

**MEMORANDUM**

DATE: July 14, 2006
 TO: Montgomery County Planning Board
 VIA: Rose Krasnow, Chief *RKR*
 Development Review Division
 FROM: Michael Ma, Supervisor *Ma*
 Development Review Division
 (301) 495-4523



REVIEW TYPE: **Site Plan Amendment**
 CASE #: **82004026A (formerly 8-04026A)**
 PROJECT NAME: **River Quarry (Giancola Quarry)**
 APPLYING FOR: Approval of site plan amendments to 15 one-family detached homes and 15 townhouses, including 18 Transfer Development Rights

ZONE: R-200/TDR-8
 LOCATION: In the northeastern quadrant of the intersection of River Road (MD 190) and Old Seven Locks Roads

MASTER PLAN: Potomac Subregion
 APPLICANT: River Quarry, Inc.
 FILING DATE: March 31, 2006
 HEARING DATE: July 27, 2006

STAFF RECOMMENDATION: Approval of 15 one-family detached units and 15 one-family attached units, including 18 Transfer Development Rights (TDRs), on 6.16 acres. All site development elements as shown on the River (Giancola) Quarry site and landscape plans stamped by the M-NCPPC on July 10, 2006 shall be required except as modified by the following conditions:

1. Prior Approval
 The terms and conditions of all applicable prior regulatory approvals and agreements remain in full force and effect, except as affected by this site plan amendment.
2. Transportation
 - a. Total development under the subject site plan is limited to 30 dwelling units (15 townhouses and 15 one-family detached).
 - b. The applicant shall provide the physical intersection improvement as shown on the certified site plan to accommodate safe passenger car U-turn movements from

westbound on River Road at Seven Locks Road. This improvement shall be completed prior to occupancy of the first dwelling unit.

- c. The applicant shall construct one right-in right-out entrance driveway on River Road, and a shared use path (Class I bikeway) along the entire River Road frontage, subject to State Highway Administration's approval. The path shall be 8-foot wide and meet county design standards for a shared use path.
- d. The shared use path along River Road shall be extended off-site from Old Seven Locks Road to Seven Locks Road subject to approval by the Historic Preservation Commission (HPC) and the owner of the adjacent historic property. If the adjacent property owner does not allow the shared use path to cross the property, and/or the applicant is unable to obtain a permit from the HPC, the applicant shall provide written confirmation that documents attempts to resolve the issue with the adjacent property owner and/or correspondence from the HPC denying the permit prior to issuance of 24th building permit.

3. Development Program

Applicant shall construct the proposed development in accordance with a 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 trees shall be planted as street construction is completed.
- b. Trees along the internal driveways shall be planted as the driveway is completed, but no later than six months after completion of the units adjacent to those driveways.
- c. The proposed shared use path, pedestrian pathways, recreation facilities, and landscaping around recreation facilities shall be completed prior to issuance of 24th building permit.
- d. Clearing and grading to correspond to the construction phasing, to minimize soil erosion.
- e. Coordination of each section of the development and roads.
- f. Phasing of stormwater management, sediment/erosion control, recreation, forestation, community paths, or other features.

4. Certified Site Plan

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

- a. A five-foot-wide sidewalk along the internal driveways.
- b. Location and details of the proposed two sitting/picnic areas.
- c. Correct square footage of the proposed open play area.
- d. Lot area for each lot.
- e. Revised Development Data table to show both proposed and previously approved development standards, including minimum lot area and minimum percentage of detached units.
- f. The development program, inspection schedule, and site plan resolution.
- g. Street trees between the curb and sidewalks at the proposed cul-de-sac and identification of the proposed street trees.
- h. The median improvement on River Road at Seven Locks Road as required by M-NCPPC Transportation Planning staff.

PROPOSED AMENDMENT

Site Plan 82004026 (formerly 8-04026) for Giancola Quarry was approved by the Planning Board with conditions on July 22, 2004. The approved plan consists of 30 dwelling units, of which 15 are one-family detached units and 15 one-family attached units. The following is a list of the proposed modifications to the approved site plan 8-04026:

1. Attached units 1 through 7 have been changed from walk-out units to buried basement units.
2. Addition of curb and gutter for combined private driveway serving lots 21 and 22 to meet stormwater management requirements.
3. Storm drain outfall (end-section) extended further into stream valley buffer, an additional 35'. This extension is due to existing grade conditions and the required vertical separation between the outfall and the proposed SWM, storage facility.
4. Minor adjustments to gas line easement to correspond to the revised storm drain outfall.
5. Sections of the proposed retaining walls were eliminated behind Lots 26 and 27.
6. The island radius at Old Seven Locks Road cul-de-sac was reduced from 17 feet to 15 feet per MCDPS staff comment. The proposed sidewalk was relocated to provide a 6-foot-wide grass strip between the curb and sidewalk.
7. The proposed side yard setback was reduced from five to three feet.
8. The driveway serving Lots 21 and 22 was increased to a 20-foot-wide paving section to accommodate fire and rescue vehicles.
9. The private street River Quarry Terrace was revised to provide a minimum of 20 feet wide paving section up to the terminating lot.
10. Extension of the median within River Road at Seven Lock Road to accommodate the "U-Turn" movement as requested by MDSHA.
11. The Perimeter Fence and Piers along River Road were shifted to provide a 10-foot-wide Public Utility Easement (PUE).
12. The open play area was reduced from 8,000 to 7,114 square feet due to the provision of PUE.

The proposed amendments were necessitated mainly by adjustments to the more accurate site conditions as determined by field survey and final engineering, and to accommodate comments by other agencies after the original site plan approval. The number of dwelling units, the dwelling unit types, landscaping, forest conservation, access points, and the overall site layout remain the same. The modifications to the proposed grading, retaining walls, sidewalks, PUE, open play area, walk-out basements, side yard setbacks, and driveway width do not alter the design character of the original approval and do not affect the compatibility of the proposed development with its surrounding neighborhood. Staff recommends approval of the proposed modifications.

SITE PLAN REVIEW ISSUES

The applicant sent a notice of the proposed amendment application to all parties of record for Site Plan 8-04026 on March 31, 2006. Mr. Tom Tadurek, a director on the Riverhill Homeowners Association, contacted staff Michael Ma regarding his concerns associated with the proposed development.

Mr. Tadurek's Concerns

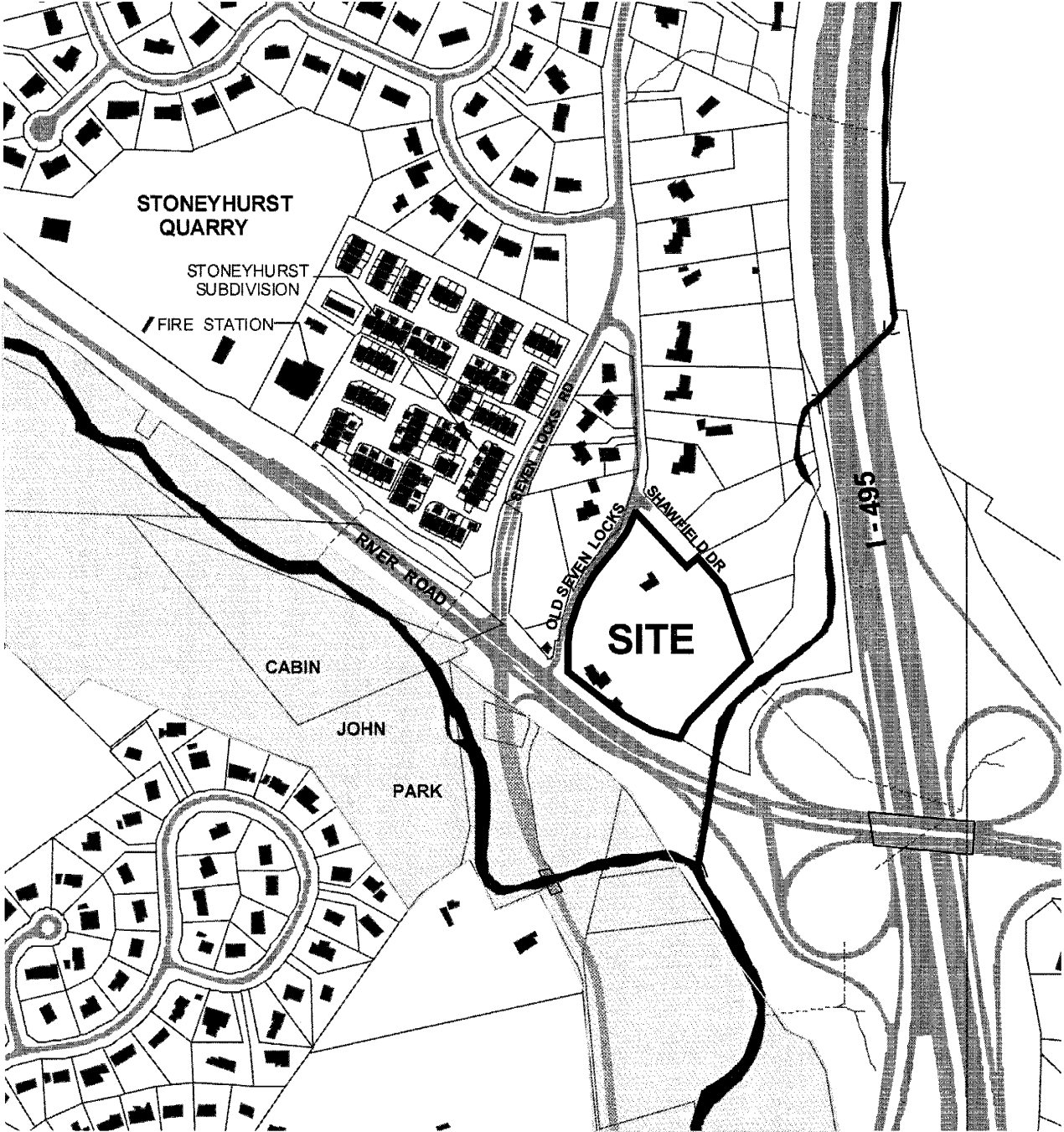
Mr. Tadurek testified before the Planning Board on March 23, 2006, for Site Plan 820050290 (Formerly 8-05029) for The Stoneyhurst Quarry, which is a new residential development on River Road near the subject site (see Site Vicinity Map on page 5). He was concerned about the road improvements required by the State Highway Administration (SHA) for the three new developments in this area. He requested coordination with SHA to implement a common standard access configuration to River Road for these three new subdivisions. A copy of Mr. Tadurek's e-mail dated April 19, 2006, to Michael Ma was attached (Appendix A).

Staff Response

Transportation Planning staff has prepared a letter to SHA requesting an evaluation of traffic situation on River Road and the concerns expressed by the citizens and the Planning Board at the hearing for The Stoneyhurst Quarry. In that letter, staff stated the request by the Planning Board for an evaluation of the traffic safety and operation on River Road in the vicinity of the site. Transportation Planning staff will be meeting with SHA to discuss the issues needing attention.

PROJECT DESCRIPTION: Site Vicinity

The subject property is located in the northwestern quadrant of the interchange of I-495 and River Road (MD 190). It is bounded by Old Seven Locks Road on the west, Shawfield Drive on the northeast corner and R-200 zoned residential properties to the north. On the west side of new Seven Locks Road is Stoneyhurst townhouse development. The Magruder Blacksmith and Stoneyhurst historic sites are located across Old Seven Locks Road from the southwestern corner of the site. Across River Road to the south and west is Cabin John Park.



PROJECT DESCRIPTION: Site Description

The property consists of 6.16 acres of R-200/TDR zoned land. It was used as a quarry. The site includes the quarry, associated buildings, storage facilities, a truck scale, and discarded mining equipment and vehicles. The quarry contains excavated areas in excess of 70 feet.

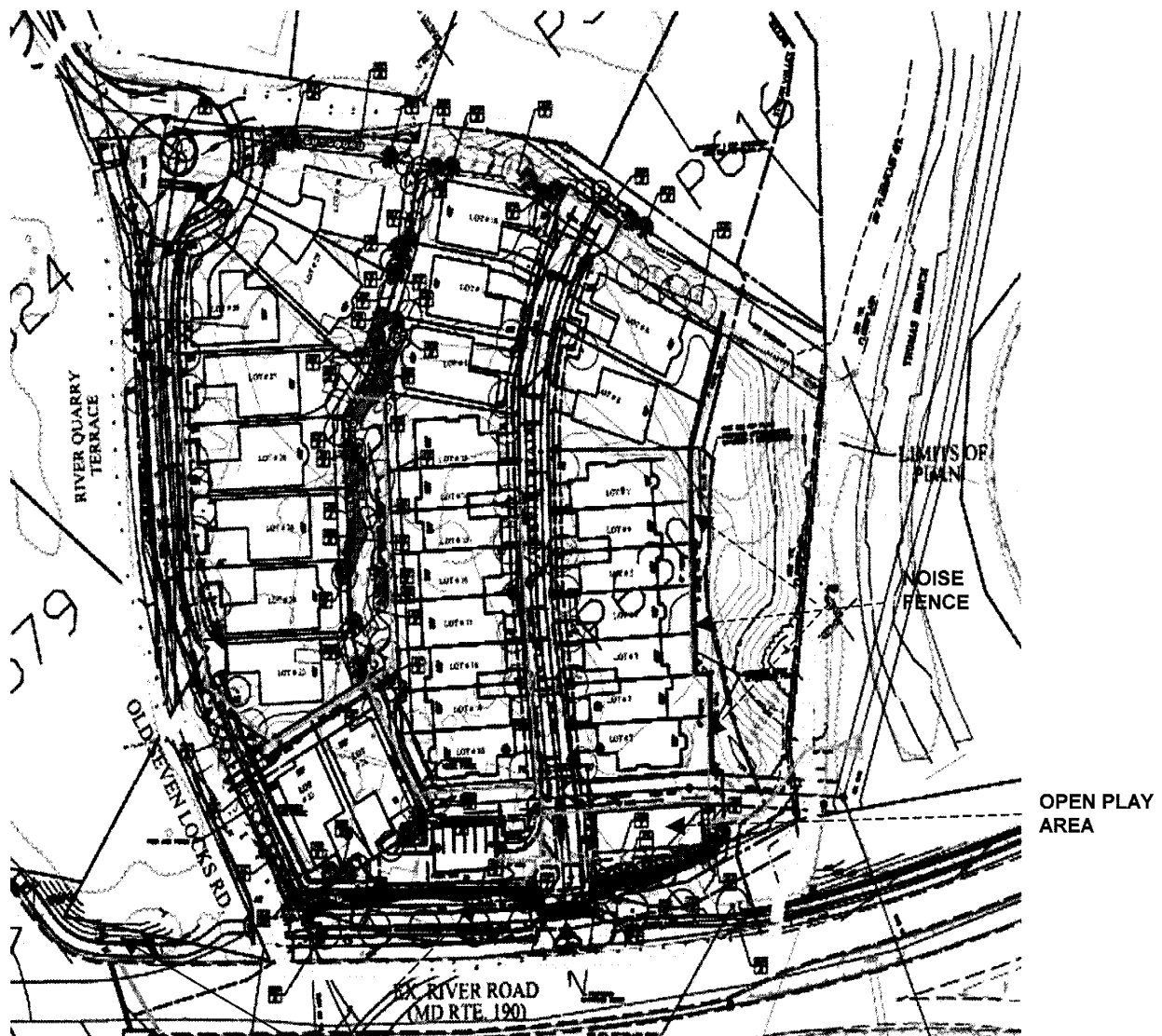
The site drains to the Thomas Branch and Cabin Branch stream, both Use I streams. Both streams are within the Cabin John watershed. The site includes a stream buffer but the streams are not physically located on the property. The forest is located entirely outside of the stream valley buffer and upland to the quarry operations. Large trees, but not significant trees are growing in the mining spoils found in various locations on the site, including the stream buffer.



PROJECT DESCRIPTION: Proposal

The plan proposes a total of 30 dwelling units (15 one-family detached and 15 attached units). River Road is the access point for 22 units and Old Seven Locks Road/Shawfield Drive provide access for 8 units. The proposed recreation facilities for the units include an open play area near the entrance off River road and two picnic/sitting areas in the common open space areas. A six to seven-foot-high noise fence will be provided along the back of the lots near the east property line to mitigate noise from the Capital Beltway (I-495) and River Road.

An eight-foot-wide shared use path (Class I bikeway) along the River Road frontage will be provided. Internal sidewalks will also be provided to facilitate pedestrian circulation throughout the development. The existing traffic island in the southeastern quadrant of the intersection of River Road and Seven Locks Road will be extended to provide an adequate turning radius for the safe U-turn movement of passenger cars.



8-foot-wide shared use path

PROJECT DESCRIPTION: Prior Approvals

Preliminary Plan

Preliminary Plan 1-04021 for Giancola Quarry was approved by the Planning Board with conditions on April 15, 2004. A copy of Planning Board opinion is attached (Appendix B).

Site Plan

Site Plan 8-04026 for Giancola Quarry was approved by the Planning Board with conditions on July 22, 2004. A copy of Planning Board opinion is attached (Appendix C).

ANALYSIS: Conformance to Development Standards

PROJECT DATA TABLE (R-200/TDR-8 Zone)

Development Standard	Permitted/ Required	Approved by 8-04026	Proposed for Approval
Min. Tract Area (ac.):		6.32	6.16
Density of Development (d.u./ac.)	8	4.75	4.87
Number of Dwelling Unit			
Detached unit (min. %)	5 (15%)	15 (50%)	15 (50%)
Attached unit		<u>15</u>	<u>15</u>
Total	49	30	30
Min. Building Setbacks (ft.)			
from street		15	15
rear yard		20	20
side yard		5	3
Min. Deck Setback (ft.)			
Lots 1-9		2	2
Lots 10-30		8	8
Green Area (%)	40	63	68
Max. Building Height (ft.):		50	50
Min. Lot Area (s.f.)			
Detached units		--	5,000
Attached units		--	2,500
Parking Spaces			
Detached units	30	47	47
Attached units	30	30	30
Visitor		<u>6</u>	<u>6</u>
Total	60	83	83

RECREATION CALCULATIONS

Demand Points	Tots	Children	Teens	Adults	Seniors
For 15 detached units and 15 attached units	4.7	6.2		6.2	38.4 3.0

Supply Points					
Open Play Area II (1)	3.0	4.0	4.0	10.0	1.0
Picnic/sitting (2)	2.0	2.0	3.0	10.0	4.0
Pedestrian System	0.5	1.2	1.2	17.3	1.4
Natural Area	0.0	0.3	0.6	3.8	0.2
Total Supply Points	5.5	7.5	8.8	41.1	6.5
% of demand met on-site	117.5	122.6	143.8	107.1	216.7

FINDINGS: For Site Plan Review

1. *The Site Plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic 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 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 Site Plan meets all of the requirements of the R-200/TDR-8 zone as demonstrated in the project Data Table above.

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

a. Buildings

The plan proposes a total of 30 dwelling units, including 15 one-family detached and 15 attached units. The units are distributed along two internal driveways perpendicularly to River Road. Most of the proposed units back up to open space areas. A six to seven-foot-high noise fence will be provided along the back of the lots near the east property line to mitigate noise from the Capital Beltway (I-495) and River Road.

b. Open Spaces

The plan proposed 4.29 acres of green area, or 68 percent of the property, between units and along the perimeter of the property. The open space along with existing trees will provide screening between the proposed development and the Capital Beltway. The proposed open play area and picnic/sitting areas are also located in the open spaces.

c. Landscaping and Lighting

The proposed landscaping on the site consists of a mix of shade, evergreen and flowering trees along the internal driveways, around the central open space and recreational facilities, and along the road frontage. The proposed lighting plan shows street lights along the internal driveways and near the common parking area. The lighting poles are 12 feet in height. The lighting level is between 0.4 and 0.0 footcandle at the property line.

d. Recreation

Recreation demand is satisfied as shown in the recreation calculations table above. The proposed recreation facilities, including picnic/sitting areas, an open play area, and a bikeway along the River Road frontage. Sections of pathways will be provided to connect these facilities with individual homes.

e. Vehicular and Pedestrian Circulation

Access points to the site are to be provided from River Road (MD 190) as a “right-in right-out” and from Old Seven Locks Road. The existing traffic island in the southeastern quadrant of the intersection of River Road and Seven Locks Road will be improved to provide an adequate turning radius for the safe U-turn movement of passenger cars.

An eight-foot-wide shared use path (Class I bikeway) along River Road from the entrance driveway westward to Seven Locks Road will be provided. Internal sidewalks will also be provided to facilitate pedestrian circulation throughout the development.

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

The proposed residential development includes both one-family detached and attached units. They are compatible with the adjacent houses in use, scale and dwelling types. Across River Road from the site is Cabin John Park, which will provide off-site recreational opportunities for the future residents.

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.*

The applicant is utilizing an optional method of development for this site and therefore must meet the appropriate threshold on site. The 6-acre site includes 0.7 acres of existing forest. Since the site includes less existing forest than the afforestation threshold the applicant must reforest to the afforestation threshold and preserve all existing forest. The

applicant is proposing to retain the existing 0.7-acre forest onsite and plant an additional 0.2-acres of forest. This will be sufficient to meet the afforestation threshold and the planting requirements for the site.

The stormwater management concept for the proposed development was approved by the Montgomery County Department of Permitting Services with conditions on April 9, 2004. The approved concept consists of (1) on-site channel protection measures via underground storage; and (2) on-site water quality control via stormfilter and a water quality inlet pretreatment.

APPENDIX

- A. E-mail from Tom Durek dated April 19, 2006
- B. Planning Board opinion for Preliminary Plan 1-04021.
- C. Planning Board opinion for Site Plan 8-04026.
- D. Comments from other agencies.
- E. Site Plan Checklist

Ma, Michael

From: TADUREK@aol.com
Sent: Wednesday, April 19, 2006 10:39 AM
To: Ma, Michael
Subject: site plan amendment for River Quarry, SP# 8-2004026A

Michael Ma:

Thank you for the generous phone discussion about the site plan amendment for River Quarry, SP# 8-2004026A. My testimony below about River Road access for Stoneyhurst Quarry applies to the Giancola Quarry also. Please coordinate this issue with you colleagues on the staff who are preparing a letter to the Maryland SHA as directed by the Planning Board. Let me know if the site plan amendment for River Quarry will go to a public hearing by the Planning Board.
 Tom Durek, Phone 301-469-7916

TESTIMONY BY THOMAS DUREK A DIRECTOR ON THE RIVERHILL HOMEOWNERS ASSOCIATION BOARD TO THE MONTGOMERY COUNTY PLANNING BOARD PUBLIC HEARING ON MARCH 23, 2006, ON SITE PLAN APPROVAL FOR THE STONEYHURST QUARRY (File Number: 820050290)

We recommend site plan approval with conditions as presented in the staff memorandum of March 10, 2006, and noted in our letter to the Board Chairman on March 17, 2006. The planning staff and development applicant deserve commendation for their diligence with the community.

We still have concerns with the Maryland State Highway Administration (SHA) about the improvements to River Road, State Route 190, vehicular access in and out of the Stoneyhurst Quarry, the Giancola Quarry, and the Riverhill townhomes. We ask the Planning Board to help us with the SHA to develop a standard access configuration for River Road just outside the Capital Beltway, Route 495, with the accesses to the two planned and one existing developments. The

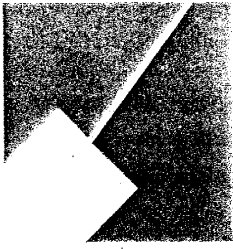
Stoneyhurst Quarry site plan specifies acceleration and deceleration turn lanes that would be delineated from the thruway lanes by channelization-device barriers. The Giancola site plan specifies intersection improvements for a U-turn from westbound River Road at Seven Locks Road. The existing Riverhill access provides acceleration and deceleration and thruway lanes but no traffic channelization devices. SHA tells us that the road access improvements for Stoneyhurst and Giancola will be built independently of each other and according to each developers schedule.

We request that the Planning Board formulate a transportation condition

statement for Stoneyhurst Quarry Site Plan approval that will call for SHA to recommend a common standard access configuration at the three site accesses to River Road. A standard architecture and coordinated implementation at these three accesses to River Road may be more cost-effective than the proposed U-turn for Giancola, provide cost sharing for Stoneyhurst, and assure traffic safety for Riverhill.

SHA regulation paragraph 14.3.3 on Cost Sharing states that, "When the same highway infrastructure improvement is proposed to satisfy traffic mitigation requirements associated with more than one development project, it is the responsibility of the local jurisdiction, or others but not SHA, to determine the appropriate assignment of costs among the various developments, in accordance with local laws. We will be grateful to the Board if it will commit to this responsibility in the final approval of The Quarry Site Plan.

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

Date Mailed: April 27, 2004

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Action: Approved Staff Recommendation
Motion of Comm. Perdue, seconded by
Comm. Robinson with a vote of 5-0;
Comms. Berlage, Bryant, Perdue,
Robinson and Wellington voting in favor

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

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-04021

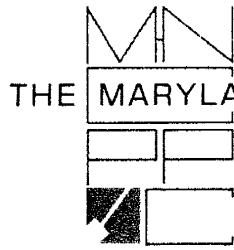
NAME OF PLAN: GIANCOLA QUARRY

On 09/15/03, GIANCOLA QUARRY submitted an application for the approval of a preliminary plan of subdivision of property in the R-200/TDR-8 zone. The application proposed to create 30 lots on 5 acres of land. The application was designated Preliminary Plan 1-04021. On 04/15/04, Preliminary Plan 1-04021 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. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-04021 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-04021.

Approval, including a waiver pursuant to Section 59C-1.395, percentage of one family detached dwelling units required, and an abandonment of a portion Shawfield Drive, subject to the following conditions:

- 1) 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
- 2) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation
- 3) The applicant must first obtain a building permit, issued by Montgomery County Department of Permitting Services, for excavation and fill placement. The construction, excavation and fill placement activities will be subject to special inspection/complex structures provisions of the building code.
- 4) The applicant must insure that the adjoining properties are protected from damage in accordance with the provisions of the Montgomery County Code, and that appropriate notices have been sent to the adjoining property owners
- 5) Compliance with the conditions of approval of the MCDPS stormwater management approval dated January 26, 2004, and as revised April 9, 2004

- 6) Access to this property is subject to the "Rules and Regulations" of the State Highway Administration with a permit issued (1) one street connection, (typical right-in right-out standard attached) and property frontage improvements. Improvements shall include, but not limited to, an 8 foot bikepath, located from new Seven Locks Road easterly to the beltway ramp (I-495) (to the extent right of way is available), landscaping, stormdrain construction, acceleration lane and deceleration lane
- 7) The term "denied access" is to be placed on the final record plat along the property that abuts River Road (MD 190), except at the approved entrance.
- 8) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s) and MDSHA prior to issuance of access permits
- 9) Final design and improvements to the intersection of Old Seven Locks Road, Shawfield Drive and the site access road is to be approved by MCDPW&T. Any improvements to the right of way are the responsibility of the applicant
- 10) Prior to recording of plat(s) Planning Board approval of frontage waiver resolution
- 11) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
- 12) Final number, location and orientation of the dwelling units to be reviewed at site plan
- 13) No clearing, grading or recording of plats prior to site plan approval. Site plan enforcement agreements to be approved prior to recording of plats
- 14) Prior to recording of plat submit verification that a minimum of 17 TDR's, dependent on condition # 12 above, have been recorded for the project
- 15) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
- 16) At the time of site plan, applicant to investigate the U-turn movements for trucks on River Road
- 17) Other necessary easements



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

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MONTGOMERY COUNTY PLANNING BOARD

OPINION

DATE MAILED: July 27, 2004
SITE PLAN REVIEW: #8-04026
PROJECT: Giancola Quarry

Action: Approval subject to conditions. Motion was made by Commissioner Wellington, seconded by Commissioner Perdue, with a vote of 4-0, Commissioners Berlage, Perdue, Robinson, and Wellington voting for. Commissioner Bryant was necessarily absent..

The date of this written opinion is July 27, 2004 (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 August 27, 2004 (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 #1-04021 is valid, as provided in Section 59-D-3.8. Once the property is recorded, this site plan shall remain valid until the expiration of the project's APFO approval, as provided in Section 59-D-3.8.

On July 22, 2004, Site Plan Review #8-04026 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. 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 the approved development plan or a project plan for the optional method of development, if required;*
2. *The Site Plan meets all of the requirements of the zone;*
3. *The locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient;*
4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development;*
5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

Therefore, the Montgomery County Planning Board APPROVES Site Plan 8-04026 for 15 one-family detached homes and 15 townhouses, including 18 Transfer Development Rights (TDRs) with the following conditions:

1. Transportation

- a. Total development under the subject site plan is limited to 30 dwelling units (15 townhouses and 15 one-family detached).
- b. The applicant shall provide the physical intersection improvement as shown on the approved site plan to accommodate safe passenger car U-turn movements from westbound on River Road at Seven Locks Road. This improvement shall be completed prior to occupancy of the second dwelling unit.
- c. The applicant shall construct one right-in right-out entrance driveway on River Road, and an eight-foot-wide shared use path (Class I bikeway) along River Road from the entrance driveway westward to Seven Locks Road as shown on the site plan, subject to State Highway Administration's review and approval.

2. Environmental Planning

The proposed development shall comply with all conditions for final forest conservation plan approval. The applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (DPS) issuance of sediment and erosion control permits.

- a. Compliance 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.
- b. Record plat to reflect a Category I conservation easement over all areas of stream buffers and forest conservation.
- c. The applicant shall first obtain a building permit, issued by MCDPS, for excavation and fill placement. The construction, excavation and fill placement activities will be subject to special inspection/complex structures provisions of the building code.
- d. Certification from an acoustical engineer that the building shell for residential dwelling units to be constructed within the unmitigated 65 dBA Ldn noise contour, is designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn. The certification from the acoustical engineer shall be reviewed and approved by M-NCPPC Environmental Planning staff prior to issuance of building permits. Any changes to the building shell construction that may affect acoustical performance after issuance of building permit shall be approved by an acoustical engineer and Environmental Planning staff prior to their implementation.
- e. Applicant shall conduct an outdoor-to-indoor noise analysis of constructed units to ensure the 45 dBA Ldn interior noise level is achieved within the unmitigated 65 dBA Ldn contour. Copies of the noise analysis shall be submitted to Environmental Planning staff prior to occupancy of the residential units.
- f. For all residential dwelling units to be constructed within the 65 dBA Ldn unmitigated noise contour, the applicant/developer/builder shall disclose in writing to all prospective purchasers that those homes are impacted by existing and future highway noise. Such notification shall be accomplished by inclusion of this information in all sales contracts, on display within any sales related office(s), as well as in Homeowner Association Documents, and by inclusion on all subdivision and site plans.

3. Transfer Development Rights (TDRs)

Prior to recording of plat, the applicant shall provide verification that 18 TDRs have been acquired for the proposed development.

4. Department of Permitting Services

The proposed development is subject to Stormwater Management Concept approval conditions dated April 9, 2004.

5. Site Plan Enforcement Agreement

Submit a Site Plan Enforcement Agreement including Development Program and Homeowner Association Documents for review and approval prior to approval of the signature set as follows:

Development Program to include a phasing schedule as follows:

- a. Street trees shall be planted as street construction is completed.
- b. Trees along the internal driveways shall be planted as the driveway is completed, but no later than six months after completion of the units adjacent to those driveways.
- c. The proposed bikeway, pedestrian pathways, recreation facilities, and landscaping around recreation facilities shall be completed prior to issuance of 26th building permit.
- d. Clearing and grading to correspond to the construction phasing, to minimize soil erosion.
- e. Coordination of each section of the development and roads.
- f. Phasing of stormwater management, sediment/erosion control, recreation, forestation, community paths, or other features.

6. Clearing and Grading

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

7. Signature Set

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

- a. Limits of disturbance.
- b. Methods and locations of tree protection.
- c. Forest Conservation areas.
- d. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
- e. The development inspection schedule and Site Plan Opinion.
- f. TDR and recreation facility calculations.
- g. The intersection improvement on River Road at Seven Locks Road as required by M-NCPPC Transportation Planning staff.
- h. Provide street trees along the River Road frontage, subject to State Highway Administration approval.
- i. Show 20-foot minimum setback for rear yards, and 2-foot minimum deck setback for Lots 1 through 9 and 8-foot setback for Lots 10 through 30.
- j. Details of the proposed sidewalks, driveways, retaining walls, and brick piers.
- k. Correct property boundary of adjacent Parcel 610.
- l. Location of privacy fence.
- m. Detail and location of the fence around the proposed open play area.
- n. A routing plan for trucks to and from the subject site during the construction of the proposed development, which prohibits trucks from making U-turns at the intersection of River Road and Seven Locks Road

DEPARTMENT OF PERMITTING SERVICES (DPS)
 MONTGOMERY COUNTY FIRE AND RESCUE SERVICE (MCFRS)
 255 Rockville Pike, 2nd Floor
 Rockville, Maryland 20850
 240-777-6200

Code Modification No.: M-2006-096

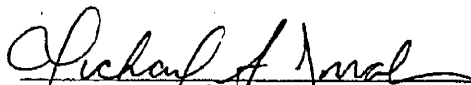
River Quarry

Your modification request as amended is approved with comments. All units (residences) on the site will be protected by a sprinkler system meeting NFPA 13's requirements, as amended by Executive Regulation 10-97. The guides and standards as referenced by NFPA 13 shall be followed in the design and installation of the sprinkler systems.

River Quarry, Inc. and Rodgers Consulting, Inc. are responsible for, and shall provide to this office for approval a maintenance policy for all sprinkler and associated systems on the site. The policy shall be based on NFPA 25's requirements.

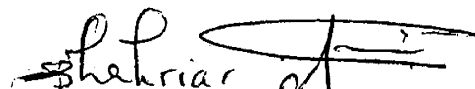
It is strongly suggested that a Fire Protection Engineer be consulted during the design phase of the project to ensure compliance with the codes.

DECISION: Approved with comments



 Battalion Chief Michael Donahue
 Office of Fire Code Enforcement, MCFRS

21 June 2006
 Date



 Shahriar Amiri, Chief
 Division of Building Construction, DPS

6/21/06
 Date



FIRE MARSHAL COMMENTS

DATE: 5-22-06
TO: PLANNING BOARD, MONTGOMERY COUNTY
VIA:
FROM: JOHN FEISSNER 240 777 2436
RE: **RIVER QUARRY #82004026A NOT APPROVED . APPROVED TURNAROUNDS
REQUIRED FOR PRIVATE STREET OFF RIVER ROAD AND OFF CUL-DE-SAC.**

BELOW CRITERIA PROVIDED FOR THE BENEFIT OF THE APPLICANT.

1. Show compliance with NFPA 1 (2003), Section 18.2.2.2 **Access To Building.**
 - a. Recommendation: Designate all Fire Department Access Roads in transparent green highlighter.
 - b. Recommendation: Designate all curb to curb widths of all FD Access Roads in opaque green.
 - c. Note: All FD Access Roads require 20 foot unobstructed width.
 - d. Note: Common driveways are considered fire department access roads for the length they are shared by more than one structure.
 - e. Note: Minimum road width for parking on a FD Access Road: 1 Side – 28 Feet, 2 Sides - 36 Feet.
 - f. Note: Fire Department access roads must be capable of supporting 85,000 lbs.

2. Show compliance with NFPA 1 (2003), Section 18.2.2.5.4 **Dead Ends.**
 - a. Note: Dead-end fire department access roads in excess of 150 ft (46 m) in length shall be provided with approved provisions for the turning around of fire apparatus.
 - b. Note: Cul-de-sac type turn-arounds must be 90 ft in diameter with no obstructions in the center.
 - c. Note: Hammerhead type turn-arounds must be 60 ft on each leg and meet other requirements for fire department access roads.

3. In accordance with NFPA 1 (2003), Section 18.2.2.5.3 **Turning Radius;**

Cc: MC Department of Permitting Services
Design Professional

Revised: 12/16/2005

Page 1

- a. Turns in FD Access Roads shall be constructed with a minimum radius of 7.6 m (25 ft) at the inside curb line and a minimum radius of 15.2 m (50 ft) at the outside curb line.
 - b. Recommendation: Designate all radii of all turns on fire department access roads in opaque green.
4. FD Access Roads connecting to roadways shall be provided with curb cuts extending at least 0.6 m (2 ft) beyond each edge of the fire lane.
5. The angle of approach and departure for any means of access shall not exceed 8 degrees.
6. Provide locations of Fire Hydrants and Key for Symbol.

WSSC Comments

May 22, 2006 Development Review Committee Meeting

10. 82004026A

RIVER QUARRY

Water and sewer line extensions required. Hydraulic review was performed under DA4026Z05. The water line indicated on the current preliminary plan between the lots 23-30 and lots 10-17 was not approved in that hydraulic review. The alignment shown is not acceptable because of 1) access for fire protection would be restricted, 2) access for repair would be more difficult than an alignment in the street, and 2) there is a retaining wall crossing the main. Maintain at least 15' clearance from any structure and WSSC pipeline (see WSSC Design manual for more details on required clearances and rights of way).

Unless otherwise noted, all extensions require Requests for Hydraulic Planning Analysis and need to follow the System Expansion Permit (SEP) Process. Contact WSSC's Development Services Center (301-206-8650) or visit the Development Services on WSSC's web-site (www.wsscwater.com) for information on requesting a Hydraulic Planning Analysis and additional requirements for extensions. Contact WSSC's Permit Services (301-206-4003) for information on service connections and on-site system reviews.

**MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES
WATER RESOURCES SECTION**

255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850-4153

Date: May 18, 2006

MEMO TO: Michael Ma, Supervisor
Development Review Committee, MNCPPC

FROM: William Campbell
Water Resources Section, MCDPS

SUBJECT: Stormwater Management Concept Plan/100-Year Floodplain Review
Site Plan # 82004026A, River Quarry
Project Plan #
Preliminary Plan # , DPS File # 207423
Subdivision Review Meeting of May 22, 2006

The subject plan has been reviewed to determine if it meets the requirements of Executive Regulation 7-02AM for stormwater management and Executive Regulation 108-92 AM for a 100year floodplain. The following summarizes our findings:

SM CONCEPT PLAN PROPOSED:

- On-site: CPv WQv Both
 CPv < 2cfs, not required
 On-site/Joint Use Central (Regional): waived to
 Existing Concept Approved February 25, 2004
 Waiver: CPv WQv Both
 Approved on
 Other

Type Proposed:

- Infiltration Retention Surface Detention Wetland Sand Filter
 Separator Sand Filter Non Structural Practices Other

FLOODPLAIN STATUS: 100 Year Floodplain On-Site Yes No Possibly

- Provide source of the 100Year Floodplain Delineation for DPS approval:
 Source of the 100-Year Floodplain is acceptable.
 Submit drainage area map to determine if a floodplain study (> or equal to 30 acres) is required.
 Dam Breach Analysis: Approved Under Review:
 100-Year Floodplain study: Approved Under Review:

SUBMISSION ADEQUACY COMMENTS:

- Provide verification of Downstream notification.

RECOMMENDATIONS:

- Approve as submitted with conditions (see approval letter)
 Incomplete; recommend not scheduling for Planning Board at this time.
 Hold for additional information. See below
 Comments/Recommendations:

cc: Steve Federline, Environmental Planning Division, MNCPPC

bll DRC site plan.03/01

WSSC Comments

May 22, 2006 Development Review Committee Meeting

10. 82004026A

RIVER QUARRY

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**Development Review Division
Montgomery County Department of Park and Planning**

CHECKLIST Site Plan / Project Plan Review

Plan # 82004026A Name: Giancola (River) Quarry
 Zone: R-200/TDR Tract Area: 6.16 ac. Proposed Use: residential
 Number of Units: 30 Square Footage: N/A
 Development Method: optional Other: _____

Referral Comments:

M-NCPPC

	Staff	Date
Transportation	<u>KK</u>	<u>7/13/06</u>
Environmental	<u>MP</u>	<u>5/19/06</u>
Community Planning	<u>MOR</u>	<u>5/17/06</u>
Historic Planning	<u>MO</u>	<u>5/22/06</u>
Park Planning	<u>N/A</u>	_____
Research/Housing	_____	_____

Other Agencies

	Staff	Date
SHA	_____	_____
DPS (SWM)	<u>WC</u>	<u>5/18/06</u>
DPS (Traffic)	<u>SN</u>	<u>7/14/06</u>
Public School	_____	_____
Utility	<u>WSSC</u>	<u>5/22/06</u>
Fire & Rescue	<u>5-22-06</u> <u>6-21-06</u>	_____
DPW & T	<u>N/A</u>	_____

Development Standards / Requirements

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Zoning Requirements | <u>N/A</u> MPDU Calculation | <input checked="" type="checkbox"/> Building Restriction Lines |
| <input checked="" type="checkbox"/> Development Data Table | <input checked="" type="checkbox"/> TDR Calculation | <input checked="" type="checkbox"/> Building Height |
| <input checked="" type="checkbox"/> Recreation Calculation | <input checked="" type="checkbox"/> Timing/Phasing Conditions | <input checked="" type="checkbox"/> Master Plan Conformance |

Prior Approvals

- | | | |
|---|--|---|
| <input type="checkbox"/> Development Plan | <input checked="" type="checkbox"/> Preliminary Plan | <input checked="" type="checkbox"/> Prior Site Plan Approvals |
| <input type="checkbox"/> Record Plat | | |

Community Input

- Civic Association _____
- Individuals Tom Durek 4/19/06

Supervisor Review _____ MM _____ 7/14/06

Chief Review _____ RBK