




MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

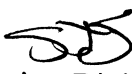
MCPB
Item #
05/31/07

MEMORANDUM

DATE: May 16, 2007

TO: Montgomery County Planning Board

VIA: Catherine Conlon, Supervisor
Development Review Division 
(301) 495-4542

FROM: Stephen Smith 
Development Review Division
(301) 495 - 4522

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for May 31, 2007

The following record plats are recommended for APPROVAL, subject to the appropriate conditions of approval of the preliminary plan and site plan, if applicable, and conditioned on conformance with all requirements of Chapter 50 of the Montgomery County Code. Attached are specific recommendations and copies of plat drawings for the record plat. The following plats are included:

220070520 – 220070560 Leaman Farm (5)

PLAT NO. 220070520 - 220070560

Leaman Farm

Located in the northwest quadrant, intersection of Schaeffer Road and Leaman Farm Road

R-200 zone; 59 Lots, 6 Parcels

Community Water, Community Sewer

Master Plan Area: Germantown

Leaman L.C., Applicant

The record plats have been reviewed by MNCPPC staff and other applicable agencies as documented on the attached Plat Review Checklist. Staff has determined that the plat complies with Preliminary Plan No. 120040600, and Site Plan No. 820050400, as approved by the Board and that any minor modifications reflected on the plat do not alter the intent of the Board's previous approval of the aforesaid plans.

RECORD PLAT REVIEW SHEET

Plan Name: Leaman Farm Plan Number: 120040600
 Plat Name: Leaman Farm Plat Number: 220070520
 Plat Submission Date: 10/24/06
 DRD Plat Reviewer: PW
 DRD Prelim Plan Reviewer: Cathy Lonloz

Initial DRD Review:

Signed Preliminary Plan - Date 3/2/05 Checked: Initial CAC Date 12/11/06
 Planning Board Opinion - Date 2/23/05 Checked: Initial PW Date 12/1/06
 Site Plan Req'd for Development? Yes No Verified By: PW (initial)
 Site Plan Name: Leaman Farm Site Plan Number: 820050400
 Planning Board Opinion - Date 10/2/06 Checked: Initial PW Date 11/06/06
 Site Plan Signature Set - Date 2-27-07 Checked: Initial SJS Date 3-8-07
 Site Plan Reviewer Plat Approval: Checked: Initial CM Date 3/8/07

Review Items: Lot # & Layout Lot Area Zoning Bearings & Distances
 Coordinates Plan # Road/Alley Widths Easements Open Space
 Non-standard BRLs N/A Adjoining Land Vicinity Map Septic/Wells N/A
 TDR note N/A Child Lot note N/A Surveyor Cert Owner Cert Tax Map

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>J. Perna</u>	<u>11/1/06</u>	<u>11/17/06</u>	<u>3-8-07</u>	<u>ok</u>
Research	Bobby Fleury				<u>No comments</u>
SHA	Doug Mills				
PEPCO	Steve Baxter				
Parks	Doug Powell				
DRD	Steve Smith			<u>11-17-06</u>	<u>see plat</u>

Final DRD Review:

DRD Review Complete: Initial SJS Date 5-11-07
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up): Initial SJS Date 4-25-07
 Final Mylar w/Mark-up & PDF Rec'd: Initial SJS Date 5-7-07

Board Approval of Plat:

Plat Agenda: Initial SJS Date 5-31-07

Planning Board Approval: _____

Chairman's Signature: _____

DPS Approval of Plat: _____

Engineer Pick-up for DPS Signature: _____

Final Mylar for Reproduction Rec'd: _____

Plat Reproduction: _____

Addressing: _____

File Card Update: _____

Final Zoning Book Check: _____

Update Address Books with Plat #: _____

Update Green Books for Resubdivision: _____

Notify Engineer to Seal Plats: _____

Engineer Seal Complete: _____

Complete Reproduction: _____

Sent to Courthouse for Recordation: _____

No. _____

RECORD PLAT REVIEW SHEET

Plan Name: Leaman Farm Plan Number: 120040600
 Plat Name: Leaman Farm Plat Number: 220070530
 Plat Submission Date: 10/24/06
 DRD Plat Reviewer: PW
 DRD Prelim Plan Reviewer: Cathy Louloz

Initial DRD Review:

Signed Preliminary Plan - Date 3/2/05 Checked: Initial CAC Date 12/11/06
 Planning Board Opinion - Date 2/23/05 Checked: Initial PW Date 12/1/06
 Site Plan Req'd for Development? Yes No Verified By: PW (initial)
 Site Plan Name: Leaman Farm Site Plan Number: 820050400
 Planning Board Opinion - Date 10/2/06 Checked: Initial PW Date 11/06/06
 Site Plan Signature Set - Date 2-27-07 Checked: Initial SJS Date 3-8-07
 Site Plan Reviewer Plat Approval: Checked: Initial CM Date 5/8/07

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Environment	<u>J. Penn</u>	<u>11/1/06</u>	<u>11/17/06</u>	<u>3-8-07</u>	<u>No comments</u>
Research	Bobby Fleury				
SHA	Doug Mills				
PEPCO	Steve Baxter				
Parks	Doug Powell				
DRD	Steve Smith			<u>11-17-06</u>	<u>See Plat</u>

Final DRD Review:

	Initial	Date
DRD Review Complete:	<u>SJS</u>	<u>5-11-07</u>
(All comments rec'd and incorporated into mark-up)		
Engineer Notified (Pick up Mark-up):	<u>SJS</u>	<u>4-25-07</u>
Final Mylar w/Mark-up & PDF Rec'd:	<u>SJS</u>	<u>5-7-07</u>
Board Approval of Plat:		
Plat Agenda:	<u>SJS</u>	<u>5-31-07</u>
Planning Board Approval:	_____	_____
Chairman's Signature:	_____	_____
DPS Approval of Plat:		
Engineer Pick-up for DPS Signature:	_____	_____
Final Mylar for Reproduction Rec'd:	_____	_____
Plat Reproduction:		
Addressing:	_____	_____
File Card Update:	_____	_____
Final Zoning Book Check:	_____	_____
Update Address Books with Plat #:	_____	_____
Update Green Books for Resubdivision:	_____	_____
Notify Engineer to Seal Plats:	_____	_____
Engineer Seal Complete:	_____	_____
Complete Reproduction:	_____	_____
Sent to Courthouse for Recordation:	_____	_____

No. _____

RECORD PLAT REVIEW SHEET

Plan Name: Leaman Farm Plan Number: 120040600
 Plat Name: Leaman Farm Plat Number: 220070570
 Plat Submission Date: 10/24/06
 DRD Plat Reviewer: PW
 DRD Prelim Plan Reviewer: Cathy London

Initial DRD Review:

Signed Preliminary Plan - Date 3/2/05 Checked: Initial CAC Date 12/11/06
 Planning Board Opinion - Date 2/23/05 Checked: Initial PW Date 12/1/06
 Site Plan Req'd for Development? Yes No Verified By: PW (initial)
 Site Plan Name: Leaman Farm Site Plan Number: 820050400
 Planning Board Opinion - Date 10/2/06 Checked: Initial PW Date 11/06/06
 Site Plan Signature Set - Date 2-27-07 Checked: Initial SJS Date 3-8-07
 Site Plan Reviewer Plat Approval: Checked: Initial CR Date 3/8/07

Review Items: Lot # & Layout Lot Area Zoning Bearings & Distances
 Coordinates Plan/# Road/Alley Widths Easements Open Space
 Non-standard/BRLs N/A Adjoining Land Vicinity Map Septic/Wells N/A
 TDR note N/A Child/Lot note N/A Surveyor Cert Owner Cert Tax Map

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SHA	Doug Mills				
PEPCO	Steve Baxter				
Parks	Doug Powell				
DRD	Steve Smith			<u>11-17-06</u>	<u>See Plat</u>

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 Plat Agenda: Initial SJS Date 5-31-07
 Planning Board Approval: _____
 Chairman's Signature: _____
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Plat Reproduction:
 Addressing: _____
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 Final Zoning Book Check: _____
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 Update Green Books for Resubdivision: _____
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 Engineer Seal Complete: _____
 Complete Reproduction: _____
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No. _____

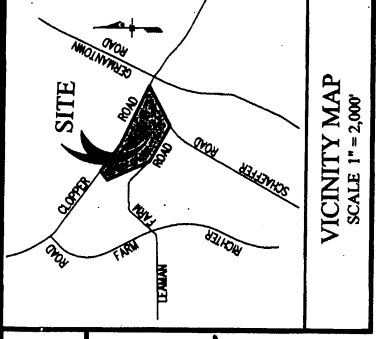
ASSENT TO THIS PLAN OF SUBDIVISION FOR BANK OF AMERICA, N.A.

[Signature]
BY: JOHN W. DEZININGI, TRUSTEE

[Signature]
BY: LEMMA LUNSTEN, TRUSTEE

[Signature]
BY: GLORIA CUSUMERA, TRUSTEE

PLAT No.



NOTES:

- ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND RESTRICTIONS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, SUBDIVISION RECORD PLAT, OR OTHER PLAN, ALLOWING DEVELOPMENT OF THIS PROPERTY, SHALL REMAIN IN FULL FORCE AND EFFECT UNLESS OTHERWISE INDICATED TO THE CONTRARY BY THIS PLAN.
- THE APPROVAL OF THIS PLAN, UNLESS EXPRESSLY CONTAINED BY THE PLAN AS APPROVED, THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND AVAILABLE FOR PUBLIC INSPECTION.
- PROPERTY MARKERS LOCATED IN THE FIELD MARKED THIS PLAN ARE NOT TO BE MOVED OR ALTERED WITHOUT THE WRITTEN APPROVAL OF THE SURVEYOR.
- THE APPROVAL OF THIS PLAN IS PREDICATED ON THE ADEQUACY AND AVAILABILITY OF PUBLIC WATER AND SEWER SYSTEMS.
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CURVE TABULATION

CURVE	RADIUS	LENGTH	TANGENT	CHORD	DELTA
1	125.00'	72.65'	37.38'	67.170'	337.54°
2	150.00'	59.27'	30.00'	54.84'	223.71°
3	155.00'	56.70'	28.71'	56.46'	209.91°

SURVEYOR'S CERTIFICATE

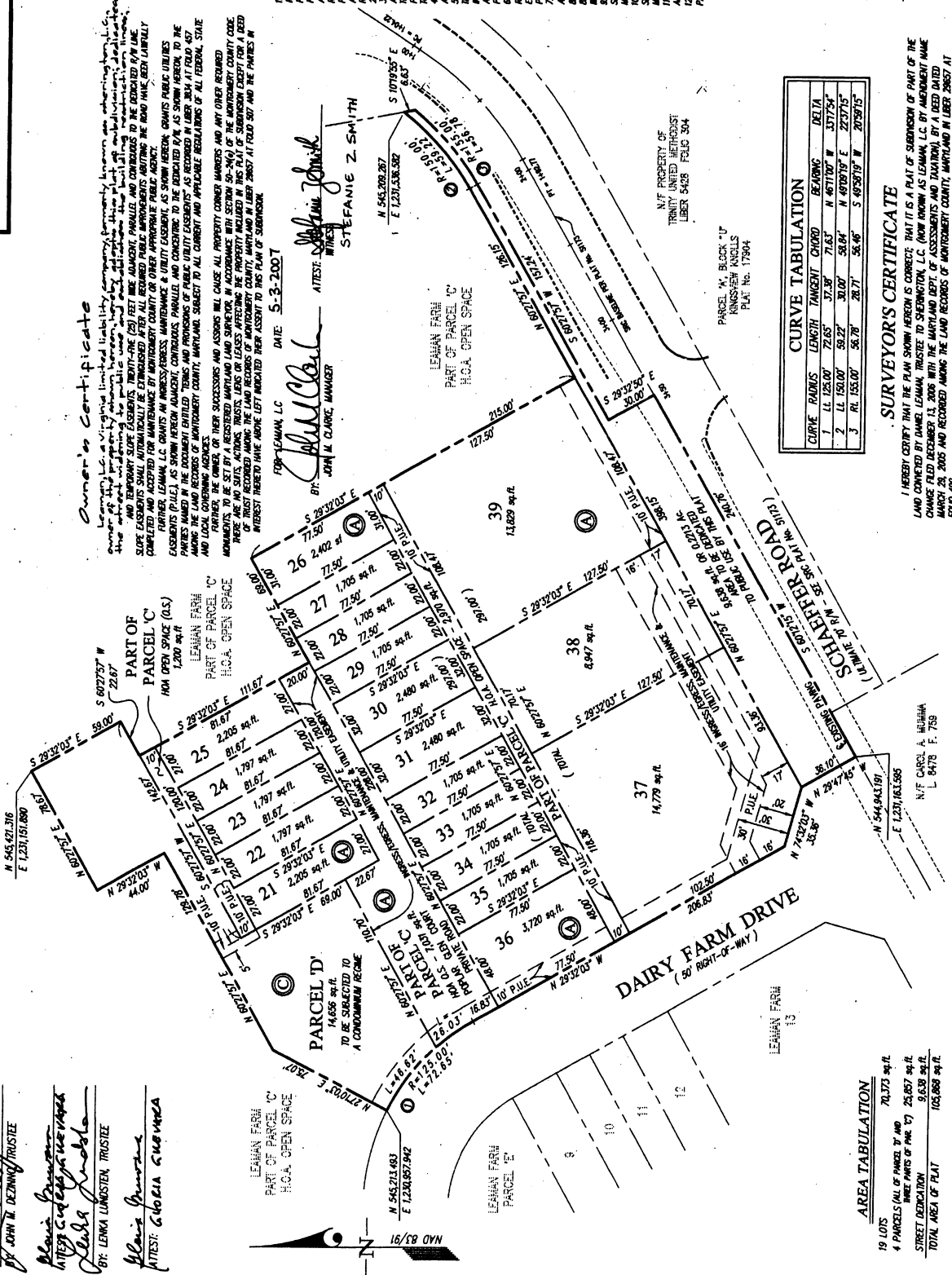
I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT; THAT IT IS A PLAN OF SUBDIVISION OF PART OF THE LAND COMEYED BY DANIEL LEAMAN, TRUSTEE TO SHERMONTON, L.C. (NOW KNOWN AS LEAMAN, L.C. BY MERGEMENT NAME CHANGE FILED DECEMBER 13, 2006 WITH THE MARILAND DEPT. OF ASSESSMENTS AND TAXATION), BY A DEED DATED MARCH 29, 2005 AND RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN LIBER 20657 AT FOLD 468.

I HEREBY CERTIFY THAT, ONCE ENGAGED AS DESCRIBED IN THE OWNER'S DECLARATION HEREON, ALL MONUMENTS AND OTHER MARKERS WILL BE SET IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 50-24(a) OF THE MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES.

THE TOTAL AREA INCLUDING 8,638 SQUARE FEET OR 0.2494 ACRES, INCLUDING 8,638 SQUARE FEET OR 0.2494 ACRES OF LAND IS TO BE DEDICATED TO PUBLIC USE.

DATE: 01/14/2007

[Signature]
DANIEL S. WEBER
PROFESSIONAL LAND SURVEYOR
MARYLAND REGISTRATION NO. 10828



AREA TABULATION

19 LOTS	70,375 sq.ft.
4 PARCELS (ALL OF PARCEL 27 AND THREE PARTS OF PARCEL 17)	26,857 sq.ft.
STREET DEDICATION	9,638 sq.ft.
TOTAL AREA OF PLAT	106,868 sq.ft.

FOR PUBLIC WATER AND SEWER SYSTEMS ONLY
THE MARILAND NATIONAL CAPITAL PARK & PLANNING COMMISSION
MONTGOMERY COUNTY PLANNING BOARD

Approved _____ DATE _____

CHAIRMAN _____ ASST. SECRETARY/TREASURER _____

M.N.C.P. & P.C. RECORD FILE NO. _____

RECORDED: _____ PLAT NO.: _____

DRAWN BY: _____ CHECKED BY: _____

DATE: _____ DIRECTOR: _____

P.L.A. No. _____

RECORDED: _____

DATE: 01/14/2007

[Signature]
DANIEL S. WEBER
PROFESSIONAL LAND SURVEYOR
MARYLAND REGISTRATION NO. 10828

GLW GUTSCHICK, LITTLE & WEBER, P.A.
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
3000 NATIONAL BLVD., SUITE 200 - BETHESDA, MARYLAND
TEL: 301-421-8000 FAX: 301-421-8100
WWW.GLWPA.COM

RECORD PLAT REVIEW SHEET

Plan Name: Leaman Farm Plan Number: 120040600
 Plat Name: Leaman Farm Plat Number: 220070550
 Plat Submission Date: 10/24/06
 DRD Plat Reviewer: PW
 DRD Prelim Plan Reviewer: Cathy Lonloz

Initial DRD Review:

Signed Preliminary Plan - Date 3/2/05 Checked: Initial CA Date 12/11/06
 Planning Board Opinion - Date 2/23/05 Checked: Initial PW Date 12/1/06
 Site Plan Req'd for Development? Yes No Verified By: PW (initial)
 Site Plan Name: Leaman Farm Site Plan Number: 820050400
 Planning Board Opinion - Date 10/2/06 Checked: Initial PW Date 11/06/06
 Site Plan Signature Set - Date 2-27-07 Checked: Initial SJS Date 3-8-07
 Site Plan Reviewer Plat Approval: Checked: Initial CA Date 3/8/07

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 TDR note N/A Child Lot note N/A Surveyor Cert Owner Cert Tax Map

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>J. Pean</u>	<u>11/1/06</u>	<u>11/17/06</u>	<u>3-8-07</u>	<u>Revise and Resubmit to</u>
Research	<u>Bobby Fleury</u>				<u>DC</u>
SHA	<u>Doug Mills</u>				
PEPCO	<u>Steve Baxter</u>				
Parks	<u>Doug Powell</u>				
DRD	<u>Steve Smith</u>			<u>11-17-06</u>	<u>See Plat</u>

ok
E.P.

Final DRD Review:

DRD Review Complete: Initial SJS Date 5-11-07
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up): Initial SJS Date 4-25-07
 Final Mylar w/Mark-up & PDF Rec'd: Initial SJS Date 5-7-07

Board Approval of Plat:

Plat Agenda: Initial SJS Date 5-31-07

Planning Board Approval: _____
 Chairman's Signature: _____

DPS Approval of Plat:

Engineer Pick-up for DPS Signature: _____
 Final Mylar for Reproduction Rec'd: _____

Plat Reproduction:

Addressing: _____
 File Card Update: _____
 Final Zoning Book Check: _____
 Update Address Books with Plat #: _____
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RECORD PLAT REVIEW SHEET

Plan Name: Leaman Farm Plan Number: 120040600
 Plat Name: Leaman Farm Plat Number: 220070560
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 DRD Plat Reviewer: PW
 DRD Prelim Plan Reviewer: Cathy Lortox

Initial DRD Review:

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Environment	<u>J. Rann</u>	<u>11/1/06</u>	<u>11/17/06</u>	<u>3-8-07</u>	<u>Revised and Resubmitted</u>
Research	Bobby Fleury				<u>NC</u>
SHA	Doug Mills				
PEPCO	Steve Baxter				
Parks	Doug Powell				
DRD	Steve Smith			<u>11-17-06</u>	<u>See plat</u>

OK
Env. Pl.

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Board Approval of Plat:

Plat Agenda: SJS 5-31-07

Planning Board Approval: _____
 Chairman's Signature: _____

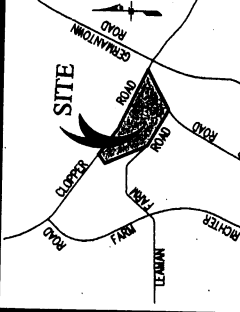
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No. _____



VICINITY MAP
SCALE 1" = 2,000'

NOTES:

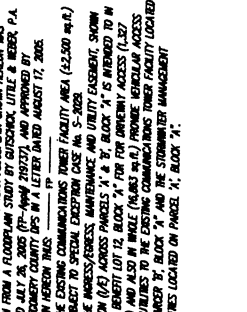
- ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAT, SITE PLAN, PROJECT PLAN OR OTHER PLAN ALLOWING DEVELOPMENT OF THIS PROJECT ARE INCORPORATED BY REFERENCE INTO THIS SUBDIVISION RECORD PLAT.
- THE SUBDIVISION RECORD PLAT IS SUBJECT TO THE REQUIREMENTS OF THE MONTGOMERY COUNTY PLANNING BOARD AND THE MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES.
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FOR LEAMAN, L.C.
DATE: 5-3-2007

BY: *[Signature]*
JOHN CLARKE MANAGER

ATTEST: *[Signature]*
STEPHANIE Z. SMITH

GERMANTOWN ESTATES
PARCEL 88, BLOCK "P"
PLAT NO. 19821



INSET 'A' DAIRY FARM
SCALE 1" = 50'

OWNER'S CERTIFICATE

LEAMAN, L.C. A MEMPHIS LIMITED LIABILITY COMPANY, FORMERLY KNOWN AS SHERWOOD, L.C. OWNER OF THE PROPERTY SHOWN HEREON, HEREBY CERTIFIES THIS PLAT OF SUBDIVISION, LOCATED AT THE STREET ADDRESS OF THE PROPERTY, IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SHOWN HEREON, AND THAT THE SAME IS SUBJECT TO THE REQUIREMENTS OF THE MONTGOMERY COUNTY PLANNING BOARD AND THE MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES.

LEAMAN, L.C. HEREBY CERTIFIES THAT THE PLAT OF SUBDIVISION, LOCATED AT THE STREET ADDRESS OF THE PROPERTY, IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SHOWN HEREON, AND THAT THE SAME IS SUBJECT TO THE REQUIREMENTS OF THE MONTGOMERY COUNTY PLANNING BOARD AND THE MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES.

PLAT No.

OWNER'S CERTIFICATE

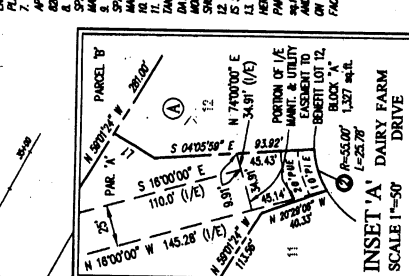
LEAMAN, L.C. A MEMPHIS LIMITED LIABILITY COMPANY, FORMERLY KNOWN AS SHERWOOD, L.C. OWNER OF THE PROPERTY SHOWN HEREON, HEREBY CERTIFIES THIS PLAT OF SUBDIVISION, LOCATED AT THE STREET ADDRESS OF THE PROPERTY, IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SHOWN HEREON, AND THAT THE SAME IS SUBJECT TO THE REQUIREMENTS OF THE MONTGOMERY COUNTY PLANNING BOARD AND THE MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES.

FOR LEAMAN, L.C.
DATE: 5-3-2007

BY: *[Signature]*
JOHN CLARKE MANAGER

ATTEST: *[Signature]*
STEPHANIE Z. SMITH

GERMANTOWN ESTATES
PARCEL 88, BLOCK "P"
PLAT NO. 19821



INSET 'A' DAIRY FARM
SCALE 1" = 50'

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT; THAT IT IS A PLAT OF SUBDIVISION OF PART OF THE LAND CONVEYED BY LEAMAN, L.C. (NOW KNOWN AS LEAMAN, L.C.) TO THE MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES, LOCATED AT THE STREET ADDRESS OF THE PROPERTY, BY A DEED DATED MARCH 28, 2005, AND AS RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN LIBERT 28857 AT FOLIO 88.

I HEREBY CERTIFY THAT, ONCE ENGAGED AS DESCRIBED IN THE OWNER'S DECLARATION HEREON, ALL INSTRUMENTS AND OTHER BOUNDARY MARKERS WILL BE SET IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 30-34(b) OF THE MONTGOMERY COUNTY CODE.

I HEREBY CERTIFY THAT THE LIMITS OF THE 100-YEAR FLOODPLAIN SHOWN HEREON IS AN ACCURATE REFLECTION AS TRANSFERRED FROM THE STUDY REFERENCED ELSEWHERE ON THIS PLAT.

THE TOTAL AREA INCLUDING 48,288 SQUARE FEET OF FLOOD ZONES OF WHICH IS TO BE DEDICATED TO PUBLIC USE.

AREA DEDICATED TO THE MARYLAND STATE HIGHWAY ADMIN. (SHA)

A	S 52700'0" E 154.56'
B	R=2500.00' L=432.87'
C	CHD. S 57175'4" E 432.28'
D	S 62728'2" E 307.57'
E	R=1670.56' L=277.91'
F	CHD. N 57270'0" W 274.07'
G	N 57413'2" E 38.52'
H	N 47131'2" E 58.25'

48,288 sq ft. OR 1,100 ACRES ±

LINE TABULATION

LINE	BEARING	LENGTH	LAST
L1	S 3058'58" W	26.17	
L2	N 2020'06" W	40.37	
L3	N 2570'07" W	75.00	
L4	DAE NORTH	60.00	
L5	S 7920'00" W	50.00	
L6	S 2720'00" W	52.52'	

LIMITS OF 100 YEAR FLOODPLAIN (FP)

LINE	BEARING	LENGTH	LAST
FP1	S 2700'00" E	80.00	
FP2	S 3000'00" E	50.00	
FP3	S 0600'00" E	30.00	
FP4	S 6000'00" E	105.00	
FP5	S 4000'00" E	45.00	
FP6	S 6000'00" E	140.00	
FP7	DAE EAST	15.00	
FP8	N 3670'00" E	41.05'	
FP9	R=1670.56'	L=19.08'	
FP10	S 6156'20" E	CHD. 10.08'	
FP11	S 2000'00" E	25.00	
FP12	S 6200'00" E	30.00	
FP13	S 3000'00" W	30.00	
FP14	N 6300'00" W	80.00	
FP15	N 5400'00" W	75.00	
FP16	N 6400'00" W	135.00	
FP17	N 5600'00" W	80.00	
FP18	N 2700'00" W	105.00	
FP19	DAE WEST	15.19'	

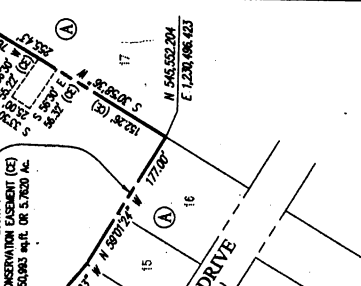
EASEMENT AREA 22.37 sq ft. OR 0.5137 AC.

FOR LEAMAN, L.C.
DATE: 5-3-2007

BY: *[Signature]*
JOHN CLARKE MANAGER

ATTEST: *[Signature]*
STEPHANIE Z. SMITH

GERMANTOWN ESTATES
PARCEL 88, BLOCK "P"
PLAT NO. 19821



INSET 'A' DAIRY FARM
SCALE 1" = 50'

OWNER'S CERTIFICATE, Cont.

ASSENT TO THIS PLAT OF SUBDIVISION FOR BANK OF AMERICA, N.A.

BY: *[Signature]*
LENA LUNDSTEN, TRUSTEE

ATTEST: *[Signature]*
STEPHANIE Z. SMITH

AREA TABULATION

0.00'	0 sq ft.
2 PARCELS	34,940 sq ft.
STREET DEDICATION	43,288 sq ft.
TOTAL AREA OF PLAT	39,240 sq ft.

RECORDED:

PLAT NO.: _____

DRAWN BY: *[Signature]*

CHECKED BY: *[Signature]*

DATE: 01/11/2007

GLW FILE NO.: 03-084

FOR PUBLIC WATER AND SEWER SYSTEMS ONLY

THE MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES

APPROVED: _____ DATE: _____

CHURMAN: _____ ASST. SECRETARY TREASURER: _____

M.N.C.P. & P.C. RECORD FILE NO. _____

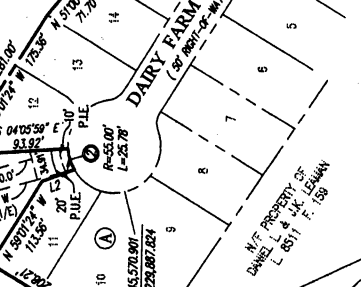
GLW GUTSCHICK LITTLE & WEBER, P.A.
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
300 NATIONAL ONE - SUITE 200 - BARTONVILLE OFFICE PARK
MONTGOMERY COUNTY, MARYLAND 20877
TEL: 301-671-6024 FAX: 301-671-2524 FAX: 301-671-0056

OWNER'S CERTIFICATE, Cont.

ASSENT TO THIS PLAT OF SUBDIVISION FOR BANK OF AMERICA, N.A.

BY: *[Signature]*
LENA LUNDSTEN, TRUSTEE

ATTEST: *[Signature]*
STEPHANIE Z. SMITH



INSET 'A' DAIRY FARM
SCALE 1" = 50'

OWNER'S CERTIFICATE, Cont.

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BY: *[Signature]*
LENA LUNDSTEN, TRUSTEE

ATTEST: *[Signature]*
STEPHANIE Z. SMITH

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APPROVED: _____ DATE: _____

CHURMAN: _____ ASST. SECRETARY TREASURER: _____

M.N.C.P. & P.C. RECORD FILE NO. _____

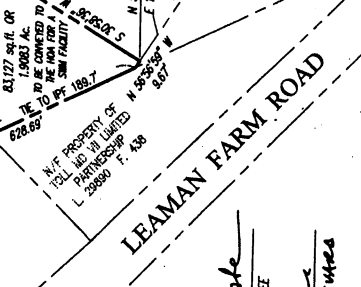
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ATTEST: *[Signature]*
STEPHANIE Z. SMITH



INSET 'A' DAIRY FARM
SCALE 1" = 50'

OWNER'S CERTIFICATE, Cont.

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ATTEST: *[Signature]*
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FOR PUBLIC WATER AND SEWER SYSTEMS ONLY

THE MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES

APPROVED: _____ DATE: _____

CHURMAN: _____ ASST. SECRETARY TREASURER: _____

M.N.C.P. & P.C. RECORD FILE NO. _____

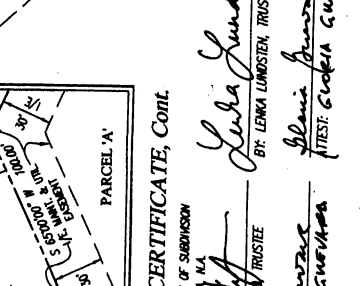
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MONTGOMERY COUNTY, MARYLAND 20877
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LENA LUNDSTEN, TRUSTEE

ATTEST: *[Signature]*
STEPHANIE Z. SMITH



INSET 'A' DAIRY FARM
SCALE 1" = 50'

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STEPHANIE Z. SMITH

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FOR PUBLIC WATER AND SEWER SYSTEMS ONLY

THE MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES

APPROVED: _____ DATE: _____

CHURMAN: _____ ASST. SECRETARY TREASURER: _____

M.N.C.P. & P.C. RECORD FILE NO. _____

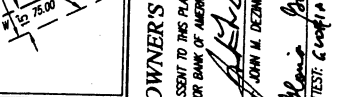
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STEPHANIE Z. SMITH



INSET 'A' DAIRY FARM
SCALE 1" = 50'

OWNER'S CERTIFICATE, Cont.

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BY: *[Signature]*
LENA LUNDSTEN, TRUSTEE

ATTEST: *[Signature]*
STEPHANIE Z. SMITH

RECEIVED

FEB 24 2005

GUTSONICK, LITTLE & WEBER, P.A.

Date Mailed: FEB 23 2005

Action: Approved Staff
Recommendation

Motion of Commissioner Bryant,
seconded by Commissioner Perdue,
with a vote of 5-0;
Chairman Berlage and Commissioners
Perdue, Bryant, Wellington, and
Robinson voting in favor.

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-04060
NAME OF PLAN: Leaman Farm

The date of this written opinion is FEB 23 2005 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules of Court - State).

On 2/06/04, Elm Street Development submitted an application for the approval of a preliminary plan of subdivision of property in the R-200 zone. The application proposed to create 69 lots on 29.3 acres of land located at the northwest corner of Leaman Farm Road and Schaeffer Road, in the Germantown master plan area. The application was designated Preliminary Plan 1-04060. On 1/13/05, Preliminary Plan 1-04060 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application.

The record for this application ("Record") closed at the conclusion of the public hearing, upon the taking of an action by the Planning Board. The Record includes: the information on the Preliminary Plan Application Form; the Planning Board staff-generated minutes of the Subdivision Review Committee meeting(s) on the application;

all correspondence and any other written or graphic information concerning the application received by the Planning Board or its staff following submission of the application and prior to the Board's action; all correspondence and any other written or graphic information issued by Planning Board staff concerning the application, prior to the Board's action; all evidence, including written and oral testimony and any graphic exhibits, presented to the Planning Board at the public hearing.

The applicant testified at the public hearing, was in agreement with the staff recommendation and concurred with all of the conditions as proposed by staff. Nobody presented written evidence or testimony at the public hearing in opposition to the plan, and the record of this application does not contain any contested issues.

FINDINGS

Having given full consideration to the recommendations of its Staff; the recommendations of the applicable public agencies¹; the applicant's position; and other evidence contained in the Record, which is hereby incorporated in its entirety into this Opinion, the Montgomery County Planning Board finds that, with the conditions of approval:

- a) Preliminary Plan No. 1-04060 substantially conforms to the Germantown master plan.
- b) Public facilities will be adequate to support and service the area of the proposed subdivision.
- c) The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.
- d) The application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.
- e) The application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department of Permitting Services ("MCDPS") that the Stormwater Management Concept Plan meets MCDPS' standards.

¹ The application was referred to outside agencies for comment and review, including the Washington Suburban Sanitary Commission, the Department of Public Works and Transportation, the Department of Permitting Services and the various public utilities. All of these agencies recommended approval of the application.

- f) The Record of this application does not contain any contested issues; and, therefore, the Planning Board finds that any future objection, which may be raised concerning a substantive issue in this application, is waived.

CONDITIONS OF APPROVAL

Finding Preliminary Plan No. 1-04060 in accordance with the purposes and all applicable regulations of Montgomery County Code Chapter 50, the Planning Board approves Preliminary Plan No. 1-04060, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 69 dwelling units.
- 2) No clearing, grading, or recording of plats prior to site plan approval.
- 3) Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan.
- 4) Total impervious surfaces associated with development of the preliminary plan shall not exceed 20 percent of the tract area.
- 5) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 6) Applicant to construct a permanent split rail fence at the rear of proposed lots 14 through 20 to protect the afforestation area.
- 7) Applicant to prepare and submit a noise analysis, as part of the site plan submission, indicating the location of existing 60 and 65 Ldn dBA noise contours, 20-year future noise contours, and methods to minimize exterior and interior noise levels if the noise analysis determines a need for mitigation.
- 8) Compliance with the conditions of the MCDPS stormwater management approval dated January 3, 2005.
- 9) The applicant shall dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Germantown Master Plan unless otherwise designated on the preliminary plan.
- 10) The applicant shall construct all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By _____" are excluded from this condition.
- 11) Applicant shall construct an eight-foot bike path along Clopper Road (MD 117) and Leaman Farm Road, and a five-foot sidewalk along Schaeffer Road, as shown on the preliminary plan.
- 12) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation.
- 13) Record plat to reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant shall provide verification to Commission staff prior to release of final building permit that Applicant's recorded HOA Documents incorporate by reference the Covenant.

- 14) Record plat to reflect common ingress/egress and utility easements over all shared driveways.
- 15) Record Plat to reflect all areas under Homeowners Association ownership and stormwater management areas.
- 16) Compliance with conditions of MCDPWT letter dated, November 16, 2004 unless otherwise amended.
- 17) Access and improvements, as required, to be approved by MCDPWT prior to recordation of plat(s).
- 18) Access and improvements, as required, to be approved by MDSHA prior to issuance of access permits.
- 19) The term "denied access" is to be placed on the final record plat along the property that abuts MD 117. Access to existing lot 21 shall remain as it currently exists until such time as lot 21 is redeveloped. All new access shall be via the new internal public road.
- 20) Other necessary easements.

This Preliminary Plan will remain valid for 36 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed.

* * * * *

[CERTIFICATION OF BOARD VOTE ADOPTING OPINION ON FOLLOWING PAGE]

APPROVED / S TO LEGAL SUFFICIENCY
Dyp 2/11/05
M-NCPPC LEGAL DEPARTMENT

CERTIFICATION OF BOARD VOTE ADOPTING OPINON

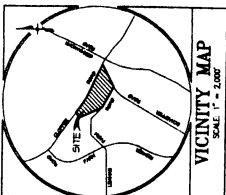
At its regular meeting, held on **Thursday February 17, 2005**, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, on the motion of **Commissioner Wellington, seconded by Commissioner Bryant, with Chairman Berlage, Vice Chair Perdue, and Commissioners Bryant, Wellington, and Robinson** voting in favor of the motion, **ADOPTED** the above Opinion which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for **Preliminay Plan 1-04060, Leaman Farm.**



Certification As To Vote of Adoption
M. Clara Moise, Technical Writer

LEAMAN FARM

CERTIFIED SITE, LANDSCAPE & LIGHTING PLANS LOTS 1-39 & PARCELS 'A' - 'C', BLOCK 'A', LOTS 1-20 & PARCEL 'E', BLOCK 'B', AND MPDU CONDOMINIUM UNITS 1-10 & PARCEL 'D', BLOCK 'C'

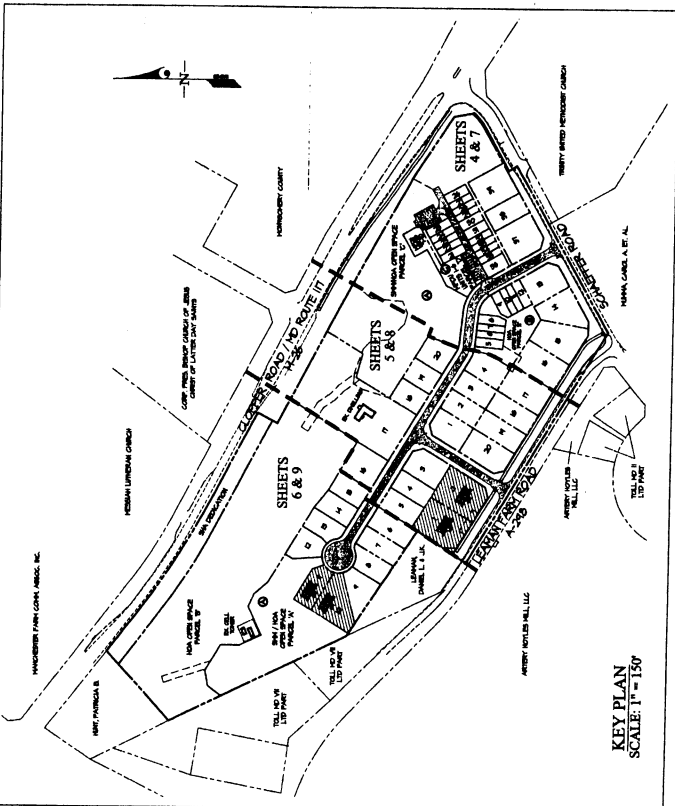


SITE DATA

PREPARED BY: MISS UTILITY
 PREPARED FOR: [Client Name]
 PROJECT ADDRESS: [Address]
 PROJECT NUMBER: [Number]
 PROJECT DATE: [Date]

DEVELOPMENT STANDARDS

REQUIREMENT	REQUIREMENT / APPROVED
DENSITY MINIMUM 4 UNITS PER ACRE	MINIMUM 4 UNITS PER ACRE - APPROVED
HEIGHT MAXIMUM 35 FEET	MAXIMUM 35 FEET - APPROVED
PARKING MINIMUM 1.5 SPACES PER UNIT	MINIMUM 1.5 SPACES PER UNIT - APPROVED
SCREENING MINIMUM 6 FEET HIGH	MINIMUM 6 FEET HIGH - APPROVED
SETBACKS - SINGLE FAMILY DETACHED FRONT: 20 FEET SIDE: 10 FEET REAR: 10 FEET	FRONT: 20 FEET - APPROVED SIDE: 10 FEET - APPROVED REAR: 10 FEET - APPROVED
SETBACKS - ACCESSORY STRUCUTURES FRONT: 10 FEET SIDE: 5 FEET REAR: 5 FEET	FRONT: 10 FEET - APPROVED SIDE: 5 FEET - APPROVED REAR: 5 FEET - APPROVED



RECREATION CALCULATIONS

RECREATION TYPE	AREA (SQ. FT.)	NUMBER OF PEOPLE
Residential	100,000	1,000
Commercial	50,000	500
Public	25,000	250
TOTAL	175,000	1,750

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Residential	100,000	1,000
Commercial	50,000	500
Public	25,000	250
TOTAL	175,000	1,750

SHEET SCHEDULE

SHEET NO.	TITLE
1	COVER SHEET
2	APPROVALS SHEET
3	COMPOSITE SITE PLAN
4-6	SITE PLANS
7-9	LANDSCAPE & LIGHTING PLANS
10	SITE/LANDSCAPE NOTES & DETAILS
11	PHOTOMETRIC PLAN
12	INTERVIEWS AREA EXHIBIT

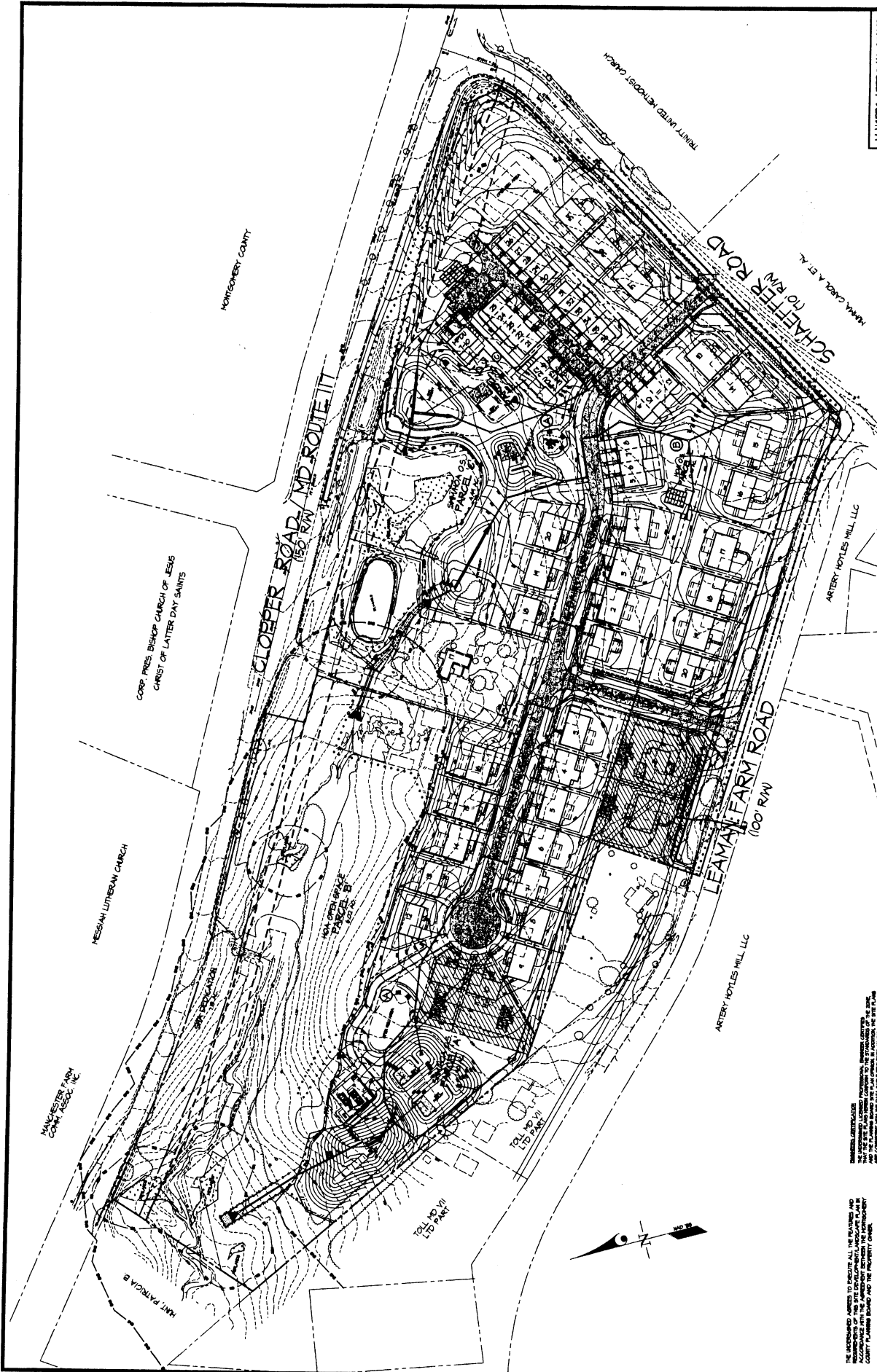
GENERAL NOTES

1. GENERAL NOTES
2. PARCELS 1-10, 1-20, 1-30, 1-40
3. PARCELS 1-10, 1-20, 1-30, 1-40
4. PARCELS 1-10, 1-20, 1-30, 1-40
5. PARCELS 1-10, 1-20, 1-30, 1-40
6. PARCELS 1-10, 1-20, 1-30, 1-40
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10. PARCELS 1-10, 1-20, 1-30, 1-40
11. PARCELS 1-10, 1-20, 1-30, 1-40
12. PARCELS 1-10, 1-20, 1-30, 1-40

RECEIVED
 DATE: [Date]
 PROJECT: [Project Name]

NO.	DATE	DESCRIPTION
1	11/15/05	PREPARED FOR DEVELOPMENT
2	11/15/05	REVISIONS AND APPROVALS
3	11/15/05	REVISIONS AND APPROVALS
4	11/15/05	REVISIONS AND APPROVALS
5	11/15/05	REVISIONS AND APPROVALS
6	11/15/05	REVISIONS AND APPROVALS
7	11/15/05	REVISIONS AND APPROVALS
8	11/15/05	REVISIONS AND APPROVALS
9	11/15/05	REVISIONS AND APPROVALS
10	11/15/05	REVISIONS AND APPROVALS
11	11/15/05	REVISIONS AND APPROVALS
12	11/15/05	REVISIONS AND APPROVALS

PLANNING APPROVAL STAMP
 APPROVED CERTIFIED SITE PLAN
 DATE: [Date]

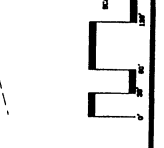
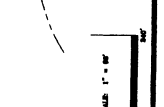


MARCPC APPROVAL STAMP
 APPROVED GRATED SITE PLAN
 FILE NO. 030040
 PLANNING COMMISSION
 DATE 02-22-09

RECEIVED
 FEB 23 2009
 PLANNING DEPARTMENT

COMPOSITE SITE PLAN
LEAMAN FARM LLC
LOTS 1-38 & PARCEL 'A', 'C', BLOCK 'A', LOTS 1-28 & PARCEL 'B',
BLOCK 'D', AND CONDOMINIUM UNITS 1-6 & PARCEL 'D', BLOCK 'C'
 MONTGOMERY COUNTY, MARYLAND

PREPARED FOR:
 SHENANDOAH COUNTY DEVELOPMENT
 400 E. MAIN STREET
 WINCHESTER, MARYLAND 21790
 TEL. (301) 271-3470



NO.	DATE	REVISION
1	02/22/09	APPROVED FOR GRATING

I, the undersigned, do hereby certify that the information furnished by the applicant is true and correct to the best of my knowledge and belief, and that the information furnished by the applicant is a true and correct representation of the actual facts and circumstances pertaining to the development of the project.

DATE: 02/22/09
 BY: [Signature]
 TITLE: [Title]

GLW GUTENBERG LITTLER & WISNER, P.A.
 CIVIL ENGINEERS AND SURVEYORS
 1000 N. W. 13th Street, Suite 100
 Ft. Lauderdale, FL 33304
 TEL. (954) 577-0000 FAX (954) 577-0001

1-800-257-1772
 CALL TOLL FREE
 1-800-257-1772
MBS UTILITY
 Water, Gas, Sewer
 Service Available, Call

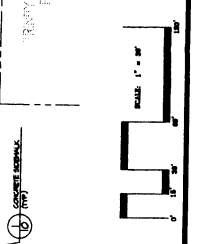


M-DCFC APPROVAL STAMP
 APPROVED GRATED SITE PLAN
 REVISIONS
 1-2-07
 2-27-07
 DATE

NO.	DATE	DESCRIPTION
1	1-2-07	ISSUED FOR PERMIT
2	2-27-07	ISSUED FOR PERMIT

NOTE: ALL UTILITIES ARE CONCEPTUAL AND ARE SUBJECT TO CHANGE. SEE APPROPRIATE FINAL UTILITY CONSTRUCTION PLANS.
SITE PLAN
LEAMAN FARM
LOTS 138 & PARCEL 138 & PARCEL 138
BLACKTOP AND CONDOMINIUM UNITS 138 & PARCEL 138
 HANOVER TOWNSHIP, PENNSYLVANIA

PREPARED FOR:
 SHERRILL L. LITTLE & ASSOCIATES, INC.
 6600 ELLIOTT ROAD
 SUITE 200
 HANOVER, PA 17331
 TEL: (717) 734-1720

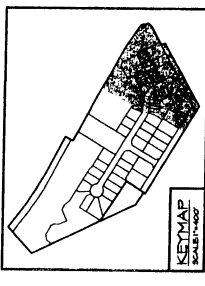


NO.	DATE	DESCRIPTION
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2	2-27-07	ISSUED FOR PERMIT

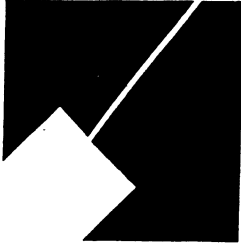
GLW CONTRACTORS LITTLE & WEBER, P.A.
 6600 ELLIOTT ROAD
 SUITE 200
 HANOVER, PA 17331
 TEL: (717) 734-1720

THE INFORMATION HEREON IS BASED UPON ALL THE INFORMATION AND RECORDS ON FILE IN THE OFFICE OF THE PLANNING AND ZONING DEPARTMENT OF HANOVER TOWNSHIP, PENNSYLVANIA. THE PLANNING AND ZONING DEPARTMENT OF HANOVER TOWNSHIP, PENNSYLVANIA HAS REVIEWED THE INFORMATION AND RECORDS ON FILE IN THE OFFICE OF THE PLANNING AND ZONING DEPARTMENT OF HANOVER TOWNSHIP, PENNSYLVANIA AND HAS FOUND THE INFORMATION AND RECORDS ON FILE IN THE OFFICE OF THE PLANNING AND ZONING DEPARTMENT OF HANOVER TOWNSHIP, PENNSYLVANIA TO BE COMPLETE AND ACCURATE.

BY: *[Signature]*
 DATE: 3/23/07
 PROJECT: ELY STREET DEVELOPMENT



M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

OCT 12 2006

MCPB No. 06-14

Site Plan No. 820050400

Leaman Farm

Date of Hearing: July 27, 2006

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board" or "Board") is required to review site plan applications; and

WHEREAS, pursuant to Montgomery County Code § 59-D-3.4(b), following a public hearing on the application, the Planning Board must, by resolution, approve, approve with conditions or disapprove a proposed site plan; and

WHEREAS, the Planning Board, in reaching its decision on a site plan, must determine that the site plan meets all the requirements of Code Section 59-D-3.4(c); and

WHEREAS, on June 13, 2005, Elm Street Development ("Applicant"), filed an application for approval of a Site Plan for 69 dwelling units, including 10 MPDUs, on 29.3 gross acres of R-200 zoned land in the southwest quadrant of the intersection of Clopper Road (MD 117) and Schaeffer Road in Germantown, consisting of Parcel 18, an unrecorded lot ("Property" or "Subject Property"); and

WHEREAS, on January 13, 2005, the Planning Board approved Preliminary Plan No. 120040600 (formerly 1-04060) for the proposed development; and

WHEREAS, Applicant's site plan application was designated Site Plan No. 820050400, Leaman Farm (the "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and the staffs of other governmental agencies, on July 27, 2006, Staff presented the Application to the Planning Board at a public hearing for its review and action (the "Hearing"); and

WHEREAS, on July 14, 2006, prior to the Hearing, Staff had issued a memorandum to the Board, setting forth its analysis of, and recommendation for approval of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record ("Record") on the Application and approved the Application subject to certain conditions on Motion of Commissioner Purdue; duly seconded by Commissioner Berlage; with a vote of 4-0, Commissioners Berlage, Perdue, Wellington, and Robinson voting in favor (Commissioner Bryant necessarily absent).

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board APPROVES Site Plan No. 820050400 for 69 dwelling units, including 10 MPDUs, on 29.3 gross acres in the R-200 Zone, subject to the following conditions:

1. Preliminary Plan Conformance

The proposed development shall comply with the conditions of approval for Preliminary Plan #120040600 (formerly 1-04060) as listed in the Planning Board opinion dated February 23, 2005.

2. Lighting

- a. All light fixtures shall be full cut-off fixtures.
- b. Deflectors shall be installed on all fixtures that cause potential glare or excess illumination, especially on the perimeter fixtures abutting the adjacent residential properties.
- c. Illumination levels shall not exceed 0.5 footcandles (fc) at any property line abutting public roads or adjacent to residential properties.

3. Environmental

- a. Impervious surfaces within the proposed development shall not exceed 252,775 square feet.
- b. Applicant shall enter an agreement with M-NCPPC for the purpose of withholding building permits for four (4) one-family detached residential dwelling units to ensure compliance with the impervious limitations. The 4 lots shall be graphically denoted on the certified site plan. A note shall be placed on the record plat restricting issuance of last 4 building permits pending approval from M-NCPPC Environmental Planning staff. Building permits for the 4 lots shall be released one at a time, based upon availability of impervious surfaces.
- c. Applicant shall place impervious coverage limitations and information pertaining to the above agreement on the record plat.

- d. The developer/builder shall submit an impervious surface report to M-NCPPC Environmental Planning staff prior to issuance of building permits for 30th, 55th and 65th dwelling unit. The applicant shall submit an impervious report for each of the remaining building permits after the 65th dwelling unit. The impervious reports shall include: surveyed 'as-builts' drawings which include dimensions and impervious areas for buildings, driveways, sidewalks, leadwalks, porches, patios, chimneys, welled exits, rear exits and any building feature that is two feet or less from the ground. If at any time the impervious area limit is reached before building permits for all approved lots have been issued, the lots for which building permits have not been issued shall be re-recorded as non-impervious Homeowners Association open space parcels prior to issuance of the building permit for the last dwelling unit allowed under the impervious surface limit.

4. Forest Conservation

The applicant shall comply with the following conditions of approval from M-NCPPC-Environmental Planning in the memorandum dated June 14, 2006 .

- a. Applicant shall construct a permanent split rail fence along lot lines that adjoin the forest conservation easement.
- b. The proposed development shall comply with the conditions of the final forest conservation plan. The Applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits.
- c. Record plat of subdivision shall reflect a Category I conservation easement over all areas of stream buffers and forest conservation.
- d. A conservation easement must be placed on the stream buffer on Lot 17A only if the existing farmhouse is removed and a new house constructed. The new house shall be located entirely outside of the buffer and access to the new house to be via the street internal to the subdivision. All impervious surfaces in the stream buffer shall be removed and a forest conservation easement placed over the entire stream buffer prior to issuance of a building permit for a new residence.

5. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated January 3, 2005, where revised and approved by MCDPS.

6. Common Open Space Covenant

Record plat of subdivision shall reference the Common Open Space Covenant recorded at Liber 28045, Folio 578 ("Covenant"). Applicant shall provide verification to M-NCPPC staff prior to issuance of the 48th building permit that Applicant's recorded Homeowners Association Documents incorporate by reference the Covenant.

7. Dwelling Unit, One-Family Attached

To meet the definition of "dwelling unit, one-family attached," the proposed one-family attached units (two-over-two units) shall meet all the applicable criteria as follows:

- a. The dwelling units are in a single structure consisting entirely of dwelling units.
- b. Each dwelling units is attached to one or more other dwelling units.
- c. Each dwelling unit has at least one direct entrance from the outside.
- d. Each dwelling unit has an abutting ground level outdoor area for the exclusive use of its occupants.

8. Development Program

Applicant shall construct the proposed development in accordance with the Development Program. The Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of the certified site plan. The Development Program shall include a phasing schedule as follows:

- a. Street tree planting shall progress as street construction is completed, but no later than six months after completion of the units adjacent to those streets.
- b. Community-wide pedestrian pathways and recreation facilities shall be completed prior to issuance of the 48th building permit.
- c. Landscaping associated with each building shall be completed as construction of each building is completed.
- d. Pedestrian pathways associated with each street shall be completed as construction of each street is completed.
- e. Clearing and grading shall correspond to the construction phasing, to minimize soil erosion.
- f. Provide each section of the development with necessary roads.
- g. Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.

9. Moderately Priced Dwelling Unit (MPDUs)

The proposed development shall provide ten MPDUs on site.

10. Special Exception Use

Prior to record plat, the existing special exception (S-2029) for the cell tower shall be modified as necessary to reflect the proposed development.

11. Clearing and Grading

No clearing or grading prior to M-NCPPC approval of signature set of plans.

12. Certified Site Plan

Prior to Certified Site Plan approval of site and landscape/lighting plans the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Development program, inspection schedule, and Site Plan Opinion.
- b. Undisturbed stream buffers.
- c. Limits of disturbance.
- d. Methods and locations of tree protection.
- e. Forest Conservation easement areas.
- f. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
- g. Location of outfalls away from tree preservation areas.
- h. Revised development standards table including MPDU calculation.
- i. Details for the proposed one-family attached units (two-over-two), to demonstrate that each dwelling unit has an abutting ground level outdoor area for exclusive use of these dwelling units.
- j. Building restriction lines (BRL) for all the units.

BE IT FURTHER RESOLVED, that all site development elements shown on Leaman Farm plans stamped by the M-NCPPC on July 14, 2006, shall be required except as modified by the Planning Board at the Hearing, this Resolution or the above conditions of approval; and

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff, which the Board hereby adopts and incorporates by reference, and other evidence contained in the Record, which is hereby incorporated in its entirety into this Opinion, the Montgomery County Planning Board FINDS, based on uncontested evidence of record, that:

1. *The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan,*

certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan;

An approved development plan, diagrammatic plan, schematic development plan, or a project plan is not required for the subject development.

2. *The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56;*

The Planning Board finds that the Application meets all of the standards and requirements of the R-200 Zone, MPDU Optional Method. An urban renewal plan is not applicable for the subject development. In its Staff Report, Staff presented a data table, which listed the Zoning Ordinance development standards requirements for the R-200 Zone and the development standards proposed for approval.

At the Hearing, the Applicant requested that the Planning Board apply Zoning Text Amendment No. 06-12 ("ZTA") to this Application, which ZTA the District Council adopted on July 11, 2006. The ZTA changes the setback standards for corner lots in subdivisions using the moderately priced dwelling unit (MPDU) optional method process. The Applicant requested that the Board approve a modification of the minimum required setbacks for the four (4) proposed corner lots on proposed Public Road 'A'—which are shown at a 25-foot minimum setback standard on the drawing stamped by the MNCPPC on July 14, 2006—consistent with the 15 foot minimum setback standard permitted pursuant to the ZTA. The Board approves the application of the ZTA to the four applicable lots in the instant Application, having confirmed that the ZTA was effective commencing on July 11, 2006, prior to the Hearing; having found that approving the request could result in less impervious surface through the shortening of driveways; and, having determined that the modification will not impact neighboring properties.

The Board finds that the Application meets all requirements of the R-200 Zone, based on the aforementioned data table and other relevant information contained in the Staff Report describing the requirements of the R-200 Zone and Staff and Applicant Hearing testimony. The development standards approved by the Planning Board are set forth below:

APPROVED DEVELOPMENT STANDARDS
 (R-200 Zone, MPDU Optional Method)

Development Standard	Approved by Planning Board for Site Plan No. 820050400 and Binding on Applicant
Min. Tract Area (ac.):	29.3
Max. Density Allowed: (with 15% MPDUs & density bonus - 29.3 ac. x 2.44 du/ac.)	69
MPDU's	10
Type of Dwelling Units (du)	
Detached unit (existing)	1
Detached unit	34
Attached unit	24
Two over Two (MPDU)	10
Min. Building Setbacks (detached) from public street (ft.)	
Main	25
Accessory	25
Corner lots (as applicable, pursuant to revision to § 59-C-1.623, contained in ZTA 06-12 (Ordinance No. 15-75, approved by the District Council and effective July 11, 2006).	15 (as applicable)
Min. Building Setbacks (attached) from private street (ft.)	15
Yard Requirements (ft.) equal to abutting lot or	
SFD side yard minimum	4 ¹
SFD rear yard minimum	20 ²
SFA & TH side yard minimum (end unit)	4
SFA & TH rear yard minimum	10
Accessory side yard minimum	4
Accessory rear yard minimum	5
Min. Lot Area (sf)	
One-family detached dwelling unit	6,000
Townhouse	1,500
Min. lot width	
One-family detached dwelling unit- street line	25
Max. Building Height (ft.) – (SFD, SFA, TH)	40
Max. Building Height (stories) - (SFD, SFA, TH)	3
Max. Building Height (accessory building)(stories/ft.)	2/25
Green Area (sf per unit)	
Townhouse or single family attached @ 2,000/unit	
2,000 sf/unit x 34 units = 68,000 sf =	12.84 (HOA parcels)

¹ 12 feet side yard abutting tract boundary – Lots 1 and 10 Block A

² 30 feet rear yard abutting tract boundary – Lots 6,7,8, and 9, Block A

Max. Impervious Area (sf) (20%)	252,775 ³
Parking Spaces	
Existing Dwelling	2
Detached, Semi-detached (2 per dwelling)	
2 spaces x 58 units =	116 garage + 116 driveway
2 spaces x 10 single family attached (MPDUs)	25 surface spaces (259 total spaces)

Staff informed the Board that the Preliminary Plan for this project (No. 120040600) provided that 36.2% of the proposed dwelling units would be townhouses and one-family attached units. The approved preliminary plan contained 44 one-family detached units (including the existing farm house), 15 townhouses and 10 one-family attached units (MPDU's), for a total of 69 dwelling units.

Staff advised the Board that the subject Site Plan Application modifies the dwelling unit mix by increasing the number of one-family attached units, which increases the overall percentage of attached units to 49.2%. The site plan proposes 35 one-family detached units (including the existing farm house), 24 townhouses and 10 one-family attached units (MPDU's), for a total of 69 units.

Section 59-C-1.621 of the Zoning Ordinance provides that the maximum percentage of one-family attached dwelling units, semi-detached dwelling units, or townhouses allowed in the R-200 Zone under the MPDU optional method is 40%. The balance must be single-family detached units. However, the Zoning Ordinance provides that the

Planning Board may approve a development in which up to 100 percent of the total number of units are one-family attached dwelling units, one-family detached dwelling units, or townhouses upon a finding that a (1) proposed development is more desirable from an environmental perspective than development that would result from adherence to these percentage limits, or (2) limits on the development at that site would not allow the applicant to achieve MPDU's under Chapter 25A on-site. However, any increase in any dwelling unit type above the standard percentage allowed must achieve not less than the same level of compatibility as would exist if the development were constructed using the standard percentage of that type of dwelling unit. Any development that exceeds the maximum percentage

³ The impervious total does not include the existing imperviousness in the prescriptive right-of-way, but shall include any new imperviousness associated with other improvements within the right-of-way.

of allowable dwelling unit types must be compatible with adjacent existing and approved development.

Based on relevant evidence of record and Staff's testimony and recommendations, the Planning Board finds that increasing the attached dwelling unit percentage from 40% to 49.2% will achieve the same level of compatibility as would exist if the development were constructed using the standard percentage. The Application is limited by a 20% impervious cap and provides more MPDU's (14.3%) than the minimum 12.5 required. The Board also finds that the proposed development is compatible with existing and approved development surrounding the subject site, as discussed in greater detail below.

3. *The location of the building and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.*

a. Buildings

Single-family detached houses front onto Schaeffer Road and Leaman Farm Road as desired. The single-family attached houses (two-over-two units) have an adequate front yard area which will be for the exclusive use of the upper dwelling units. The MPDUs are sited in two locations on the site, separated by market-rate units.

The proposed buildings are located in a manner that is adequate, safe and efficient with the surrounding development. As discussed above, the Planning Board approved the Applicant's request to modify the setbacks for four corner lots on Public Road 'A', shown on the proposed site plan, consistent with recently approved ZTA 06-12.

b. Cell Tower

Access to the existing cell tower on the northwest corner of the site will need to be modified to reflect the proposed development. Currently, a gravel road off of Leaman Farm Road leads to the telecommunications facility. As proposed, a 15-foot wide access easement will extend from the end of the cul-de-sac on Public Road 'B' to the telecommunications facility.

c. Open Spaces

Open space on the site includes a 6.0-acre parcel within the stream valley buffer on the northwest section of the site, and two stormwater

management facility areas comprising 1.9 acres and 4.4 acres. A split-rail fence will be provided to protect the area within the stream valley buffer. Imperviousness on the site is limited to 20%.

d. Landscaping and Lighting

The proposed landscaping on the site consists of street trees in the public right-of-way and ornamental trees along the proposed private street. A variety of shade and ornamental trees are proposed for the recreational areas and in the rear yards between units.

The lighting plan consists of 15 residential, colonial post top light fixtures within the proposed public road right-of-way and on several townhouse lots. The proposed lighting is consistent with Montgomery County standards.

e. Recreation

Recreation demand is satisfied as shown in the recreation calculations table, included on page 10 of the Staff Report. The proposed recreation facilities include a tot lot located near the townhouse units, three sitting areas, and two open play areas. The Germantown Community Center, a multi-purpose recreational facility for all ages, is located directly across from the site on Kingsview Road.

f. Vehicular and Pedestrian Circulation

Vehicular and pedestrian circulation is safe, adequate and efficient.

Access points to the site are to be provided from Schaeffer Road and Leaman Farm Road. A short distance from these two access points are driveways which serve the single-family houses facing Schaeffer and Leaman Farm Roads. A bikeway will be provided along Leaman Farm Road and also along a section of Clopper Road to the Kingsview Road intersection. The existing section of sidewalk along Schaeffer Road will be extended southward to Leaman Farm Road. Internal sidewalks will be provided along one side of the streets, and a pathway will lead to the tot lot

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The proposed development is compatible with other uses and existing and proposed adjacent development.

The proposed residential units are located in a manner that protects the stream valley buffer area and provides attractive views by having the single-family houses face, rather than back onto, Schaeffer Road and Leaman Farm Road.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

There are 2.2-acres of existing forest on the Property but only 1.88-acres of existing forest outside of the area dedicated to the State Highway Administration. The development is proposing to utilize an optional method of development and, therefore, must comply with Section 22A-12(f) of the Montgomery County Code. The subject Application proposed the removal of less than 0.05 acres of forest, for the construction of a necessary stormwater outfall, and to plant 2.45-acres of forest. This planting will not result in the entire reforestation of the stream buffer but Staff has advised the Board that it is sufficient to meet the minimum requirements of the forest conservation law.

At the Hearing, the Applicant informed the Board that they had purchased an adjoining one-acre property adjacent to the subject site in the event that the proposed development exceed the 20% impervious cap. The Applicant requested that the Board authorize Staff to include the one-acre parcel in its imperviousness calculations in order that it would not be necessary for the Applicant to come back before the Planning Board for a site plan amendment should it became necessary to meet the 20% impervious cap. Staff advised the Board that it did not support Applicant's request. For reasons articulated by Staff at the Hearing, the Planning Board declines to authorize Staff to include the one-acre property for purposes of calculating imperviousness as a part of the instant Application.

The Department of Permitting Services approved the stormwater management concept on July 15, 2005.

BE IT FURTHER RESOLVED, that this site plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

OCT 12 2006 BE IT FURTHER RESOLVED, that the date of this Resolution is (which is the date that this Resolution is mailed to all parties of record); and

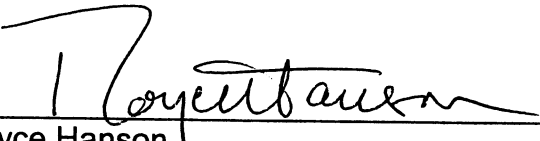
BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules of Court – State).

* * * * *

At its regular meeting, held on **Thursday, September 7, 2006**, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission ADOPTED the above Resolution, on motion of Commissioner Perdue, seconded by Commissioner Wellington, and with Commissioners Perdue, Robinson, and Wellington voting in favor, and with Chairman Hanson and Commissioner Bryant abstaining. This Resolution constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for **Site Plan No. 820050400, Leaman Farm**.

Adopted by the Montgomery County Planning Board this 7th day of September, 2006.

APPROVED AS TO LEGAL SUFFICIENCY
I AB
M-NCPPC LEGAL DEPARTMENT
DATE 9/13/06



Royce Hanson
Chairman, Montgomery County Planning Board

R.B. Cofield for TMS

Trudye M. Johnson
Executive Director