



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

**MCPB**  
**Item #**  
**7/9/09**



**MEMORANDUM**

**DATE:** June 15, 2009

**TO:** Montgomery County Planning Board

**VIA:** Catherine Conlon, Subdivision Supervisor  
Development Review Division *CC*

**FROM:** Erin Grayson, Senior Planner (301-495-4598) *EG*  
Development Review Division

**REVIEW TYPE:** Preliminary Plan of Subdivision

**APPLYING FOR:** 4 lots for 4 one-family detached dwelling units

**PROJECT NAME:** Addition to Brooke Grove

**CASE #:** 120090150

**REVIEW BASIS:** Chapter 50, Montgomery County Subdivision Regulations

**ZONE:** R-200

**LOCATION:** 4121 Briars Road, 250 west of Olney-Laytonsville Road (MD 108)

**MASTER PLAN:** Olney

**APPLICANT:** BGM Enterprises

**ENGINEER:** Benning & Associates

**FILING DATE:** December 11, 2008

**HEARING DATE:** July 9, 2009

**RECOMMENDATION:** Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 4 residential lots.
- 2) The proposed development must comply with the conditions of 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. Conditions include but are not limited to:
  - a. Revise the preliminary plan and preliminary forest conservation plan to accommodate a minimum 35-foot wide tree-save area along the part of the property adjacent to MD 108, consistent with an approved noise mitigation plan.
  - b. Approval of final forest conservation plan consistent with the revised preliminary forest conservation plan prior to any clearing, grading or demolition on the site.
  - c. Final forest conservation plan must include a tree protection plan to identify individual trees that will be protected or removed on and adjacent to the subject property.
  - d. The reforestation requirement must be met using an offsite option (reforestation offsite or purchase of credits at an approved forest conservation bank). The specific option selected will be reviewed and approved as part of the final forest conservation plan.
- 3) The proposed development must comply with MNCPPC noise compatibility guidelines:
  - a. Revise the traffic noise report, "Md. Rte. 108 Preliminary Traffic Noise Estimate, Addition to Brooke Grove, Montgomery County, Maryland" by Michael A. Staiano (April 6, 2009) to include the delineation of projected traffic noise levels of 65 dBA, Ldn for the subject site.
  - b. Prior to approval of a record plat, the applicant must submit a noise mitigation plan for staff review and approval that provides outdoor noise mitigation for the rear yards of Lots 1,2, and 4. Noise mitigation must include the following elements:
    - i. Orient the houses on lots 1, 2, and 4 so that the fronts of the houses face MD 108 and/or design the house footprints to maximize noise mitigation of the backyard areas.
    - ii. Protect a minimum 35-foot wide area of vegetation along MD 108.
    - iii. Add landscaping and noise fence, as needed.
  - c. For those houses which lie within the projected 65dBA, Ldn or higher noise impact area, an acoustical engineer must certify through building shell analysis that interior noise levels for affected dwelling units will not exceed 45 DBA Ldn at the time of building permit.
  - d. The builder must construct the buildings in accordance with these acoustical recommendations, with any changes affecting acoustical performance approved by the acoustical engineer, with copy to MNCPPC staff.
  - e. The certification and builder acceptance letter must be provided to MNCPPC Environmental Planning staff before building permits are approved.
- 4) The applicant must construct a 5-foot-wide sidewalk along the property frontage on Briars Road as shown on the preliminary plan and as required by MCDPS.

- 5) The record plat must reflect common ingress/egress and utility easements over all shared driveways.
- 6) The applicant must comply with the conditions of the MCDPS stormwater management approval dated December 11, 2008. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 7) The applicant must comply with the conditions of the Montgomery County Department of Transportation (MCDOT) letter dated May 26, 2009. These conditions may be amended by MCDOT, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 8) The applicant must satisfy provisions for access and improvements as required by MCDOT prior to recordation of plat(s).
- 9) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board resolution.
- 10) The record plat must reflect "Access Denied" along the MD 108 property frontage.
- 11) Other necessary easements must be shown on the record plat.

## **SITE DESCRIPTION**

This preliminary plan application, "Property" or "Subject Property", is located in the Olney Master Plan area, on Briars Road, 250 feet west of Olney-Laytonsville Road (MD 108). The site, depicted in Figure 1 on the following page and in Attachment A–vicinity map, consists of an unrecorded parcel containing 2.34 acres and is zoned R-200. The Subject Property is surrounded by R-200 zoned land. A one-family detached residential dwelling unit with access from Briars Road currently exists on the Property.

The Property is located in the Upper Rock Creek watershed (a Use III watershed). There are no streams, wetlands, floodplains, or environmental buffers on or immediately adjacent to the site. Forest covers 1.6 acres of the property and there are also 24 trees that are 24 inches and greater in diameter at breast height (dbh). Many of these large trees are part of the forest.





*Figure 1: Aerial Image*

## **PROJECT DESCRIPTION**

The Applicant proposes to remove the existing dwelling unit, subdivide the Property and record 4 lots for 4 new one-family detached dwelling units as shown in Figure 2 on the following page. The proposed lots range in size from 22,008 square feet to 26,528 square feet. The 2 lots on the northern portion of the Property will have frontage on MD 108, a third lot is a corner lot at the intersection of MD 108 and Briars Road, and the fourth lot will have frontage on Briars Road. A single driveway is proposed to serve the four dwelling units with access from Briars Road.





the standards of the R-200 zone and conforms to the existing pattern of development along MD 108.

## **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. In addition, Transportation Planning staff has determined the application is not subject to Policy Area Mobility Review because the proposed development generates fewer than 3 new peak-hour trips within the weekday morning and evening peak periods. The Property has frontage on both MD 108 and Briars Road. MD 108 is classified as a major highway with 150 feet of required right-of-way. Briars Road is a primary residential street requiring 70 feet of right of way. The right-of-way for both roads is adequate, as delineated on the preliminary plan, and no additional dedication is necessary as part of this subdivision. A sidewalk does not currently exist along the Property's Briars Road frontage, therefore, construction of a 5 foot-wide sidewalk is required and must tie-in to the existing shared use path along the Property's MD 108 frontage. Proposed vehicle and pedestrian access for the subdivision will be safe and adequate with the proposed public and private improvements.

### **Other Public Facilities and Services**

Other public facilities and services are available and will be adequate to serve the proposed dwelling units. The dwelling units will be served by public water and sewer. Gas, electric and telecommunications services are also available to serve the lots. Schools, police stations, firehouses and health services are currently operating within the standards set by the Growth Policy Resolution currently in effect. The application has been reviewed and approved by the Montgomery County Fire and Rescue Service which has determined that the property has adequate access for emergency vehicles.

## **Environment**

### **Environmental Guidelines**

The plan meets all applicable requirements for protection of environmentally sensitive areas and, therefore, complies with the Environmental Guidelines.

### **Forest Conservation**

The preliminary forest conservation plan (dated April 29, 2009) proposes no onsite forest retention. Reforestation requirements must be met offsite or through payment of a fee-in-lieu. The Applicant proposes to protect some of the large trees on the northwestern portion of the site and four trees that are 24 inches or greater, dbh, along the western property line. However, as discussed below, staff recommends noise mitigation along MD 108 that may reduce the likelihood for tree protection around the western property line.

### Traffic Noise Impacts

Because the proposed subdivision is adjacent to MD 108, a noise study was required. A noise study conducted by Michael A. Staiano ("Md. Rte. 108 Preliminary Traffic Noise Estimate, Addition to Brooke Grove, Montgomery County, Maryland", April 6, 2009) projects the future traffic noise from Rte. 108 for the year 2011. The study projects that future, unmitigated, outdoor traffic noise levels on all of the proposed lots will be between approximately 60 and 67 dBA, Ldn. Environmental Planning Division's Noise Guidelines recommends a 60 dBA, Ldn criterion for outdoor residential uses where suburban densities predominate. Backyard noise levels for this preliminary plan are projected to be above the 60 dBA L<sub>dn</sub> level. While house locations are conceptual only at this stage, the applicant's proposed configuration of dwelling units on Lots 1 and 4 does not provide adequate noise attenuation for backyard areas. In addition, the proposed house location on Lot 2 is located so that there is only a small area that is available for backyard use. Staff recommends that a noise mitigation plan be submitted for staff review and approval to provide an effective method of noise mitigation for the outdoor, backyard use areas. The noise mitigation plan should orient the new dwellings on all three lots so that their fronts face MD 108, or design the house footprint to create the same effect. This would accommodate fairly large backyard areas that are shielded from the traffic noise by the houses themselves.

In addition to house orientation and/or design, the noise mitigation plan should preserve and enhance a wide strip of trees and understory adjacent to the MD 108 right-of-way to create a vegetated screen along the road. A noise fence and landscaping will be required for those lots where physical noise attenuation of back yard areas is not provided by the house orientation and design. Any noise fencing should be located so that a vegetated edge facing Route 108 is preserved. The fence would need to be tall enough to provide for noise mitigation for people (a person is assumed to have a maximum height of 6 feet) using the backyard areas of affected lots.

Since the current noise study does not identify where the projected 65 dBA, Ldn traffic noise impact lies on the site, staff recommends that the noise study be amended to include the calculation and location of the projected 65 dBA, Ldn noise impact area. For proposed dwelling units that are affected by projected traffic noise levels of 65 dBA, Ldn or greater, architectural acoustical measures for the units will be necessary to reduce the interior noise level to 45 dBA L<sub>dn</sub>. A building shell analysis must be used to design these measures and submitted at time of building permit.

### Stormwater Management

The MCDPS Stormwater Management Section approved the stormwater management concept for the project on December 11, 2008 which includes on-site water quality control and recharge via disconnection of rooftop and non-rooftop runoff and drywells. Channel protection volume is not required because the one-year post development peak discharge was computed to be less than or equal to 2.0 cubic feet per second.

### Compliance with the Subdivision Regulations and Zoning Ordinance (Attachment C – agency correspondence)

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections. The size, width,

shape and orientation of the proposed lots are appropriate for the location of the subdivision.

The lots were also reviewed for compliance with the dimensional requirements for the R-200 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**

As of the date of this report, no citizen concerns have been brought to Staff's attention regarding the proposed subdivision. On August 19, 2008 a pre-submission meeting was held, as required, and on December 15, 2008 the applicant properly notified adjacent and confronting property owners and civic associations of the preliminary plan submission. The application information was properly posted on the Property.

### **CONCLUSION**

The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance and comply with the recommendations of the Olney 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 map  
Attachment B – proposed plan  
Attachment C – agency correspondence



Table 1: Preliminary Plan Data Table and Checklist

Plan Name: Addition to Brooke Grove				
Plan Number: 120090150				
Zoning: R-200				
# of Lots: 4				
# of Outlots: 0				
Dev. Type: Standard, Residential				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	20,000 sq. ft.	22,008 sq. ft. is min. proposed	EG	6/15/09
Lot Width	100 ft.	120 ft. is min. proposed	EG	6/15/09
Lot Frontage	25 ft.	122 ft. is min. proposed	EG	6/15/09
Setbacks				
Front	40 ft. Min.	Must meet minimum <sup>1</sup>	EG	6/15/09
Side	12 ft. Min./25 ft. total	Must meet minimum <sup>1</sup>	EG	6/15/09
Rear	30 ft. Min.	Must meet minimum <sup>1</sup>	EG	6/15/09
Height	50 ft. Max.	May not exceed maximum <sup>1</sup>	EG	6/15/09
Max Resid'l d.u. or Comm'l s.f. per Zoning	4 dwelling units	4 dwelling units	EG	6/15/09
MPDUs	No		EG	6/15/09
TDRs	No		EG	6/15/09
Site Plan Req'd?	No		EG	6/15/09
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street		Yes	EG	6/15/09
Road dedication and frontage improvements		Yes	Agency letter	5/26/09
Environmental Guidelines		Yes	Staff memo	6/26/09
Forest Conservation		Yes	Staff memo	6/26/09
Master Plan Compliance		Yes	EG	6/15/09
Other (i.e., parks, historic preservation)		N/a		
ADEQUATE PUBLIC FACILITIES				
Stormwater Management		Yes	Agency letter	12/11/08
Water and Sewer (WSSC)		Yes	Agency comments	1/26/09
10-yr Water and Sewer Plan Compliance		Yes	Agency comments	1/26/09
Well and Septic		N/a	EG	6/15/09
Local Area Traffic Review		N/a	Staff memo	1/26/09
Policy Area Mobility Review		N/a	Staff memo	1/26/09
Transportation Management Agreement		No	Staff memo	1/26/09
School Cluster in Moratorium?		No	EG	6/15/09
School Facilities Payment		No	EG	6/15/09
Fire and Rescue		Yes	Agency letter	5/7/09
Other (i.e., schools)		N/a		

<sup>1</sup> As determined by MCDPS at the time of building permit.



# ADDITION TO BROOKE GROVE (120090150)



Map compiled on January 06, 2009 at 2:16 PM | Site located on base sheet no - 225NW04

## 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



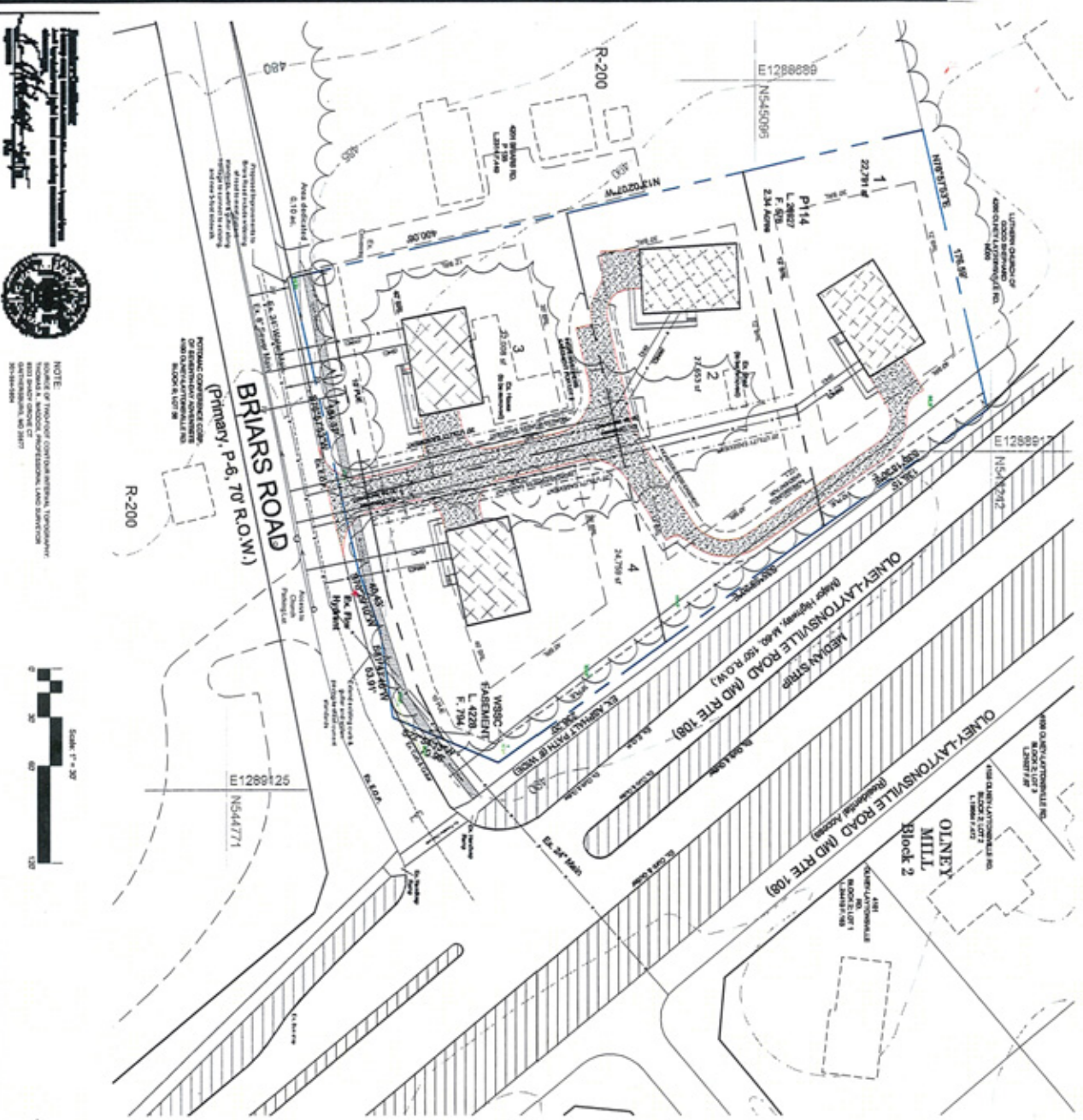
Research & Technology Center

0 600

1 inch = 600 feet  
1 : 7200

240  
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**LEGEND:**

- Proposed House
- Proposed grading
- Existing Contour
- PAE
- Lot Line
- Hydrograph
- Utility Easement
- New Easement
- Ex. Water
- Utility Pole
- New Driveway
- Three in R.O.W.

**NOTES:**

1. AREA OF PROPERTY - 2.34 acres
2. EXISTING ZONING R-200
3. NO. OF LOTS SHOWN IN THE R-200 ZONE - 4
4. NO. OF LOTS SHOWN IN THE R-200 ZONE - 4
5. EXISTING SEWER & WATER SERVICE CATEGORIES - S-1, W-1
6. SITE TO BE SERVED BY PUBLIC WATER AND SEWER
7. LOCATED IN UPPER ROCK CREEK WATERSHED
8. AREA DEDICATED TO STREETS - 0.10 AC.
9. PROPERTY LOCATED ON TAX MAP HTX, WSSC GRID SHEET 225W04
10. UTILITIES TO BE PROVIDED BY Washington Gas, Verizon, Potomac Edison
11. PROPERTY IS LOCATED WITHIN OLNEY MASTER PLAN AREA

**BGM ENTERPRISES**  
4715 OLNEY LAYTONSVILLE ROAD  
OLNEY, MD 20855  
301.478-1999

**VICINITY MAP**  
SCALE: 1" = 2.00"

ZONING STANDARDS:			
ZONE: R-200	Req.	Prov.	
Lot Size	20,000 sf	20,000 sf or larger	
Front Setback	40'	40' or more	
Sideways	12' min., 25' total	12' or more	
Rearyard	30'	30' or more	
Building Height	50' Max.	50' or less	
Lot Coverage	25% Max.	11%	
Lot Width @ Building Line	100'	100' or more	
Lot Frontage	25'	25' or more	



## DEPARTMENT OF TRANSPORTATION

Isiah Leggett  
County Executive

Arthur Holmes, Jr.  
Director

May 26, 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 #1-20090150  
Addition to Brooke Grove

Dear Ms. Conlon:

We have completed our review of the preliminary plan revised on April 24, 2009. This preliminary plan was reviewed by the Development Review Committee at its meeting on January 26, 2009. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Necessary dedication for Briars Road and Olney-Laytonsville Road in accordance with the Master Plan as well as truncation at their intersection.
2. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
4. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by each common driveway.
5. 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.

**Division of Traffic Engineering and Operations**

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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. 1-20090150  
Date May 26, 2009  
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6. In accordance with Section 49-35(e) of the Montgomery County Code, sidewalks are required to serve the proposed subdivision. Sidewalks are to be provided along the site frontage on Briars Road (connecting to the Olney Sandy Spring Road bike path) according to associated DOT standard street section unless the applicant is able to obtain a waiver from the appropriate government agency.
7. Access and improvements along Olney-Laytonsville Road (MD 108) as required by the Maryland State Highway Administration.
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 Operation Section at (240) 777-2190 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 Mr. Brett Linkletter with Division of Highway Services, Tree Maintenance Unit. Mr. Linkletter may be contacted at (301) 840-2283.
11. This site is located in the Upper Rock Creek Watershed (Class III/IV) watershed. In accordance with Section 49-35(k) of the Montgomery County Code, curb and gutter may not be installed in an environmentally sensitive watershed unless certain waiver criteria have been satisfied. The Department of Permitting Services may lift this requirement if the applicant is able to provide documentation which satisfactorily demonstrates the use of curb and gutter will not significantly degrade water quality.
12. 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. Once/if condition 11 above is satisfied, provide street grading, paving, curbs and gutters, sidewalks and handicap ramps, storm drainage and appurtenances, and street trees along Briars Road site frontage from the existing road centerline to improve it to primary road standards (MC-212.02). In doing so, ensure 26 feet of pavement exists along the entire site frontage.
  - B. Upgrade the downstream 18" CMP culvert under Briars Road to a 24" RCP. Since the improvements are to be maintained by Montgomery County, they will need to be designed and constructed in accordance with the DOT Storm Drain Design Criteria.
  - C. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
  - D. 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

Ms. Catherine Conlon  
Preliminary Plan No. 1-20090150  
Date May 26, 2009  
Page 3

construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.

- E. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Division.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Sam Farhadi or Dewa Salihi at (240) 777-2197.

Sincerely,



Gregory M. Leck, P.E. Manager  
Development Review Team

m:/subdivision/farhas01/preliminary plans/ 1-20090150, Addition to Brooks Grove.doc

Enclosures (2)

cc: Les Yeatts, BGM Enterprises  
David McKee, Benning & Associates  
Joseph Y. Cheung; DPS RWPPR  
Sarah Navid; DPS RWPPR  
Henry Emery; DPS RWPPR  
Shahriar Etemadi; M-NCPPC TP  
Sam Farhadi, DOT TEO  
Dewa Salihi, DOT TEO  
Corren Giles, MSHA  
Preliminary Plan Folder  
Preliminary Plans Note Book



**MONTGOMERY COUNTY, MARYLAND**  
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION  
 DEPARTMENT OF PERMITTING SERVICES

**SIGHT DISTANCE EVALUATION**

Facility/Subdivision Name: Add'n. to Brooke Grove Preliminary Plan Number: 1-20090150

Street Name: BRIARS ROAD Master Plan Road Classification: PRIMARY

Posted Speed Limit: 25 mph

Street/Driveway #1 (EXISTING D/W) Street/Driveway #2 ( )

Sight Distance (feet)

OK?

Sight Distance (feet)

OK?

Right 650'

✓

Right

Left 200'

SEE COMMENT

Left

Comments: 200 feet to the left is the intersection of Rt. 108.

Comments: \_\_\_\_\_

**GUIDELINES**

Classification or Posted Speed  
(use higher value)

Required  
Sight Distance  
in Each Direction\*

Tertiary - 25 mph  
 Secondary - 30  
 Business - 30  
 Primary - 35  
 Arterial - 40  
               (45)  
 Major - 50  
               (55)

150'  
 200'  
 200'  
 250'  
 325'  
 400'  
 475'  
 550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

\*Source: AASHTO

**ENGINEER/ SURVEYOR CERTIFICATE**

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Signature

PLS #10850

PLS/P.E. MD Reg. No.



**Montgomery County Review:**

☒ Approved

☐ Disapproved:

By: guled

Date: 5/26/09



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

December 11, 2008

Carla Reid  
Director

Mr. David W. McKee  
Benning & Associates, Inc.  
8933 Shady Grove Court  
Gaithersburg, MD 20877

Re: Stormwater Management **CONCEPT** Request  
for Addition to Brooke Grove 120090150  
Preliminary Plan #: Pending  
SM File #: 234725  
Tract Size/Zone: 2.31 Ac. / R-200  
Total Concept Area: 2.31 Ac.  
Lots/Block: 4 lots proposed  
Parcel: 114  
Watershed: Upper Rock Creek

Dear Mr. McKee:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site water quality control and recharge via disconnection of rooftop and non-rooftop runoff and drywells. Channel protection volume is not required because the one-year post development peak discharge was computed to be less than or equal to 2.0 cfs.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

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 Mike Geier at 240-777-6342.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard R. Brush", written over the word "Sincerely,".

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

RRB:dm CN234725 Addition to Brooke Grove.mjg.doc

cc: C. Conlon  
S. Federline  
SM File # 234725

QN -N/A; Acres: N/A  
QL - Onsite; Acres: 2.3  
Recharge is provided