Plat Name: Chevy Chase Lake

Plat #: 220180580

Located in the southeast quadrant of the intersection of Connecticut

Avenue (MD-185) and Manor Road

Master Plan Chevy Chase Lake Sector Plan

Plat Details: CRT zone; 2 lots

Owner: Chevy Chase Land Company

This subdivision plat has been reviewed by M-NCPPC staff and determined to be in compliance with Preliminary Plan No. 12002020B (MCPB Resolution No. 17-041) and with Site Plan No. 820160190 (Certified Site Plan dated March 30, 2018) as approved by the Board, and that any minor modifications reflected on the plat do not alter the intent of the Board's previous approval of the aforesaid plans.

Staff notes for the Board with respect to Preliminary Plan No 12002020B, Condition 11.e. which states;

Prior to recordation of the plat, the Applicant must submit to Staff an agreement or other legal instrument that assigns responsibility for the long-term maintenance of the portion of the Private Road that crosses the Purple Line public right-of-way. To the extent possible, the agreement must conform to the requirements set forth in the covenant recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338. The agreement must be approved by the Commission's Office of the General Counsel, recorded in the Montgomery County Land Records, and referenced on the plat.

The applicant, despite having worked proactively for several months toward the above agreement encountered an unanticipated problem with the County regarding whether the portion of the Chevy Chase Lake Terrace could cross the Georgetown Branch Right-of-Way as a private road. Therefore, the applicant approached the regulatory agencies involved and has come up with the following notation, which has been reviewed and approved by MCDPS, MCDOT and M-NCPPC, and is drafted on the plat as follows.

12.) THE 100' RIGHT-OF-WAY IS A PORTION OF MONTGOMERY COUNTY'S GEORGETOWN BRANCH RIGHT-OF-WAY ACQUIRED UNDER 16 U.S.C. §1247(d) AND IS SUBJECT TO THE FEDERAL CERTIFICATE AND DECISION OF INTERIM TRAIL USE (AB-19(SUB-NO. 112)) DECIDED DECEMBER 12, 1988. WITHOUT LIMITING OR RESTRICTING THE COUNTY'S INTERESTS OR POLICE POWERS AND WITHOUT CREATING ANY PRIVATE RIGHTS OR INTERESTS IN THE GEORGETOWN BRANCH, THIS PLAT SHOWS AN ANTICIPATED PUBLIC CROSSING CONNECTING TO THE CHEVY CHASE LAKE TERRACE SHOWN ON PLAT 25181. CHEVY CHASE LAND COMPANY MUST ENTER INTO A MAINTENANCE AND LIABILITY AGREEMENT WITH MONTGOMERY COUNTY REQUIRING CHEVY CHASE LAND COMPANY TO CONSTRUCT THE CROSSING AND ANY ASSOCIATED INFRASTRUCTURE AND UTILITIES UNDER A PUBLIC RIGHT-OF-WAY PERMIT AND TO BE RESPONSIBLE FOR LONGTERM MAINTENANCE AND LIABILITY FOR THE CROSSING.

Staff believes that above notation on the plat, along with recent cooperation of MCDPS and MCDOT to facilitate a solution to a complex problem, will ultimately have the same effect envisioned by Condition 11.e. and effectively carryout the Boards intent of a seamless transition of the private road (Chevy Chase Lake Drive) from this site, under the future Purple Line, and connecting to the adjacent EYA development now under construction.

Additionally, staff notes that the subject plat contains blank Book/Page references for a Public Improvement Easement and a supplemental Declaration of Restrictive Covenants for the on-site private roads, which have been executed, but are not yet recorded as of the date of this memorandum. Staff will assure the appropriate recordation references for said documents will be added to the plat mylar prior to requesting Chairman Anderson's signature.

Staff recommends approval of the plat as proposed.







