

I. SITE DESCRIPTION

The subject property consists of 12.65 acres of land located west of the cul-de-sac terminus of existing Fellowship Lane. Fellowship Lane begins at Quince Orchard Road approximately 1,700 feet south of the intersection of Quince Orchard Road and Darnestown Road (MD 28) in Potomac (Attachment A). The property is an assemblage of ten parcels which are recorded by deed, and under multiple ownership. The property is split-zoned R-200 and R-200/TDR3 and lies within the Muddy Branch watershed which is designated as Use Class I. Surrounding land uses consist of one-family residential dwellings in the R-200/TDR3 zone on the south, east and northeast property boundaries; one-family residential dwellings in the R-200 zone on the northwest property boundary; and a major Pepco power line right-of-way along the western property boundary. The property is eligible for public water and sewer.

The site currently contains two occupied one-family residences (on existing Parcels 801 and 821) accessed by paved driveways originating at the Fellowship Lane cul-de-sac. A third existing residence, on a deeded parcel which is not part of the proposed subdivision (Parcel 741), also has driveway access from existing Fellowship Lane through the subject site. Another unoccupied, deeded parcel which is not part of the proposed subdivision, Parcel 927, has unimproved access through the subject site via an existing ingress/egress easement.

The site gently slopes to the east and southwest from a high point located in the rear of the two existing homes. A perennial stream crosses existing Fellowship Lane on the eastern property boundary and a second intermittent stream flows into this tributary from the eastern portion of the site. Environmental buffers associated with these streams encompass 1.27 acres on the eastern portion of the site. Total forest cover on the site consists of approximately 6.25 acres in four stands, the largest (in the southwestern portion of the site) is approximately 4.5 acres. Overall forest stand quality is fair to poor, but some large, high quality individual trees are present within existing forest stands and scattered throughout the property.

II. PROJECT DESCRIPTION

The subject preliminary plan consists of a 28-lot subdivision containing 17 one-family detached dwellings and 11 townhouses (Attachment B). The one-family detached lots are accessed via extension of existing Fellowship Lane as a public road, built to reduced-width, tertiary street standards; and the townhouses are accessed by a private road from the Fellowship Lane extension. The applicant is requesting Planning Board findings to permit the reduced-width tertiary road with a sidewalk on only one side, and to terminate the road as an over-length cul-de-sac (Attachment C).

The development proposal applies the standards for R-200 development including moderately priced dwelling units (MPDUs) to the entire property, rather than using the TDR option available on the environmentally-constrained eastern portion of the site. The proposal includes extension of public water and public sewer to serve the proposed houses.

III. PREVIOUS PLANNING BOARD REVIEW

A pre-preliminary plan for the subject property was presented to the Planning Board for discussion on January 19, 2006. At that hearing, the applicant requested advice from the Board regarding a proposal for a 30-lot subdivision containing 18 one-family detached dwellings and 12 townhouses. The analysis of this preliminary plan includes the issues on which the Board shared their opinion at that time.

IV. ANALYSIS AND FINDINGS ON THE PRELIMINARY PLAN

A. Conformance to the Potomac Subregion Master Plans (Past and Present)

The 1980 Potomac Subregion Master Plan recommended part of the area covered by the subject preliminary plan as suitable for PD-3 development. An Amendment to that Plan, adopted in 1982, allowed this area to achieve the same density, but only by utilizing TDRs. The objective of the Plan and the Amendment was to provide, for the Darnestown Planning Area, a suitable transition between the Rural Cluster Zone to the west (without sewer) and the more suburban areas to the east (with sewer). The Amendment did acknowledge (page 11) that TDRs were an option, and that not all property owners would wish to utilize TDRs in their development programs. The Amendment further stated that the Planning Board could reduce the number of units permitted on a given site due to environmental and other constraints and that much of the remaining area in conventional zones would not develop to full capacity.

The 2002 Approved and Adopted Potomac Subregion Master Plan supported the retention and reconfirmation of the existing zoning for the subject property and supported the use of TDRs wherever increases in density were proposed (page 40). The Master Plan did not specifically identify the property subject to the current pre-application.

The proposed preliminary plan conforms to the master plan recommendations for residential development. The development does not utilize the TDR option, but rather applies the option for development with moderately priced dwelling units (MPDUs). In staff's opinion, the proposal conforms to the recommendations of the 2002 Potomac Subregion Master Plan.

B. CONFORMANCE TO THE SUBDIVISION REGULATIONS AND ZONING ORDINANCE

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations, and Chapter 59, the Zoning Ordinance. As further discussed below, the application meets the applicable requirements. Access and public facilities will be adequate to support the proposed lots and uses. The public facilities for the development have been deemed adequate to serve the proposed units. Additionally, the proposed lot sizes, widths, shapes and orientations are appropriate for the location of the subdivision.

The lots were reviewed for compliance with the dimensional requirements specified in the Zoning Ordinance for the R-200 zone utilizing the MPDU option. The lots as proposed will meet all applicable dimensional requirements for area, frontage, width, and setbacks in that zone. Some non-specified standards will be established as part of the future site plan review. A summary of this review is included in attached Table 1.

1. Combining the two zoning categories

The subject property is split-zoned R-200 and R-200/TDR-3. Given the environmental constraints associated with the R-200/TDR-3 zoned portion of the property, TDR density cannot be achieved. Therefore, the application proposes to develop the entire property using the development standards of Chapter 59, Section 59-C-1.62, for R-200 development using MPDUs. Concerns were raised by citizens during the pre-preliminary plan discussion, and again in a letter sent on the preliminary plan (Attachment D), about combining the density from the different zoning categories. Specifically, is it appropriate for density to be combined from both areas if such density could not be constructed within each area because of environmental or other constraints? Staff found, and the Board generally agreed, that density can be combined.

Applicant's Position

Given the significant environmental constraints associated with the R-200/TDR-3 zoned portion of the property, TDR density cannot be achieved. Therefore, the applicant proposes to develop the entire property using the development standards of Chapter 59, Section 59-C-1.62, for R-200 development using MPDUs. The standards permit a maximum of 2.44 dwelling units per acre which translates to a maximum of 29 dwelling units, including a minimum of 4 MPDUs¹, on the subject property. Twenty-eight dwelling units are proposed with a combination of one-family detached and townhouse lots.

Citizen Position

By letter dated February 23, 2007 (Attachment D), adjacent and nearby property owners oppose combining the density from the different zones on the property. They cite to provisions in the County Code which govern how density is calculated. They express concern that environmentally-constrained acreage in the eastern portion of the site, and area needed for stormwater management and road access, are included in the developer's density calculations.

Staff's Position

The proposed development meets the Section 59-C-1.628(e)(3) requirements for development in different zones and does not exceed the total number of units that would

¹ 4.49ac in R-200/TDR zone @ 2.44 du/ac = 10.95 or 10 units; 7.91 ac in R-200 zone @ 2.44 du/ac = 19.3 or 19 units. MPDUs at minimum 12.5% of 29 equal 4.

be permitted if the component areas of the combined tracts were developed separately. Per Section 59-C-1.628(a), usable area on which density is calculated is determined by deducting 100-year floodplain that encompasses an excessive part of the tract and highway rights-of-way greater than 100 feet wide from the gross tract area. The R-200/TDR-3 zoned portion of the subject tract does not include either of these areas and, therefore, can be used in its entirety for density calculations. Staff also finds that density achieved from either of the separately zoned portions of the site can appropriately be developed anywhere within the gross tract area since, per Sections 59-C-1.331 and 1.332, the same development standards apply in both zones².

2. Use of a Reduced-width Tertiary Street

The preliminary plan proposes access to lots via a public road extension from the terminus of existing Fellowship Lane. The alignment of this proposed extension follows an existing parcel which provides ingress and egress for two parcels that are not subject to the current application (P795 and P927). Under the terms of the existing ingress/egress agreement, this access can't be terminated unless all parties agree. Since agreement to change the alignment has not been reached, the application uses the existing parcel to create the Fellowship Lane extension. The proposed road alignment creates both challenges and opportunities for achieving compatibility between the existing and proposed developments. As previously discussed during the pre-preliminary plan, use of a public roadway built to reduced-width tertiary standards with sidewalk on one side has been determined by staff to be the best way to address both.

Per Sections 49-34(f) and 50-26(h) of the County Code, the Planning Board has authority to determine when a tertiary street may be used and to establish the right-of-way width. The standard right-of-way width of a tertiary street is fifty (50) feet, however, the Board may approve a lesser width if it can be demonstrated that the lesser width is environmentally better and either improves compatibility with adjoining properties, or allows better use of the parcel under consideration. Per Section 50-26(h)(2), the Board's approval of a lesser width occurs as part of a Section 59-D-3 site plan review. The proposed roadway will have a 26' wide, paved surface within 27'4" of right-of-way, with appropriate public utility and improvement easements on both sides, and a 4' wide concrete sidewalk on the north side.

The future site plan, as included in staff's recommended conditions for approval of this preliminary plan, will ultimately determine the acceptability of the proposed right-of-way, but Subdivision staff's analysis of the applicant's justification (Attachment C), indicates that the appropriate findings can be made for the proposed project. The reduced right-of-way enables preservation of more existing trees along the adjoining Quince Orchard Estates to the south, and provides more space to supplement the existing trees with landscaping. It also allows the proposed lots and houses to be located closer to the

² Section 59-C-1331(a) stipulates that standard method development in TDR zones must comply with the density limitations contained in the corresponding zones as identified in section 59-C-1.332. Section 59-C-1.332(b) stipulates that density limitations for MPDU development applicable to the R-200 zone apply in standard method TDR zones. Thus, the same R-200/MPDU development standards apply to the entire tract.

proposed road which results in more forest retention and planting areas adjacent to the Mountain View subdivision to the north. The proposed forest area adjacent to Mountain View is a 75-foot wide, off lot conservation easement that, combined with the existing 35-foot conservation easement on the Mountain View subdivision, creates a 110-foot wide forest stand.

The use of a reduced-width tertiary road improves compatibility between the existing and proposed subdivisions because it: a) increases the amount of tree save and planting that can be provided where the roadway must abut the rear lot lines of existing homes to the south; and, b) creates an opportunity for a significant forest stand buffer between the smaller proposed and larger existing lots to the north of the property. The reduced-width tertiary road is also better from an environmental perspective because it provides more contiguous on-site forest planting area and greater opportunity for tree save. Finally, staff supports the use of sidewalk on only one side of the proposed roadway, because all proposed houses on this single-side loaded road will have sidewalk along their front that pedestrians will be able to safely use. In addition, the total impervious surfaces within the development will be reduced, thereby reducing the amount of stormwater runoff generated and treated in the stormwater management facility.

3. Over-length Cul-de-sac

Per Section 50-26(d), a cul-de-sac should not be longer than 500 feet unless the Planning Board finds that a greater length is justified by reason of property shape, size, topography, large lot size, or improved street alignment. Fellowship Lane currently exists as an over-length cul-de-sac from Quince Orchard Road. Continuing it in the same fashion can't be avoided since the surrounding properties are fully developed as either residential lots, or a major electric transmission right-of-way. The unusual shape of the property also makes it infeasible to create any internally connected streets. Therefore, a finding can be made for further extension of Fellowship Lane as an over-length cul-de-sac. The proposed roadway configuration has been approved by Montgomery County Fire and Rescue Service. The proposed roadways, cul-de-sacs and "T-turnaround" provide adequate ingress and egress for fire and rescue vehicles.

4. Distribution of the unit types within the site

The location of units is influenced by the proposed configuration of the roadway access to this site. A public roadway follows existing ingress/egress easements which must be maintained as access for the existing parcels that are not a part of the proposed development. A public road could also conceivably be constructed within the fifty foot strip of land accessing the southwest corner of the site, but such a public road would be directly behind existing homes with no buffering. The proposed plan instead utilizes a private roadway to access this area. The private road configuration provides space for landscaping along the property line and setback of the road pavement.

Frontage on a public road is required for one-family detached dwellings in the R-200 zone, but townhouses may front on public or private streets³. Since the subject application includes the use of townhouses as permitted by the R-200/MPDU development standards, they have been located in the southwest corner of the site and utilize the private street access. The proposed unit distribution within the site is justified given the limitations associated with the parcels being assembled.

C. Transportation

Staff concludes that the subject preliminary plan will provide safe and adequate access for vehicles and pedestrians. The development will not generate more than 30 peak-hour trips and is therefore, not subject to Local Area Transportation review. As discussed above, staff supports use of a reduced-width tertiary public street with sidewalk on one side, and a private street accessing the townhouse area.

D. Environment

The 12.40-acre property includes 6.46-acres of existing forest. There is a stream on the property that crosses under existing Fellowship Lane approximately 250 feet from its current cul-de-sac terminus. There are 1.27 acres of stream buffer on the property. The entire property is tributary to the Quince Orchard Branch in the Muddy Branch watershed, a Use I water.

The proposed plan meets all environmental requirements. The plan provides the minimum necessary protection of environmentally sensitive areas and meets requirements for forest conservation. The proposed layout provides opportunity to meet forest planting requirements on-site, and save trees along property boundaries.

1. Environmental Buffers

A Natural Resource Inventory/Forest Stand Delineation was approved on February 15, 2007. The site includes a stream and small wetland on the property. In total there are 1.27-acres of environmental buffer, part of which is encroached upon by existing Fellowship Lane. The proposed plan protects the remainder of the environmental buffer except for a proposed stormwater management outfall. Staff has determined that the existing and proposed encroachments into the environmental buffer are unavoidable, so the plan satisfies requirements for protection of environmentally sensitive areas.

2. Forest Conservation

There are 6.46 acres of existing forest in four distinct forest stands on the subject site. Northern red oak trees dominate one stand, two stands are dominated by tulip trees, and the fourth stand has no dominant species. There are numerous trees 24 inches in

³ Section 59-C-1.628(b) of the Zoning Ordinance permits townhouse frontage on a public street, a private street or a common open space.

diameter and greater on the subject property including 16 trees 30 inches in diameter and greater.

The development is proposing to utilize the option for development with MPDUs, and therefore, must comply with Section 22A-12(f) of the Montgomery County Code (Forest Conservation Law). This section requires that a certain percentage of the net tract area be forested, either by retaining existing forest or planting. For this particular plan, 20 percent of the net tract must be forested. The preliminary forest conservation plan indicates the removal of 4.94 acres of forest and the preservation of 1.52 acres. This generates a 2.92-acre forest-planting requirement, which the applicant will meet by planting on site. All retained and planted forest will be protected in a Category I conservation easement. The proposed preliminary forest conservation plan satisfies the requirements of Section 22A-12(f) and all other applicable requirements of the Forest Conservation Law.

The plan submitted indicates setbacks of 15 feet for the rear yard and 5 feet for the side yard. The preliminary forest conservation plan does not show any house footprints within 30 feet of the rear property line; however, the plan shows 40 x 34 foot rectangular boxes for house footprints. Few builders construct and few homeowners want rectangular boxes. The Planning Board establishes the building envelope and not the building location through the subdivision process. The builder has the flexibility to locate the building anywhere within the building envelope including at the rear building restriction line. If the builder constructs the house, or any house feature at the rear building restriction line, there would be 15 feet from the building to the conservation easement. This would provide an inadequate backyard space that may encourage the homeowner to enter the conservation easement area to create a useable backyard space. In order to delineate the forest conservation easement and protect the trees from future homeowner encroachment, a condition is recommended to require the applicant to construct a split rail fence at the back of lots 1, 5, 6, 7, and 10 through 16.

V. CITIZEN ISSUES AND CONCERNS

In their letter dated February 23, 2007, and a follow-up letter dated February 24, 2007 (Attachments D & E), adjacent and nearby residents state their opposition to the proposed plan based upon their belief that it does not satisfy Section 59-D-3.4(b) requirements for compatibility and safety. With regard to compatibility, they cite to the proposed size of lots in relation to existing ones nearby, the location of roads to the rear of existing lots, the location of the proposed townhouses, and the number of proposed lots around cul-de-sacs. From a safety perspective, they are concerned that additional traffic from the proposed development will endanger children because existing Fellowship Lane has no sidewalks and isn't designed to slow traffic down.

Although the Section 59-D-3 findings cited by the citizens will be reviewed in detail as part of the future site plan, staff from the site plan section did provide input regarding the proposed layout of both the pre-preliminary, and this preliminary plan. The plan proposes a 75'

wide planted forest buffer between proposed units and existing houses along the northern property boundary. Along the rear of existing houses on Quince Valley Drive adjacent to the proposed townhouse area, the plan preserves a minimum 50' wide forest buffer, except along the access road. Along the existing access drive where forest cannot be preserved, the applicant proposes dense landscaping and fencing. The proposed townhouses are also configured so that sides of units, rather than townhouse rows, face the rear of the existing houses. Finally, the extension of Fellowship Lane is designed so that tree preservation and supplemental planting can be provided between the road and the rear of existing homes.

The proposed preliminary plan meets the requirements and adheres to the standards for development in the R-200 zone using the MPDU option. These standards include the options to use smaller lot sizes and provide up to 40% of the units as townhouses. The proposed unit layout reflects the limitations associated with the parcels being assembled. Given these limitations, the preliminary plan layout, with the proposed buffering, is generally compatible with adjoining development. The future site plan review will further examine this and the safety issues raised.

Another letter was received on March 2, 2007, from a neighbor living adjacent to the southeast corner of the subject property (Attachment F). The neighbor experiences drainage problems on his existing lot and is concerned that runoff from the proposed development may worsen the situation. He is also concerned that ultimately, the subject property's runoff will discharge into his community's stormwater pond.

Based on review of the pictures submitted by the neighbor, it does appear that his lot receives a considerable amount of storm drainage. The source of the water, however, appears to be overland runoff from the rear yards of other existing lots on Quince Valley Drive, not the subject property. In fact, if there is any runoff from the subject property that reaches his yard, it should be drastically reduced when the future development is in place since water from most of the site will be directed into the planned storm drain system.

A proposed outfall from the subject property will discharge into an existing swale located adjacent to the neighbor's property, but the swale ties in with the outfall from the adjacent pond, so water from the subject property will not discharge into the pond. Montgomery County Department of Permitting Services (DPS) has determined that the proposed outfall will safely convey runoff from the proposed development at a non-erosive rate, and that the downstream storm drain system should have sufficient capacity to handle the water. Based on the neighbor's concern, DPS is conducting further analysis to determine if additional measures are needed as part of the final stormwater management approval that will be done with the site plan.

VI. CONCLUSION

Staff's review of Preliminary Plan #120070350, Hallman Grove, indicates that the plan complies with Chapters 50 and 59 of the Montgomery County Code. The plan conforms to the recommendations for residential development included in the Potomac Subregion Master Plan. Public facilities will be adequate to support and service the area of the proposed subdivision, and the size, width, shape, and orientation of the proposed lots are appropriate for the location of the

subdivision. The proposed reduced-width tertiary roadway improves compatibility between the subdivision and adjacent development, and is environmentally better. The provision of sidewalk on only one side of the proposed public and private roads is justified because the roads are single-side loaded and all houses will have sidewalk along their front that pedestrians will be able to safely use. The use of an over-length cul-de-sac is justified by the shape of the existing property and the nature of surrounding development. The application has also been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, approval of the application is recommended with the conditions specified above.

Attachments

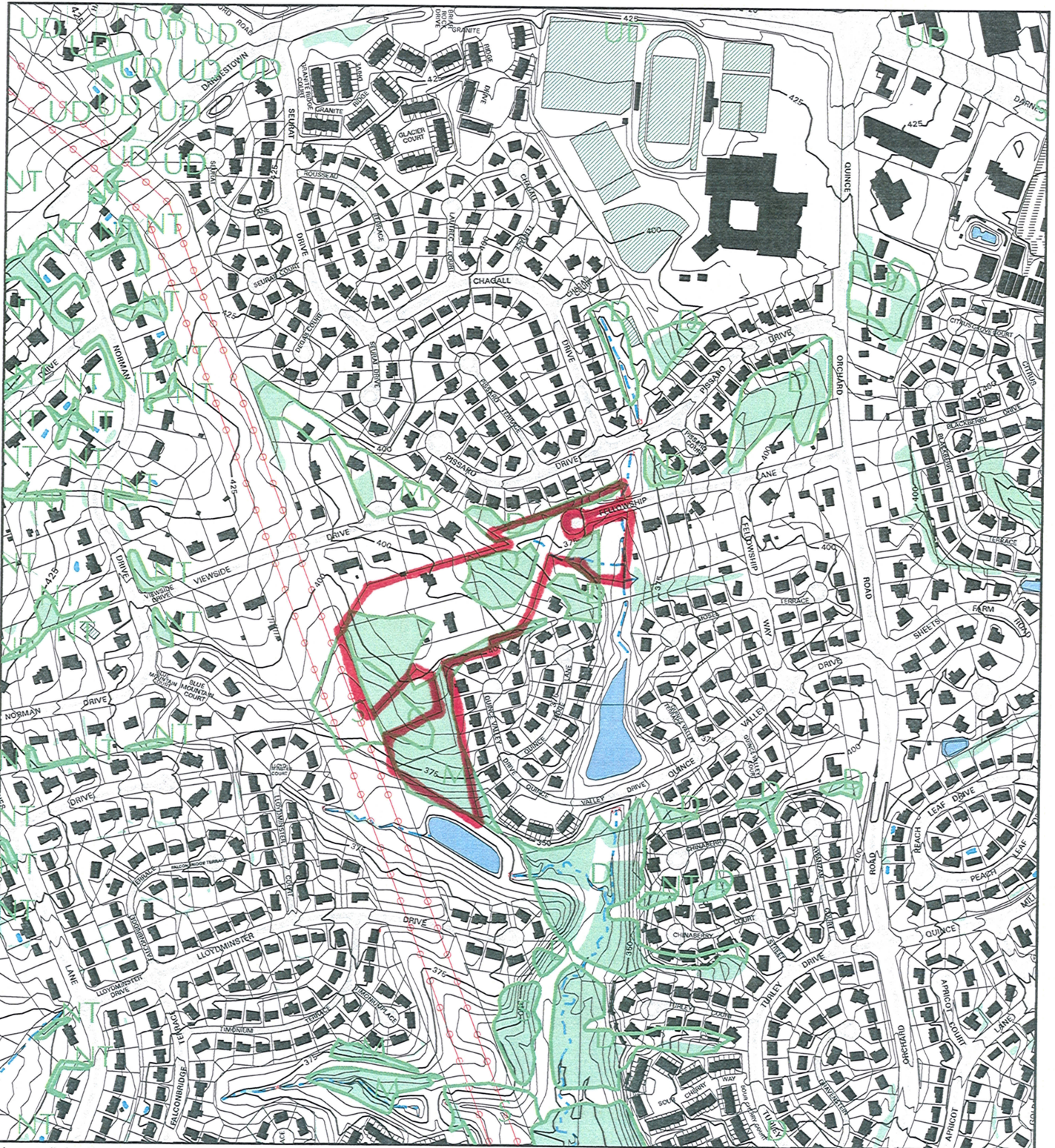
- Attachment A – Site Vicinity Map
- Attachment B – Preliminary Plan
- Attachment C – Applicant’s Statement of Justification
- Attachment D – February 23, 2007 Citizen Letter
- Attachment E – February 24, 2007 Citizen Letter
- Attachment F – March 2, 2007 Citizen Letter
- Attachment G – Referenced Agency Correspondence

Table 1. Preliminary Plan Data and Checklist

Plan Name: Hallman Grove				
Plan Number: 120070350				
Zoning: R-200 and R-200/TDR (Plan uses standards for R-200 using MPDUs)				
# of Lots: 28				
# of Outlots: 0				
Dev. Type: Residential				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval on the Preliminary Plan	Verified	Date
Lot Area	6,000 s.f. for sfd 1,500 s.f. for sfa ¹	6,200 s.f. for sfd 1,500 s.f. for sfa is minimum proposed	CAE	3/5/07
Lot Width	Est. by site plan		CAE	3/5/07
Lot Frontage	25 ft. Min	Must meet minimum	CAE	3/5/07
Setbacks				
Front	25ft. Min. from street 30ft. Min. from tract boundary	Must meet minimum	CAE	3/5/07
Side	Est. by site plan		CAE	3/5/07
Rear	Est. by site plan	Must meet minimum	CAE	3/5/07
Green Area	2,000 s.f. Min. for each sfa unit	Must meet minimum	CAE	3/5/07
Height	40 ft. Max.	May not exceed maximum	CAE	3/5/07
Max Resid'l d.u. or Comm'l s.f. per Zoning	2.44 du/ac or 29 dwelling units	28 dwelling units	CAE	3/5/07
MPDUs	12.5%	12.5%	CAE	3/5/07
TDRs	N/A			
Site Plan Req'd?	Yes		CAE	3/5/07
FINDINGS				
<i>SUBDIVISION</i>				
Lot frontage on Public Street	Public and Private frontage		CAE	3/5/07
Road dedication and frontage improvements	Construction and dedication of internal public and private roads		Agency letter	2/23/07
Environmental Guidelines	Yes		Staff memo	2/28/07
Forest Conservation	Yes		Staff memo	2/28/07
Master Plan Compliance	Yes		CAE	3/5/07
<i>ADEQUATE PUBLIC FACILITIES</i>				
Stormwater Management	Yes		Agency letter	1/22/07
Water and Sewer (WSSC)	Yes		Agency comment	12/11/06
10-yr Water and Sewer Plan Compliance	Yes		Agency comment	12/11/06
Well and Septic	N/A			
Local Area Traffic Review	N/A		Staff comment	12/11/06
Fire and Rescue	Yes		Agency memo	2/8/07
Historic Preservation	N/A			

¹ Requires approval of a 59-D-3 site plan with provision of green are above the minimum.

HALLMAN GROVE (120070350)



Map compiled on November 22, 2006 at 10:23 AM | Site located on base sheet no - 221NW12

NOTICE

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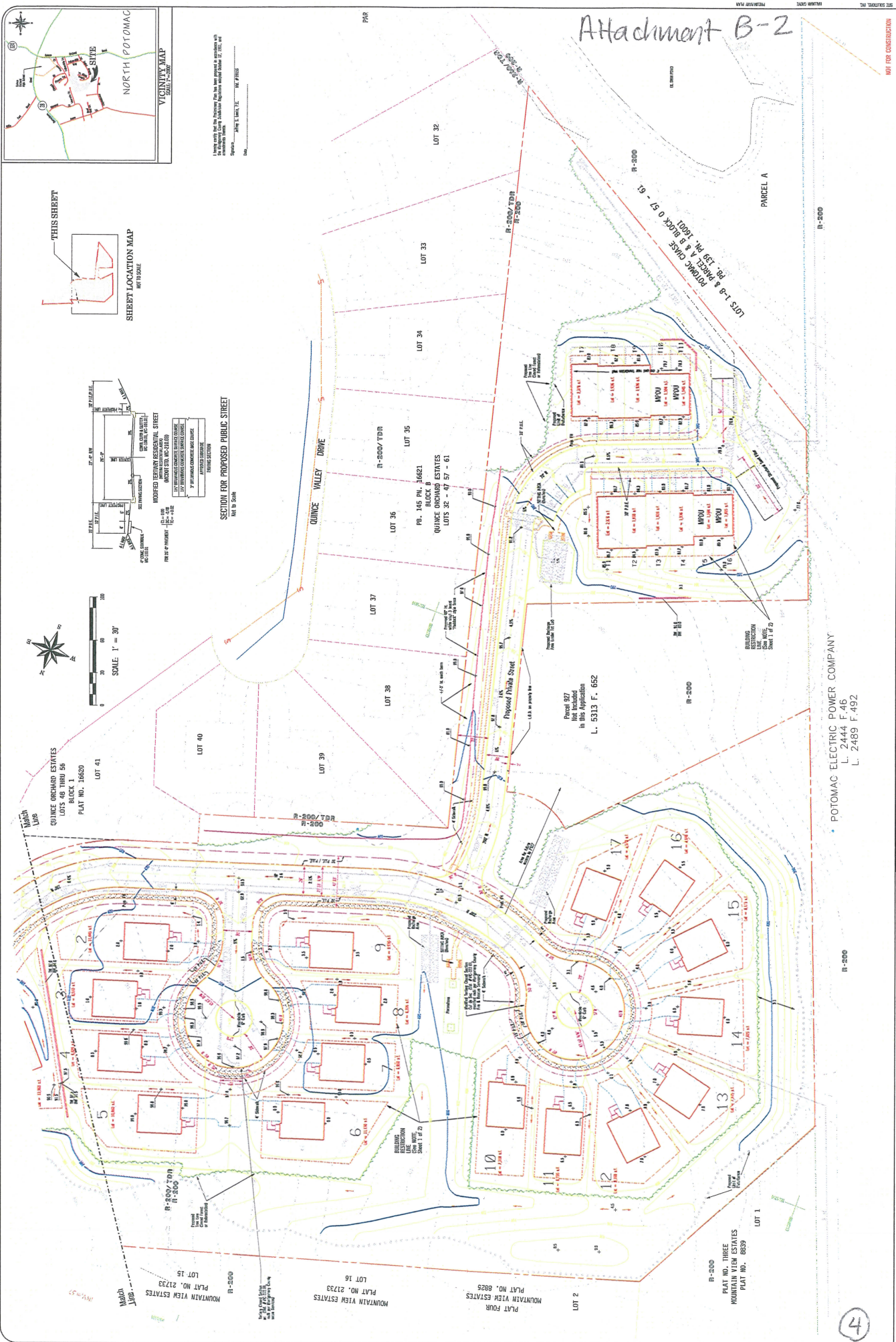
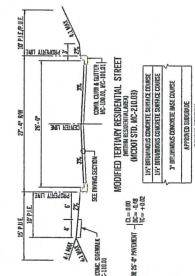
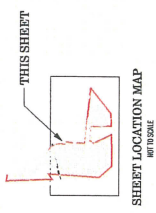
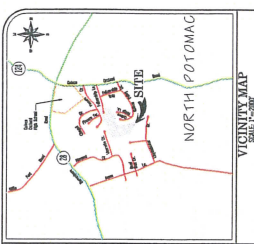
Key Map



1 inch = 600 feet
1 : 7200



Attachment B-2



<p>NOT FOR CONSTRUCTION</p>	
<p>DATE: 08/11/2010</p>	<p>SCALE: 1" = 30'</p>
<p>NO. OF SHEETS: 2</p>	<p>SHEET NO.: 2 OF 2</p>
<p>PRELIMINARY PLAN HALLMAN GROVE DOWNTOWN ELECTION DISTRICT #6 MONTGOMERY COUNTY, MARYLAND</p>	
<p>APPLICANT: HALLMAN GROVE LLC 1501 East Coast Drive / Suite 2510 McLean, Va. 22102-5005</p>	<p>PROJECT: HALLMAN GROVE 1501 East Coast Drive / Suite 2510 McLean, Va. 22102-5005</p>
<p>1. Review and approve</p>	<p>DATE: 08/11/2010</p>
<p>2. Review and approve</p>	<p>DATE: 08/11/2010</p>
<p>3. Review and approve</p>	<p>DATE: 08/11/2010</p>
<p>4. Review and approve</p>	<p>DATE: 08/11/2010</p>
<p>5. Review and approve</p>	<p>DATE: 08/11/2010</p>
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<p>11. Review and approve</p>	<p>DATE: 08/11/2010</p>
<p>12. Review and approve</p>	<p>DATE: 08/11/2010</p>
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4



20410 Observation Drive, Suite 205
Germantown, Maryland 20876-4000
301-540-7990 • FAX: 301-540-7991

**HALLMAN GROVE
PRELIMINARY PLAN OF SUBDIVISION**

WAIVER JUSTIFICATIONS

1 OVERLENGTH CUL-DE-SAC

The justification for extending the Fellowship Lane cul-de-sac beyond the standard length is that there is no alternative to such length. All of the properties surrounding the subject site are fully developed and there is no other way to provide access to the property. There are no streets stubbed into this site from adjoining properties. There is no practical alternative way to provide access to this infill property other than extending Fellowship Lane beyond its current terminus.

2 REDUCED WIDTH TERTIARY STREET

Existing Fellowship Lane is constructed within a 50-foot right of way. This request is to allow the extension of Fellowship Lane from its current terminus to be constructed within a 27.33-foot (27'4") right of way. With a 10-foot Public Utility Easement on either side and with a 4-foot sidewalk situated in a Public Improvement Easement, on one side, the practical width of the roadway will be 47.33 feet. However, because of the constraints of the subject property, the reduced width right-of-way will allow the proposed development to provide enhanced environmental benefits for the current and future residents of the neighborhood.

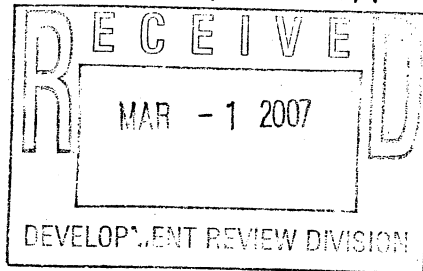
The reduced width tertiary will enable more existing trees to be saved abutting the Quince Orchard Estates subdivision to the south. Not only can more existing trees be retained, but the existing landscape screening can be supplemented with additional landscaping outside the right of way. (Private landscaping cannot be planted within a public right of way).

In addition, the reduced width right of way will enable a wider forest conservation easement area. It is proposed that an approximately 75' wide forest conservation

SITE SOLUTIONS INCORPORATED

easement be created abutting the Mountain View Estates subdivision, about 25' wider than the 50' minimum forest conservation area width. The reduced width right of way will also permit creation of a wider separation between the sides of homes abutting those conservation easements. Specifically, by reducing the right of way width, lots and homes can be "shifted" towards the right of way to create a wider area, away from the "shift" for forest conservation and wider side yards for the lots closest to the forest conservation area. This will provide ample side yard widths and thereby reduce the temptation of homeowners to encroach into the adjacent conservation easement areas for personal use. The conservation area will not be placed within private lots, but instead will be conveyed to a community homeowners association as a separate HOA parcel to assure its long-term viability.

Beyond these site-specific issues, the reduced width right of way will ultimately reduce the amount of imperviousness on the site and create less impact on the runoff and downstream areas. It will help to create a more environmentally sensitive development and a neighborhood that is more environmentally compatible with the natural environment.



February 23, 2007

Mr. Royce Hansen, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Re: Hallman Grove Subdivision
Site plan #120070350
North Potomac, MD

Dear Mr. Hansen,

We are writing in opposition to the proposed Hallman Grove Subdivision as currently presented. The developer is proposing an MPDU development with twenty eight dwelling units on a 12.65 acre parcel. Eleven of the proposed dwelling units are proposed as townhouses. The current zoning on this property is a combination of R-200 and R-200 TDR-3. The development provisions of section 59-C-1.62 allow an MPDU density of 2.44 dwelling units per acre or a total of 30 dwelling units for the 12.65 acres provided specific provisions are complied with. Our interpretation of the conditional provisions prescribed in the zoning ordinance will not permit the development as currently proposed.

- Section 59-C-1.628 (e) contains specific MPDU development provisions for development in different zones. All of these provisions must be complied with. Paragraph 59-C-1.628 (e) (3) states the following:

The total number of dwelling units in the combined development does not exceed the total number that would be permitted if the component areas of the combined tracts were developed separately.

The portion of the parcel located in the R-200 TDR-3 zone is 4.86 acres (Sketch SK-1). Using the tabular density from 59-C-1.62, the developer has proposed a density contribution of 11 dwelling units for this component area of the combined tract. Using the MPDU development criteria of Section 59-C-1.6, 11 dwelling units can not be developed on this component area of the combined tract due to significant restrictions imposed by the following:

- The 100 year flood plain and its associated buffers
- The presence of an existing stream and it's associated buffers
- The presence of an existing access easement.
- The requirement for storm water control on this portion of the site.
- The lot size and setback requirements prescribed in 59-C-1.62

Allowing the developer to utilize the tabular density on the TDR-3 portion of this site has resulted in a solution which is incompatible with the surrounding communities. The following are the most significant aspects of the proposed solution's incompatibility:

- The proposed development plan has significantly smaller lot sizes than any of the surrounding communities. Existing lot sizes on Fellowship Lane are over 20,000 SF and the immediate neighbors that are not part of the proposed development have lot sizes that exceed 40,000 SF.
- The public road extension and private drive that provide access to the houses in the development have been located behind the rear lot line of the adjacent community of Quince Orchard Estates with a narrow

landscape and fence buffer. Sound planning would encourage a development plan with backyards abutting backyards whenever possible.

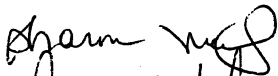
- Eight houses are located on each of the proposed cul-de-sacs. Where six houses are located around cul-de-sacs in Quince Orchard Estates driveway access is tight and parking problems exist.
- The townhouse portion of the proposed plan (housing the MPDU's) is segregated from the rest of the development and placed adjacent to an existing one acre undeveloped lot.
- No sidewalks exist on Fellowship Lane. Children walking to the bus stops must walk in the street and the additional density proposed by this plan will endanger their safety.
- There is an existing down hill stretch of road without houses coming from the cul-de-sac that encourages delivery truck and visiting car traffic to speed towards Quince Orchard Road. The proposed development extends the down hill length of the public road without houses. The proposed roundabout at the existing cul-de-sac will help slow traffic at the end of the current street but with the significant increase in density; the problem with speeding will increase and endanger children riding bicycles and anyone walking along Fellowship Lane.

We understand that the developer has indicated to staff that no other options are available that would create a more compatible solution on this site due to their inability to negotiate an alternate access easement and reconfiguration of the existing lot P927 (belonging to Vernon Green). An alternate approach that would achieve compatibility is possible. The attached conceptual sketch has been reviewed with the surrounding property owners and there is consensus that it could be used as a platform for creating a development solution on this site that would be compatible with and endorsed by the surrounding communities. In this concept lot sizes are larger, back yards face back yards and the resulting density is consistent with the existing communities.

We know the property owners have a right to develop the land, and ask that the planning board ensure the compatibility of the proposed development with the surrounding communities.

The community is very interested in participating in the development discussions for this parcel. Please keep us informed of the earliest opportunity to express our concerns directly with your staff. Thank you in advance for the opportunity to participate in the development process.

Sincerely,



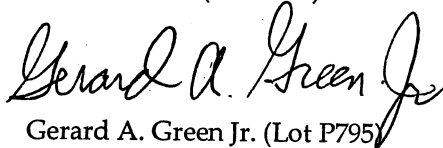
Sharon M. Moskowitz (Lot N720)




Craig M. Moskowitz, AIA (Lot N720)
12334 Fellowship Lane
Gaithersburg, MD 20878



Rita M. Green (Lot P795)



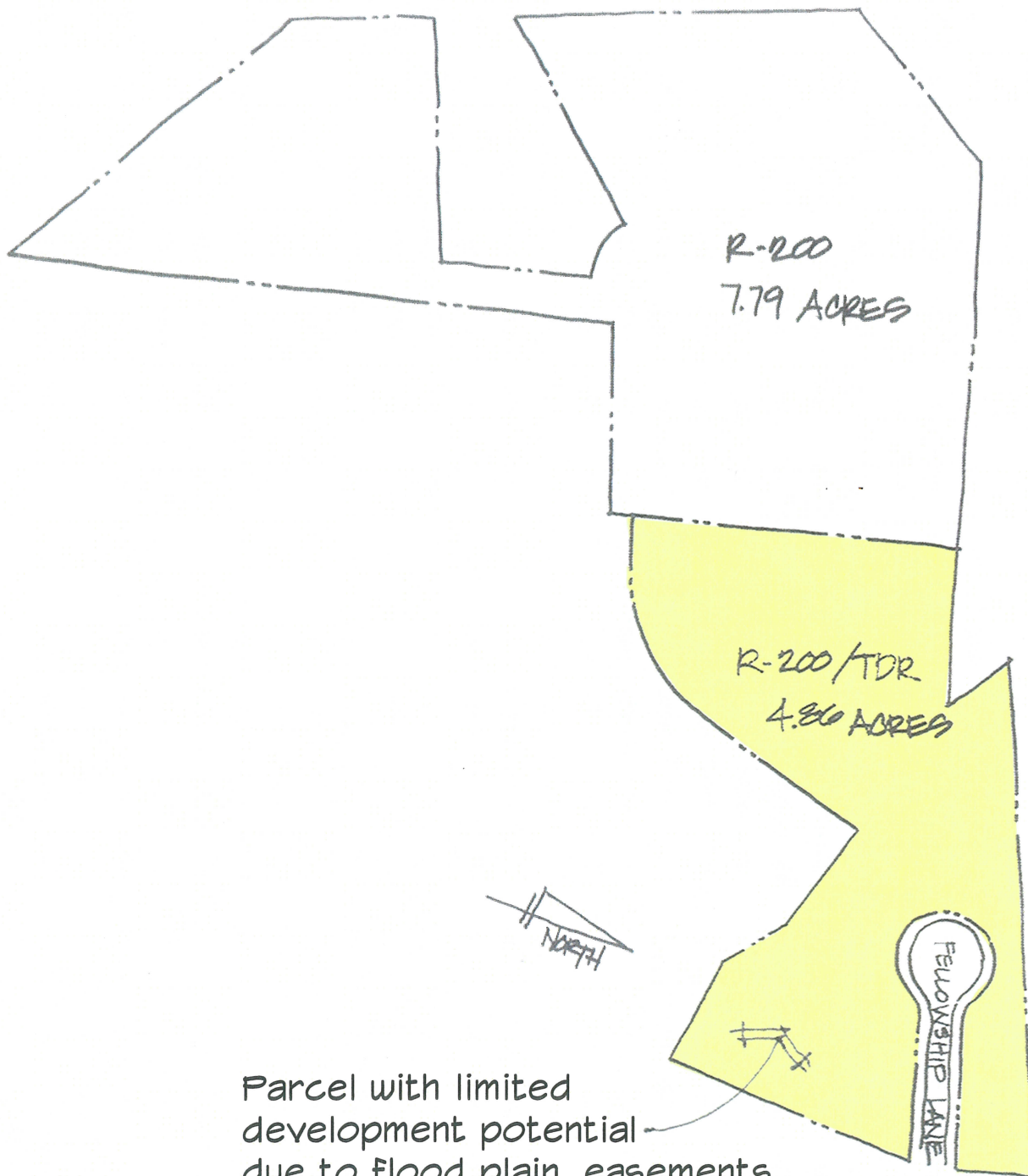
Gerard A. Green Jr. (Lot P795)
12410 Fellowship Lane
Gaithersburg, MD 20878



Vernon S. Green (Lot P927)
15715 Quince Orchard Road
Gaithersburg, MD 20878

cc: Cathy Conlon

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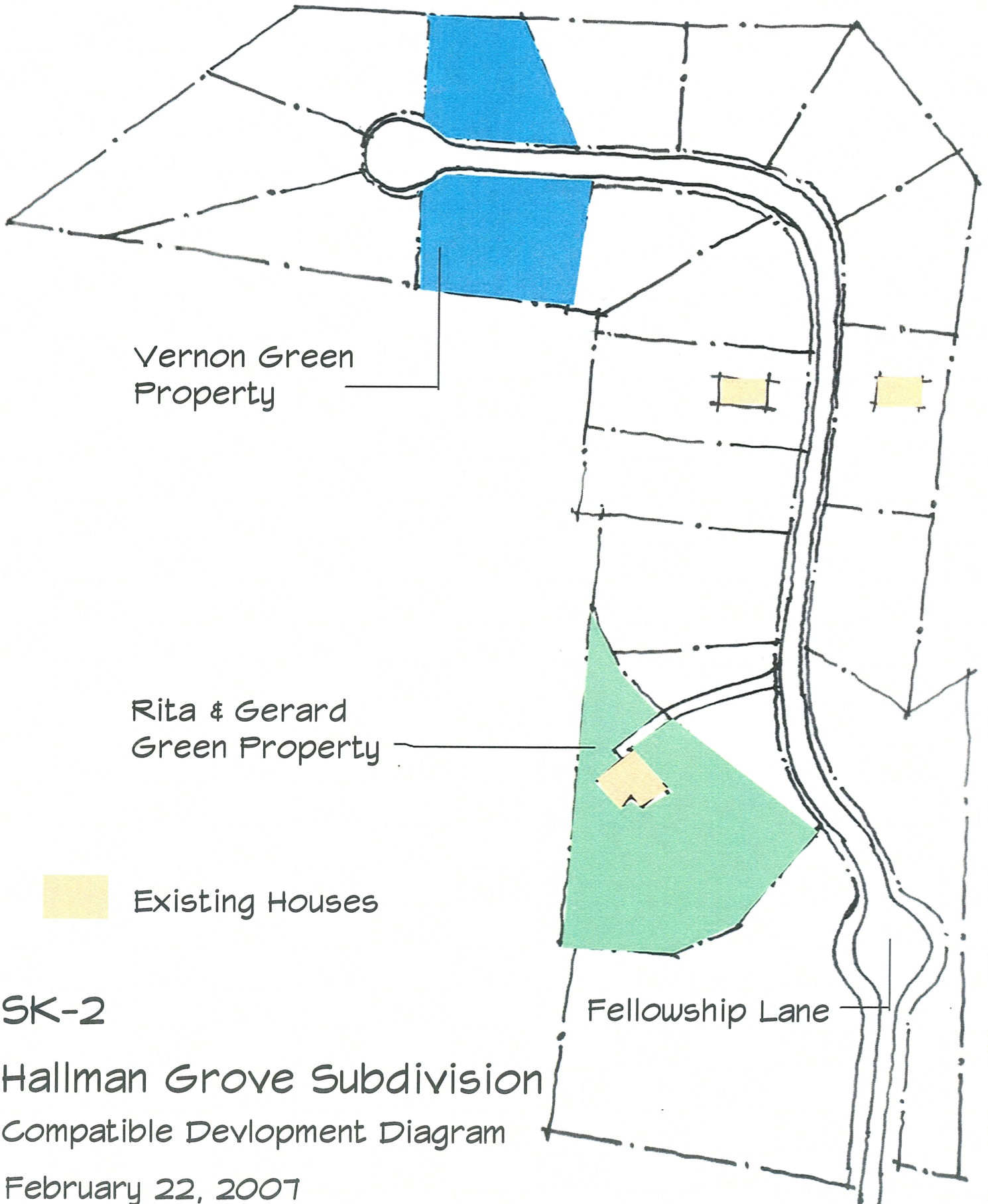


Parcel with limited development potential due to flood plain, easements, stream buffers and setbacks

SK-1

Hallman Grove Subdivision
Existing Zoning Diagram

February 22, 2007



Vernon Green Property

Rita & Gerard Green Property

Existing Houses

Fellowship Lane

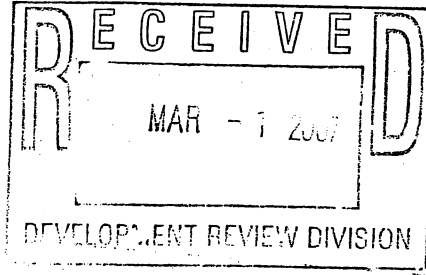
SK-2

Hallman Grove Subdivision
Compatible Development Diagram

February 22, 2007

February 24, 2007

Mr. Royce Hansen, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910-3760



Re: Hallman Grove Subdivision
Site plan #120070350
North Potomac, MD

Dear Mr. Hansen,

We are writing in opposition to the proposed Hallman Grove Subdivision as currently presented. The proposed plan does not meet the compatibility and safety standards defined by the zoning ordinance. Section 59-D-3.4, paragraph (b) of the Montgomery County Zoning Ordinance states that:

"The Planning Board shall not approve the site plan if it finds that the development would not achieve a maximum of compatibility, safety, efficiency and attractiveness; and the fact that a site plan complies with all of the stated general regulations, development standards or other specific requirements of the zone shall not, by itself, be deemed to create a presumption that the proposed site plan is, in fact, compatible with surrounding land uses and, in itself, shall not be sufficient to require approval of the plan."

The following are our most significant concerns with the proposed solution's incompatibility with the surrounding communities and the safety hazards it will present:

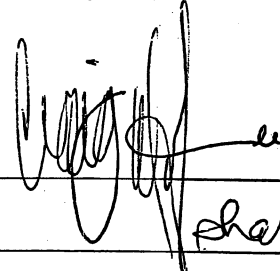
- The proposed development plan has significantly smaller lot sizes than any of the surrounding communities. Existing lot sizes on Fellowship Lane are over 20,000 SF and the immediate neighbors that are not part of the proposed development have lot sizes that exceed 40,000 SF.
- The public road extension and private drive that provide access to the houses in the development have been located behind the rear lot line of the adjacent community of Quince Orchard Estates with a narrow landscape and fence buffer. Sound planning would encourage a development plan with backyards abutting backyards whenever possible.
- Eight houses are located on each of the proposed cul-de-sacs. Where six houses are located around cul-de-sacs in Quince Orchard Estates driveway access is tight and parking problems exist.
- The townhouse portion of the proposed plan (housing the MPDU's) is segregated from the rest of the development and placed adjacent to an existing one acre undeveloped lot.
- No sidewalks exist on Fellowship Lane. Children walking to the bus stops must walk in the street and the additional density proposed by this plan will endanger their safety.
- There is an existing down hill stretch of road without houses coming from the cul-de-sac that encourages delivery truck and visiting car traffic to speed towards Quince Orchard Road. The proposed development extends the down hill length of the public road without houses. The proposed roundabout at the existing cul-de-sac will help slow traffic at the end of the current street but with the significant increase in density; the problem with speeding will increase and endanger children riding bicycles and anyone walking along Fellowship Lane.

We know the property owners have a right to develop the land, and ask that the planning board ensure the compatibility of the proposed development with the surrounding communities.

The community is very interested in participating in the development discussions for this parcel. Please keep us informed of the earliest opportunity to express our concerns directly with your staff. Thank you in advance for the opportunity to participate in the development process.

Sincerely,

Name: CRAIG & SHARON MOSKOWITZ
Address: 12334 FELLOWSHIP LANE
GAITHERSBURG, MD 20878



Sharon Moskowitz

Name: Gerard & Rita Green
Address: 12410 Fellowship Ln
Gaithersburg, MD 20878

Gerard A. Green

Rita M. Green

Name: Lyn Arane
Address: 12364 Quince Valley Dr
GAITHERSBURG, MD 20878

Lot 40

Lyn Arane

Name: Bond & Millie Lincogood
Address: 12352 Quince Valley Dr
N. Potomac MD 20857

Lot 37

Milt Lincogood

Name: Andrei D. Tract
Address: 12348 Quince Valley Drive
North Potomac MD, 20878

LOT 36

Andrei D. Tract

Name: Ken Dery
Address: 12344 Quince Valley Dr.
N. Potomac, MD 20878

Lot 35

Ken Dery

Name: John & Deborah Bergen
Address: 12360 Quince Valley Dr.
N. Potomac, MD

Lot 39

John D. Bergen

Name: Robert A. Rockwile
Address: 12356 Quince Valley Dr
N. Potomac MD 20878

Lot 38

R. A. Rockwile

The community is very interested in participating in the development discussions for this parcel. Please keep us informed of the earliest opportunity to express our concerns directly with your staff. Thank you in advance for the opportunity to participate in the development process.

Sincerely,

Name: David Phan
Address: 12340 Puhastien Dr
N. Potomac MD 20878

[Signature]
Lot 74

Name: Pam J. Yamoskie
Address: 12304 Pissarro Dr
No. Pot. MD 20878.

[Signature]

Name: DAVID BERNER
Address: 12306 Pissaro Dr
N. Potomac 20878

[Signature]

Name: Raj Patel
Address: 12302 Pissaro Dr.
N. Potomac, MD 20878

[Signature]

Name: JOE BELTRANO
Address: 12330 FELLOWSHIP LN
N. POTOMAC, MD 20878

[Signature]

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

Attachment F

Conlon, Catherine

From: Rene @ Comcast [rsorra@comcast.net]
Sent: Friday, March 02, 2007 9:38 AM
To: Conlon, Catherine
Subject: Plan No . 120070350, Hallman Grove Storm Water Management

Dear Catherine:

We spoke on the phone at the end of 2006 regarding procedures that community members follow to raise concerns during the planning review of a proposed development. You had indicated that emails with attached pictures are acceptable methods of bringing matters to your attention. On February 22, 2007, the Hallman Grove Citizen Meeting was held at the Quince Orchard Library to present the proposed plan of Hallman Grove Development for submittal to the county's review board. The meeting was led by Mr. Kelly Chapman with the support of Mr. Al Blumberg of Site Solutions. As a community member and resident of 12332 Quince Valley Drive (Lot No. 32 outlined in Figure 1), I attended the pre-submission meeting.

I voiced my objection with the storm water system design as proposed in the drawings of Preliminary Plan No. 120070350 due to potential undesirable erosion and excessive ponding that will occur should the system be constructed as proposed. The edge of my property is at the lowest elevation in the neighborhood (contour line 350 ft), which is below the water level of the adjacent pond.

Please review the following files attached to this email:

Figure 1. Hallman Grove Site

Photo 1. Erosion Path

Photo 2. Uprooted Trees 1

Photo 3. Uprooted Trees 2

Photo 4. Low Point

Photo 5. Ponding

Photo 6. Backyard Catch Basin

Photo 7. Moderate Rain

The Hallman Grove Site is illustrated with circled numbers representing various areas seen in the corresponding photos of existing site conditions. The path of erosion is evident in Photo 1, causing continuous uprooting of trees (see Photos 2 and 3). I have personally removed at least five fallen mature trees along the erosion path since I purchased the property in 2000. Photos 4 and 5 show the low area causing localized ponding and maintains a water-saturated area year round. This area creates a perfect breeding ground for mosquitoes. For this reason, I had my fence installed up to 10 feet inside my property line. During the summer months, we treat this area with mosquito-killing compounds and surround my back yard with repellants to reduce the amount of mosquitoes that breed in the standing water.

A remedied erosion problem in the nearby area of my back yard is exhibited in Photos 6 and 7. Being at the low end of the neighborhood, the runoff had eroded my back yard and prevented the middle of my yard from growing healthy grass due to the amount of standing water that was present. When grass would grow, it could not be mowed since the ground remained saturated with water most of the time. I backfilled the area with two truckloads of soil and built catch basins at the low point of my neighbor's

3/7/2007

(14)

yard and routed rainwater underground to a constructed runoff system. I went through this expense to remedy the problem so that we could maintain a dry area.

When I presented my concern during the meeting, Mr. Chipman told me that the drainage system, which would consist of an underground holding area at the end of the proposed road, will provide a controlled release of storm water and reduce the amount of water flow and erosion from the drain field. I would not accept this answer and asked for detailed calculation, study, and ground absorption tests to substantiate the claim. A 12-inch storm water line discharging to a small rip-rapped drain field indicates that a large volume of water has been calculated to flow to that area.

I propose that the developer bear the cost to discharge the development's storm water into the pond. Most likely, the pond is not designed to accept the additional volume of water and may need modification to handle the added outfall. Other costs may also be associated with discharging the volume required, but I oppose the proposed method and location of the drain field without assurance that my property will not be negatively impacted.

Thank you for your attention. I am willing to assist in any way to help with your review. My contact information is as follows:

Rene Sorra
12332 Quince Valley Drive
N. Potomac, MD 20878
Cell Phone: 443-277-5631
Email: rsorra@comcast.net



PHOTO 1. Erosion Path



PHOTO 2. Uprooted Trees 1



PHOTO 3. Uprooted Trees 2



PHOTO 4. Low Point



PHOTO 5. Ponding

PHOTO 6. Backyard Catch Basin





PHOTO 7. Moderate Rain



Attachment G

25 2007

DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

January 22, 2007

Reginald Jetter
Acting Director

Mr. Jeffrey S. Lewis
Site Solutions, Inc.
20410 Observation Drive, Suite 205
Germantown, MD 20876

Re: Stormwater Management **CONCEPT** Request
for Hallman Grove
Preliminary Plan #: 120070350
SM File #: 229265
Tract Size/Zone: 12.4 acres/R-200
Total Concept Area: 12.4 acres
Lots/Block: 1-28
Parcel(s): 798,801,982,963,873,857,821,741
Watershed: Muddy Branch

Dear Mr. Lewis:

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 consists of on-site water quality control via a surface sand filter, a structural sand filter and non structural methods and onsite recharge via recharge trenches and nonstructural methods. Channel protection volume is not required for parts of the site because the one-year post development peak discharge is less than or equal to 2.0 cfs. Part of the site drains to the Quince Orchard Estates Regional Pond. Water quantity for that area will be provided for within the pond.

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 development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. Safe conveyance must be provided to the Quince Orchard Estates Regional Pond.

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 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 Nadine Vurdelja Piontka at 240-777-6334.

Sincerely,



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

RRB:dm CN229265

cc: C. Conlon
S. Federline
SM File # 229265

QN -onsite; Acres: 12.4
QL - onsite; Acres: 12.4
Recharge is provided

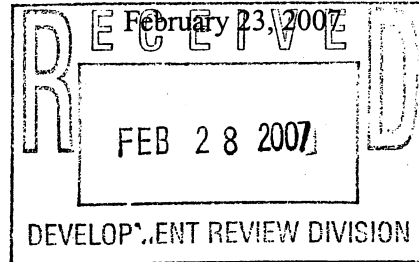


DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760



RE: Preliminary Plan #1-20070350
Hallman Grove

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 02/22/07. This plan was reviewed by the Development Review Committee at its meeting on 12/11/06. 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 DPS 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 right of way dedication for Fellowship Lane (Extended) and court 'A' and constructing them to tertiary residential roadway standards (STD MC-222.01 and MC-210.03). We have reviewed and determined that proposed modifications to both proposed cul-de-sacs to make them DFRS compliant as shown on the preliminary plan, are acceptable. Also necessary right of way dedication for existing Fellowship Lane cul-de-sac and improving it to 'residential roads traffic control circle' standard (MC-221.02).
2. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. Prior to approval of the record plat by the Department of Permitting Services (DPS), the applicant's consultant will need to obtain the approval of grade establishments for new public streets from DPS.
4. Public Improvements Easements will be required along all Modified Tertiary classification roadways. The Declaration of Public Improvements Easement document is to be recorded in the Land Records of Montgomery County. The deed reference is to be provided on the record plat. Unless otherwise noted, the Public Improvements Easement is to be a minimum width of ten (10) feet with the overlapping Public Utilities Easement being no less than twenty (20) feet wide. Also applicant should voluntarily provide a site plan and go through that process to show there is adequate room to accommodate all public utilities and amenities.

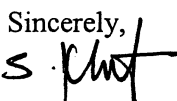
Division of Operations

5. Waiver from the Montgomery County Planning Board for overlength cul-de-sac(s).
6. Waiver from the Montgomery County Planning Board for lot(s) on a private right of way.
7. Private common driveways and private streets shall be determined through the subdivision process as part of the Planning Board's approval of a preliminary plan. The composition, typical section, horizontal alignment, profile, and drainage characteristics of private common driveways and private streets, beyond the public right-of-way, shall be approved by the Planning Board during their review of the preliminary plan.
8. Waiver from the Montgomery County Planning Board to delete sidewalk(s) on a tertiary classification roadway.
9. In accordance with Section 49-35(e) of the Montgomery County Code, sidewalks are required to serve the proposed subdivision. Sidewalks are to be provided on both sides of the proposed public streets according to associated DPWT standard street section unless the applicant is able to obtain a waiver from the appropriate government agency.
10. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
11. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
12. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Fred Lees of our Traffic Control and Lighting Engineering Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
13. Trees in the County rights of way - species and spacing to be in accordance with the applicable DPWT standards. A tree planting permit is required from the Maryland Department of Natural Resources, State Forester's Office [(301) 854-6060], to plant trees within the public right of way.
14. Please coordinate with Department of Fire and Rescue about their requirements for emergency vehicle access.
15. Please coordinate with DPWT division of Transit Services about their requirements and project impacts on their network.
16. Provide driveway access for the stormwater management facilities per associated DPS guidelines.
17. Public Improvements Agreement (PIA) will be an acceptable method of ensuring construction of the required public improvements within the County right of way. The PIA details will be determined at the record plat stage. The PIA will include, but not necessarily be limited to, the following improvements:

Ms. Catherine Conlon
Preliminary Plan No. 1-20070350
Date February 23, 2007
Page 3

- A. Street grading, paving, curbs and gutters, sidewalks and handicap ramps, storm drainage and appurtenances, and street trees along Fellowship Lane (Extended) as per items 1 and 9 above.
- B. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
- C. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
- D. Developer shall ensure final and proper completion and installation of all utility lines underground, for all new road construction.
- E. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Section.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at sam.farhadi@montgomerycountymd.gov or (240) 777-6000.

Sincerely,


Sam Farhadi, P.E., Senior Planning Specialist
Development Review Group
Traffic Engineering and Operations Section
Division of Operations

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Enclosures ()

cc: Don Franyo, Hallman Grove LLC
Alfred Blumberg/Jeff Lewis, Site Solution Inc
Todd Brown, Linowes & Blocher
Joseph Y. Cheung; DPS RWPPR
Sarah Navid; DPS RWPPR
Henry Emery; DPS RWPPR
Shahriar Etemadi; M-NCPPC TP
Gregory Leck, DPWT TEOS
Preliminary Plan Folder
Preliminary Plans Note Book