

PLAT NO. 220080260

Estates at Greenbriar Preserve

Located at the northern terminus of Wood Thrush Lane

RNC zone; 2 lots, 1 parcel

Community Water, Community Sewer

Master Plan Area: Potomac

Greenbriar Rose LLC, Applicant

Staff notes that there are two aspects regarding the review and approval of the subject record plat.

The first is the creation of lot by consolidating two existing outlots into a lot in accordance with the approval of, and as specifically delineated (as Lot 31) on, Site Plan No. 820030260 (formerly 8-03026). A copy of the aforementioned Site Plan is attached.

Secondly, this record plat is also a minor lot line adjustment between the consolidated outlot area described above (now shown as lot 32) and an existing Parcel D (now shown as parcel M) and an existing Lot 10 (now shown as Lot 33). The subdivision plat perfects a land swap which was described in the aforementioned Site Plan. This land swap meets the requirement for minor lot line adjustments as specified in Section 50-35A(a)(1) of the Subdivision Regulations, which states:

Minor Lot line Adjustment. The sale or exchange of part of a lot between owners of adjacent lots for the purpose of small adjustments in boundaries; provided:

- a. The total area of the adjustment does not exceed five percent of the combined area of the lots affected by the adjustment;
- b. No additional lots are created;
- c. The adjusted lot line is approximately parallel with the original lot line or, if it is proposed to intersect with the original line, it does not significantly change the shape of the lots involved; and,
- d. The owner submits a sketch plan for review and approval by the Planning Board staff. The sketch plan may be a copy of the existing record plan and must contain the following information:
 - i. proposed lot line adjustment as a dashed line;
 - ii. any buildings, driveways, or other physical improvements located within fifteen feet of the proposed adjusted lot line;
 - iii. any minimum building setback that would be altered by the minor lot line adjustment; and
 - iv. the amount of lot area affected by the minor lot line adjustment.

The sketch plan must be approved, approved with revision or denied, in writing, within ten business days after the plan is submitted or the sketch plan is deemed approved, provided requirements i through iii, above, are met. A final record plat must be submitted to Planning Board staff within

ninety days after sketch plan approval or the sketch plan is no longer valid.

- e. Any minor lot line adjustment between properties that occurred prior to May 19, 1997, remains an exception to platting as provided in Section 50-9(d)

Staff has determined that the record plat complies with Site Plan No. 820030260, as approved by the Board, and further complies with the criteria for minor subdivision approvals as specified in Section 50-35A of the Montgomery County Code and supports this record plat application.

RECORD PLAT FOR MINOR SUBDIVISION REVIEW SHEET

(This form contains 3 pages)

Plat Name: Estates at GreenBriar Preserve Plat Number: 220080260

Plat Submission Date: 8-8-07

DRD Plat Reviewer: S. Smith

DRD Prelim Plan Reviewer: M. Shaneman

*For category of minor see pages 2 and 3

Initial DRD Review:

Pre-Preliminary Plan No. N/A Checked: Initial N/A Date N/A

Preliminary Plan No. _____ Checked: Initial _____ Date _____

Planning Board Opinion - Date _____ Checked: Initial _____ Date _____

Site Plan Name if applicable: Estates at GreenBriar Preserve Site Plan Number: 820030260/820030290

Planning Board Opinion - Date _____ Checked: Initial SS Date 9-11-07

Lot # & Layout Lot Area Zoning Bearings & Distances Coordinates ok
 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 ok
 SPA N/A

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	_____	<u>9-5-07</u>	<u>9-21-07</u>	_____	_____
Research	Bobby Fleury	↓	↓	<u>9-10-07</u>	<u>OK</u>
SHA	Doug Mills	↓	↓	_____	_____
PEPCO	Steve Baxter	↓	↓	_____	_____
Parks	Doug Powell	↓	↓	_____	_____
DRD	Steve Smith	↓	↓	<u>9-17-07</u>	<u>OK</u>

Final DRD Review:

DRD Review Complete:

(All comments rec'd and incorporated into mark-up)

Engineer Notified (Pick up Mark-up):

Final Mylar w/Mark-up & PDF Rec'd:

Board Approval of Plat:

Plat Agenda:

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:

Initial

SS

SS

SS

SS

SS

Date

5-2-08

9-24-07

4/29/08

5-15-08

No. _____

RECORD PLAT REVIEW SHEET – MINOR SUBDIVISION SEC-50-35A

Select which Category of Minor Subdivision and fill information as required

Requirements under Sec 50-35A (A)

(1) Minor Lot Adjustment

- a) Total area does not exceed 5% of combined area affected: _____ ✓
- b) No additional lots created: _____ ✓
- c) Adjusted line is approximately parallel/does not significantly change shape of the lots: _____ OK
- d) Date sketch plan submitted: _____ 7-16-07
- e) Sketch plan revised or denied within 10 business days: _____ 7-24-07
- f) Final record plat submitted within ninety days: _____ OK
- g) Sketch shows following information:
 - i. proposed lot adjustment: _____ ✓
 - ii. physical improvements within 15 feet of adjusted line: _____ ✓
 - iii. alteration to building setback: _____ NA
 - iv. amount of lot area affected: _____ ✓

(2) Conversion of Outlot into a Lot

- a) Outlot not required for open space or otherwise constrained: _____
- b) Adequate sewerage and water service/public or private: _____
- c) Adequate public facilities and AGP satisfied: _____
- d) Any conditions/agreements of original subdivision: _____
- e) Special Protection Area, Water Quality Plan required: _____

(3) Consolidation Of Two of More Lots

- a) Any prior subdivision conditions: _____
- b) Part of lot created by deed prior to June 1 1958: _____

(4) Further Subdivision of Commercial/Industrial/Multi-Family Lot

Any subdivision/conditions; APF agreement satisfied: _____

(5) Plat of Correction

- a) All owners and trustees signed: _____
- b) Original Plat identified: _____

(6) Plats for Residentially Zoned Parcels Created by Deed prior to June 1958

- a) Deed(s) submitted: _____
- b) Developable with only one single family detached unit: _____

(7) Plat for Existing Places of Worship, Private Schools, Country Club, Private Institution, and Similar Uses located on Unplatted Parcels

- a) Adequate Public Facilities satisfied: _____
- b) Street dedication required: _____
- c) Forest conservation: _____
- d) Storm water management: _____
- e) Special Protection Area/Water Quality Plan: _____
- f) Landscaping and lighting plan including parking lot layout: _____

g) Approved Special Exception: _____

(8) Plats for Certain Residential Lots in the RDT Zone; 5 Lot Maximum

a) Number of Lots: _____

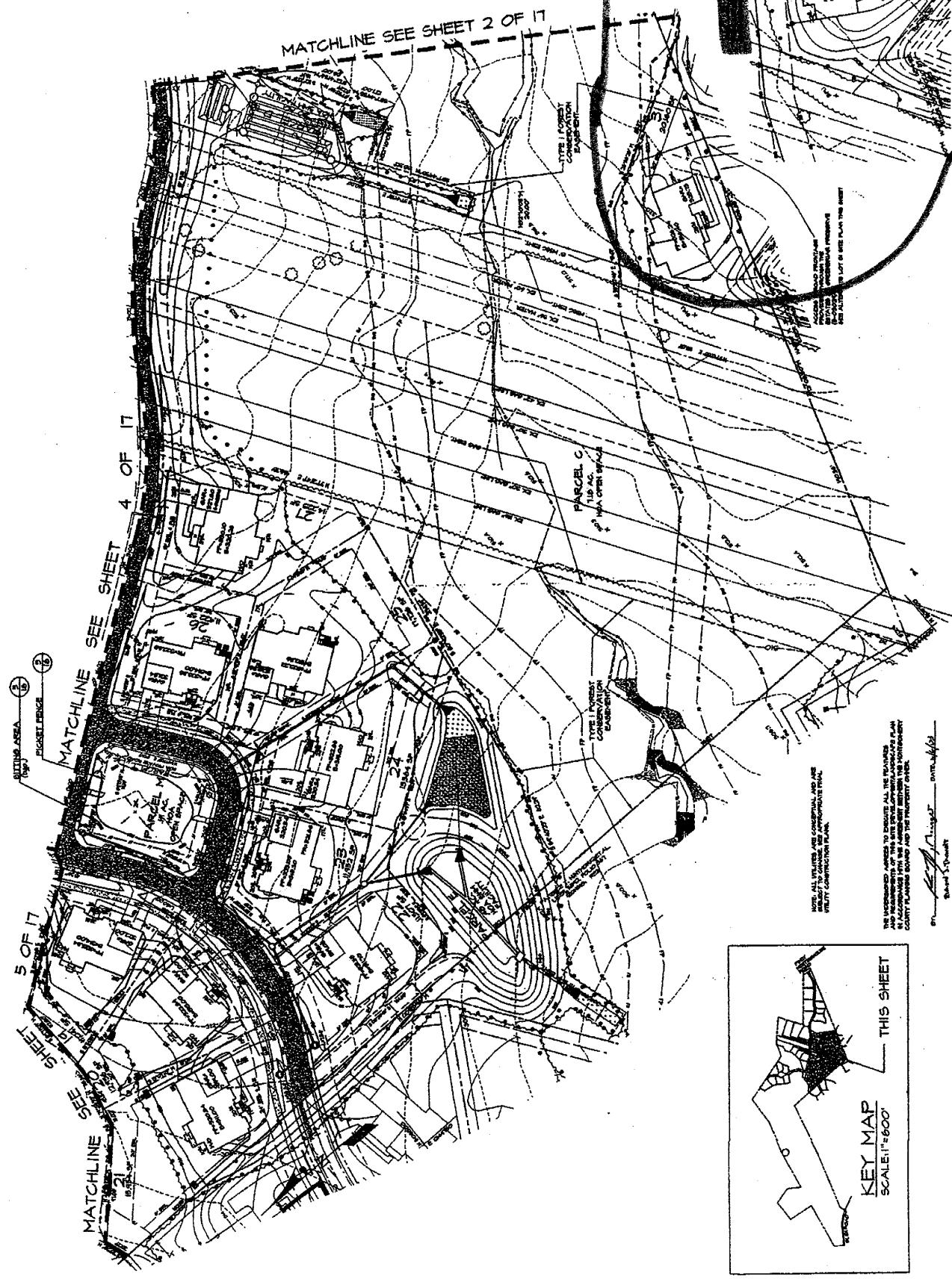
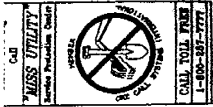
b) Written MCDPS approval of proposed septic area: _____

c) Required street dedication: _____

d) Easement for balance of property noting density and TDRS: _____

e) Average lot size of 5 acres: _____

f) Forest Conservation requirements met: _____



SITE PLAN
GREENBRIAR PRESERVE
 LOTS 131, PARCELS A-M

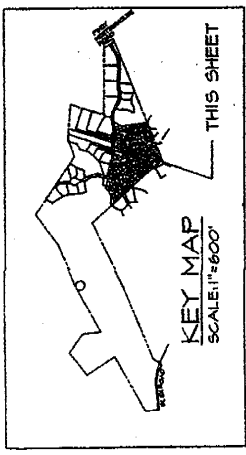
DATE: 11/11/04
 SHEET NO: 99144
 PROJECT NO: 04-10-08
 DATE: 10-12-04
 SHEET NO: 3 OF 17

REVISIONS:
 1. CORRECTED TO REFLECT THE LATEST APPROVED AS-BUILT DATA WITH DATE 08/11/04
 2. CORRECTED TO REFLECT THE LATEST APPROVED AS-BUILT DATA WITH DATE 08/11/04
 3. CORRECTED TO REFLECT THE LATEST APPROVED AS-BUILT DATA WITH DATE 08/11/04

SCALE: 1" = 50'

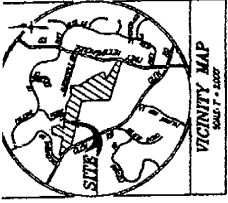
NO.	DATE	DESCRIPTION
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2	11/11/04	ISSUED FOR PERMITTING
3	11/11/04	ISSUED FOR PERMITTING
4	11/11/04	ISSUED FOR PERMITTING
5	11/11/04	ISSUED FOR PERMITTING
6	11/11/04	ISSUED FOR PERMITTING
7	11/11/04	ISSUED FOR PERMITTING
8	11/11/04	ISSUED FOR PERMITTING
9	11/11/04	ISSUED FOR PERMITTING
10	11/11/04	ISSUED FOR PERMITTING

GLW
 GEORGE L. WATSON & ASSOCIATES, P.A.
 10000 WOODBRIDGE DRIVE, SUITE 200
 GREENBRIAR, VA 22186
 TEL: (703) 536-1555
 FAX: (703) 536-1556
 WWW.GEORGEWATSON.COM

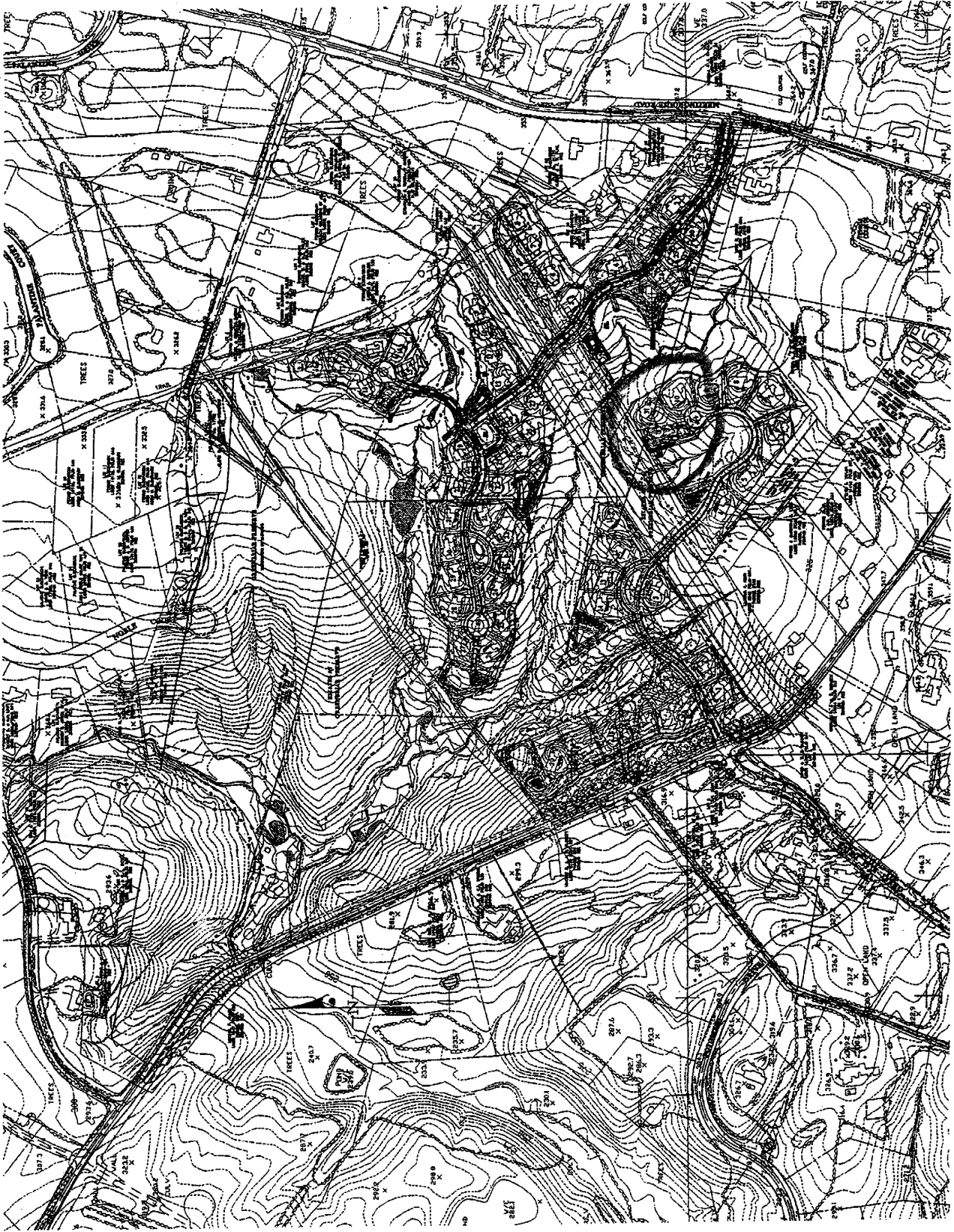


NOTE: ALL UTILITIES ARE CONCEPTUAL AND ARE SUBJECT TO FIELD VERIFICATION. THE INFORMATION PROVIDED TO ENLIGHTEN ALL THE PLANNING AND CONSTRUCTION OF THE PROJECT IS THE RESPONSIBILITY OF THE CLIENT. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL DESIGN AND THE PREPARATION OF THE PLANS.

DATE: 11/11/04
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]



APPROVED FOR PUBLICATION
DATE 11/15/2003
BY
Richard Hartmann
11/15/2003



COMPUTER PLAN GREENBRIAR PRESERVE AND ESTATES AT GREENBRIAR PRESERVE <small>GREENBRIAR COUNTY, MARYLAND</small>		U.S.G.S. 24 98144 7007
SCALE 1" = 100' 1:100 1/32" = 1'	DATE 11/15/2003	SHEET 1 OF 17
DESIGNER GREENBRIAR PRESERVE AND ESTATES AT GREENBRIAR PRESERVE 11000 GREENBRIAR PRESERVE DRIVE GREENBRIAR, MD 21781 (301) 927-7700	REVIEWER GREENBRIAR PRESERVE AND ESTATES AT GREENBRIAR PRESERVE 11000 GREENBRIAR PRESERVE DRIVE GREENBRIAR, MD 21781 (301) 927-7700	DATE 11/15/2003
CLIENT GREENBRIAR PRESERVE AND ESTATES AT GREENBRIAR PRESERVE 11000 GREENBRIAR PRESERVE DRIVE GREENBRIAR, MD 21781 (301) 927-7700	PROJECT NO. 03-001	SHEET NO. 1 OF 17

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MONTGOMERY COUNTY PLANNING BOARD

OPINION

DATE MAILED: October 28, 2003
SITE PLAN REVIEW #: 8-03026
PROJECT NAME: Greenbriar Preserve

Action: Approval subject to conditions. Motion was made by Commissioner Bryant, seconded by Commissioner Robinson, with a vote of 3-0, Commissioners Berlage, Bryant, Robinson, voting for, and no Commissioners voting against. Commissioners Perdue and Wellington were necessarily absent.

The date of this written opinion is October 28, 2003, (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, as provided in the Maryland Rules of Procedure, on or before November 28, 2003 (which is thirty days from the date of this written opinion). If no administrative appeal is timely filed, this Site Plan shall remain valid for as long as Preliminary Plan #1-03041 is valid, as provided in Section 59-D-3.8.

On October 16, 2003, Site Plan Review #8-03026 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and evidence submitted in the record on the application. Based on the testimony and evidence presented and on the staff report, which is made a part hereof, the Montgomery County Planning Board finds:

1. *The Site Plan is consistent with an approved development plan or a project plan for the optional method of development if required; RNC zone, and is consistent with an urban renewal plan approved under Chapter 56;*
2. *The locations of the buildings and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient;*
3. *Each structure an use is compatible with other uses and other Site Plans and with existing and proposed adjacent development;*
4. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation;*
5. *The Site Plan meets all applicable requirements of Chapter 19 regarding water resource protection;*

Therefore, the Montgomery County Planning Board APPROVES Site Plan #8-03026, which consists of 31 SFD lots on 68.44 acres subject to the following conditions:

1. Lighting and Landscaping Plan

Prior to signature set approval,

A. Applicant to submit, prior to release of signature set, lighting plans to reflect full cut off luminaries with a concealed light source to reduce glare, with no light trespass beyond the site boundaries and light distributions focused on the road and not on the adjoining off-site properties. A point-to-point photometric grid and light fixture cut sheet shall be submitted for staff review.

B. Planting –

1. The landscape plan shall reflect a greater number of native plants materials in the buffer plantings.
2. The community open space areas shall be revised to provide enhanced public sitting areas with benches, landscaping conducive to defining public spaces and paths to allow for access.
3. The site plan shall be amended to reflect the relocation of one unit adjacent to the Cheng and McHugh/Abbott property line to be relocated to another part of the site (not adjacent to off site properties) so there are no more than 5 units along that frontage. The corresponding changes shall evenly distribute the lots along the frontage so there will be about two proposed lots adjacent to the Cheng and McHugh/Abbott property. Any improvements to the landscape preservation area shall be pursued as is possible.
4. A six-foot board on board fence shall be constructed within the proposed subdivision along the entirety of the Puhl, Cheng and McHugh/Abbott and properties. The fence to be maintained by the Greenbriar Preserve HOA.
5. The house at the corner of Wood Sorrel Drive and Greenbriar Preserve Lane shall be re-sited further away from the Cheng and McHugh/Abbott property as possible.

2. Environmental Planning

A. Compliance with all conditions for final forest conservation plan approval. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.

- B. Required site inspections by M-NCPPC monitoring staff (as specified in "Trees Technical Manual")
- C. Approval of the following items by M-NCPPC staff prior to DPS issuance of the sediment and erosion control permit:
 - 1. Tree Protection Plan: A detailed evaluation of edge trees along the proposed limit of disturbance shall be provided by a state-qualified professional (per COMAR 08.19.06.01) to determine trees appropriate for save, and recommend stress reduction measures. Special consideration should be given to recognize and address potential die-back associated with underlying serpentine conditions.
 - 2. Planting Area at back of proposed Lots #1 through #5: supplemental planting shall be provided for all areas within the 35' Tree Preservation/Planting Area that is not feasible for forest/tree retention.
 - 3. Record plat to show Category One forest conservation easement over all forests saved, as designated as "tree save" on the forest conservation plan dated March, 2003 (except areas dedicated to MNCPPC), and forest saved within 35' Tree Preservation/Planting Area in the back of proposed lots # 1 -5 (staff-recommended for four lots only).
 - 4. All tree save areas within lots shall be delineated by staff-approved permanent method for demarcation (i.e. permanent survey markers and signs placed at intervals, etc.)
 - 5. Applicant shall submit technical report regarding serpentine soil conditions to County DPS for their review. If determined applicable by DPS after this review, this site plan shall comply with asbestos performance plan recommendations from Montgomery County DEP and DPS dated July 1, 2002.

3. Parks

- A. Dedication to M-NCPPC of the 38.19 acres of open space that includes all land west of the Gas right of way and the open space land (except for any storm drain outfalls) between the right of way and lots numbered 17 to 22 (Per approved original site plan numbers.)
- B. Dedicated land to be conveyed at time of record plat and not to include any stormwater management ponds or facilities, and to be conveyed free

of trash and unnatural debris with the boundaries adequately staked and signed to delineate between parkland and private lots.

4. Division of Permitting Services

Conformance to the conditions of DPS Stormwater Management Concept approval letter dated February 19, 2003.

5. Transportation

- A. Submit an exhibit to staff confirming the terminus of the internal street (Greenbriar Branch Drive) with the adjacent Greenbriar Preserve subdivision.
- B. Private drive to conform to Planning Board adopted "Guideline for Private Streets."

6. Signature Set Documentation

- A. Submit a Site Plan Enforcement Agreement, Development Review Program and Homeowner Association Documents for review and approval prior to release of the signature set as follows:

Development Program to include a phasing schedule as follows:

- 1) Streets tree planting must progress, as street construction is completed, but no later than six months after completion of the units adjacent to those streets.
- 2) Community-wide pedestrian pathways and recreation facilities must be completed prior to seventy percent occupancy of each phase of the development.
- 3) Landscaping associated with lot shall be completed as construction of each home is completed.
- 4) Pedestrian pathways and seating areas associated with each facility shall be completed as construction of each facility is completed.
- 5) Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.
- 6) Site Plan Enforcement Agreement to delineate maintenance and dedication of rural open space.

- B. Signature set of site, landscape/lighting, forest conservation and sediment and erosion Control plans to include for M-NCPPC technical staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
 - a. Undisturbed stream buffers, except for SWM outfalls.
 - b. Limits of disturbance.

- c. Methods and locations of tree protection.
- d. Forest Conservation areas.
- e. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
- f. The development program inspection schedule and Site Plan Opinion.
- g. Conservation easement boundary.
- h. Streets trees 45-50 feet on center along all private streets, except where roadway abuts forest save area.
- i. No clearing or grading prior to M-NCPPC approval of final forest conservation plans and DPS approval of all final sediment and erosion control plans and final stormwater management plans.

7. Boundary Markings

The applicant shall accurately survey clearly mark, until all construction and landscaping is completed, the boundary of the proposed site plan in regards to Lot 9 of the Ferris Subdivision as owned by Dr. Carole Rayburn.