



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

MCPB
Item #
3/12/09



MEMORANDUM

DATE: February 27, 2009

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Catherine Conlon, Subdivision Supervisor *CC*
Development Review Division

FROM: *NB* Neil Braunstein, Planner Coordinator (301-495-4532)
Development Review Division

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: 12 lots for 12 one-family detached dwelling units and one outlot

PROJECT NAME: Barnard Property

CASE #: 119970400

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: RE-2C

LOCATION: Located at the terminus of Bonny Brook Lane

MASTER PLAN: Damascus

APPLICANT: Barbara Johnson and Kim Goode

ENGINEER: Benning & Associates

FILING DATE: November 21, 1996

HEARING DATE: March 12, 2009

RECOMMENDATION: Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 12 lots for 12 one-family detached dwelling units and one outlot to contain stormwater management pipes and a public use trail easement.
- 2) The applicant must comply with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits, as applicable.
- 3) The applicant must begin reforestation during the first planting season after issuance of the first sediment control permit.
- 4) The applicant must install permanent forest conservation easement signage along the easement line on the subject property.
- 5) The applicant must dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan unless otherwise designated on the preliminary plan.
- 6) The applicant must construct all road improvements within the 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.
- 7) Prior to issuance of a building permit for the 9th dwelling, the applicant must remove the existing driveway on proposed Lot 103, so that there is no direct driveway access from proposed Lot 103 to Damascus Road (MD 108). Only proposed Lot 107 is permitted to access the existing driveway from MD 108.
- 8) The record plat must reflect a Category I easement over all areas of stream valley buffers and forest conservation.
- 9) The record plat must reflect common ingress/egress and utility easements over all shared driveways.
- 10) The record plat must reflect a public use and access easement over the trail on proposed Outlot A.
- 11) The record plat must reflect all areas under Homeowners Association ownership and specifically identify stormwater management parcels.
- 12) The applicant must comply with the conditions of the MCDPS stormwater management approval dated September 2, 2008. These conditions may be amended by MCDPS, as long as the amendments do not conflict with other conditions of the preliminary plan approval.
- 13) The applicant must comply with the conditions of the MCDPS, Wells and Septic Section approval dated October 23, 2008. These conditions may be amended by MCDPS, as long as the amendments do not conflict with other conditions of the preliminary plan approval.
- 14) The applicant must comply with the conditions of the Montgomery County Department of Transportation (MCDOT) letter dated February 12, 2009. These conditions may be amended by MCDOT, as long as the amendments do not conflict with other conditions of the preliminary plan approval.
- 15) The applicant must satisfy provisions for access and improvements as required by MCDOT prior to recordation of plat(s).
- 16) The record plat must show necessary easements.

- 17) 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 resolution.

SITE DESCRIPTION

The subject property, shown below and in Attachment A, consists of two unplatted parcels with a combined area of 30.2 acres. It is located at the terminus of Bonny Brook Lane. The zoning on the property is RE-2C. The property is developed with a one-family detached residence and associated detached garage, which are proposed to remain. Surrounding properties are developed with one-family detached residences in the RE-2C zone. Seneca Spring Local Park is located immediately west of the subject property.

The site is located within the Upper Great Seneca Creek watershed. An unnamed tributary to Upper Great Seneca Creek crosses a portion of the site near the western property boundary. The site contains 4.65 acres of stream valley buffer, with 3.85 acres of that in high priority forest. There is one area of moderately steep slopes with highly erodible soils located along the proposed extension of Bonny Brook Lane. There are 10.3 acres of forest on the subject property. There are 11 trees 24 inches DBH or greater on or immediately adjacent to the subject property. Of these, ten trees are in moderate to poor condition and one is in good condition.



PROJECT DESCRIPTION

The applicant proposes to subdivide the subject property into 12 lots for 12 one-family detached dwellings. The project will be developed under the standard method of development and will not use the cluster method that is optional in the RE-2C zone. The existing dwelling will be located on proposed Lot 103; the remaining lots will accommodate new dwellings. The lots range in size from 2 acres to 2.9 acres. Bonny Brook Lane, which currently terminates at the southeast corner of the property, is proposed to be extended through the property to the northern property line. The extension of Bonny Brook Lane will provide access for 11 of the proposed lots. Proposed Lot 107 will be accessed from an existing driveway that currently serves three offsite properties as well as the existing dwelling on proposed Lot 103. The driveway for the existing dwelling is proposed to be relocated to the extension of Bonny Brook Lane. The proposed dwellings will be served by private wells and private septic systems. An outlot is also proposed to be created, which will contain a stormwater management pipe and a trail easement that will provide a connection to the adjacent Seneca Spring Local Park.

(Attachment B – proposed plan)

ANALYSIS AND FINDINGS

Master Plan Compliance

The Damascus Master Plan does not specifically address the subject property. The Master Plan recommends retention of existing zoning throughout the Master Plan area in the absence of a specific recommendation for change on a particular property. Thus, in the case of the subject property, the Master Plan calls for retention of the existing RE-2C zoning. The proposed subdivision complies with the recommendations adopted in the Master Plan in that it proposes one-family residential development consistent with surrounding development patterns and the current zoning designation. The proposed lots will be similar to surrounding lots with respect to dimensions, orientation, and shape, and the proposed residences will have a similar relationship to the public street and surrounding residences as existing residences in the area. The proposed subdivision will not alter the existing pattern of development or land use, consistent with the Master Plan recommendation to maintain the existing land use.

Public Facilities

Roads and Transportation Facilities

The proposed lots do not generate 30 or more vehicle trips during the morning or evening peak-hours. Therefore, the application is not subject to Local Area Transportation Review. The application predates requirements for Policy Area Mobility Review. Therefore, the application is also not subject to Policy Area Mobility Review.

Access to 11 of the 12 proposed lots will be via the proposed extension of Bonny Brook Lane, a public, secondary residential street with an open section and a 60-foot wide right-of-way.

One of the lots, proposed Lot 107, will be accessed via an existing private driveway from Damascus Road (MD 108). In order not to increase the number of lots currently accessed by the private driveway, the applicant has proposed to shift the access to the existing dwelling on proposed Lot 103 from the private driveway to the extension of Bonny Brook Lane. Staff recommends a condition to require that the existing driveway on proposed Lot 103 be removed prior to issuance of a building permit for the 9th lot, to ensure that direct access from this lot to Damascus Road (MD 108) will not continue after development of the subject property.

The extension of Bonny Brook Lane is proposed to end at the northern property boundary with a temporary turnaround. A standard cul-de-sac termination is not proposed because it is expected that Bonny Brook Lane will be extended further to the north when the adjacent property is subdivided into residential lots.

Sidewalks are not required on the extension of Bonny Brook Lane because the minimum allowed lot size in the subdivision is two acres, and no sidewalks have been constructed on the existing portion of Bonny Brook Lane. Pedestrians can safely walk in the roadway because of the low traffic volumes.

Proposed vehicle and pedestrian access for the subdivision will be safe and adequate with the proposed public improvements.

Overlength Cul-de-sac

The preliminary plan proposes the extension of Bonny Brook Lane from its current terminus at the southeast corner of the subject property to a new, temporary turn-around at the northern property boundary. The street could potentially be extended further to the north, in the event that the adjacent property is developed for residential lots in the future. In that case, Bonny Brook Lane could be connected at a new intersection to Damascus Road (MD 108). Until that connection is made, Bonny Brook Lane is an overlength cul-de-sac – i.e., longer than 500 feet – pursuant to Section 50-26(b) of the Subdivision Regulations. The existing cul-de-sac is approximately 1,600 feet in length, and the extension of the street to the northern property line would increase the length to approximately 3,400 feet. Section 50-26(b) of the Subdivision Regulations allows the Planning Board to exceed the 500-foot length when property shape, size, topography, large lot size, or improved street alignment warrant it.

The size and shape of the subject property and the existing road pattern in the area make it infeasible to do anything other than an extension of the existing cul-de-sac street because there are no other streets with which to make a connection. The property is not large enough to create an internal looped street network. In addition, the proposed road configuration has been approved by the Montgomery County Fire and Rescue Service. Therefore, staff recommends that the Planning Board find that the overlength cul-de-sac is appropriate for this subdivision. Staff notes again, however, that the overlength cul-de-sac could be eliminated in the future if Bonny Brook Lane connects with Damascus Road (MD 108).

Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the proposed development. The property will be served by private wells and private septic systems. The application has been reviewed by the Montgomery County Fire and Rescue Service who has determined that the property has appropriate access for fire and rescue vehicles. Other public facilities and services, such as schools, police stations, firehouses and health services are operating according to the Growth Policy resolution currently in effect and will be adequate to serve the property. Electrical and telecommunications services are also available to serve the property.

Environment

The subject property contains one stream that begins off-site and flows in a southwesterly direction near the western property line. The stream continues off-site in a southwesterly direction. There are 4.65 acres of stream valley buffer on the subject property, with 3.85 acres of that buffer in high priority forest. All stream valley buffers are proposed to be placed into a Category I Forest Conservation Easement. There are no wetlands on the site. There is one area of moderately steep slopes with highly erodible soils located along the proposed extension of Bonny Brook Lane. The plan meets all applicable requirements for protection of environmentally sensitive areas.

There are 10.3 acres of existing forest on the subject property. The overstory is dominated by a mixture of Tulip Tree, Red Maple, and Chestnut Oak. The lower understory is dominated by a mixture of Black Cherry and Virginia Scrub Pine.

There are 11 trees 24" diameter at breast height (DBH) or greater in size located on the subject property or within the first 100 feet on the adjoining properties. These trees range in size from 24" DBH up to 36" DBH. Ten of these trees are in moderate to poor condition and only one is in good condition. Three of these trees are located off-site, two are located along the proposed alignment of Bonny Brook Lane (Extended), and five are located within areas of forest clearing. Of the 11 significant sized trees, seven are recommended for removal and four are to be retained.

The preliminary forest conservation plan indicates the removal of 4.3 acres and retention of 6 acres of total forest on the subject site. The applicable conservation threshold for this site is 7.08 acres. As a result of the forest removal and the conservation threshold, this site has a reforestation requirement of 2.96 acres. The preliminary forest conservation plan proposes to meet the 2.96-acre requirement through 1.38 acres of on-site reforestation planting in an unforested stream valley buffer area, and 1.58 acres of off-site planting or a fee-in-lieu payment. The fee-in-lieu payment option cannot be used in this case because the Forest Conservation Law prohibits the use of this alternative on properties larger than five acres and reforestation areas greater than ½-acre. As a result, staff is recommending a condition of approval that requires the applicant to meet the 1.58-acre reforestation requirement using off-site options, including approved banks, but excluding payment of a fee-in-lieu. Both the 1.38-acre on-site plantings and

the 1.58-acre off-site requirement will be protected by placing these areas in Category I conservation easements.

The 7.38 acres of on-site Category I conservation easement (6 acres of retention and 1.38 acres of reforestation) will be placed to the rear of five of the proposed lots. The preliminary forest conservation plan does not show any house footprints within 50-feet of the forest conservation easement or the stream valley buffer, and the proposed lots will have sufficiently large rear yards outside of the conservation easement. However, the plan only shows generalized house locations depicting 70 x 40 foot rectangular boxes. The Planning Board, through the approval of the preliminary plan, establishes the building envelope, but not the precise building locations. The builder has the flexibility to locate each residence anywhere within the building envelope (subject to septic limitations), including at the environmental buffer. If the builder constructs the house or any house feature at or near the environmental buffer this would provide an inadequate yard space and encourage the homeowner to enter the conservation easement area to create a useable backyard area. In order to delineate the forest conservation easement and discourage encroachments into the forest conservation easement, staff recommends a condition requiring the applicant to install permanent forest conservation easement signage along the easement line on the subject property.

The plan meets all applicable requirements of the county Forest Conservation Law.

The MCDPS Stormwater Management Section approved the stormwater management concept on September 2, 2008. The stormwater management concept includes on-site quality control and recharge through the use of on-lot methods. Channel protection is not required because the one-year post development peak discharge is less than or equal to 2.0 cubic feet per second in two of the three drainage areas. The area of the roadway near existing inlet #4 will have channel protection volume storage included within the 2-foot flat-bottomed swale by amending the soils within the channel.

Compliance with the Subdivision Regulations and Zoning Ordinance

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

The lots were reviewed for compliance with the dimensional requirements for the RE-2C zone as specified in the Zoning Ordinance. The lots as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in attached Table 1. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

Citizen Correspondence and Issues

This preliminary plan application predated the requirement for a pre-submission meeting. Written notice of the plan submittal and the public hearing date was given, however, by the

applicant and staff. Additional notice was recently given because the application was submitted over one year ago. As of the date of this report, no citizen letters have been received.

CONCLUSION

The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance and comply with the recommendations of the Damascus Master Plan. Access and public facilities will be adequate to serve the proposed lots, and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

Attachments

Attachment A – Vicinity Development Map

Attachment B – Proposed Development Plan

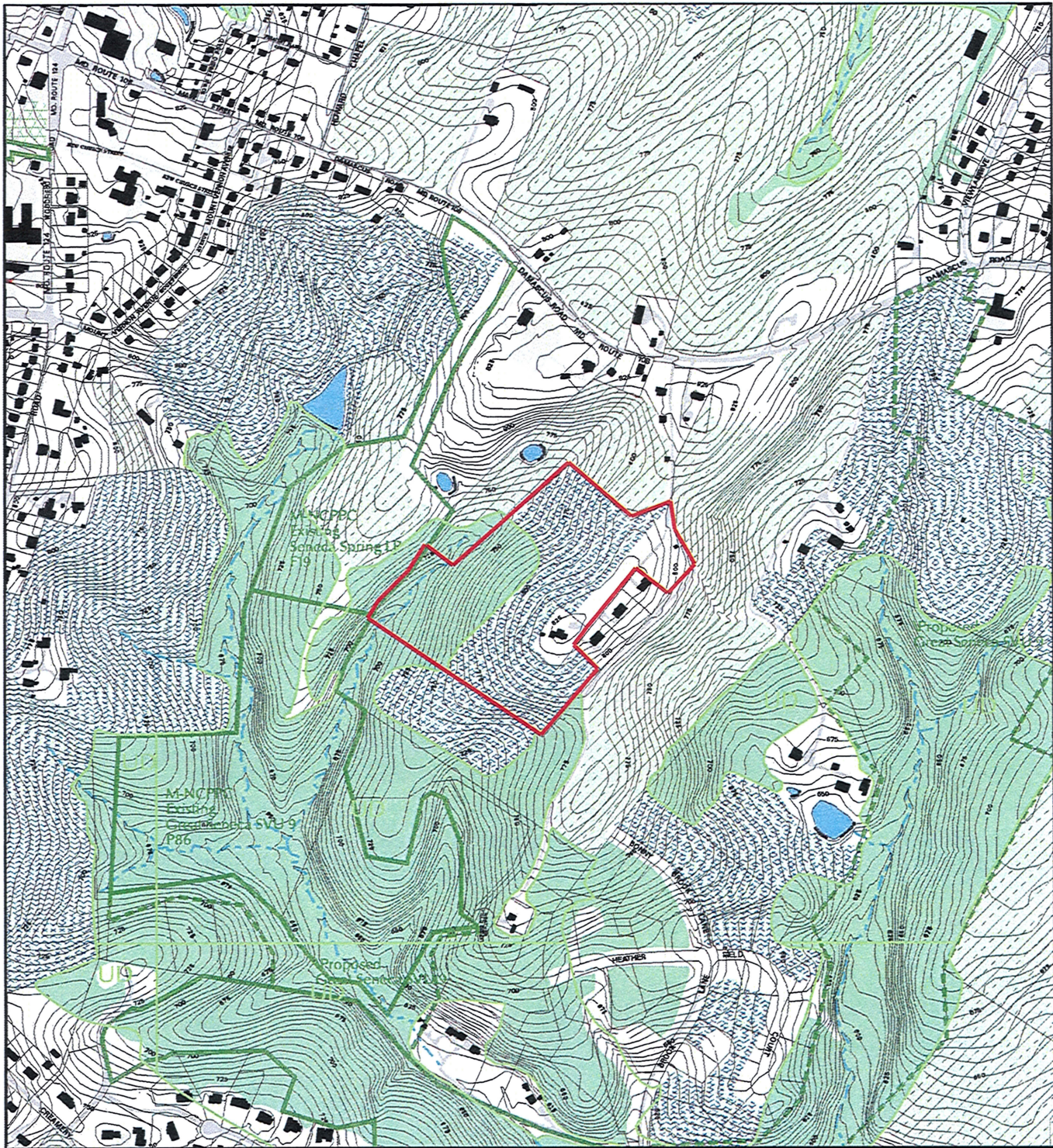
Attachment C – Agency Correspondence Referenced in Conditions

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: Barnard Property				
Plan Number: 119970400				
Zoning: RE-2C				
# of Lots: 12				
# of Outlots: 1				
Dev. Type: Residential				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	2 acres	2 acres minimum	NB	2/27/09
Lot Width	150 ft.	150 ft. minimum	NB	2/27/09
Lot Frontage	25 ft.	25 ft. minimum	NB	2/27/09
Setbacks				
Front	50 ft. Min.	Must meet minimum ¹	NB	2/27/09
Side	17 ft. Min./35 ft. total	Must meet minimum ¹	NB	2/27/09
Rear	35 ft. Min.	Must meet minimum ¹	NB	2/27/09
Height	50 ft. Max.	May not exceed maximum ¹	NB	2/27/09
Max Resid'l d.u. per Zoning	15	12	NB	2/27/09
MPDUs	N/a		NB	2/27/09
TDRs	N/a		NB	2/27/09
Site Plan Req'd?	No		NB	2/27/09
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street		Yes	NB	2/27/09
Road dedication and frontage improvements		Yes	Agency letter	2/12/09
Environmental Guidelines		Yes	Staff memo	12/10/08
Forest Conservation		Yes	Staff memo	12/10/08
Master Plan Compliance		Yes	Staff memo	12/12/08
Other (i.e., parks, historic preservation)				
ADEQUATE PUBLIC FACILITIES				
Stormwater Management		Yes	Agency letter	9/2/08
Water and Sewer (WSSC)		N/a	Agency comments	10/1/07
10-yr Water and Sewer Plan Compliance		N/a	Agency comments	10/1/07
Well and Septic		Yes	Agency letter	10/23/08
Local Area Traffic Review		N/a	Staff memo	10/1/07
Policy Area Mobility Review		N/a	Staff memo	10/1/07
Transportation Management Agreement		No	Staff memo	10/1/07
School Cluster in Moratorium?		No	NB	2/27/09
School Facilities Payment		No	NB	2/27/09
Fire and Rescue		Yes	Agency letter	5/29/08

¹ As determined by MCDPS at the time of building permit.

BARNARD PROPERTY (119970400)



Map compiled on September 13, 2007 at 8:45 AM | Site located on base sheet no - 236NW09

NOTICE

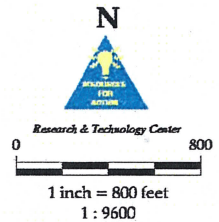
The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

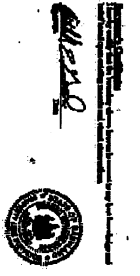
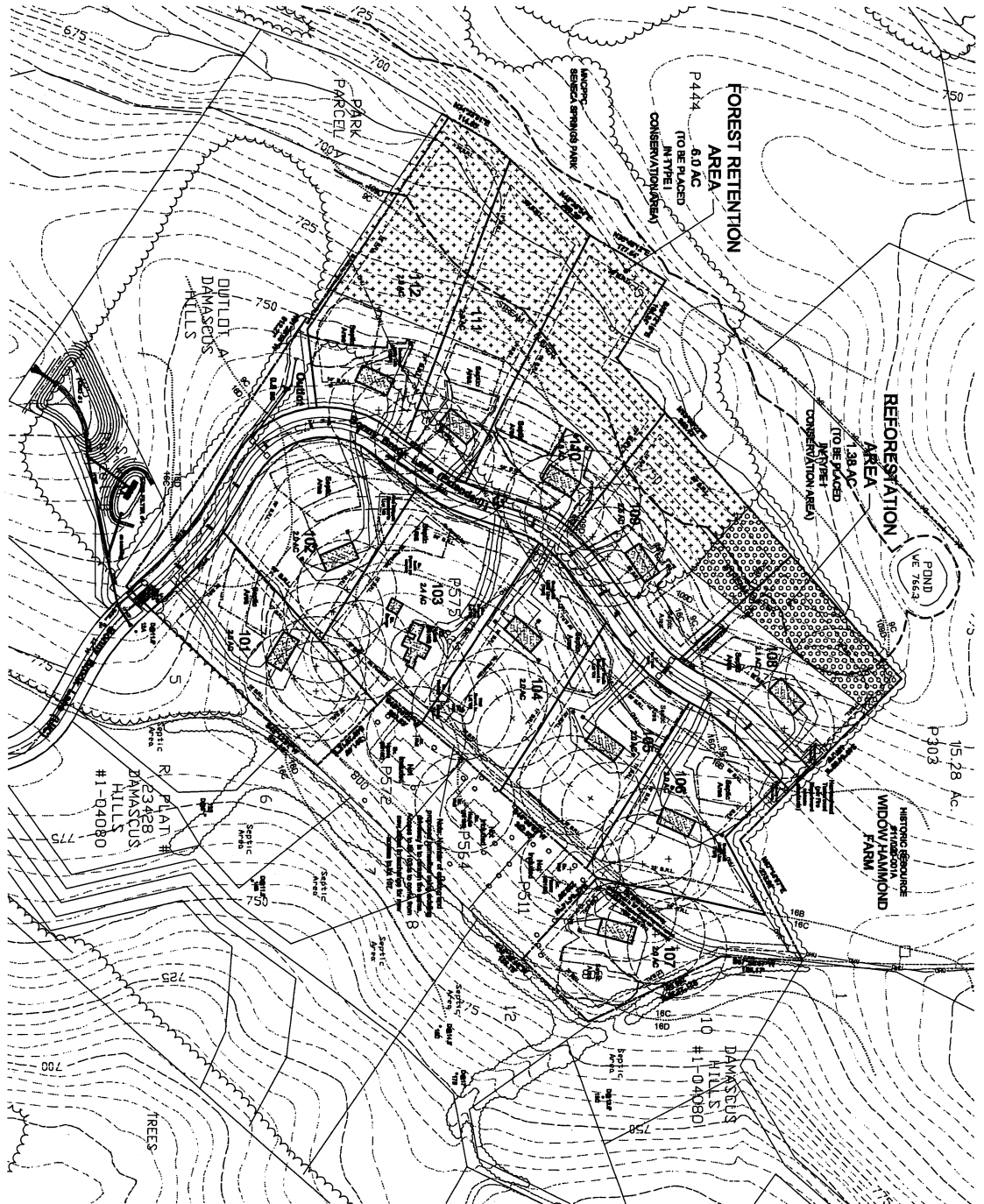
Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

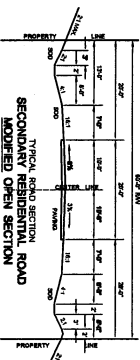
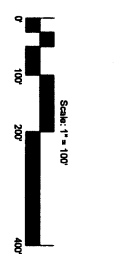
MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 8787 Georgia Avenue - Silver Spring, Maryland 20910-3700

Key Map

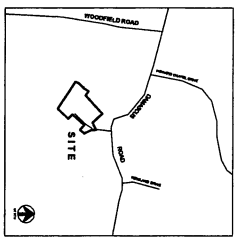




Notes:
 1. This Preliminary Plan is prepared by Barbara Johnson & Kim Goode, Inc. as a consultant to the Applicant.
 2. The Applicant is responsible for obtaining all necessary permits and approvals from the appropriate authorities.



PREPARED FOR:
 Barbara Johnson & Kim Goode
 P.O. Box 599
 Damascus, VA 22621-0599
 301-568-3700



ZONING STANDARDS:		
ZONE: RE-2C	Req.	Prov.
Area	2.0 ac	2.0 ac
Requirement		
Max. Coverage	25%	25% or less
Min. Front Yard	50'	50'
Min. Side Yard	17' min., 35' total	17'+
Min. Rear Yard	35'	35' or more
Min. Lot Area	25'	25'+
Min. Lot Frontage	150'	150'
Min. Lot Width	50'	50' or less
Max. Bldg. Height		

- NOTES:
1. AREA OF PROPERTY - .82 AC
 2. AREA SHOWN TO BE DEDICATED TO PUBLIC USE - 1.9 AC
 3. EXISTING ZONING: RE-2C
 4. ZONING PROPOSED: SYMBOARD
 5. MINIMUM LOT SIZE PERMITTED: 2.0 ACRES
 6. NUMBER OF LOTS SHOWN: 12
 7. SITE TO BE SERVED BY PRIVATE WELLS & SEWAGE DISPOSAL SYSTEMS
 8. EXISTING SEWER & WATER SERVICE CATEGORIES: S-4, W-4
 9. LOCATED IN GREAT SEWER & WATER WATERSHED (GAS BY WASHINGTON GAS LIGHT CO.)
 10. SITE TO BE SERVED BY VERBON POTOMAC EDISON
 11. SITE TO BE SERVED BY VERBON POTOMAC EDISON & WASHINGTON GAS (AS AVAILABLE)

PRELIMINARY PLAN
BARNARD PROPERTY
 Montgomery County, Maryland



Barbara Johnson & Kim Goode, Inc.
 Lead Planning Consultants
 8933 Shady Grove Court
 Gaithersburg, MD 20877
 (301) 44-0240

date: Rev. 04/15/08
 scale: 1" = 100'



DATE	DESCRIPTION

Attachment C



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

September 2, 2008

Carla Reid Joyner
Director

Mr. Dean Peckard
P.G. Associates, Inc.
16220 South Frederick Avenue, Suite 400
Gaithersburg, MD 20877

Re: Stormwater Management **CONCEPT** Request
for Barnard Property
Preliminary Plan #: TBA
SM File #: 212498
Tract Size/Zone: 30.2 ac./RE2C
Total Concept Area: 30.2 ac.
Lots/Block: 101-112
Parcel(s):
Watershed: Great Seneca Creek

Dear Mr. Peckard:

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 quality control and recharge by using methods listed in chapter 5 of the MDE manual. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs in two of the 3 overall drainage areas. The area of the roadway near existing Inlet #4 shall have Channel Protection volume storage included within the 2' flat bottom swale by amending the soils within the channel.

The following **conditions** 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. The roadway swale in front of lot 101 and part of 102 shall be 2' flat bottom. Specific volume requirements and soil amendments will be determined at the design stage.
6. The level spreader shown at the outfall structure #8 may need to be extended further down the slope to ensure safe conveyance of flows to the stream valley buffer.

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

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

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

If you have any questions regarding these actions, please feel free to contact Blair Lough at 240-777-6335.

Sincerely,


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

RRB:dm bli

cc: C. Conlon
S. Federline
SM File # 212498

QN - on-site: Acres: 30.2
QL - on-site: Acres: 30.2
Recharge is/is not provided



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid Joyner
Director

MEMORANDUM

October 23, 2008

TO: Cathy Conlon, Development Review,
Maryland National Capital Park and Planning Commission

FROM: Carla Reid, Director
Department of Permitting Services

SUBJECT: Status of Preliminary Plan: # 11970400,

Barnard Property, Lots 101-112

This is to notify you that the Well & Septic Section of MCDPS approved the plan received in this office on October 13, 2008.

Approved with the following reservations:

1. The record plat must be at the same scale as the preliminary plan, or submit an enlargement of the plat to match the preliminary plan.
2. The record plat must show the septic system and water well easements as they are shown on this plan.

If you have any questions, contact Gene von Gunten at (240) 777-6319.

cc:
Surveyor
File



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

February 12, 2009

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 #1-19970400
Barnard Property

Dear Ms. Conlon:

We have completed our review of the revised preliminary plan dated December 10, 2008. This preliminary plan was originally reviewed by the Development Review Committee at its meeting on October 1, 2007. 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. Right of way dedication and construction of Bonny Brook Lane extension as per secondary residential roadway standards (MC-211.02) ending in a standard T-turnaround (MC-223.02). We have reviewed and approved a modified flat bottom ditch that will provide stormwater management as shown on the above preliminary plan (this section should comply with applicable standards of the Maryland Department of the Environment and/or Montgomery County Department of Permitting Services).

Since this site is being developed under the standard/non-cluster method of development for the RE-2C zone, with a minimum lot size of 2 acres, we agree with the applicant that sidewalks should not be required for this preliminary plan.

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 establishment for the proposed extension of Bonny Brook Lane.
4. Size storm drain easement(s) prior to record plat. No fences will be allowed within the storm drain easement(s) without a revocable permit from the Department of Permitting Services and a recorded Maintenance and Liability Agreement.

Division of Traffic Engineering and Operations

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878
Customer Service 240-777-6000 • Main Office 240-777-2190 • 240-777-6013 TTY • 240-777-2080 FAX
trafficops@montgomerycountymd.gov

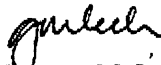
Ms. Catherine Conlon
Preliminary Plan No. 1-19970400
February 12, 2009
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5. Wells and septic systems cannot be located within the right of way nor slope or drainage easements.
6. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by each common driveway.
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. Also homeowners' documents to establish each driveway user's (property owner's) rights & responsibilities with respect to use, maintenance, & liability of the common driveway.
8. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
9. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
10. Trees in the County rights of way - species and spacing to be in accordance with the applicable DOT standards. Tree planting within the public right of way must be coordinated with Brett Linkletter with Division of Highway Services, Tree Maintenance Unit at 240 777 6000.
11. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
 - A. Street grading, paving, side drainage ditches and appurtenances, and street trees along Bonny Brook Lane extension as per item 1 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 Division.

Ms. Catherine Conlon
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Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Sam Farhadi at sam.farhadi@montgomerycountymd.gov or (240) 777-2197.

Sincerely,



Gregory M. Lock, P.E. Manager
Development Review Team
Traffic Engineering and Operations Division

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Enclosure

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Preliminary Plans Note Book