



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

MCPB

Item # _____

July 19, 2007



MEMORANDUM

DATE: June 29, 2007

TO: Montgomery County Planning Board

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

FROM: Dolores M. Kinney, Senior Planner (301) 493-1321 *DMK*
Development Review Division

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Resubdivision of Existing Lot 2 and Parcel 346

PROJECT NAME: Seven Locks Hills

CASE #: 120060370

REVIEW BASIS: Chapter 50, including Sec. 50-29 (b)(2), Montgomery County
Subdivision Regulations

ZONE: R-200

LOCATION: Located on the east side of Seven Locks Road, approximately 200
feet southeast of Lonesome Pine Lane

MASTER PLAN: Potomac

APPLICANT: Touraj Khalepari & Kathleen Walsh

ENGINEER: Macris Hendricks & Glascock, PA

FILING DATE: September 19, 2005

HEARING DATE: July 19, 2007

STAFF RECOMMENDATION: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to two (2) one-family dwelling units.
- 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:
 - a. Approval of Final Forest Conservation Plan consistent with the approved Preliminary Forest Conservation Plan prior to any clearing, grading or demolition on the site.
 - b. The Final Forest Conservation Plan must include detailed and specific tree protection measures prepared, signed and stamped by an ISA certified arborist with particular attention paid to trees 21, 23, 24, and 31.
 - c. The Final Forest Conservation Plan must include a detailed tree survey with a critical root zone analysis for trees greater than or equal to 6 inches in diameter at breast height, within 25 feet on either side of the limits of disturbance.
- 3) The Applicant must comply with conditions of MCDPWT letter dated, February 13, 2006, unless otherwise amended.
- 4) The applicant must dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan unless otherwise designated on the preliminary plan.
- 5) The record plat to 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 September 20, 2005.
- 7) 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.
- 8) Other necessary easements shall be shown on the record plat.

SITE DESCRIPTION:

Lot 2, referred to as the "Subject Property", is part of the Seven Locks Hills Subdivision, which was recorded in 1948. The Subject Property abuts Interstate 495 and is located in the Cabin John Creek Watershed on the east side of Seven Locks Road, approximately 200 feet southeast of Lonesome Pine Lane (Attachment A). The property contains 1.53 acres and is zoned R-200. A one-family dwelling currently exists on the property, which will remain.

PROJECT DESCRIPTION:

This is a preliminary plan of subdivision application to create two (2) residential lots for two (2) one-family detached dwelling units, one of which currently exists. A dwelling currently exists on the property and will remain. Access to the site will be from Seven Locks Road. The property will be served by public water and sewer, and is subject to the forest conservation law.

ANALYSIS AND FINDINGS

Master Plan Compliance

The Potomac Master Plan does not specifically identify the Subject Property for discussion but does give general guidance and recommendations regarding zoning and land use. The plan recommends that this area maintain the existing zoning as adopted and maintain the residential land use. The proposed resubdivision complies with the recommendations adopted in the sector plan in that it is a request for residential development.

Transportation

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.

Environment

There is 0.93-acres of forest cover, with a mix of white pines and tulip poplars. Numerous large or specimen trees are both within the forest and as tree cover. An NRI/FSD was approved by Development Review inspection staff on 6/28/2005. Trees were subsequently survey-located for the preliminary forest conservation plan. This information updates and supercedes the approved NRI/FSD, which has been notated in the files.

Environmental Guidelines

There are no environmental buffers, wetlands, or floodplains on this property.

There are steep slopes and highly erodible soils on this property. The steep slopes will be managed by a combination of avoidance, grading, and retaining walls. The slope across the area of erodible soil is between 15 and 25%. The stormwater management concept uses six drywells to capture roof runoff more completely.

Forest Conservation

The site is subject to the Forest Conservation Law, and the submitted Preliminary Forest Conservation Plan meets the applicable requirements. There is 0.93-acre of existing forest cover on-site. Approximately 0.18 acres of forest will be retained in a Category I conservation easement on the eastern property line. This is directly adjacent to the Capital Beltway and will act as a buffer to this major roadway. Reforestation requirements of 0.41-acres will be met off-site.

Tree Save

The Preliminary Forest Conservation Plan shows tree protection measures as recommended by an ISA-certified arborist. There are 11 large (DBH \geq 24") and two specimen trees on-site. This plan proposes to retain three large trees during construction, and remove eight large and two specimen trees. Also at risk are a number of off-site and shared trees. There is one large and three specimen trees that may have nearly 50% of their critical root zones impacted by the grading associated with the proposed development.

Staff feels that this tree loss can be reduced at the time of Final Forest Conservation Plan, as a detailed grading plan will be prepared at that time. The Preliminary Forest Conservation Plan uses 5' interval topography, which is not very precise and does not allow for either detailed grading or tree protection.

Noise

The Subject Property is adjacent to U. S. Interstate 495. A sound wall currently abuts the rear of the property to buffer noise from traffic on Interstate 495.

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, including the requirements for resubdivision, as discussed below. 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 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 who have recommended approval of the plan.

Conformance with Section 50-29(b)(2)

A. Statutory Review Criteria

In order to approve an application for resubdivision, the Planning Board must find that the proposed lot complies with all seven of the resubdivision criteria, set forth in Section 50-29(b)(2) of the Subdivision Regulations, which states:

Resubdivision. Lots on a plat for the Resubdivision of any lot, tract or other parcel of land that is part of an existing subdivision previously recorded in a plat book shall be of the same character as to street frontage; alignment, size, shape, width, area and suitability for residential use as other lots within the existing block, neighborhood or subdivision.

B. Neighborhood Delineation

In administering the Resubdivision section, the Planning Board must determine the appropriate "neighborhood" for evaluating the application.

The applicant has proposed a neighborhood of 28 lots for analysis purposes. The neighborhood boundary extends south to Old Seven Locks Road, west to Seven Locks Road, east to U. S. Interstate 495 and north near Cindy Lane.

Staff is of the opinion that the applicant's neighborhood delineation provides an adequate sample that exemplifies the lot and development pattern of the area, and is appropriate because it includes all adjacent and confronting lots in the same block. The applicant has provided a tabular summary of the area based on the resubdivision criteria, which is included in the staff report.

C. Analysis

Comparison of the Character of Proposed Lots to Existing

In performing the analysis, Staff applied the resubdivision criteria to the delineated neighborhood. Based on the analysis, Staff finds that the proposed resubdivision will be of the same character as the existing lots in the neighborhood. As set forth below, the attached tabular summary and graphical documentation support this conclusion:

Frontage: In a neighborhood of 28 lots, lot frontages range from 25.01 feet to 169.05 feet. The proposed Lot 26 has a frontage of 100 feet and Lot 27 has a frontage of 30 feet. **As such, the proposed lots will be consistent in character with other lots in the neighborhood with respect to frontage.**

Area: The existing lots in the neighborhood range in area from 4,000 square feet to 40,900. The proposed Lot 26 will be 13,020 square feet. Lot 27 will be 24,120 square feet. **The proposed resubdivision will be in character with the existing lots in the neighborhood with respect to area.**

Lot Size: The lot sizes in the delineated neighborhood range from 4,574 square feet to 58,219 square feet. The proposed Lot 26 will have a lot size of 24,980 square feet. The proposed Lot 27 will have a lot size of 41,947 square feet. **Therefore, the lot sizes of the proposed lots will be of the same character as the existing lots in the neighborhood.**

Lot Width: The lot widths in the existing neighborhood range from 88 feet to 198 feet. The proposed Lot 26 will have a width of 110 feet. Lot 27 will have a lot width of 145 feet. **As such, the proposed resubdivision will be of the same character as the other existing lots in the neighborhood as it pertains to lot width.**

Shape: There are 14 irregular lots, seven (7) pipestem lots and seven (7) rectangular lots in the neighborhood. The proposed Lot 26 is an irregular lot and Lot 27 is a pipestem lot. **The proposed lots will be of the same character as the existing lots in the neighborhood as it pertains to shape.**

Alignment: There are four (4) corner lots in the neighborhood and the remainder are perpendicular lots. The proposed resubdivision will create two (2) perpendicular lots. **The proposed subdivision will be consistent in character with the existing lots in the neighborhood as it pertains to alignment.**

Residential Use: The proposed lots are suitable for residential use.

Citizen Correspondence

This plan submittal pre-dated any 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. As of the date of this report, no citizen correspondence has 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 Potomac Master Plan. Section 50-29(b)(2) of the Subdivision Regulations specifies seven criteria with which resubdivided lots must comply. They are street frontage, alignment, size, shape, width, area and suitability for residential use. As set forth above, the two proposed lots are of the same character as the existing lots in the defined

neighborhood with respect to each of the resubdivision criteria, and therefore, comply with Section 50-29(b)(2) of the Subdivision Regulations. 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 which 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 Neighborhood Delineation Map
- Attachment D Tabular Summary
- Attachment E Correspondence

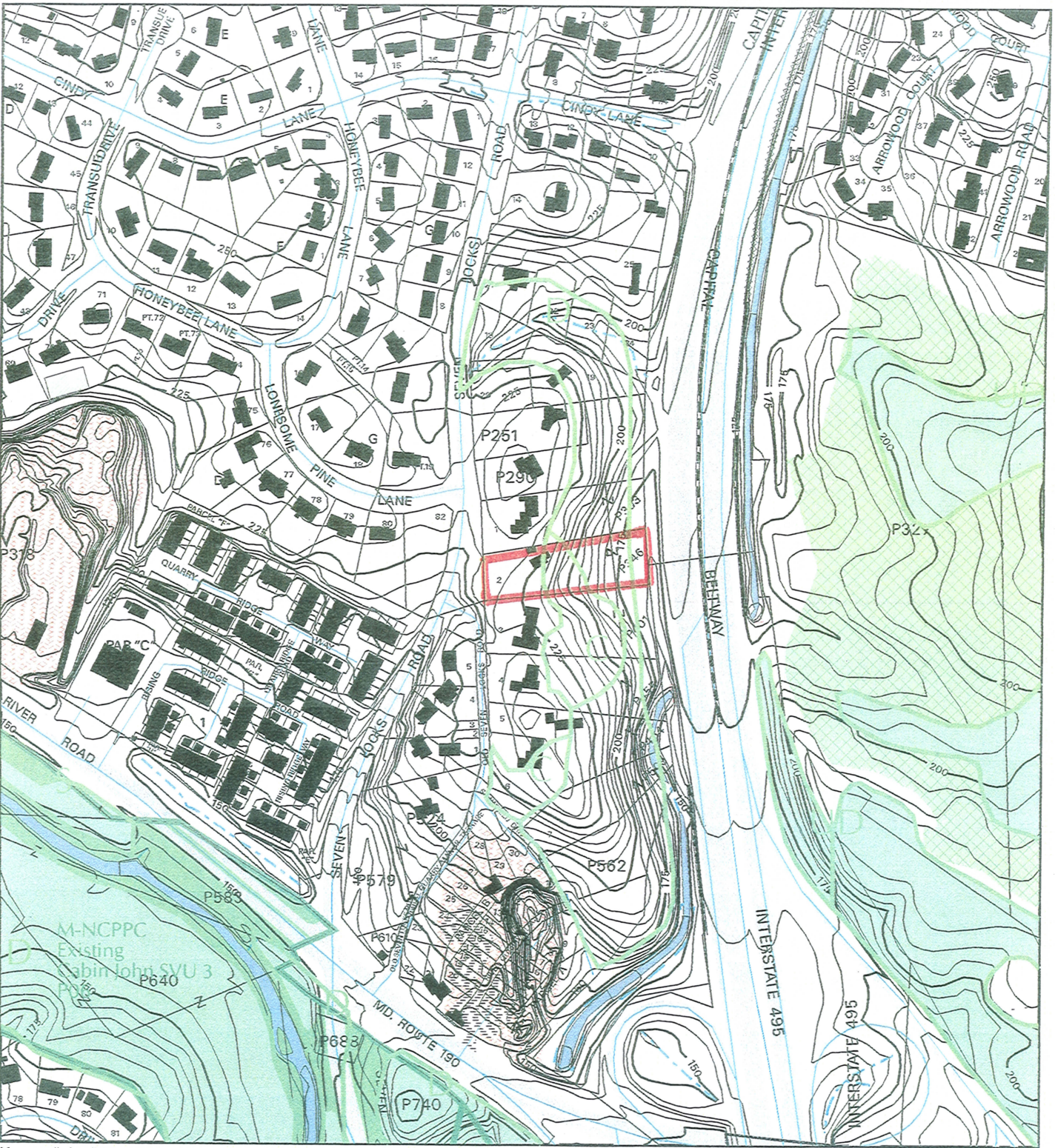
TABLE I**Preliminary Plan Data Table and Checklist**

Plan Name: Seven Locks Hills				
Plan Number: 120060370 (Formerly 1-06037)				
Zoning: R-200				
# of Lots: 2				
# of Outlots: 0				
Dev. Type: 2 one-family detached dwelling units				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval on the Preliminary Plan	Verified	Date
Minimum Lot Area	20,000 sq.ft.	24,980 sq.ft. is minimum proposed	CAC	February 20, 2007
Lot Width	100 ft.	140 ft. is minimum proposed	CAC	February 20, 2007
Lot Frontage	25 ft.	30 ft. is minimum proposed	CAC	February 20, 2007
Setbacks				
Front	40 ft. Min.	Must meet minimum ¹¹	CAC	February 20, 2007
Side	12 ft. Min./ 25 ft. total	Must meet minimum ¹	CAC	February 20, 2007
Rear	30ft. Min.	Must meet minimum ¹	CAC	February 20, 2007
Height	50 ft. Max.	May not exceed maximum ²	CAC	February 20, 2007
Max Resid'l d.u. Zoning	3 dwelling units	2 dwelling units	CAC	February 20, 2007
Site Plan Req'd?	No	No	CAC	February 20, 2007
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street	Yes	Yes	CAC	February 20, 2007
Road dedication and frontage improvements	Dedication	Yes	SHA/ DPWT memo	Oct. 6, 2006/ Feb. 13, 2006
Environmental Guidelines	Yes	Yes	Environmental Planning	June 18, 2007
Forest Conservation	Yes	Yes	Environmental Planning	June 18, 2007
Master Plan Compliance	Yes	Yes	CAC	February 20, 2007
ADEQUATE PUBLIC FACILITIES				
Stormwater Management	Yes	Yes	DPS memo	Sept. 20, 2005
Water and Sewer (WSSC)	Yes	Yes	WSSC memo	October 11, 2005
Local Area Traffic Review	Not required	N/A	CAC	
Fire and Rescue	Yes	Yes	MCDFRS	Nov. 17, 2006

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

² As measured per the Zoning Ordinance requirements.

SEVEN LOCKS HILLS (120060370)



Map compiled on February 20, 2007 at 1:32 PM | Site located on base sheet no - 210NW08

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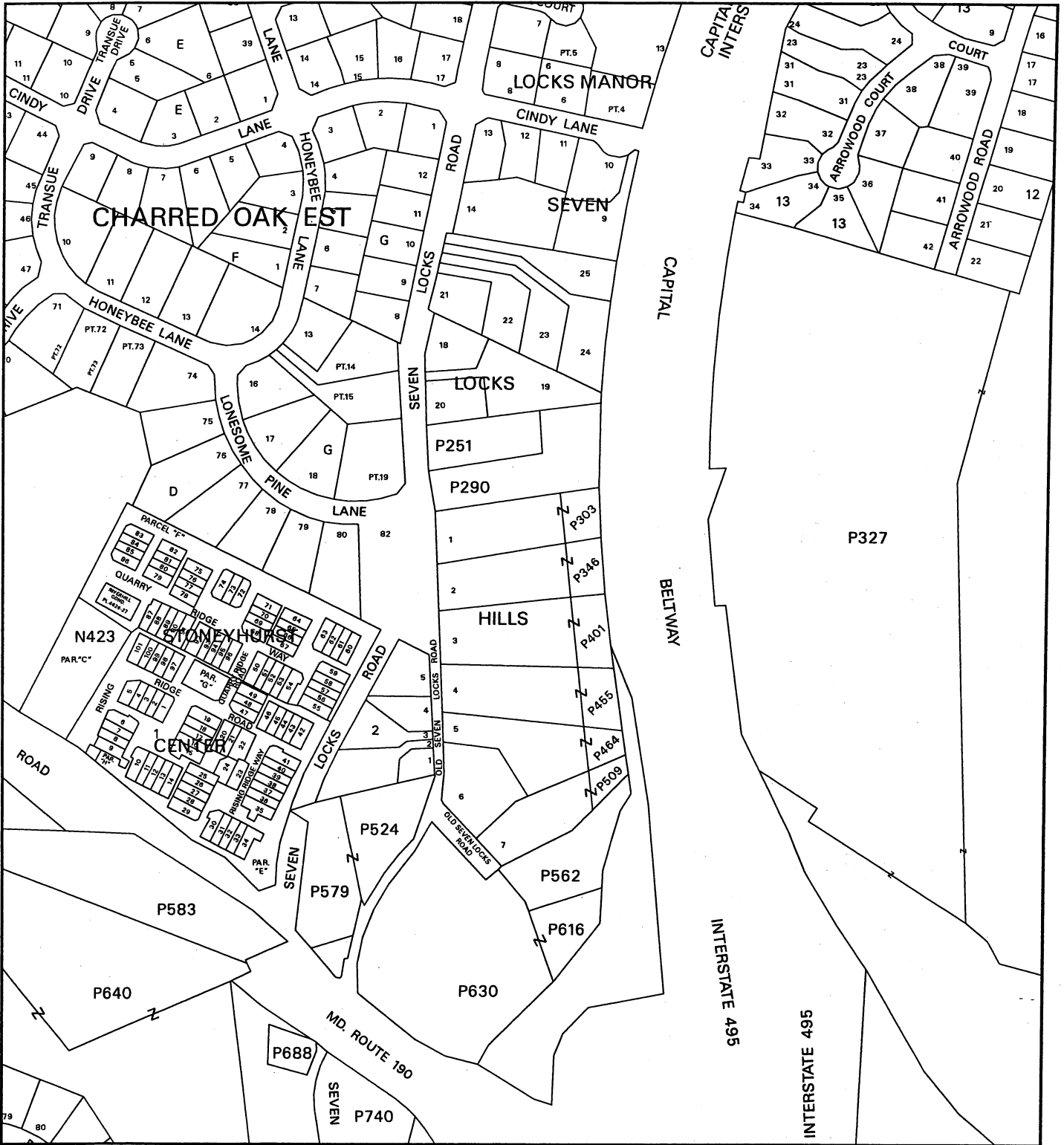
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1 inch = 400 feet
1 : 4800

SEVEN LOCKS HILLS (1-06037)



Map compiled on October 03, 2005 at 2:30 PM | Site located on base sheet no - 210NW08

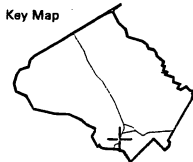
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Key Map



N



1 inch = 400 feet
1 : 4800

VICINITY MAP
SCALE 1" = 2,000'
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NOTES:

1. Property exhibited from MAP# 817C
2. Contour intervals are 5'
3. Boundary information compiled from recorded deeds and plans.
4. The property is zoned R-200 (Residential, one family).
5. Number of Lots Proposed: 2.
6. Water and sewer category W-1 and S-1, respectively.
7. This site is within the Potomac Subregion Master Plan Area approved and adopted.
8. This project has been approved for an exemption from the forest reference to the Code Book Ordinance, The State Department of Natural Resources, Division of Forest Management and Conservation.
9. There are no wetlands, streams, springs, swamps, floodplains, or other environmentally sensitive areas on the site.
10. Servicing utility companies are:
Water & Sewer - WSSDC
Electricity - P.E.D.
Telephone - Verizon
Natural Gas - North Sun
11. This site is not for construction purposes.
12. Property lines and corners are subject to adjustment of their Plat stage of record.
13. All existing structures are to remain.
14. Existing and home location is a graphic representation. Final house location and grading to be determined at building permit.

Development Standards (R-200, Residential, one family)

Standard	Minimum/Maximum	Proposed for Maximum
Lot Area (S-C-1.250):	20,000 sq. ft.	20,000 sq. ft. (min)
Setback From Street (S-C-1.250):	40 ft. min.	40 ft.
Front Setback (S-C-1.250):	12 ft. min.	12 ft.
Side Setback (S-C-1.250):	30 ft. min.	30 ft.
Lot Width of Building Line (S-C-1.250):	100 ft.	100 ft.
Lot Width of Street (S-C-1.250):	25 ft. min.	25 ft. min.
Lot Coverage (S-C-1.250):	25% max.	25% max.
Access Easement:	66' x 10' or 1.5:1 ratio, 4' wide	66' x 10' or 1.5:1 ratio, 4' wide
Access Easement:	66' x 10' or 1.5:1 ratio, 4' wide	66' x 10' or 1.5:1 ratio, 4' wide

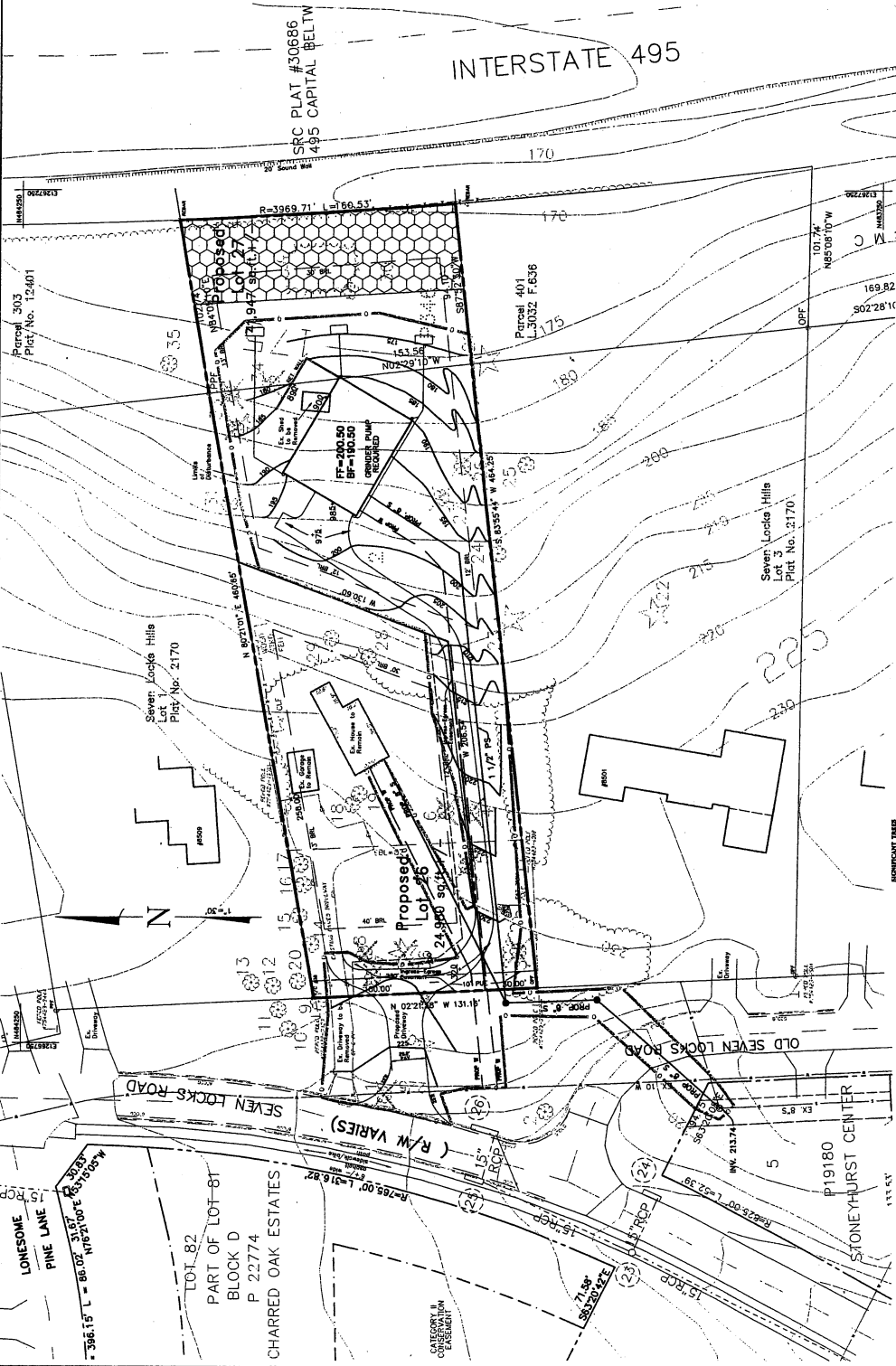
TAX MAP 01123 WSSC 21000S

PRELIMINARY SUBDIVISION PLAN
LOTS 26 AND 27

SEVEN LOCKS HILLS
RE-SUBDIVISION LOT 2 AND PARCEL 346
10TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

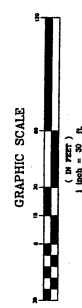
MHG
Macoris, Hendricks & Glascock, P.A.
Engineers & Planners
Landscape Architects & Surveyors
Phone: 301.288.8800
Fax: 301.288.8801
www.mhgpa.com

Proj. No. JDD
Date 07/19/07
Sheet 1 of 1



PREPARED FOR
TOURAJ KHALEPARI &
KATHLEEN WALSH
8505 SEVEN LOCKS ROAD
BETHESDA, MD 20817
PH(301) 365-5310
FAX(301) 365-5102

NO.	DATE	DESCRIPTION
1	12/7/06	Initial progress-agree account
2	6/25/07	Revised draft locations
3	7/19/07	Final plan



BOUNDARY LINE

NO.	DESCRIPTION	DATE
1	Survey of Parcel 303	12/7/06
2	Survey of Parcel 346	12/7/06
3	Survey of Parcel 401	12/7/06
4	Survey of Seven Locks Hills	12/7/06
5	Survey of Old Seven Locks Road	12/7/06
6	Survey of Stonehurst Center	12/7/06
7	Survey of Pine Lane	12/7/06
8	Survey of Charred Oak Estates	12/7/06
9	Survey of Lot 82	12/7/06
10	Survey of Lot 81	12/7/06
11	Survey of Lot 80	12/7/06
12	Survey of Lot 79	12/7/06
13	Survey of Lot 78	12/7/06
14	Survey of Lot 77	12/7/06
15	Survey of Lot 76	12/7/06
16	Survey of Lot 75	12/7/06
17	Survey of Lot 74	12/7/06
18	Survey of Lot 73	12/7/06
19	Survey of Lot 72	12/7/06
20	Survey of Lot 71	12/7/06
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22	Survey of Lot 69	12/7/06
23	Survey of Lot 68	12/7/06
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65	Survey of Lot 26	12/7/06

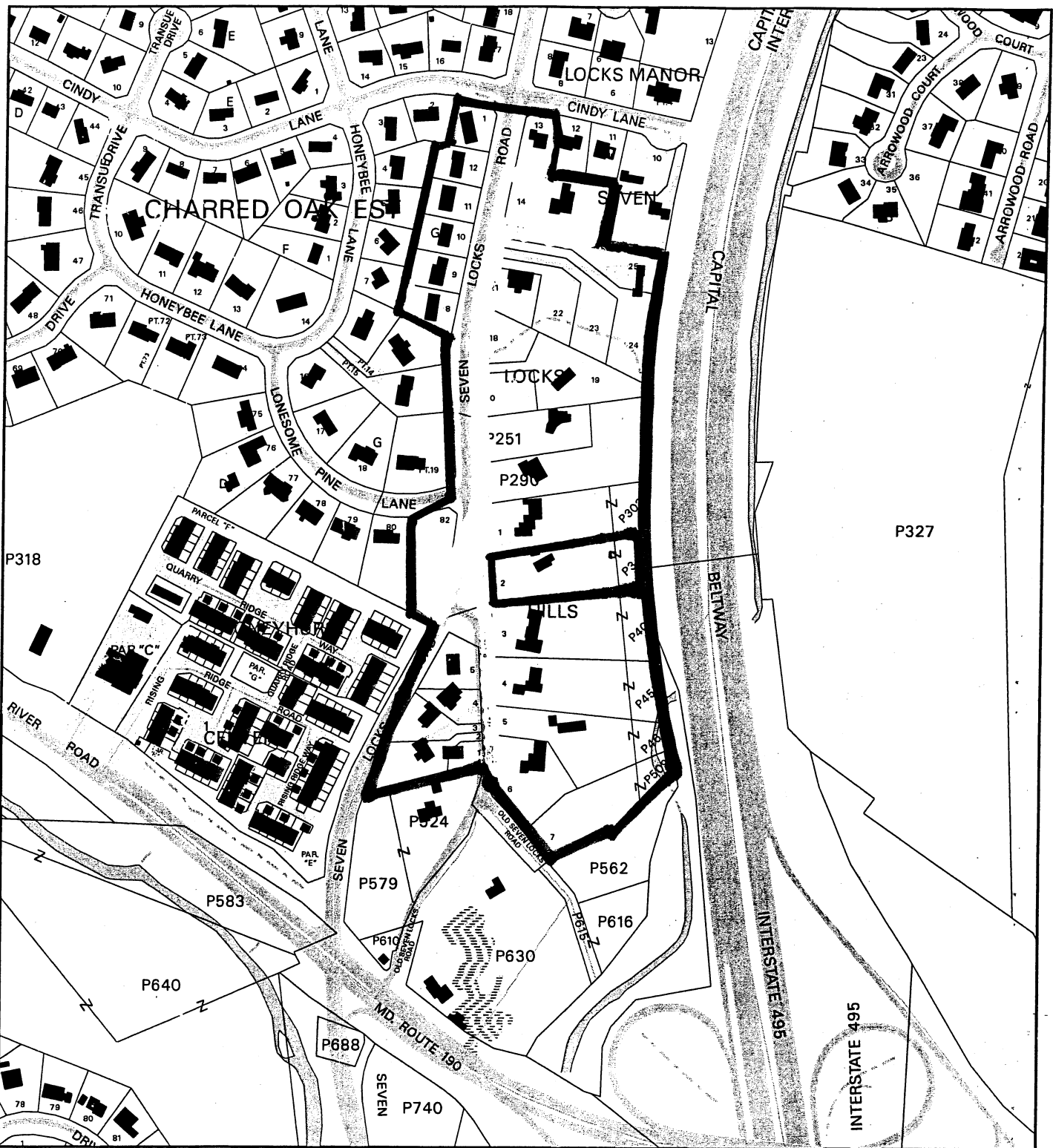
SURVEYOR'S CERTIFICATE

I certify that the foregoing map was prepared and reduced to scale from a correct and true survey of the land shown thereon, made by me or under my direct supervision, and that the same is a true and correct copy of the original survey as shown on the ground.

DATE: 6/25/07

Richard H. Papp
Richard H. Papp, Surveyor
Professional Reg. No. 10177

SEVEN LOCKS HILLS (120060370) NEIGHBORHOOD MAP



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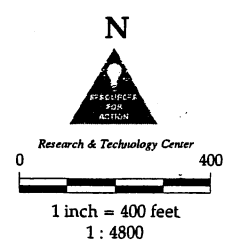
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MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 8787 Georgia Avenue - Silver Spring, Maryland 20910-3760



ATTACHMENT D

Seven Locks Hills								
Subdivision	Lot	Block	Frontage	Size	Area	Width	Shape	Alignment
Stoneyhurst Center	1	2	99.59	10,344	4,000	105	Irregular	Perpendicular
Stoneyhurst Center	2	2	30.00	27,226	8,800	140	Pipestem	Perpendicular
Stoneyhurst Center	3	2	30.00	14,873	7,200	88	Pipestem	Perpendicular
Stoneyhurst Center	4	2	101.00	10,737	6,400	101	Irregular	Perpendicular
Stoneyhurst Center	5	2	106.23	11,758	4,500	120	Irregular	Perpendicular
Seven Locks Hills	20		125.87	20,000	8,000	123	Rectangular	Perpendicular
Seven Locks Hills	1	A	150.00	52,390	29,375	150	Rectangular	Perpendicular
Seven Locks Hills	3	A	150.00	4,574	39,900	153	Irregular	Perpendicular
Seven Locks Hills	4	A	130.00	57,498	40,900	133	Irregular	Perpendicular
Seven Locks Hills	5	A	100.00	58,219	35,000	100	Irregular	Perpendicular
Seven Locks Hills	6	A	152.26	39,641	10,000	170	Irregular	Corner
Seven Locks Hills	7	A	108.47	42,966	23,300	115	Irregular	Perpendicular
Seven Locks Hills	18		169.05	20,000	6,000	145	Irregular	Perpendicular
Seven Locks Hills	19		25.04	45,872	26,000	198	Pipestem	Perpendicular
Seven Locks Hills	21		100.98	20,000	8,500	110	Irregular	Perpendicular
Seven Locks Hills	22		25.01	24,620	7,360	110	Pipestem	Perpendicular
Seven Locks Hills	23		25.01	28,885	7,480	108	Pipestem	Perpendicular
Seven Locks Hills	24		25.01	36,938	8,580	150	Pipestem	Perpendicular
Seven Locks Hills	25		25.01	26,818	6,750	105	Pipestem	Perpendicular
Charred Oak Estates	1	G	117.16	16,699	5,480	118	Irregular	Corner
Charred Oak Estates	12	G	100.00	15,000	5,755	100	Rectangular	Perpendicular
Charred Oak Estates	11	G	100.00	15,000	6,008	100	Rectangular	Perpendicular
Charred Oak Estates	10	G	100.00	15,000	5,943	100	Rectangular	Perpendicular
Charred Oak Estates	9	G	100.00	15,000	6,214	100	Rectangular	Perpendicular
Charred Oak Estates	8	G	100.00	15,000	6,136	100	Rectangular	Perpendicular
Charred Oak Estates	82	D	86.02	34,673	30,885	150	Irregular	Corner
Seven Locks Hills	14		141.36	48,168	31,372	155	Irregular	Perpendicular
Seven Locks Hills	13		37.84	15,219	6,505	90	Irregular	Corner
Proposed Lots								
	26		100.00	24,980	13,020	110	Irregular	Perpendicular
	27		30.00	41,947	24,120	145	Pipestem	Perpendicular

CORRESPONDENCE



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

September 20, 2005

Robert C. Hubbard
Director

Mr. Kenneth Jones
Macris, Hendricks and Glascock, P.A.
9220 Wightman Road, Suite 120
Montgomery Village, Maryland 20886-1279

Re: Stormwater Management **CONCEPT** Request
for Seven Locks hills
SM File #: 219984
Tract Size/Zone: 1.54 Acres / R-200
Total Concept Area: 1.54 Acres
Lots/Block: Proposed Lots 26 and 27
Watershed: Cabin John Creek

Dear Mr. Jones:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. On-site water quality control and recharge requirements are to be provided via drywells for the proposed house and disconnection of non-rooftop runoff for all new paved areas. 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/prior to** 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. The plan is to show all MNCPPC approved tree save areas.

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.





DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

September 20, 2005

Robert C. Hubbard
Director

Mr. Kenneth Jones
Macris, Hendricks and Glascock, P.A.
9220 Wightman Road, Suite 120
Montgomery Village, Maryland 20886-1279

Re: Stormwater Management **CONCEPT** Request
for Seven Locks hills
SM File #: 219984
Tract Size/Zone: 1.54 Acres / R-200
Total Concept Area: 1.54 Acres
Lots/Block: Proposed Lots 26 and 27
Watershed: Cabin John Creek

Dear Mr. Jones:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. On-site water quality control and recharge requirements are to be provided via drywells for the proposed house and disconnection of non-rooftop runoff for all new paved areas. 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/prior to** the detailed sediment control/stormwater management plan stage:

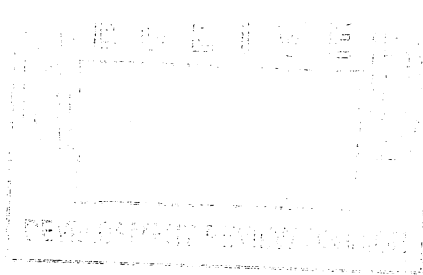
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DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

February 13, 2006

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 #1-06037
Seven Locks Hills

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 12/29/05. An older version of this plan was reviewed by the Development Review Committee at its meeting on 10/11/05. 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 all existing planimetric and topographic details specifically storm drainage, driveways adjacent and opposite the site, sidewalks as well as existing rights of way and easements on the preliminary plan.
2. Necessary dedication for Seven Locks Road and Old Seven locks Road in accordance with the master plan.
3. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
4. 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 ten (10) year storm runoff on same.



Division of Operations

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

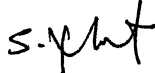
5. In accordance with Section 49-35(e) of the Montgomery County Code, sidewalks are required to serve the proposed subdivision.
6. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
7. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by each common driveway.
8. Record plat to reflect denial of access along Old Seven Locks Road.
9. 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.
10. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
11. 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.
12. 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.
13. 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. Construct Four (4) foot wide concrete sidewalk along the frontage on both Seven Locks Road and Old Seven Locks Road.
 - 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.

Ms. Catherine Conlon
Preliminary Plan No. 1-06037
Date February 13, 2006
Page 3

- 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.

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
Traffic Safety Investigations and Planning Team
Traffic Engineering and Operations Section

Enclosures ()

m:/subdivision/farhas01/preliminary plans/1-06037,Seven Locks Hills.doc

cc: Touraj Khalepari & Kathleen Walsh
Lauren Wirth, Macris Hendricks & Glascock, P.A.
Joseph Y. Cheung; DPS Right-of-Way Permitting & Plan Review
Christina Contreras; DPS Right-of-Way Permitting & Plan Review
Sarah Navid; DPS Right-of-Way Permitting & Plan Review
Gregory Leck, Manager, DPWT Traffic Safety Investigations and Planning Team



MEMORANDUM

TO: Dolores Kinney, Development Review
Cathy Conlon, Development Review

VIA: Stephen Federline, Supervisor, Environmental Planning

FROM: Amy Lindsey, Planner, Environmental Planning

DATE: June 18, 2007

SUBJECT: Preliminary Plan 120060370
Seven Locks Hills

The subject plan has been reviewed by Environmental Planning to determine if it meets the requirements of Chapter 22A of the Montgomery County Code (Forest Conservation Law), the Environmental Guidelines, Noise Guidelines, and other related requirements. The following determination has been made:

RECOMMENDATION: Approval subject to the following conditions:

1. The proposed development shall comply with the conditions of the preliminary 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:
 - a. Approval of Final Forest Conservation Plan consistent with the approved Preliminary Forest Conservation Plan prior to any clearing, grading or demolition on the site.
 - b. The Final Forest Conservation Plan must include detailed and specific tree protection measures prepared, signed and stamped by an ISA certified arborist with particular attention paid to trees 21, 23, 24, and 31.
 - c. The Final Forest Conservation Plan must include a detailed tree survey with a critical root zone analysis for trees greater than or equal to 6 inches in diameter at breast height, within 25 feet on either side of the limits of disturbance.
 - d. Final sediment control plan must be consistent with final limit of disturbance as approved by MNCPPC staff.
2. Submittal of financial security to M-NCPPC prior to any demolition, clearing or grading.

BACKGROUND

The 1.53-acre property is located in the Potomac Subregion Master Plan area on Seven Locks Road. The surrounding uses are residential, with the Capital Beltway (Rt 495) at the rear of the property. The property is currently developed with one residence. This plan proposes to resubdivide the property into two lots, constructing one new residence and retaining the existing residence. There is 0.93–acres of forest cover, with a mix of white pines and tulip poplars. Numerous large or specimen trees are both within the forest and as tree cover. An NRI/FSD was approved by Development Review inspection staff on 6/28/2005. Trees were subsequently survey-located for the preliminary forest conservation plan. This information updates and supercedes the approved NRI/FSD, which has been notated in the files.

Environmental Guidelines

The applicant submitted a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) to M-NCPPC for review and approval. Development Review inspection staff approved NRI/FSD 4-05306 on June 28, 2005. The NRI/FSD indicates 0.93 acres of existing forest, 0.00 acres of environmental buffers, 0.00 acres of wetlands, and 0.00 acres of floodplains on this property.

There are steep slopes and highly erodible soils on this property. The steep slopes will be managed by a combination of avoidance, grading, and retaining walls. The slope across the area of erodible soil is between 15 and 25%. The stormwater management concept uses six drywells to capture roof runoff more completely.

Forest Conservation

The site is subject to the Forest Conservation Law and a Preliminary Forest Conservation Plan has been submitted. There is 0.93 acres of existing forest cover on-site. 0.18 acres of forest will be retained in a Category I conservation easement on the eastern property line. This is directly adjacent to the Capital Beltway and will act as a buffer to this major roadway, consistent with previous plan approvals. Reforestation requirements of 0.41-acres will be met off-site.

Tree Save

The Preliminary Forest Conservation Plan shows tree protection measures prepared and signed by an ISA-certified arborist. There are 11 large (DBH \geq 24") and two specimen trees on-site. This plan proposes to retain three large trees and remove eight large and two specimen trees. Also at risk are a number of off-site and shared trees. There is one large and three specimen trees that may have nearly 50% of their critical root zones impacted by the grading associated with the proposed development.

Environmental Planning staff feels that this tree loss can be reduced at time of Final Forest Conservation Plan, as a detailed grading plan will be prepared at that time. The Preliminary Forest Conservation Plan uses 5' interval topography, which is not very precise and does not allow for either detailed grading or tree protection.