

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

MCPB
Item #
7/26/07



MEMORANDUM

DATE: July 11, 2007

TO: Montgomery County Planning Board

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

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

REVIEW TYPE: Preliminary Plan Review, Resubdivision

APPLYING FOR: 2 lots and 1 outlot for a maximum of 2 one-family detached residential dwellings

PROJECT NAME: Boyds Highlands
CASE #: 120070670
REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: RE-2
LOCATION: On Barnesville Road (MD 117), 1800 feet northwest of Ganley Road
MASTER PLAN: Boyds

APPLICANT: William P. Kamichaitis
ENGINEER: Benning & Associates, Inc.

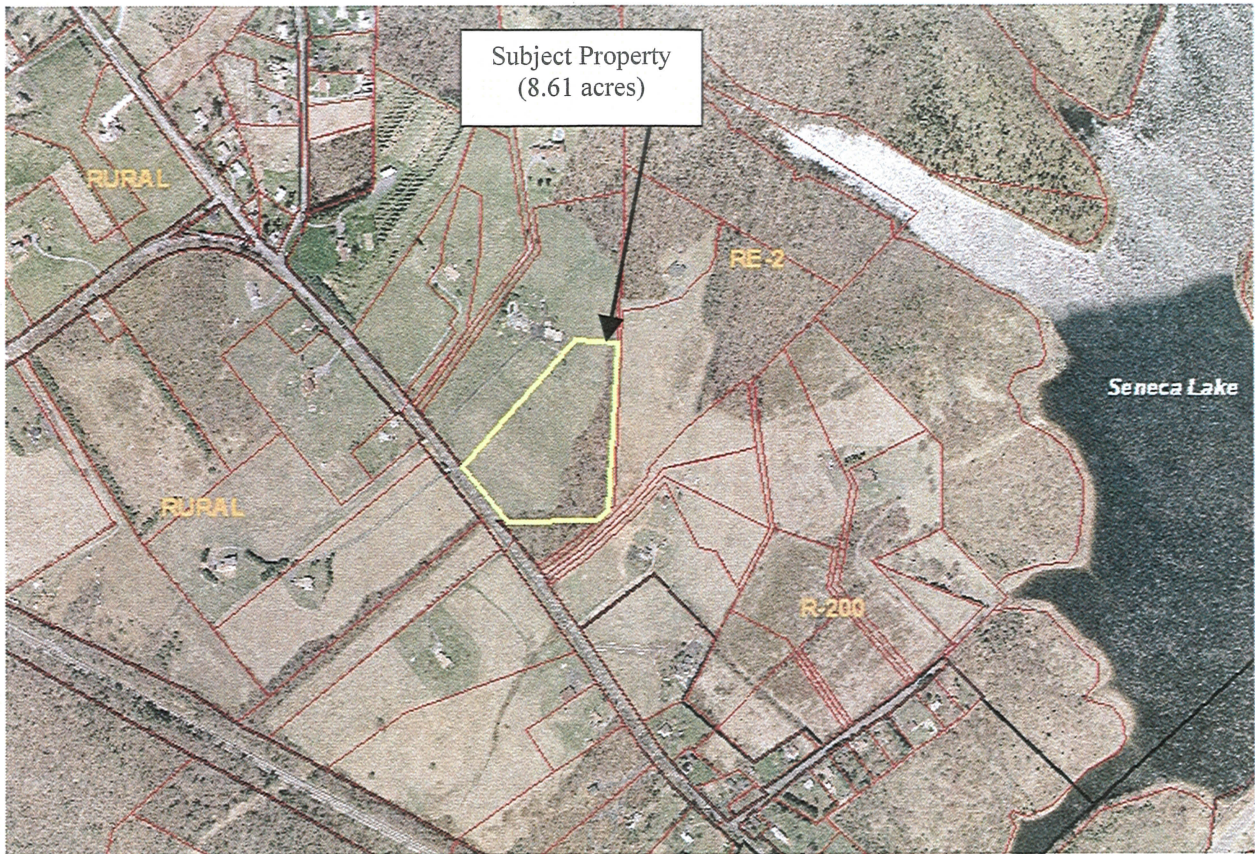
FILING DATE: March 8, 2007
HEARING DATE: July 26, 2007

RECOMMENDATION: Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 2 lots and 1 outlot for 2 one-family detached residential dwelling.
- 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) Record plat to reflect common ingress/egress and utility easements over all shared driveways.
- 4) The applicant must comply with the conditions of the MCDPS stormwater management approval dated April 4, 2007.
- 5) The applicant must comply with conditions of MCDPS (Health Dept.) septic approval dated June 25, 2007.
- 6) The applicant must comply with the conditions of the Maryland State Highway Administration (MDSHA) letter dated May 4, 2007.
- 7) Access and improvements as required to be approved by MDSHA prior to issuance of access permits.
- 8) 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.
- 9) Other necessary easements must be shown on the record plat.

SITE DESCRIPTION

The subject property, pictured on the following page and in Attachment A (Vicinity Map), is located on Barnesville Road, 1800 feet Northwest of Ganley Road, in the Master Plan area of Boyds. The property consists of 8.61 acres and is zoned RE-2. Surrounding zoning includes RDT to the north and west, RE-2 to the east and R-200 south of the site. The subject property is located in the Little Seneca Creek Watershed (Use Class IV-P). There are no environmental buffers on-site. There are 2.2 acres of existing forest on the property.



PROJECT DESCRIPTION

The applicant proposes to create 2 lots and 1 outlot on the subject property. Lot 1 is 2.71 acres, Lot 2 contains 3.17 acres and the outlot is 2.73 acres in size. Access to Lot 1 and the outlot is proposed via an apron from Barnesville Road with an ingress/egress easement and a driveway extending into Lot 1, but not to the outlot at this time. Access to Lot 2 is proposed via a driveway from Barnesville Road. The 2 proposed lots will be served by standard private septic systems and private wells. If well and septic approval is granted at a later date, the outlot could be converted to a buildable lot through the minor subdivision process outlined in Section 50-35(a)(2) of the Subdivision Regulations. A Planning Board hearing would not be required in this instance. As a result, the outlot is included in the resubdivision analysis on page 5 of this report.

(Attachment B – proposed plan)

ANALYSIS AND FINDINGS

Master Plan Compliance

The Boyds Master Plan does not specifically identify the subject property but does provide general recommendations for zoning and land use. The plan identifies RE-2 zoning

along Barnesville Road as suitable “to create a definable edge for the RE-2 zone and to create a more logical zoning transition from Clarksburg to Boyds” (p. 9). Residential land use at this density is considered appropriate due to septic limitations in the area. The Boyd’s Highlands preliminary plan complies with the recommendations adopted in the Boyds Master Plan in that residential land use is proposed on lots greater than 2 acres in size.

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. Vehicle and pedestrian access to the lots will be safe and adequate.

Environment

Environmental Guidelines

The subject property contains 2.2 acres of existing forest on-site. The property does not contain any environmentally sensitive areas. The plan meets all applicable requirements of the Environmental Guidelines.

Forest conservation

The applicant submitted a preliminary forest conservation plan as part of the preliminary plan of subdivision. Under Forest Conservation Section 22A-12 of the Montgomery County Code properties must retain, plant, or mitigate up to a certain threshold (percentage) of forest. The applicant proposes to meet the required thresholds by retaining 2.14 acres of existing forest and planting 0.12 acres on-site.

Stormwater Management

The MCDPS Stormwater Management Section approved the stormwater management concept for the project on April 4, 2007. The stormwater management concept includes on-site water quality control and on-site recharge via rooftop and non-rooftop disconnection and drywells.

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 RE-2 zone as specified in the Zoning Ordinance. The lots as proposed will meet all the dimensional

requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in attached Table 1. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

A. Statutory Review Criteria

In order to approve an application for resubdivision, the Planning Board must find that each of the proposed lots 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 Section 50-29(b)(2) of the Subdivision Regulations, the Planning Board must determine the appropriate "neighborhood" for evaluating the application. In this instance, the Neighborhood selected by the applicant, and agreed to by staff, consists of 11 lots (Attachment C). The neighborhood is appropriate in that all the lots share the RE-2 zoning classification and have frontage on Barnesville Road. Lots confronting the subject property on the south side of Barnesville Road are zoned Rural and were, therefore, not included in the resubdivision analysis. The designated neighborhood provides an adequate sample of the lot and development pattern of the area. A tabular summary of neighborhood data based on the resubdivision criteria is included in Attachment D.

C. Analysis

Comparison of the Character of Proposed Lots to Existing

In performing the analysis, the above-noted resubdivision criteria were applied to the delineated neighborhood. The proposed lots and outlot are of the same character with respect to the resubdivision criteria as other lots within the defined neighborhood. Therefore, the proposed resubdivision complies with the criteria of Section 50-2(b)(2). As set forth below, the attached tabular summary and graphical documentation support this conclusion:

Frontage:

In a neighborhood of 11 lots, lot frontages range from 25 feet to 688 feet. The proposed lots fall within this range. Proposed Lot 1 has frontage of 139 feet, proposed Lot 2 has 155 feet of frontage and the proposed outlot has 25 feet of frontage. Seven of 11 lots in the neighborhood have 25 feet of frontage. **The proposed lots will be of the same character as existing lots in the neighborhood with respect to lot frontage.**

Alignment:

Six lots in the proposed neighborhood are angular, four lots in the proposed neighborhood are perpendicular and 1 lot is a corner lot in terms of alignment. **The 2 proposed lots and outlot are perpendicular and will, therefore, be in the same character as the majority of existing lots in the neighborhood.**

Size:

The lot sizes in the delineated neighborhood range from 2.4 acres to 12.2 acres. Proposed Lot 1 is 2.7 acres in size, proposed Lot 2 is 3.2 acres and the proposed outlot is 2.7 acres in size. **The proposed lot sizes are in character with the size of existing lots in the neighborhood.**

Shape:

Three lots in the proposed neighborhood are irregular, 7 lots are irregular/pipestem and 1 lot is rectangular. **The 2 proposed lots are irregular in shape and the outlot is irregular/pipestem. The 2 proposed lots and proposed outlot will, therefore, be in character with shapes of the existing lots.**

Width:

The lot widths at the front building restriction line in the existing neighborhood range from 150 feet to 700 feet. Proposed Lot 1 has a lot width of 160 feet, proposed Lot 2 has a lot width of 180 feet and the outlot has a lot width of 150 feet. **The proposed lots will be in character with existing lots in the neighborhood with respect to width.**

Area:

In a neighborhood of 11 lots, lots range from 1.3 acres to 10.3 acres in buildable area. Proposed Lot 1 has a buildable area of 1.9 acres, Lot 2 has a buildable area of 2.3 acres and the outlot has a buildable area of 1.7 acres. **The proposed lots will be of the same character as other lots in the neighborhood with respect to buildable area.**

Suitability for Residential Use: The existing and the proposed lots are zoned residential and the land is suitable for residential use.

Citizen Correspondence and Issues

The applicant notified adjacent and confronting property owners and civic associations of the preliminary plan submission made to MNCPPC on March 22, 2007 and provided copies of the plan, as required. On July 13, 2007 staff sent notice of the public hearing to these parties. No citizen concerns have been brought to the attention of MNCPPC staff as of the date of this report.

CONCLUSION

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 within the existing block, neighborhood or subdivision. As set forth above, the two proposed lots and proposed outlot, which could be become buildable without further Board action should septic testing allow, 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. The proposed lots meet all other requirements established in the Subdivision Regulations and the Zoning Ordinance, and comply with the recommendations of the Boyds 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 (see Attachment E for agency correspondence). 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 Map
- Attachment D – Neighborhood Data Table
- Attachment E – Agency Correspondence

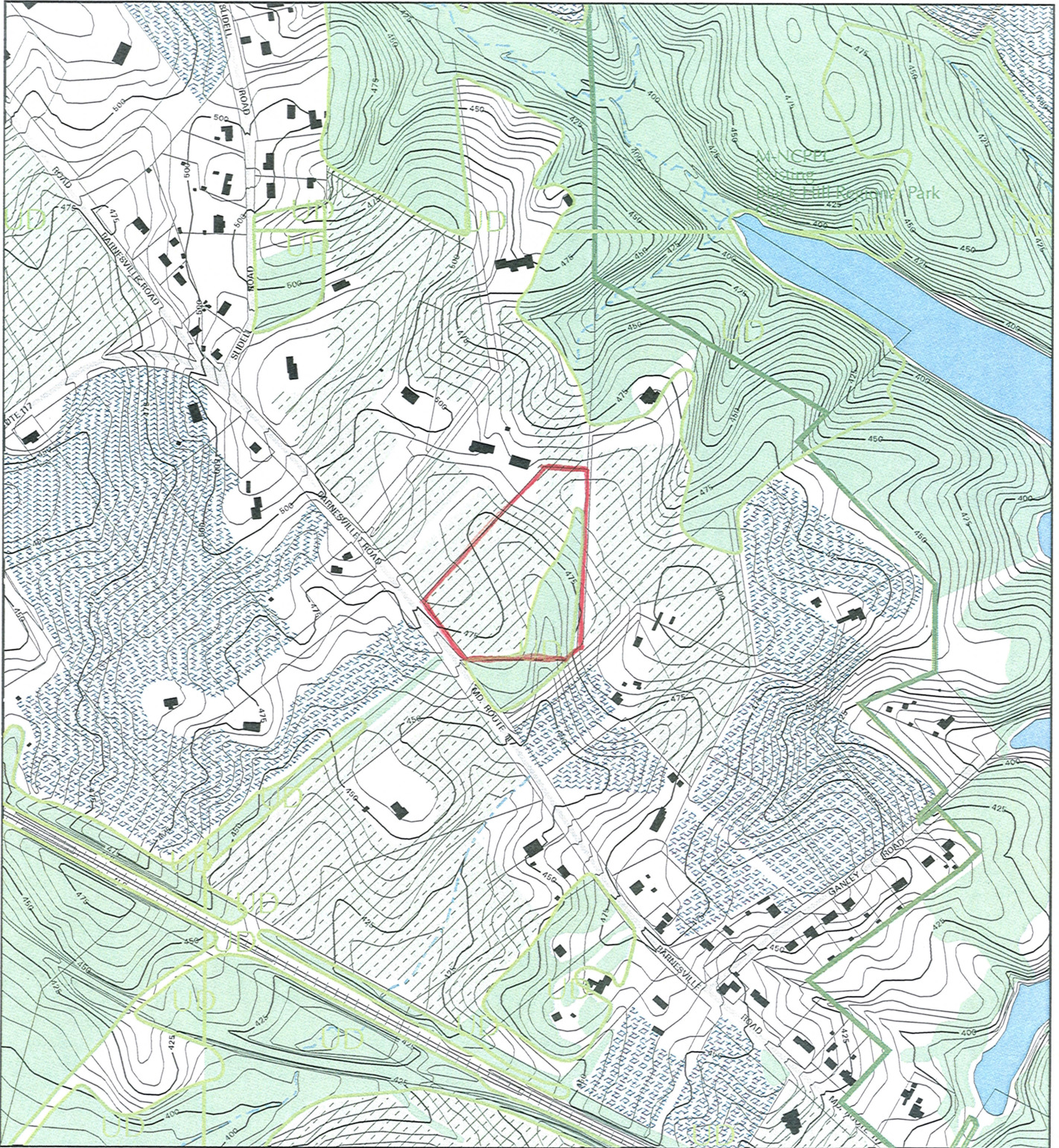
Table 1: Preliminary Plan Data Table and Checklist

| Plan Name: Boyds Highlands | | | | |
|--|--|---|-----------------|-------------|
| Plan Number: 120070670 | | | | |
| Zoning: RE-2 | | | | |
| # of Lots: 2 | | | | |
| # of Outlots: 1 | | | | |
| Dev. Type: Standard | | | | |
| PLAN DATA | Zoning Ordinance Development Standard | Proposed for Approval the Preliminary Plan | Verified | Date |
| Minimum Lot Area | 87,120 sq. ft. | 2.71 acres is minimum proposed | EB | 7/11/07 |
| Lot Width | 150 ft. | 150 ft. is minimum proposed | EB | 7/11/07 |
| Lot Frontage | 25 ft. | 25 ft. is minimum proposed | EB | 7/11/07 |
| Setbacks | | | | |
| Front | 50 ft. Min. | Must meet minimum ¹ | EB | 7/11/07 |
| Side | 17 ft. Min./35 ft. total | Must meet minimum ¹ | EB | 7/11/07 |
| Rear | 35 ft. Min. | Must meet minimum ¹ | EB | 7/11/07 |
| Height | 50 ft. Max. | May not exceed maximum ¹ | EB | 7/11/07 |
| Max Resid'l d.u. or Comm'l s.f. per Zoning | 3 dwelling units | 2 dwelling units ² | EB | 7/11/07 |
| MPDUs | No | N/a | EB | 7/11/07 |
| TDRs | No | N/a | EB | 7/11/07 |
| Site Plan Req'd? | No | N/a | EB | 7/11/07 |
| FINDINGS | | | | |
| SUBDIVISION | | | | |
| Lot frontage on Public Street | | Yes | EB | 7/11/07 |
| Road dedication and frontage improvements | | Yes | Agency letter | 6/26/07 |
| Environmental Guidelines | | Yes | Staff memo | 6/21/07 |
| Forest Conservation | | Yes | Staff memo | 6/21/07 |
| Master Plan Compliance | | Yes | EB | 7/11/07 |
| Other (i.e., parks, historic preservation) | | | | |
| ADEQUATE PUBLIC FACILITIES | | | | |
| Stormwater Management | | Yes | Agency letter | 4/4/07 |
| Water and Sewer (WSSC) | | N/a | EB | 7/11/07 |
| 10-yr Water and Sewer Plan Compliance | | N/a | EB | 7/11/07 |
| Well and Septic | | Yes | Agency letter | 6/25/07 |
| Local Area Traffic Review | | N/a | Staff memo | 5/7/07 |
| Fire and Rescue | | Yes | Agency letter | 6/18/07 |
| Other (i.e., schools) | | | | |

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

2 The outlot may be converted to a lot by minor subdivision for a third dwelling unit if septic approval is granted.

BOYDS HIGHLANDS (120070670)



Map compiled on April 11, 2007 at 9:46 AM | Site located on base sheet no - 228NW15

NOTICE

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland -National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

Key Map



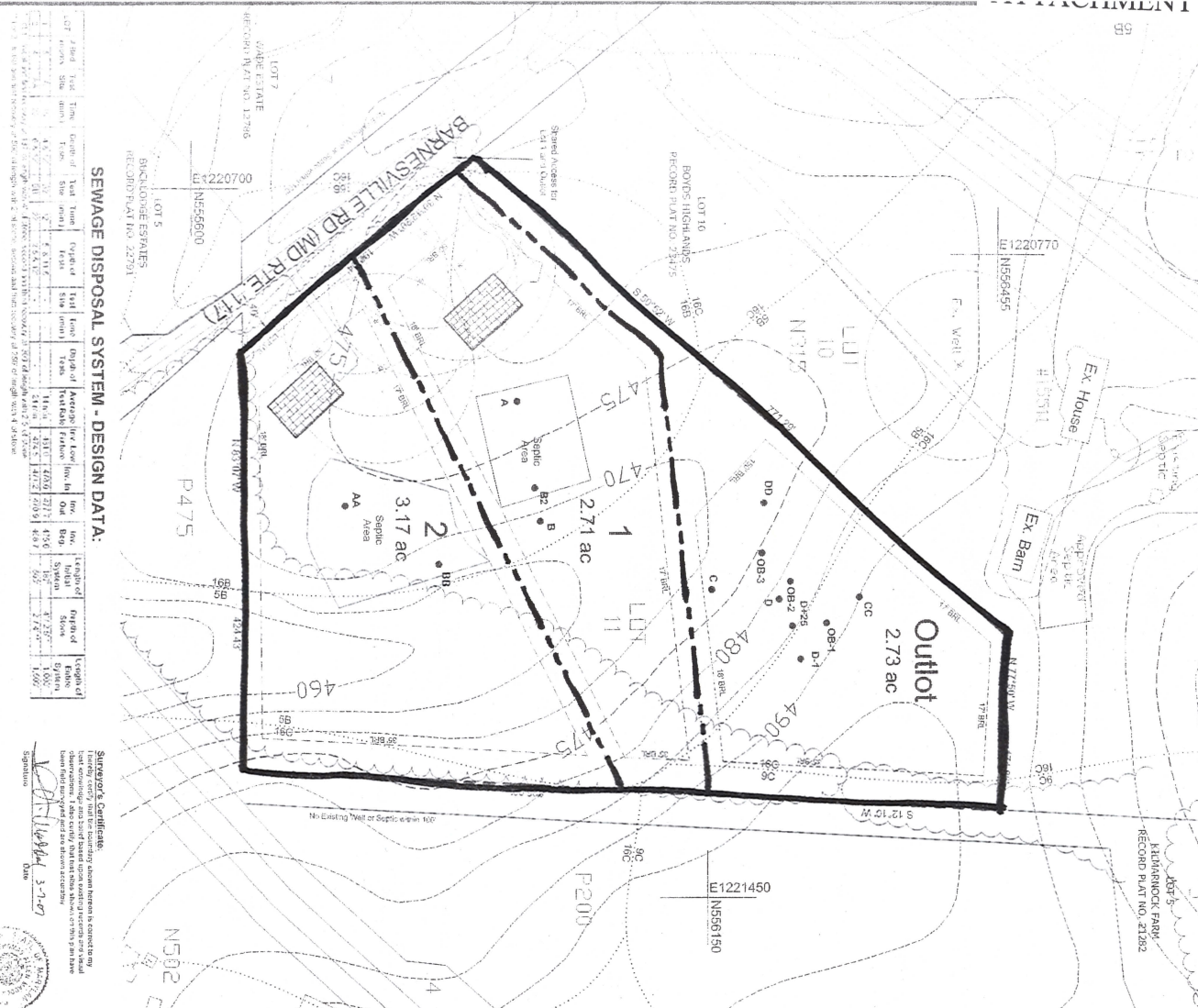
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Research & Technology Center



1 inch = 600 feet
1 : 7200

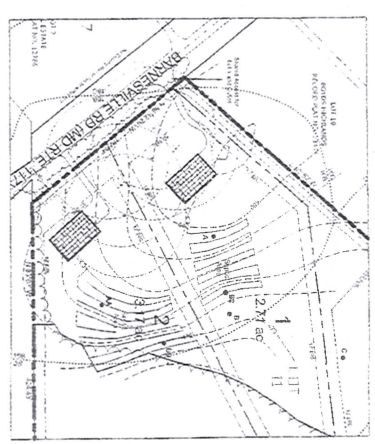


SEWAGE DISPOSAL SYSTEM - DESIGN DATA:

| Lot | Area (sq. ft.) | Area (ac.) | Population | Flow (gpd) | Volume (gal) | Retention Time (days) | Volume (cu yd) |
|--------------|----------------|-------------|------------|------------|---------------|-----------------------|----------------|
| 1 | 235,200 | 2.71 | 1 | 120 | 10,080 | 3 | 100 |
| 2 | 270,000 | 3.17 | 2 | 240 | 20,160 | 3 | 100 |
| 3 | 302,400 | 3.47 | 3 | 360 | 30,240 | 3 | 100 |
| Total | 807,600 | 9.35 | 6 | 720 | 60,480 | 3 | 300 |

Surveyor's Certificate:
 I hereby certify that the foregoing shown herein is correct to my knowledge and belief and that I am a duly licensed and qualified Surveyor in the State of Maryland.

William P. Kamachattis
 Surveyor



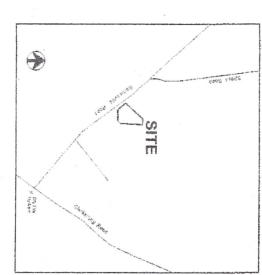
Septic Detail Lots 1 & 2
 1" = 100'

- NOTES:**
1. AREA OF PROPERTY - 6.79 ACRES
 2. EXISTING ZONING - RE-2
 3. NUMBER OF LOTS SHOWN - 2 + 1 Outlet
 4. SITE TO BE SERVED BY WELL & ON-SITE SEPTIC SYSTEMS
 5. EXISTING SEWER & WATER SERVICE CATEGORIES - S-6, W-6
 6. LOCATED IN LITTLE SENECA CREEK WATERSHED
 7. DEVELOPMENT STANDARDS:
 - Frontyards - 50'
 - Rearyards - 35' Total (17' Min)
 - Sideryards - 35'
 8. Minimum Lot size - 2 Acres
 9. PROPERTY LOCATED ON TAX MAP DU53; WSSC GRID SHEET 228NW45
 10. UTILITIES TO BE PROVIDED BY: Washington Gas, Verizon, Potomac Edison

ZONING STANDARDS:

| ZONE: RE-2 | Required | Provided |
|---------------------------|---------------------|------------------|
| Lot Size | 2.0 AC | 2.7 AC or larger |
| Front Setback | 50' | 50' or more |
| Sideyards | 17' min., 35' total | 17' or more |
| Rearyard | 35' | 35' or more |
| Building Height | 50' Max. | 50' or less |
| Lot Coverage | 25% Max. | 6% |
| Lot Width @ Building Line | 150' | 150' or more |

Notes:
 This plan contains material prepared by the Professional Land Surveyor



VICINITY MAP
 SCALE: 1" = 2,000'

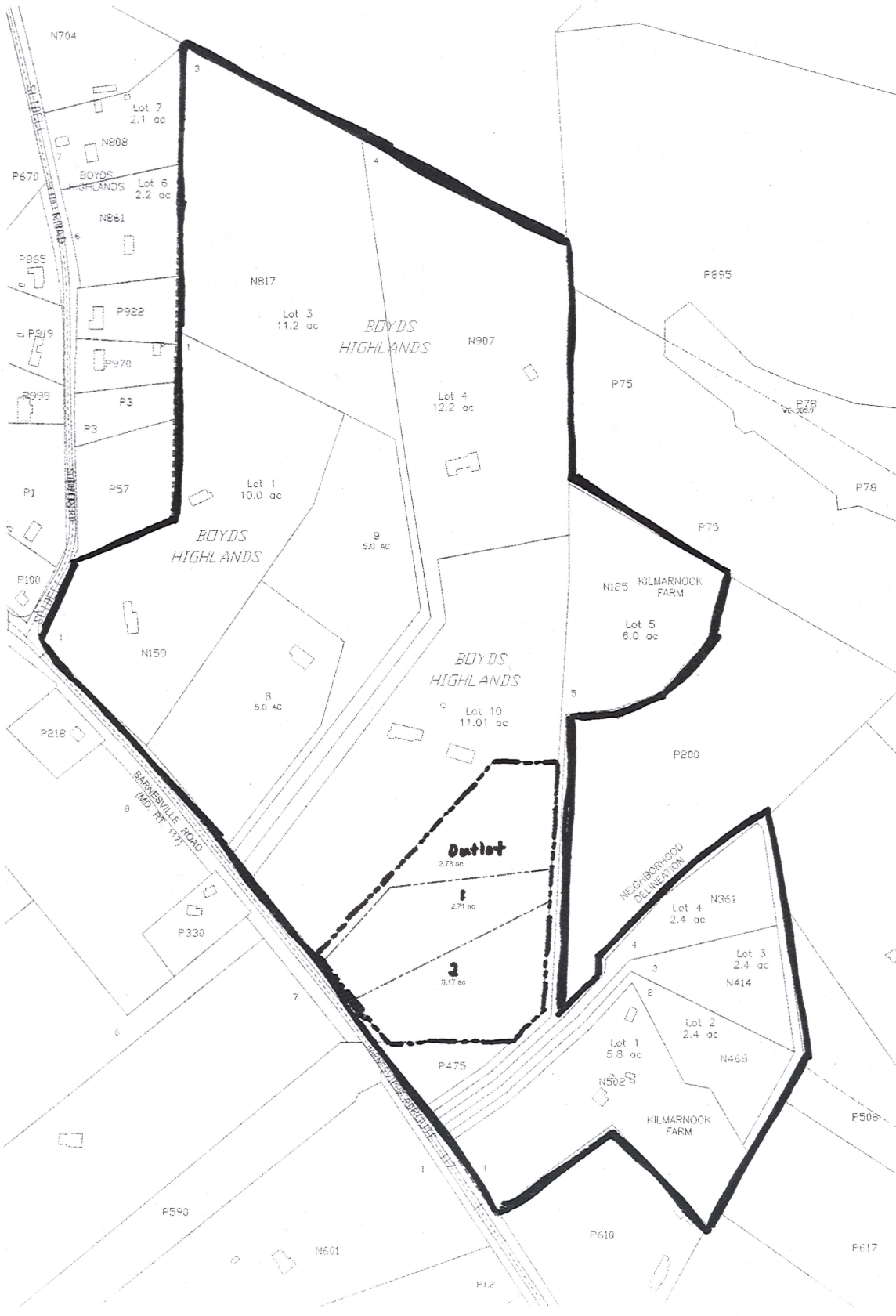
PREPARED FOR:
WILLIAM P. KAMACHATTIS
 15811 Barnesville Road
 Dogan, MD 21031
 301-426-0225



Benning & Associates, Inc.
 Land Planning Consultants
 5555 Old George Road
 P.O. Box 3677
 Chevy Chase, MD 20815
 301-271-2200

date: MARCH 2007
 scale: 1" = 50'





NEIGHBORHOOD MAP
 (Resubdivision of Lot 11)
BOYD'S HIGHLANDS

Montgomery County Maryland
 date March 7, 2007 scale: 1"=200'



| Boyd's Highlands (Resubdivision of Lot 11) | | | | | | | |
|---|-----------------|------------------|------------------|--------------------|--------------|------------------|--------------------|
| Lot # | Frontage | Alignment | Size (ac) | Shape | Width | Area (ac) | Suitability |
| Proposed | | | | | | | |
| 1 | 139' | Perpendicular | 2.7 | Irregular | 160 | 1.9 | RE-2 |
| 2 | 155' | Perpendicular | 3.2 | Irregular | 180 | 2.3 | RE-2 |
| Outlot | 25' | Perpendicular | 2.7 | Irregular/pipestem | 150 | 1.7 | RE-2 |
| Kilmarnock Farm | | | | | | | |
| 1 | 238' | Perpendicular | 5.8 | Irregular | 235 | 4.3 | RE-2 |
| 2 | 25' | Angled | 2.4 | Irregular/pipestem | 370 | 1.4 | RE-2 |
| 3 | 25' | Angled | 2.4 | Irregular/pipestem | 150 | 1.3 | RE-2 |
| 4 | 25' | Perpendicular | 2.4 | Irregular/pipestem | 150 | 1.3 | RE-2 |
| 5 | 25' | Angled | 6 | Irregular/pipestem | 150 | 3.7 | RE-2 |
| Boyd's Highlands | | | | | | | |
| 1 | 688' | Corner | 10 | Irregular | 250 | 8 | RE-2 |
| 3 | 25' | Angled | 11.2 | Irregular/pipestem | 700 | 9.1 | RE-2 |
| 4 | 25' | Angled | 12.2 | Irregular/pipestem | 150 | 10.3 | RE-2 |
| 10 | 300' | Perpendicular | 11 | Irregular | 290 | 9.3 | RE-2 |
| 8 | 373' | Perpendicular | 5 | Rectangular | 340 | 3.7 | RE-2 |
| 9 | 25' | Angled | 5 | Irregular/pipestem | 425 | 3.2 | RE-2 |



DEPARTMENT OF PERMITTING SERVICES


Isiah Leggett
County Executive

Carla Reid Joyner
Director

MEMORANDUM

June 25, 2007

TO: Cathy Conlon, Development Review,
Maryland National Capital Park and Planning Commission

FROM: Carla Reid Joyner, Director
Department of Permitting Services 

SUBJECT: Status of Preliminary Plan: # 1-20070670, Boyds Highlands
Re-subdivision of lot 11, proposed lots 1, 2

This is to notify you that the Well & Septic Section of MCDPS approved the plan received in this office on May 25, 2007.

Approved with the following reservations:

1. The record plat must be at the same scale as the preliminary plan, or submit an enlargement of the plat to match the preliminary plan.

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

cc: Surveyor
File



State Highway Administration

Martin O'Malley, Governor | Anthony G. Brown, Lt. Governor

John D. Porcari, Secretary | Neil J. Pedersen, Administrator

Maryland Department of Transportation May 4, 2007

Ms. Catherine Conlon Supervisor, Development Review Subdivision Division Maryland National Capital Park & Planning Commission 8787 Georgia Avenue Silver Spring, Maryland 20910-3760

Re: Montgomery County Boyd's Highlands File No. 1-20070670 MD 117 (north side)

Dear Ms. Conlon:

The State Highway Administration (SHA) appreciates the opportunity to review the preliminary plan application for the proposed 3-lot residential development. We offer the following comments:

- Three separate driveway entrances are proposed. The applicant should revise the plans to consolidate the MD 117 access to one (1) use-in-common driveway for lots 1 and 2.
• The applicant must submit a sight distance evaluation on SHA worksheets.
• SHA will support any recommendations from M-NCPPC to widen MD 117 to provide a shoulder for bike compatibility.
• Access from MD 117 is subject to the terms and conditions of a residential access permit, which must be received from SHA's District #3 Utilities Office - 301-513-7350.

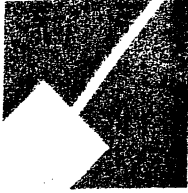
If you require additional information, please contact Raymond Burns at 410-545-5592 or our toll free number in Maryland only 1-800-876-4742.

Very truly yours

for [Signature] Steven D. Foster, Chief Engineering Access Permits Division

SDF/rbb

- cc: Mr. William P. Kamachaitis / P.O. Box 59, Boyds, Maryland 20841 Benning & Associates, Inc. / 8933 Shady Grove Court, Gaithersburg, Maryland 20877 Mr. Shahriar Etemadi / M-NCPPC Mr. Sam Farhadi / MCDPWT Mr. Jeff Wentz sent via e-mail Ms. Kate Mazzara sent via e-mail Mr. Augustine Rebish sent via e-mail



**THE MARYLAND-NATIONAL CAPITAL PARK AND
PLANNING COMMISSION**

Department of Park & Planning, Montgomery County, Maryland
8787 Georgia Avenue, Silver Spring, Maryland 20910

MEMORANDUM

TO: Cathy Conlon, Supervisor, Development Review

VIA: Stephen Federline, Supervisor, Environmental Planning

FROM: Josh Penn, Senior Planner, Environmental Planning

DATE: June 21, 2007

SUBJECT: Preliminary Plan: #120070670 – Boyds Highlands

The Environmental Planning staff has reviewed the preliminary plan referenced above. Staff recommends approval of the preliminary plan of subdivision with the following conditions:

- 1) Compliance with all conditions of approval of the preliminary forest conservation plan per Environmental Planning memo and plan signed June 21, 2007.
 - 1- Submittal of financial security to M-NCPPC prior to clearing or grading.
 - 2- Required site inspections by M-NCPPC enforcement staff per Section 110 of the Forest Conservation Regulations.
 - 3- Maintenance and management agreement to be reviewed and approved by M-NCPPC staff prior to first inspection of planted areas.
- 2) Record plat of subdivision shall reflect a Category One forest conservation easement over all protected forest and planting areas as shown on the PFCP.

DISCUSSION

The Boyds Highlands property is a 8.79-acre site Southeast of the intersection of Slidell Road and Barnesville Road. The site is in the Use IV-P Little Seneca Creek watershed. There are no streams on-site. There is 2.2-acres of existing forest on-site. The property is zoned RE-2.

Environmental Guidelines

Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) #4-07143 was approved on March 8, 2007. The NRI/FSD identifies the environmental constraints on the subject property and areas of forest. The 8.79-acre site has no streams or stream buffers. The property contains 2.2-acres of existing forest.

Forest Conservation

The applicant submitted a preliminary forest conservation plan as part of the preliminary plan of subdivision. Under Forest Conservation Section 22A-12 of the Montgomery County Code properties must retain, plant, or mitigate up to a certain threshold (percentage) of forest. The applicant proposes to meet the required thresholds by retaining 2.14-acres of forest and planting 0.12-acres of forest on-site.

All forest, retained and planted, will be placed into a category I forest conservation easement.

STAFF RECOMMENDATION

Environmental Planning staff recommends approval of the preliminary plan of subdivision and the preliminary forest conservation plan. The plan complies with Section 22A of the Montgomery County Code and the M-NCPPC Environmental Guidelines.

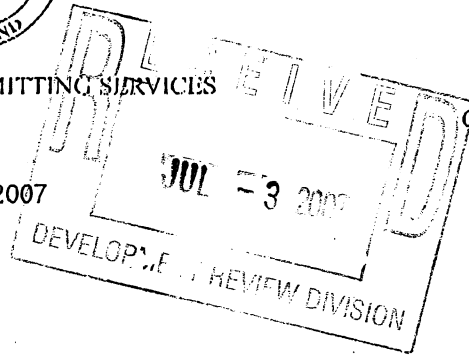


DEPARTMENT OF PERMITTING SERVICES

Isiah Loggett
County Executive

Carla Reid Joyner
Director

April 4, 2007



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

Re: Stormwater Management **CONCEPT** Request
for Boyds Highlands
Preliminary Plan #: Pending
SM File #: 230917
Tract Size/Zone: 8.79 acres/RE-2
Total Concept Area: 8.79 acres
Lots/Block: 11
Parcel(s): NA
Watershed: Little Seneca Creek

Dear Mr. McKee:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site water quality control and onsite recharge via Rooftop and non-rooftop disconnection and drywells. 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.

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