



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

MCPB
Item # 2
5/8/08

MEMORANDUM

DATE: April 28, 2008

TO: Montgomery County Planning Board

VIA: Catherine Conlon, Subdivision Supervisor *CC*
Development Review Division
(301) 495-4542

FROM: Stephen Smith *SS*
Development Review Division
(301) 495-4522

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for May 8, 2008

The following record plats are recommended for APPROVAL, subject to the appropriate conditions of approval of the preliminary plan and site plan, if applicable, and conditioned on conformance with all requirements of Chapter 50 of the Montgomery County Code. Attached are specific recommendations and copies of plan drawings for the record plat. The following plats are included:

220061570, 220071480 - 220071490 **Clarksburg Village**
220070950 **National Chatauqua of Glen Echo**
220071430 **Little Monocacy Manor**
220081130 **Stoney Springs**
220081410 **Needwood Knolls**

PLAT NO. 220061570, 220071480-220071490

Clarksburg Village

Located on the south side of Snowden Farm Parkway, approximately 3,000 feet east of Stringtown Road

R-200/TDR zone; 27 lots, 6 parcels

Community Water, Community Sewer

Master Plan Area: Clarksburg

Clarksburg Village LC, Applicant

The record plats have been reviewed by M-NCPPC staff and other applicable agencies as documented on the attached Record Plat Review Sheet. Staff has determined that the record plats comply with Preliminary Plan No. 12001030C and Site Plan No. 82003002B, as approved by the Board, and that any minor modifications on the plats do not alter the intent of the Board's previous approval the aforesaid plans.

RECORD PLAT REVIEW SHEET

Plan Name: Clarksburg Village Plan Number: 12001030C
 Plat Name: Clarksburg Village Plat Number: 220061570
 Plat Submission Date: 7-23-06
 DRD Plat Reviewer: T. Ahn / S. Smith
 DRD Prelim Plan Reviewer: M. Shoreman / Cathay Conlon

Initial DRD Review:

Signed Preliminary Plan - Date 10/30/07 Checked: Initial PAK Date 4/29/08
 Planning Board Opinion - Date 1-23-03 Checked: Initial SJS Date 4-5-07
 Site Plan Req'd for Development? Yes X No Verified By: SJS (initial)
 Site Plan Name: Clarksburg Village Site Plan Number: 820030020
 Planning Board Opinion - Date 1/06 Checked: Initial SJS Date 4-5-07
 Site Plan Signature Set - Date 1/31/08 Checked: Initial SJS Date 2/26/08
 Site Plan Reviewer Plat Approval: Checked: Initial PAK Date 4-28-08

Review Items: Lot # & Layout ok Lot Area ok Zoning ✓ Bearings & Distances ✓
 Coordinates ✓ Plan # OK Road/Alley Widths ✓ Easements ok Open Space ok
 Non-standard BRLs N/A Adjoining Land ok Vicinity Map ✓ Septic/Wells N/A
 TDR note ✓ Child Lot note N/A Surveyor Cert ✓ Owner Cert ok Tax Map ok

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	M. Pfefferle	1-31-06	3-9-06	3/2/06	OK
Research	Bobby Fleury	↓	↓	↓	↓
SHA	Doug Mills	↓	↓	↓	↓
PEPCO	Steve Baxter	↓	↓	3-9-06	See plat P.U.E.
Parks	Doug Powell	↓	↓	↓	↓
DRD	Steve Smith	↓	↓	3-9-06	See plat

Final DRD Review:

DRD Review Complete: Initial SJS Date 4/28/08
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up): Initial SJS Date 2/26/07
 Final Mylar w/Mark-up & PDF Rec'd: Initial SJS Date 3-5-08

Board Approval of Plat:

Plat Agenda: Initial SJS Date 5-8-08

Planning Board Approval: _____

Chairman's Signature: _____

DPS Approval of Plat:

Engineer Pick-up for DPS Signature: _____

Final Mylar for Reproduction Rec'd: _____

Plat Reproduction:

Addressing: _____

File Card Update: _____

Final Zoning Book Check: _____

Update Address Books with Plat #: _____

Update Green Books for Resubdivision: _____

Notify Engineer to Seal Plats: _____

Engineer Seal Complete: _____

Complete Reproduction: _____

Sent to Courthouse for Recordation: _____

No. _____

RECORD PLAT REVIEW SHEET

Plan Name: Clarksburg Village Plan Number: 12001030C
 Plat Name: Clarksburg Village Plat Number: 220071480
 Plat Submission Date: 5-22-07
 DRD Plat Reviewer: S. Smith
 DRD Prelim Plan Reviewer: C. Conlon

Initial DRD Review:

Signed Preliminary Plan - Date 10/30/07 Checked: Initial CAC Date 4/29/08
 Planning Board Opinion - Date 7-18-07 Checked: Initial SOS Date 2/26/08
 Site Plan Req'd for Development? Yes No Verified By: SJS (initial)
 Site Plan Name: Clarksburg Village Site Plan Number: 82003002B
 Planning Board Opinion - Date 9-13-08 Checked: Initial SOS Date 2-27-08
 Site Plan Signature Set - Date 1-31-08 Checked: Initial SJS Date 2-27-08
 Site Plan Reviewer Plat Approval: Checked: Initial PAK Date 4-28-08

Review Items: Lot # & Layout Lot Area Zoning Bearings & Distances ok
 Coordinates ok Plan # OK Road/Alley Widths ok Easements Open Space
 Non-standard BRLs N/A Adjoining Land Vicinity Map Septic/Wells N/A
 TDR note Child Lot note N/A Surveyor Cert Owner Cert Tax Map

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>M. Pfeiffer</u>	<u>6-8-07</u>	<u>6-29-07</u>	<u>---</u>	<u>No Comments</u>
Research	Bobby Fleury	<u>↓</u>	<u>↓</u>	<u>6-12-07</u>	<u>OK</u>
SHA	Doug Mills	<u>↓</u>	<u>↓</u>	<u>---</u>	<u>---</u>
PEPCO	Steve Baxter	<u>↓</u>	<u>↓</u>	<u>---</u>	<u>---</u>
Parks	Doug Powell	<u>↓</u>	<u>↓</u>	<u>---</u>	<u>---</u>
DRD	Nellie Carey	<u>↓</u>	<u>↓</u>	<u>6-29-07</u>	<u>No Comments</u>

Final DRD Review:

DRD Review Complete: Initial SJS Date 4/28/08
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up): Initial SJS Date 3-7-08
 Final Mylar w/Mark-up & PDF Rec'd: Initial SJS Date 3-13-08

Board Approval of Plat:

Plat Agenda: Initial SJS Date 5-8-08
 Planning Board Approval: _____
 Chairman's Signature: _____

DPS Approval of Plat:

Engineer Pick-up for DPS Signature: _____
 Final Mylar for Reproduction Rec'd: _____

Plat Reproduction:

Addressing: _____
 File Card Update: _____
 Final Zoning Book Check: _____
 Update Address Books with Plat #: _____
 Update Green Books for Resubdivision: _____
 Notify Engineer to Seal Plats: _____
 Engineer Seal Complete: _____
 Complete Reproduction: _____
 Sent to Courthouse for Recordation: _____

No. _____

RECORD PLAT REVIEW SHEET

Plan Name: Clarksburg Village Plan Number: 12001030C
 Plat Name: Clarksburg Village Plat Number: 220071490
 Plat Submission Date: 5-22-07
 DRD Plat Reviewer: S. Smith
 DRD Prelim Plan Reviewer: C. Conlon

Initial DRD Review:

Signed Preliminary Plan - Date 10/30/07 Checked: Initial CAC Date 4/29/08
 Planning Board Opinion - Date 7-18-07 Checked: Initial SJS Date 2/26/08
 Site Plan Req'd for Development? Yes No Verified By: SJS (initial)
 Site Plan Name: Clarksburg Village Site Plan Number: 82003002B
 Planning Board Opinion - Date 9-13-07 Checked: Initial SJS Date 2-27-08
 Site Plan Signature Set - Date 1-31-08 Checked: Initial SJS Date 2-27-08
 Site Plan Reviewer Plat Approval: Checked: Initial [Signature] Date 4.28.08

Review Items: Lot # & Layout Lot Area Zoning Bearings & Distances
 Coordinates Plan # OK Road/Alley Widths OK Easements Open Space
 Non-standard BRLs N/A Adjoining Land Vicinity Map Septic/Wells N/A
 TDR note Child Lot note N/A Surveyor Cert OK Owner Cert Tax Map

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>M. P. [Signature]</u>	<u>6-8-07</u>	<u>6-29-07</u>	<u>6-12-07</u>	<u>No Comments</u>
Research	Bobby Fleury	↓	↓	↓	<u>OK</u>
SHA	Doug Mills	↓	↓	↓	↓
PEPCO	Steve Baxter	↓	↓	↓	↓
Parks	Doug Powell	↓	↓	↓	↓
DRD	Nellie Carey	↓	↓	<u>6-29-07</u>	<u>No Comments</u>

Final DRD Review:

DRD Review Complete:
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up):
 Final Mylar w/Mark-up & PDF Rec'd:

Initial SJS Date 4/28/08
SJS 3/7/08
SJS 3-13-08

Board Approval of Plat:

Plat Agenda:
 Planning Board Approval:
 Chairman's Signature:

SJS 5-8-08

DPS Approval of Plat:

Engineer Pick-up for DPS Signature:
 Final Mylar for Reproduction Rec'd:

Plat Reproduction:

Addressing:
 File Card Update:
 Final Zoning Book Check:
 Update Address Books with Plat #:
 Update Green Books for Resubdivision:
 Notify Engineer to Seal Plats:
 Engineer Seal Complete:
 Complete Reproduction:
 Sent to Courthouse for Recordation:

No. _____



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

JUL 18 2007

MCPB No. 07-91
Preliminary Plan No. 12001030C
Clarksburg Village
Date of Hearing: February 1, 2007

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION¹

WHEREAS, pursuant to Montgomery County Code Chapter 50, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to review preliminary plan applications; and

WHEREAS, on October 30, 2006, Clarksburg Village, LLC ("Applicant"), filed an application for approval of an amendment to a previously approved preliminary plan of subdivision, and its associated Special Protection Area water quality plan, for property consisting of 776.88 acres of land located on the northeast side of Stringtown Road and extending eastward to Ridge Road (MD 27) along the stream valley of Little Seneca Creek ("Property" or "Subject Property"), in the Clarksburg master plan area ("Master Plan"); and

WHEREAS, the amendments requested the following changes:

- 1) Revision to the preliminary plan lot and roadway layout, including requests for waivers to permit certain road intersections to have less than 25' truncations, and certain lots without frontage on a public road.
- 2) Request to modify certain tertiary street rights-of-way to reduced-width tertiary street standards.
- 3) Revision to the boundary and acreage of the preliminary plan.
- 4) Request to modify previous conditions of approval to reflect:
 - a) items incorporated in the plan in response to the Compliance Program for Site Plan No. 820030020;

¹ This Resolution constitutes the written opinion of the Board in this matter and satisfies any requirement under the Montgomery County Code for a written opinion.

- b) roadway construction requirements that reflect actual MCDPWT field approvals;
- c) latest approvals for the forest conservation and water quality plans;
- d) flexibility in the location and design of certain road-separated trail crossings, and roadway intersections; and
- e) revision to the preliminary plan validity period and phasing schedule for recordation of lots.

WHEREAS, Applicant's application was designated Preliminary Plan No. 12001130C, Clarksburg Village ("Preliminary Plan" or "Application"); and

WHEREAS, Staff issued a memorandum to the Planning Board, dated January 5, 2007, setting forth its analysis, and recommendation for approval, of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and the staffs of other governmental agencies, on February 1, 2007, the Planning Board held a public hearing on the Application (the "Hearing"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on February 1, 2007, the Planning Board approved the Application subject to certain conditions, on motion of Commissioner Bryant; seconded by Commissioner Robinson; with a vote of 4-0, Commissioners Bryant, Hanson, Robinson, and Wellington voting in favor, and Commissioner Perdue absent.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 50, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and approves Preliminary Plan No. 12001030C to amend the previous preliminary plan and Special Protection Area water quality plan, including waivers of §50-26(e)(3) pursuant to §50-38(a) to permit non-standard intersection truncations, and §50-29(a)(2) pursuant to §50-38(a) to permit lots without frontage on a public street, as shown on the preliminary plan; and subject to the following revised conditions of the January 23, 2003 and July 6, 2005 Planning Board Opinions. All other previous conditions of these opinions remain in full force and effect.

- 1) Revise condition #1 of the July 6, 2005 Planning Board Opinion as follows:

Approval under this preliminary plan is limited to a maximum of 2,150 lots for a maximum of 2,654 residential dwelling units, 20,000 square feet office/retail use, and a 5,000 square foot daycare facility.

- 2) Revise condition #6 of the January 23, 2003 Planning Board Opinion as follows:

The applicant shall construct the following roads as standard closed section *primary residential streets*, unless otherwise approved by MCDPWT:

- Street "C" between A-305 and Street "D"
- Street "M" between A-305 and Street "E"
- Street "E" between A-305 and Street "M"
- Street "T" between A-305 and Street "Y"
- Street "Y" between Streets "T" and "Z"
- Street "GG" between its intersections with A-305
- Street "Z" next to school

- 3) Revise condition #7 of the January 23, 2003 Planning Board Opinion as follows:

The applicant shall construct two roundabouts (or otherwise acceptable alternative approved by MCDPWT) on A-305 as shown on the preliminary plan to define the boundaries of the business district portion of this roadway.

- 4) Revise condition #12 of the January 23, 2003 Planning Board Opinion as follows:

At site plan, the following stormwater management facilities to be reconfigured to maintain at least half of the environmental buffer widths as undisturbed areas: Ponds B, C, L, N and V. Reconfigure Pond Q and adjacent sewer line to maintain most of the environmental buffer as undisturbed area. Eliminate, if possible, or minimize the footprint of Pond J by providing stormwater management quantity and quality controls at alternative location. For remaining stormwater management facilities, any environmental buffer encroachments to be no more than that shown on the concept study, dated April 12, 2001, or on the amended Preliminary Plan drawing.

- 5) Replace condition #13 of the January 23, 2003 Planning Board Opinion as follows:

The Applicant shall comply with the conditions of approval of the final forest conservation plan submitted on December 20, 2006. Applicant shall satisfy all conditions of approval before recording of the record plat(s) or MCDPS issuance of erosion and sediment control permits. Conditions include but are not limited to:

- a) Applicant to post a new financial security instrument for the entire forest planting area that includes the additional 2-2½" caliper trees required as part of the site plan Compliance Program.

- b) Applicant shall honor the limits of disturbance as shown on the April 12, 2005 approved final forest conservation plan between lots 106 and lot 128 of Block U.
 - c) Applicant to provide compensation for the loss of 2.14 acres of forest that is shown on the April 12, 2005 approved plan. Compensation must be in addition to areas previously shown as saved or planted.
- 6) Revise condition #14 of the January 23, 2003 Planning Board Opinion as follows:

Conformance to the conditions stated in the MCDPS preliminary water quality plan approval letter, dated July 25, 2001; and the final water quality plan approval letter for the Phase I site plan, dated December 16, 2004, or as otherwise approved by MCDPS.

- 7) Replace existing condition #16 of the January 23, 2003 Planning Board Opinion as follows:

Applicant to construct an 8-foot wide asphalt hiker/biker trail, with 10-foot wide cleared width boardwalks and bridges, within the Clarksburg Greenway from Stringtown Road to Newcut Road/Little Seneca Parkway, then north to the Greenway Village development to connect with the portion of trail being constructed as part of that project. Greenway Trail and community access trails to include necessary bridges and boardwalk and be constructed to park standards and specifications. Prior to construction, Applicant must obtain a park permit. Trails must be clearly marked or constructed prior to beginning construction on homes adjacent to the Greenway parkland.

- 8) Replace existing condition #17 of the January 23, 2003 Planning Board Opinion as follows:

The trail alignment for the portion of the Greenway Trail near the confluence of Little Seneca Creek and Town Center Tributary to be determined at the time of permitting for the construction of Little Seneca Parkway/A-302. The preliminary plan shall be revised to show two alternative routes for the Greenway Trail in this stream confluence area. The preferred route would continue through the Bradley Property and would be constructed by Applicant if M-NCPPC can secure, at a reasonable cost, the acquisition of land or easement from the property owner. The alternative route would circumvent the Bradley property on land already owned by Applicant and be constructed if the acquisition of the land or easement cannot be reasonably accomplished by the time permits are needed for construction of Little Seneca Parkway. The exact delineation and details of these two alignments shall be determined as part of the site plan.

- 9) Revise condition #18 of the January 23, 2003 Planning Board Opinion as follows:

Applicant will construct Foreman Boulevard to allow for a grade separated crossing for the hiker/biker Greenway Trail. The trail crossings should be constructed to accommodate the trail under the roads without changing the natural location, configuration, or composition of the stream channel, and should be located to minimize flooding of the trail and minimize surface water runoff from the paved trail directly to the stream. Applicant to provide a safe and adequate Greenway Trail crossing of Midcounty Highway/Snowden Farm Parkway (either grade separated or at grade) that is satisfactory to M-NCPPC and DPWT staff. Exact configuration of this path shall be determined at site plan.

- 10) Replace existing condition #19 of the January 23, 2003 Planning Board Opinion as follows:

The Applicant shall dedicate to M-NCPPC the property within the delineated Clarksburg Greenway along Little Seneca Creek and Little Seneca Tributary. Include in dedication the land along the Little Seneca tributary north of Snowden Farm Parkway to the northern boundary of the project property where the Baltimore Checkerspot Butterfly is located. Land to be conveyed at time of record plat for the lots adjacent to the dedicated property. Dedicated parkland to be conveyed free of trash and unnatural debris, and boundaries between parkland and private properties to be clearly staked and signed.

- 11) Replace existing condition #20 of the January 23, 2003 Planning Board Opinion as follows:

The park area designated as a Local Park and located on the north side of Snowden Farm Parkway in the Phase II section of the project area will be graded according to the park layout concept plan, surfaced with topsoil, fine graded and seeded as appropriate for ball field cover. The park will be dedicated to M-NCPPC at time of record plat for the portion of the property that includes the park area. Applicant to provide engineering for the park site that adequately provides for the planned park facilities and includes needed quantity and quality of stormwater management for these facilities. Applicant to provide adequate off site quantity stormwater management for the planned park facilities, and shall construct quantity and quality stormwater management to sufficiently accommodate any park facilities constructed by the Applicant. Any park improvements are to be constructed to park standards and specifications. Specific types of recreation facilities and their arrangement on the property must be coordinated with M-NCPPC staff.

- 12) Replace existing condition #21 of the January 23, 2003 Planning Board Opinion as follows:

The school/park site off of Snowden Farm Parkway in the Phase I section of the project, will be graded, surfaced with topsoil, fine graded and seeded as appropriate for ball field cover. Recreation and parking facilities will be constructed thereon by Applicant in accordance with the Planning Board approved site plan Compliance Program. All athletic fields and practice field areas shall include adequate topsoil and seeding or sodding per park ballfield standards and specifications. Athletic fields, the parking lot, and picnic shelters shall be graded and constructed to park standards and specifications. The entire school/park site to be conveyed to M-NCPPC at time of record plat for the development area that includes the school/park site. If the school is constructed, M-NCPPC to convey the needed portion of the site to the County/Board of Education for such use. If the school is not constructed, the entire school/park site will be owned and managed by M-NCPPC for use as parkland.

- 13) Revise condition #24 of the January 23, 2007 Planning Board Opinion as follows:

Provide a minimum of 600 TDRs pursuant to the objectives of the Clarksburg Master Plan, unless the Planning Board approves a lesser number as part of site plan.

- 14) Replace existing condition #25 of the January 23, 2007 Planning Board Opinion as follows:

Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan.

- 15) Replace existing condition #26 of the January 23, 2007 Planning Board Opinion as follows:

Final number of MPDUs/TDRs as per condition #25 to be determined at the time of site plan.

- 16) Revise condition #29 of the January 23, 2007 Planning Board Opinion as follows:

The Preliminary Plan will remain valid until July 30, 2015 and shall be phased for recordation of lots as follows:

Phase One:	300 lots by July 30, 2004
Phase Two:	1,000 lots by July 30, 2009
Phase Three:	1,700 lots by July 30, 2012
Phase Four:	All lots by July 30, 2015

Prior to the expiration of the validity periods, a final record plat for all the property delineated in each phase must be recorded or a request for an extension must be filed.

- 17) The following conditions shall be added:
- 30) The Applicant shall record new record plats to revise the rights-of-way for the following roads to meet MCDPWT Standard No. mc-210.03 (reduced width tertiary) as required by the site plan Compliance Program:
- ξ Bent Arrow Drive (from station 10+52 to 5+90 (approximate))
 - ξ British Manor Drive (from station 1+03 to 0+00 (approximate))
 - ξ Granite Rock Road (from station 10+15 to 15+07 (approximate))
 - ξ Robin Song Drive (from station 5+90 to 8+11 (approximate))
- Applicant shall also record new record plats to modify the square footage of the residential lots abutting these rights-of-way, where necessary, and to show necessary public improvement easements (PIEs).
- 31) The boundary of the preliminary plan shall be expanded to include Outlot C, Block F and Outlot D, Block E in the adjacent Greenridge Acres Subdivision, which were placed in reservation for the construction of A-305 (Midcounty Highway). The Applicant shall file a record plat that dedicates a portion of this land for the right-of-way of A-305.
- 32) Applicant shall submit an amendment to the approved Phase I Site Plan that reflects the revised layouts of blocks F, G, H, K, L, P, T, and V, as shown on the amended preliminary plan and discussed in the site plan Compliance Program. Final design of these areas shall be determined by the amended site plan.
- 33) The boundary of the preliminary plan shall be modified to reflect land swaps between Clarksburg Village and the adjacent Greenway Village Subdivision, as shown on the preliminary plan.
- 34) Applicant shall comply with the conditions of the MCDPWT approval letter, dated December 21, 2006, unless otherwise amended by MCDPWT.

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information, and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

1. *The Preliminary Plan continues to substantially conforms to the master plan.*

- 2. Public facilities will be adequate to support and service the area of the proposed subdivision.*

No additional trips beyond those associated with the previous approval of the preliminary plan are being generated as a result of this amendment. The Board finds that the previously required transportation improvements provide sufficient transportation capacity and meet the Adequate Public Facilities test.

- 3. The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.*
- 4. The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.*

The revised forest conservation plan shows 2.14 acres less forest saved and planted than on the April 12, 2005 approved plan. The Planning Board finds that this increase in forest loss must be compensated for as part of the approval of the final forest conservation plan. Some of the forest reduction results from the new stormwater management facility in the environmental buffer, extension of stormwater management discharge outfalls, moving a sanitary sewer from outside the environmental buffer to inside the buffer, and the change of a Category I easement area into a Category II easement. The new stormwater management facility will treat runoff from Stringtown Road, which was not previously accounted for in either the Clarksburg Village or Clarksburg Town Center water quality plans. The Planning Board supports the addition of this facility and accepts the proposed encroachment into forested environmental buffer area because it is the only location available to provide the necessary stormwater management for the roadway. The Board also finds that encroachments from stormwater management facility outfalls are unavoidable and accepts them based on the finding that the disturbance has been minimized.

The Planning Board concurs with staff and finds that the proposed sewer line near lots 106 through 128 of Block U is not an acceptable encroachment into forested stream buffer area. The Board finds that limits of disturbance in this section of the development must remain consistent with the previously approved plan that shows the sewer line and LOD outside of the environmental buffer. Final determination regarding the sewer alignment must be made as part of the site plan.

- 5. The Application meets all applicable stormwater management and water quality plan requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department of Permitting Services ("MCDPS") and the Planning Board that the*

Stormwater Management Concept and Water Quality Plan meet MCDPS's standards.

The Planning Board responsibility for water quality plans is to determine if the environmental guidelines for special protection areas, forest conservation requirements, and site imperviousness requirements are satisfied. There is no specific impervious limitation in the Clarksburg Special Protection Area, but impervious surfaces estimated as part of previous approval have been approximately 23 percent. This plan amendment will add impervious surfaces, but the Board finds that the overall site imperviousness remains consistent with other similarly developed properties within Montgomery County.

- 6. The Planning Board finds that practical difficulties exist which prevent full compliance with the Section 50-26(e)(3) requirement for minimum 25 foot corner lot truncations at roadway intersections.*

Section 50-38(a) authorizes the Planning Board to grant waivers of any part of the Subdivision Regulations based upon a finding that practical difficulties or unusual circumstances exist that prevent full compliance with the requirements. The Board finds that the proposed truncations of less than 25 feet are necessary to permit houses to be located closer to the road right-of-way and facilitate the community's neo-traditional design. Based upon the determination of staff and other applicable agencies, the Board finds that the intersection sight distance and safety will not be reduced by the design. Therefore, the Planning Board grants the waiver of Section 50-26(e)(3), pursuant to Section 50-38(a) and finds that the waiver is the minimum needed, is not contrary to the recommendations of the General Plan, and is not adverse to the public interest.

- 7. The Planning Board finds that practical difficulties exist which prevent the development from complying with Section 50-29(a)(2) requirements for lot frontage on a public street.*

Section 50-38(a) authorizes the Planning Board to grant waivers of any part of the Subdivision Regulations based upon a finding that practical difficulties or unusual circumstances exist that prevent full compliance with the requirements. The Board finds that waivers of lot frontage are needed in certain instances based on the practical difficulties associated with implementing neo-traditional design principles within Clarksburg Village if lot frontage is always required. Such a design implements the intent and recommendations of the Clarksburg Master Plan by facilitating a community which has a hierarchy of streets, including a series of alleyways, with a mix of housing types and densities, and green areas dispersed throughout. The Planning Board finds that the proposed neo-traditional

neighborhood design best implements the intent of the Clarksburg Master Plan, particularly with regard to integrating green spaces throughout the development. The waiver facilitates the replacement of certain roads with green spaces that significantly reduce the amount of paving in the development, increases the areas available for treatment of stormwater runoff, and create visible open areas and gathering spaces for the community. The Planning Board finds based on applicable agency approvals that all houses will be adequately served and accessed by proposed private driveways. Therefore, the Planning Board grants the waiver of Section 50-29(a)(2), pursuant to Section 50-38(a) and finds that the waiver is the minimum needed, is not contrary to the recommendations of the General Plan, and is not adverse to the public interest.

Section 59-C-1.628(b) of the Zoning Ordinance permits townhouses to front on public streets, private streets or **a common open space**, when MPDU optional method standards are used. The Planning Board finds that since the proposed development applies these standards, townhouse lots that front on open spaces are acceptable. The Planning Board further finds that where these lots front on private streets, the street will provide access and circulation that will allow them to acquire the status of a public road. Townhouses fronting on green space are accessed by private driveways that will not have the status of a public road. However, the Board finds that fire and rescue access is provided and parking will be available on nearby public roads.

8. *The Planning Board finds that use of reduced-width tertiary streets is acceptable because they will improve compatibility with adjoining properties.*

The standard right-of-way width of a tertiary street is 50 feet. However, Section 50-26(h)(2) states that the Planning Board, as part of a site plan approval, may approve a lesser width. In this instance, the use of certain reduced-width tertiary roads is proposed as part of the site plan Compliance Program to bring setbacks, and in one case size, of several existing one-family detached residential lots into conformance with the minimum standard of the zone. The Board finds, subject to final site plan review, that the reduced-width tertiary streets will improve compatibility with adjoining properties by bringing non-compliant lots into conformance with the zone.

~~BE IT~~ **JUL 18 2007** FURTHER RESOLVED, that the date of this Resolution is _____ (which is the date that this Resolution is mailed to all parties of record); and

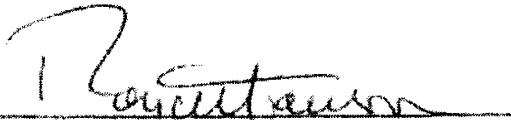
BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this

Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

At its regular meeting, held on Thursday, June 28, 2007, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, ADOPTED the above Resolution, on motion of Commissioner Wellington, seconded by Commissioner Robinson, with Commissioners Hanson, Robinson, and Wellington voting in favor, Commissioner Perdue abstaining, and Commissioner Bryant absent. This Resolution constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for Preliminary Plan No. 12001030C, Clarksburg Village.



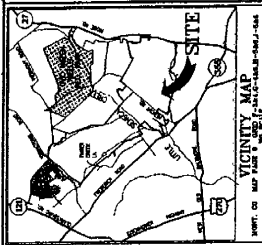
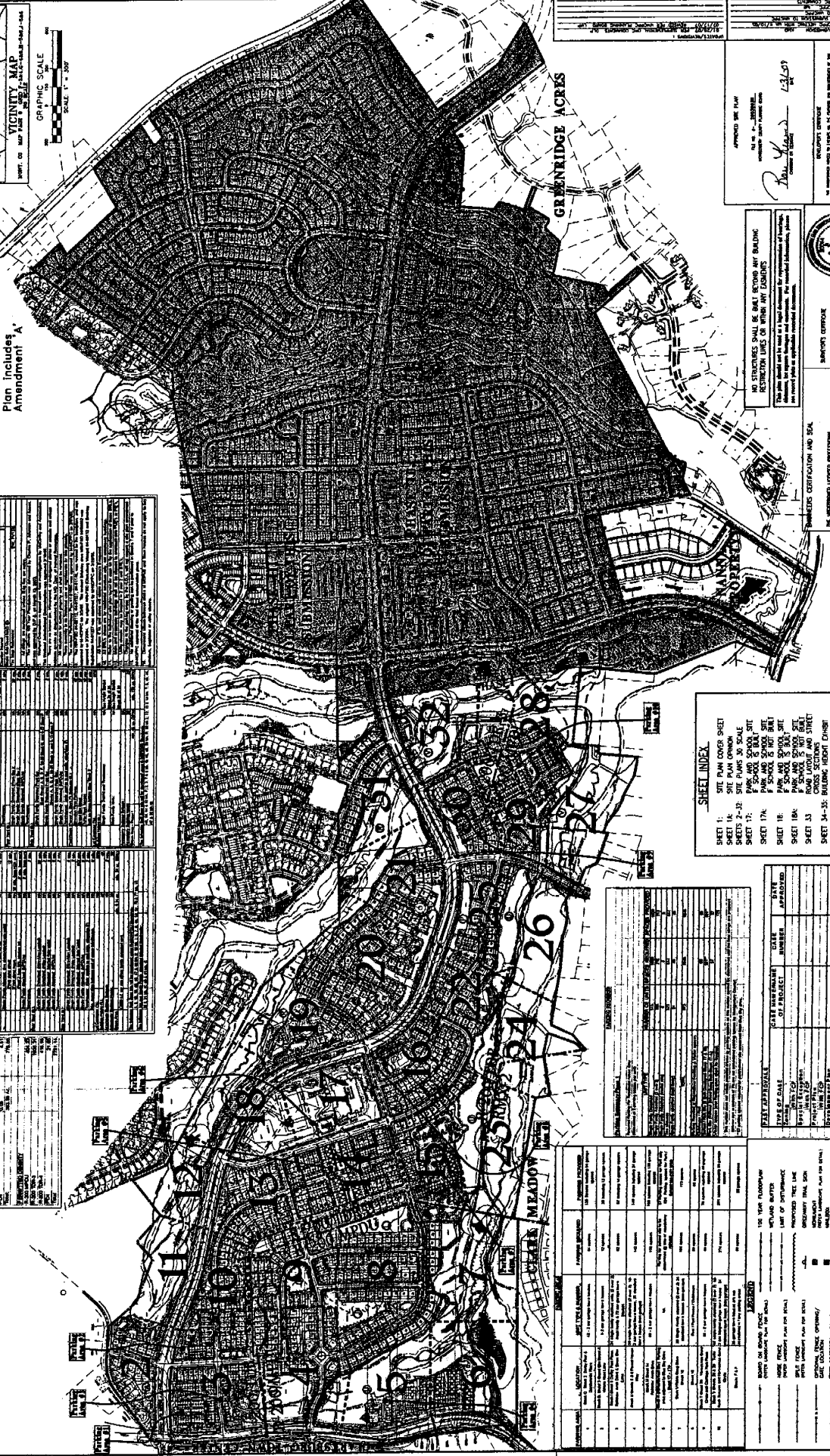
Royce Hanson, Chairman
Montgomery County Planning Board

CAC/CAC

CLARKSBURG VILLAGE

NO.	DESCRIPTION	DATE	BY	FOR
1	PRELIMINARY PLAN	10/1/78
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

Note: This Amended Plan includes Amendment 'A'



SHEET INDEX

SHEET 1:	SITE PLAN COVER SHEET
SHEETS 2-12:	SITE PLAN, 30 SCALE
SHEET 13:	PARK AND SCHOOL SITE
SHEET 14:	PARK AND SCHOOL SITE
SHEET 15:	PARK AND SCHOOL SITE
SHEET 16:	PARK AND SCHOOL SITE
SHEET 17:	PARK AND SCHOOL SITE
SHEET 18:	PARK AND SCHOOL SITE
SHEET 19:	PARK AND SCHOOL SITE
SHEET 20:	PARK AND SCHOOL SITE
SHEET 21:	PARK AND SCHOOL SITE
SHEET 22:	PARK AND SCHOOL SITE
SHEET 23:	PARK AND SCHOOL SITE
SHEET 24:	PARK AND SCHOOL SITE
SHEET 25:	PARK AND SCHOOL SITE
SHEET 26:	PARK AND SCHOOL SITE
SHEET 27:	PARK AND SCHOOL SITE
SHEET 28:	PARK AND SCHOOL SITE
SHEET 29:	PARK AND SCHOOL SITE
SHEET 30:	PARK AND SCHOOL SITE
SHEET 31:	PARK AND SCHOOL SITE
SHEET 32:	PARK AND SCHOOL SITE
SHEET 33:	PARK AND SCHOOL SITE
SHEET 34-35:	LANDSCAPE PLAN FOR LANDSCAPE SHEET INDEX

NO.	DESCRIPTION	DATE	BY	FOR
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

NO.	DESCRIPTION	DATE	BY	FOR
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84

