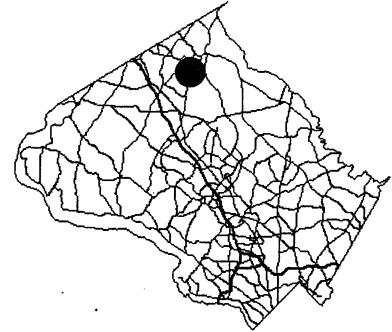




MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item #
7/19/07



MEMORANDUM

DATE: July 3, 2007

TO: Montgomery County Planning Board

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

FROM: ^{NS} Neil Braunstein (301-495-4532)
Development Review Division

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Subdivision to create 8 one-family residential lots

PROJECT NAME: Nehouse Property
CASE #: 120061130
REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: RC and RDT
LOCATION: On Hawkes Road at the intersection of Piedmont Road
MASTER PLAN: Clarksburg

APPLICANT: Stanley Enterprises
ENGINEER: Benning and Associates
ATTORNEY: James Clifford

FILING DATE: May 4, 2006
HEARING DATE: July 19, 2007

RECOMMENDATION: Approval subject to the following conditions:

- 1) Approval under this plan is limited to eight lots for eight one-family detached dwelling units.
- 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 MCDPS issuance of sediment and erosion control permits, as applicable.
- 3) The applicant must dedicate a 50-foot wide right-of-way for a tertiary, open-section, public street for Hawkes Lane, as shown on the approved preliminary plan.
- 4) The applicant must dedicate 77.5 feet of right-of-way from the centerline of Ridge Road (MD 27) to attain a 120-foot-wide right-of-way along the property frontage and 35 feet of right-of-way from the centerline of Hawkes Road to attain a 70-foot-wide right-of-way along the property frontage, as shown on the preliminary plan.
- 5) 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.
- 6) The applicant must comply with the conditions of the MCDPS stormwater management approval dated January 22, 2007.
- 7) The applicant must comply with the conditions of the MCDPS (Health Dept.) septic approval dated December 15, 2006.
- 8) The applicant must comply with the conditions of the MCDPWT letter dated June 13, 2006, unless otherwise amended.
- 9) The applicant must provide access and improvements as required by MCDPWT prior to recordation of plat(s).
- 10) The record plat must reflect a Category I easement over all areas of stream valley buffers and forest conservation.
- 11) The record plat must have the following note: "The land contained hereon is within an approved cluster development and subdivision or resubdivision is not permitted after the property is developed."
- 12) The record plat must show that at least 60 percent of the subdivision is reserved within a rural open space easement as shown on the preliminary plan.
- 13) The record plat must reflect any areas under Homeowners Association ownership and specifically identify stormwater management parcels.
- 14) The record plat must show necessary easements.
- 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.

SITE DESCRIPTION

The subject property, shown below and in Attachment A, consists of two unplatted parcels totaling 46.9 acres. The property straddles a zoning line, with 40.03 acres in the RC zone and 6.87 acres in the RDT zone. The property is located on the north side of Hawkes Road, at the intersection of Piedmont Road. The site is currently developed as a farm, with associated buildings including a barn, sheds, and a farm house. These buildings, as well as some of the surrounding fields, are proposed to be retained in the subdivision.

The extent of the property owned by this applicant included approximately 94 acres of land located on either side of Hawkes Road. The tract included approximately 54 acres zoned RDT within the Agricultural and Rural Open Space Master Plan area, and 40 acres zoned RC within the Clarksburg Master Plan Area. A minor subdivision was previously approved by the Planning Board to create one lot on 45.04 acres of the RDT zoned land at the west quadrant of the intersection of Hawkes Road and Peidmont Road. The remainder of the RDT zoned land, and the land within the RC zone, is the subject of this application.

Properties north, south, and west of the site are agricultural uses in the RDT and RC zones, and properties east of the site are single family residential uses and a public school in the R-200 zone, and commercial uses in the C-1 zone.

The subject property is located within the Little Seneca Creek and Little Bennett Creek watersheds. An area in the northwest corner of the site, approximately 1.6 acres in size, is forested. An unnamed tributary to Little Seneca Creek originates on the property near the farm buildings and flows off property to the south, and an unnamed tributary to Little Bennett Creek flows across the property from northeast to southwest, through the forested area of the site.



PROJECT DESCRIPTION

The applicant proposes to create eight lots for eight one-family residential dwellings, including the existing farmhouse, which will remain. The lots will be created using the optional

cluster method. Seven one-family residential lots will be clustered around, and accessed via, a new public street, which will be a 500-foot-long cul-de-sac off of Hawkes Road. Although two of the proposed lots have portions of their land in the RDT zone, all of the proposed houses and the proposed public street will be in the RC zone. The acreage within the RDT zone was not included in the density calculation for the subdivision. The cluster lots range in size from 60,216 square feet to 244,306 square feet. The eighth lot is a 25.47 acre lot, of which 3.45 acres comprises the home site and 22.01 acres will be in rural open space. Land to be dedicated for road rights-of-way includes 1.3 acres for Ridge Road (MD 27) and 1.1 acres for Hawkes Road. This will result in a 120-foot-wide right-of-way for Ridge Road and a 70-foot-wide right-of-way for Hawkes Road.

(Attachment B – proposed plan)

ANALYSIS AND FINDINGS

Master Plan Compliance

The subject property is located within the Ridge Road Transition Area of the Clarksburg Master Plan. This area includes approximately 900 acres and is located along Ridge Road (MD 27), adjoining the Damascus planning area.

The Cedar Grove Historic District is located on the east side of Ridge Road. It is characteristic of the county's late 19th and early 20th century rural crossroads. The master plan recommends low density residential development for the area surrounding Cedar Grove, which will help preserve its rural setting.

The proposed subdivision complies with the recommendations adopted in the master plan in that it creates a land use pattern that helps differentiate the more developed portions of Damascus and Clarksburg by providing a low-density residential development. The subdivision will foster a greater sense of community identity for both Damascus and Clarksburg, by using a cluster design that fosters a compact subdivision with a large open space area adjacent to Ridge Road. This layout will help create an attractive setting for the Cedar Grove Historic District, by preserving the rural setting across Ridge Road from the historic district.

Transportation

The proposed lots do not generate 30 or more vehicle trips during the morning or evening peak-hours. The application, therefore, is not subject to Local Area Transportation Review. Access to the site is proposed from a new public cul-de-sac street from Hawkes Road. Proposed vehicle and pedestrian access for the subdivision will be safe and adequate with the proposed public improvements.

Waiver of sidewalk requirements

Section 49-34(f) of the Montgomery County Code gives the Planning Board the authority to determine when a tertiary street may be used and to establish the right-of-way. This plan contemplates an open-section tertiary street having a 50 foot wide right-of-way, identified as Hawkes Lane. Typical tertiary road standards require sidewalks on both sides of the road, however, the Board has the authority to waive sidewalks on either one or both sides of the road. The applicant has submitted a waiver request to waive the requirement that sidewalks be constructed on Hawkes Lane. The justification for the waiver request is that the proposed subdivision is located in a rural portion of the County with no existing sidewalks in the vicinity. Any sidewalk constructed in conjunction with the subdivision would not provide pedestrian connectivity to any destination or network of sidewalks. Pedestrian safety would not be compromised because Hawkes Lane will carry low traffic volumes and the proposed street will be able to safely accommodate pedestrians. Pursuant to Section 50-26(h)(3), the Planning Board must find that pedestrian safety can be accommodated, without sidewalks, on the street pavement.

It has been Planning Board practice not to require sidewalks on either side of tertiary streets in five-acre zones. The rationale has been that low traffic volumes allow use of the local street network for pedestrian movement. This particular subdivision is located on a proposed short cul-de-sac street; no through-traffic will ever traverse this street. A waiver of sidewalks is therefore justified because pedestrians will be able to safely use the road.

Environment

The 46.90-acre property includes 1.68-acres of existing forest. There are two streams that bisect the property from east to west. There are 2.29 acres of stream buffer on the subject property. The plan meets all applicable requirements for protection of the environmentally sensitive areas and forest conservation, as discussed below.

Environmental Buffers

A Natural Resource Inventory/Forest Stand Delineation was submitted for the subject site. Environmental Planning staff approved the NRI/FSD on April 10, 2006. There are two streams that bisect the property from east to west. The northern stream is a tributary to the Little Bennett Creek and is in the Little Bennett Watershed (Class III-P). The southern stream is a tributary to the Little Seneca Creek and lies within the Little Seneca Watershed (Class IV-P). There are environmental buffers, associated with each stream, that encompass 2.29-acres of the subject property. There are some areas of steep slopes; slopes greater than 25% and slopes greater than 15% on erodible soils. All of the steep slopes are located within the stream valley buffers. The proposed plan does not propose any encroachment into the environmental buffers, and long-term protection of the buffer area will be provided by Category I Conservation Easements.

Forest Conservation

There are 1.68 acres of existing forest on the property that is co-dominated by Tulip Poplar (*Liriodendron tulipifera*) and Red Maple (*Acer rubrum*) tree species, with Black Cherry and other native hardwoods present. There are 30 trees 24 inches in diameter and greater, and eight specimen trees 40 inches in diameter and greater.

Under the requirements of Chapter 22A (“the Forest Conservation Law”), Section 22A-12(f), “Any site developed in an agricultural and resource area, any planned unit development, any site developed under a cluster or other optional method of development in a one-family residential zone, and any waiver from a zoning requirement for environmental reasons, must include a minimum amount of forest on-site as part of meeting its total forest conservation requirement.” This property is zoned RDT and RC which meets the definition of an “agricultural and resource area”. The minimum onsite forest requirement in this instance is equal to the designated “afforestation threshold”, which is 20% of the net tract area or a total of 8.64 acres.

Section 22A-12(f) further stipulates that if a property currently contains less than the afforestation threshold, the minimum onsite forest conservation requirements must be met by preserving existing forest, and planting the difference, unless a waiver is granted. The subject preliminary forest conservation plan indicates the removal of 0.17 acres of forest on Lot 5 for the placement of a septic system, which requires the waiver. The Planning Board may grant the waiver based upon finding that the forest retention is not possible, and that the applicant has provided the maximum possible on-site retention in combination with on-site forest planting that meets the minimum requirement.

The applicant requests approval of a waiver of the minimum retention requirements so that the 0.17 acres of forest on Lot 5 can be removed to locate a septic field. Based on septic testing for the site, there is no alternative location for this septic system. As compensation for the forest loss, the applicant has agreed to provide a total of 0.68 acres of reforestation, in addition to the afforestation requirement of approximately seven acres of planting. The planting would be done within the onsite stream buffer.

With the proposed 7.81 acres of onsite forest planting, staff supports the requested waiver and finds that the property meets the requirements of the Forest Conservation Law. Both the forest plantings and the retained forest will be placed in a Category I Forest Conservation Easement.

Stormwater Management

The MCDPS Stormwater Management Section approved a stormwater management concept for the project on January 22, 2007, which includes on-site water quality control and recharge through the use of a sand filter and/or bio-filter along with two-foot flat bottom roadside ditches, grass channels, and sheet flow to buffers.

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. Access and public facilities will be adequate to support the proposed lots and uses. 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 RC 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. The subdivision also meets the specific requirements for cluster development in the RC zone, and in particular it meets the requirement that at least 60% of the tract area be retained as open space by providing an open space easement on 22 acres of the 25.47-acre farm lot (proposed Lot 1). 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 plan submittal pre-dated new requirements for a pre-submission meeting with neighboring residents, however, written notice was given by the applicant and staff of the plan submittal and the public hearing date. 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 Clarksburg 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

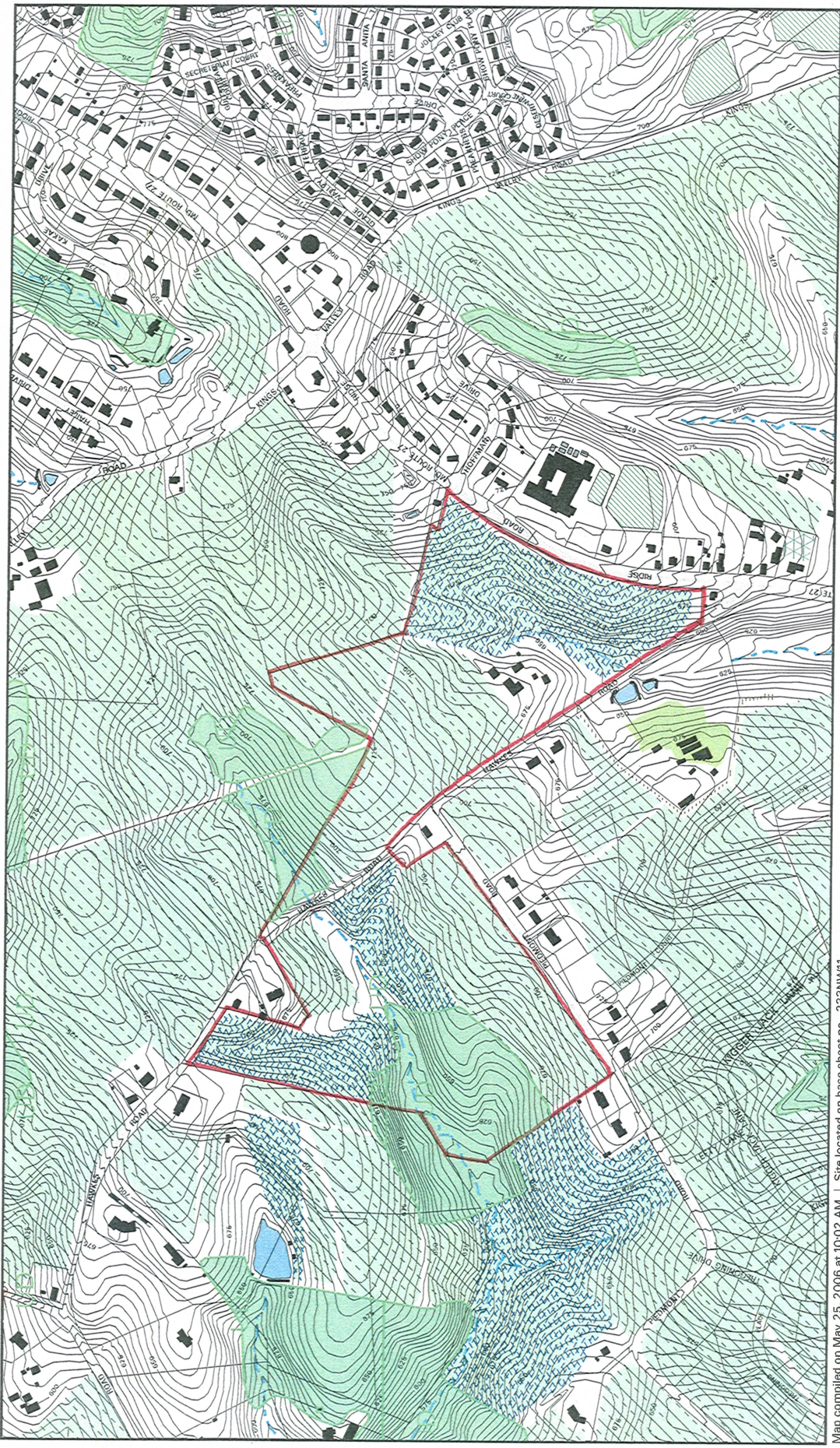
- Attachment A – Vicinity Development Map
- Attachment B – Proposed Development Plan
- Attachment C – Agency Correspondence Referenced in Conditions

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: Nehouse Property				
Plan Number: 120061130				
Zoning: RC and RDT				
# of Lots: 8				
# of Outlots: 0				
Dev. Type: Residential				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval the Preliminary Plan	Verified	Date
Minimum Lot Area	40,000 sq. ft.	60,216 sq. ft. is minimum proposed	NB	6/29/07
Lot Width	125 ft.	170 ft. is minimum proposed	NB	6/29/07
Lot Frontage	25 ft.	25 ft. is minimum proposed	NB	6/29/07
Setbacks				
Front	50ft. Min.	Must meet minimum ¹	NB	6/29/07
Side	17ft. Min./ 35 ft. total	Must meet minimum ¹	NB	6/29/07
Rear	35 ft. Min.	Must meet minimum ¹	NB	6/29/07
Height	50 ft. Max.	May not exceed maximum ¹	NB	6/29/07
Max Resid'l d.u. per Zoning	8 d.u.	8 d.u. are proposed	NB	6/29/07
Open Space	60% min	60% (22.01 acres) is proposed	NB	6/29/07
MPDUs	N/A		NB	6/29/07
TDRs	N/A		NB	6/29/07
Site Plan Req'd?	No		NB	6/29/07
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street		Yes	NB	6/29/07
Road dedication and frontage improvements		Yes	Agency letter	6/13/06
Environmental Guidelines		Yes	Staff memo	
Forest Conservation		Yes	Staff memo	
Master Plan Compliance		Yes	Staff memo	6/21/07
ADEQUATE PUBLIC FACILITIES				
Stormwater Management		Yes	Agency letter	1/22/07
Water (WSSC)		Yes	Agency comments	6/5/06
Well and Septic		Yes	Agency letter	12/15/06
Local Area Traffic Review		N/a	NB	6/29/07
Fire and Rescue		Yes	Agency letter	1/6/07

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

NEHOUSE PROPERTY (120061130)



Map compiled on May 25, 2006 at 10:02 AM | Site located on base sheet no. - 233NW1

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 1:14,400 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 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

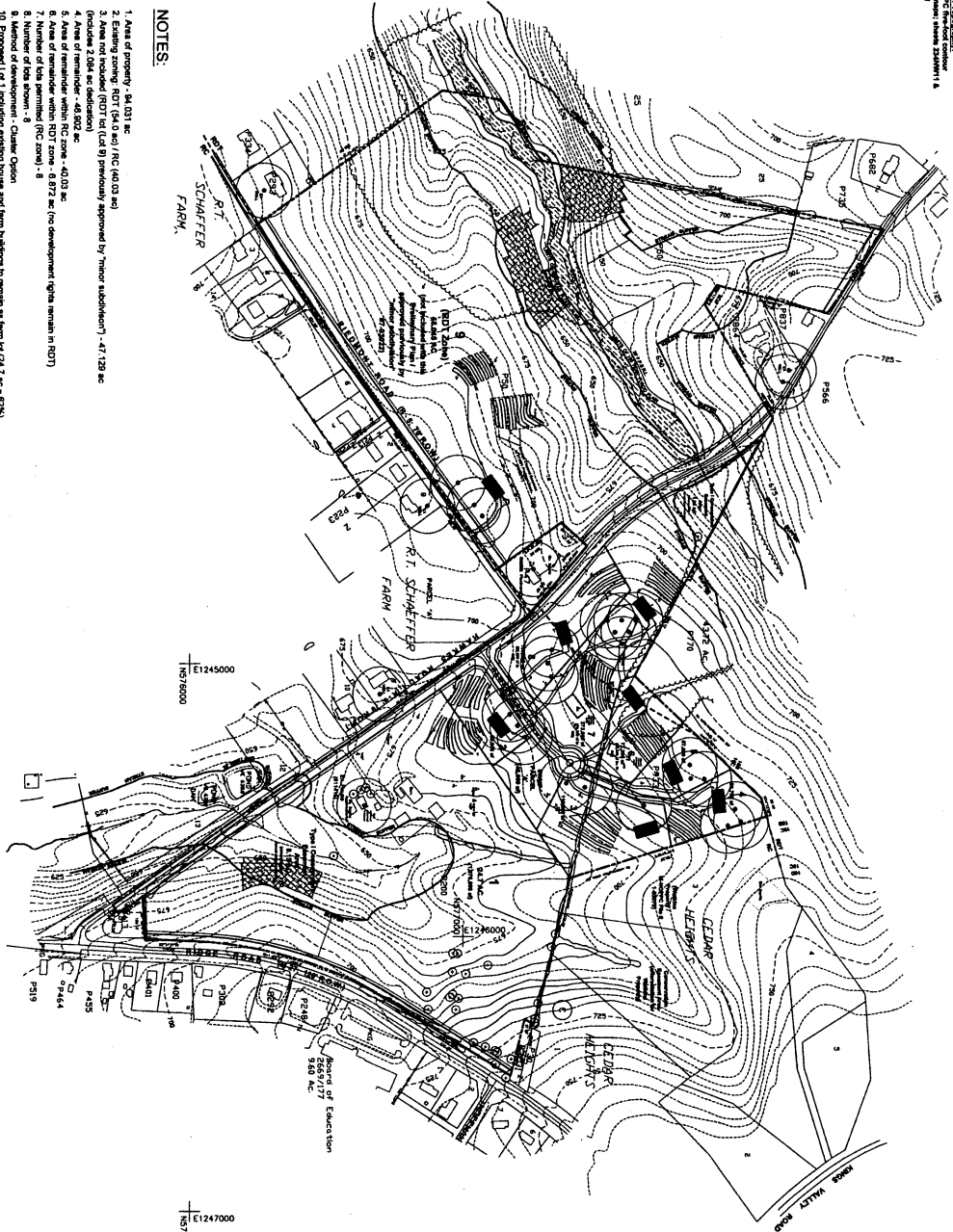


Research & Technology Center

1 inch = 800 feet
 1 : 9600

4787 Georgia Avenue - Silver Spring, Maryland 20910-3760

Division of Recreation
 Planning and Design
 233NWH11



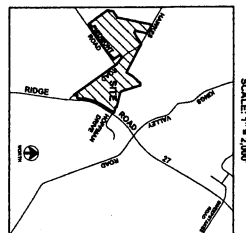
NOTES:

1. Area of property - 84.031 ac
2. Area of property within RCU (R-1) - 40.03 ac (includes 2.064 ac dedication)
3. Area of remainder within RCU (R-1) - 43.997 ac
4. Area of remainder within RCU (R-1) - 40.03 ac
5. Area of remainder within RCU (R-1) - 8.872 ac (the development rights remain in RCU)
6. Number of lots shown - 3 (0.022 acre) / 3
7. Method of development - Cluster Option
8. Proposed lot 1 including existing house and farm buildings to remain as farm lot (24.7 ac - 62%)
9. Area of remainder within RCU (R-1) - 40.03 ac
10. Proposed lot 2 including existing house and farm buildings to remain as farm lot (24.7 ac - 62%)
11. Area of remainder within RCU (R-1) - 40.03 ac
12. Existing sewer and water connections - 3.4, 1/4"
13. Existing sewer and water connections - 3.4, 1/4"
14. All lots to be served by individual wells and on-site septic systems.
15. Located within LITTLE SEMECK CREEK watershed (Class I)
16. Property located on Title Map PW122, VMS&C/D/S/233NWH11
17. Development Standards (RC Zone, Cluster Option):
 Minimum lot size - 40,000 sq ft
 Front yard setback - 50' min., 35' full
 Side yard setback - 35'
 Lot width @ building line - 125'
 Building height - 50' maximum
18. Proposed lots comply with all development standards for the zone (no waivers requested).
19. Proposed new street is an open-rotation street. Waiver of driveway requirements requested.

Surveyor's Certificate / Test State Certificate
 I hereby certify that the boundary corners shown on this map were located by me or under my direct supervision and that the same are true and correct to the best of my knowledge and belief.
 Stanley Enterprises
 Stanley Enterprises



PREPARED FOR:
STANLEY ENTERPRISES
 P.O. BOX 877
 DAMEN
 301-253-8875



Lots 1-8 / Rural Cluster Zone

**PRELIMINARY PLAN
 NEHOUSE PROPERTY
 Montgomery County, Maryland**



Benning & Associates, Inc.
 Land Planning Consultants
 8913 Shady Grove Court
 Gaithersburg, MD 20877
 (301)948-6246

date: 12/30/05
 scale: 1" = 200'



SHEET 1 OF 2



DEPARTMENT OF PERMITTING SERVICES

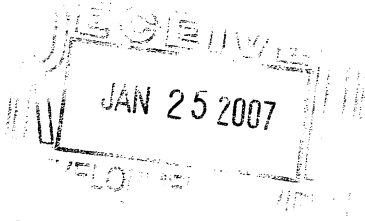
Isiah Leggett
County Executive

January 22, 2007

Reginald Jetter
Acting Director

Mr. Yanaki Lefterov, P.E.
10390 Hedgeapple Bend
New Market, MD 21774

Re: Stormwater Management **CONCEPT** Request
for Nehouse Property
Preliminary Plan #: 1-20061130
SM File #: 222865
Tract Size/Zone: 46.902 acres/ RC/RDT
Total Concept Area: 46.902 acres
Lots/Block: 1-8
Parcel(s): P200
Watershed: Little Seneca Creek



Dear Mr. Lefterov:

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 thru the use of a sand filter and/or biofilter along with 2 foot flat bottom roadside ditches, grass channels and sheet flow to buffer. Channel protection volume is not required because the one-year post development peak discharge is 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.
5. Should MCDPWT disallow the use of the flat bottom roadside ditches or if the house sizes or locations vary from what is shown on the concept plan, then a concept revision may be required.

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 Richard Gee at 240-777-6333.

Sincerely,



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

RRB:dm Cn222865


cc: C. Conlon
S. Federline
SM File # 222865

QN -N/A; Acres: 46.902
QL - on site; Acres: 46.902
Recharge is provided

**DEPARTMENT OF PERMITTING SERVICES****Isiah Leggett
County Executive****Shahriar Amiri
Acting Director****MEMORANDUM**

December 15, 2006

TO: Maryland National Capital Park and Planning Commission
Attn: Mr. Richard Weaver

FROM: Shahriar Amiri, Acting Director 
Department of Permitting Services

SUBJECT: Status of Preliminary Plan: # 1-20061130
Nehouse Property, 8 lots

This is to notify you that the status of the plan received in this office on December 8, 2006, is as follows:

Approved with the following reservations:

1. Record plat must be at same scale as approved preliminary plan or provide a certified film positive of the record plat at the preliminary plan scale.
2. Septic easements must be shown on the record plat as they are shown on the preliminary plan.
3. All existing buildings must be shown on the record plat.
4. Public water must be provided.

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

cc: Owner
Surveyor
File





DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

June 13, 2006

Arthur Holmes, Jr.
Director

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 #1-20061130
Nehouse Property

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 12/29/05. This plan was reviewed by the Development Review Committee at its meeting on 06/05/06. 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. Show/label all existing planimetric and topographic details specifically paving, storm drainage, driveways adjacent and opposite the site as well as existing rights of way and easements on the preliminary plan.
 2. Justify the proposed right of way shown for Hawkes Road. Once that is done, provide necessary dedication for Hawkes Road, Ridge Road and Piedmont Road in accordance with the Master Plan.
 3. Full width dedication and construction of Hawkes Lane, aligned with Piedmont Road and as an open section tertiary residential roadway terminating in a cul-de-sac.
 4. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
 5. We did not receive conceptual road profiles for Hawkes Lane. As a result, we are unable to offer any comments at this point.
 6. 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 establishments for new public streets from DPS.
 7. Wells and septic systems cannot be located within the right of way nor slope or drainage easements.
 8. The plan should provide a horizontal alignment for Hawkes Lane which satisfies the design speed.
 9. Show the locations of the proposed driveways for all houses on the preliminary plan.



Division of Operations

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878
240/777-6000, TTY 240/777-6013, FAX 240/777-6030

Ms. Catherine Conlon
Preliminary Plan No. 1-20061130
Date June 13, 2006
Page 2

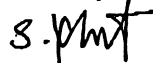
10. We did not receive complete analyses of the capacity of the downstream public storm system(s) and the impact of the post-development runoff on the system(s). As a result, we are unable to offer comments on the need for possible improvements to the system(s) by this applicant.
Prior to approval of the record plat by the Department of Permitting Services (DPS), the applicant's consultant will need to submit this study, with computations, for review and approval by DPS. Analyze the capacity of the existing downstream public storm drain system and the impact of the post-development one hundred (100) year storm runoff on same.
11. Since access will be from a roadway included on the Rustic Roads Program, stake and pavement mark the proposed driveway location(s) for our evaluation of the impact on the Rustic Road features. As such, every effort must be made to preserve the significant features within the right of way of that roadway.
12. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by each common driveway.
13. Record plat to reflect denial of access along Hawkes Road except for Hawkes Lane and existing driveway for lot#1.
14. 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.
15. Revise the plan as necessary to meet the requirements of the Montgomery County Department of Permitting Services with regard to wells and/or septic systems.
16. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
17. Access and improvements along Ridge Road (MD 27) as required by the Maryland State Highway Administration.
18. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
19. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Fred Lees of our Traffic Control and Lighting Engineering Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
20. Trees in the County rights of way - species and spacing to be in accordance with the applicable DPWT standards. A tree planting permit is required from the Maryland Department of Natural Resources, State Forester's Office [(301) 854-6060], to plant trees within the public right of way.
21. Please coordinate with Department of Fire and Rescuc about their requirements for emergency vehicle access.
22. Public Improvements Agreement (PIA) will be an acceptable method of ensuring construction of the required public improvements within the County right of way. The PIA details will be determined at the record plat stage. The PIA will include, but not necessarily be limited to, the following improvements:

Ms. Catherine Conlon
Preliminary Plan No. 1-20061130
Date June 13, 2006
Page 3

- A. Street grading, paving, shoulders, side drainage ditches and appurtenances, and street trees along Hawkes Lane.
- B. Improvements to the existing public storm drainage system, if necessitated by the previously mentioned outstanding storm drain study. If the improvements are to be maintained by Montgomery County, they will need to be designed and constructed in accordance with the DPWT 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 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 ensure final and proper completion and installation of all utility lines underground, for all new road construction.
- F. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Section.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at sam.farhadi@montgomerycountymd.gov or (240) 777-6000.

Sincerely,



Sam Farhadi, P.E., Senior Planning Specialist
Development Review Group
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Division of Operations

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Enclosures ()

cc: Roy Stanley, Stanley Enterprises
David McKee, Benning & Associates
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Preliminary Plan Folder
Preliminary Plans Note Book