



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

MCPB
Item #
5/21/09



MEMORANDUM

DATE: April 27, 2009

TO: Montgomery County Planning Board

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

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

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: 2 lots for 2 one-family detached dwelling units

PROJECT NAME: Manor Park-Section I

CASE #:

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: R-200

LOCATION: On Georgia Avenue (MD 97) service road, approximately 1000 feet south of Norbeck Road (MD 28)

MASTER PLAN: Aspen Hill

APPLICANT: Christopher T. Stathes

ENGINEER: CAS Engineering

FILING DATE: December 11, 2008

HEARING DATE: May 21, 2009

RECOMMENDATION: Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 2 lots for 2 one-family detached residential dwelling units.
- 2) The Applicant must comply with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits, as applicable. Conditions include but are not limited to a final forest conservation plan that must contain an invasive management plan for the removal of all bamboo on the subject property.
- 3) The proposed development shall comply with MNCPPC noise compatibility guidelines:
 - a. At time of building permit, an acoustical engineer must certify through building shell analysis that interior noise levels will not exceed 45 dBA L_{dn}.
 - b. The builder must construct the buildings in accordance with these acoustical recommendations. Any changes affecting acoustical performance must be approved by the acoustical engineer, with copy to MNCPPC staff.
 - c. The certification and builder acceptance letter must be provided to MNCPPC Environmental Planning staff before building permits are approved.
- 4) The Applicant must construct a 5 foot-wide sidewalk within the right-of-way along the Georgia Avenue service road property frontage, off-set two feet from the property boundary.
- 5) The Applicant must comply with the conditions of the MCDPS stormwater management approval dated November 20, 2008. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 6) The Applicant must comply with the conditions of the Maryland State Highway Administration (MDSHA) letter dated January 26, 2009. These conditions may be amended by MDSHA, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 7) The Applicant must satisfy provisions for access and improvements as required by MDSHA prior to issuance of access permits.
- 8) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board resolution.
- 9) Other necessary easements must be shown on the record plat.

SITE DESCRIPTION (Attachment A – vicinity map)

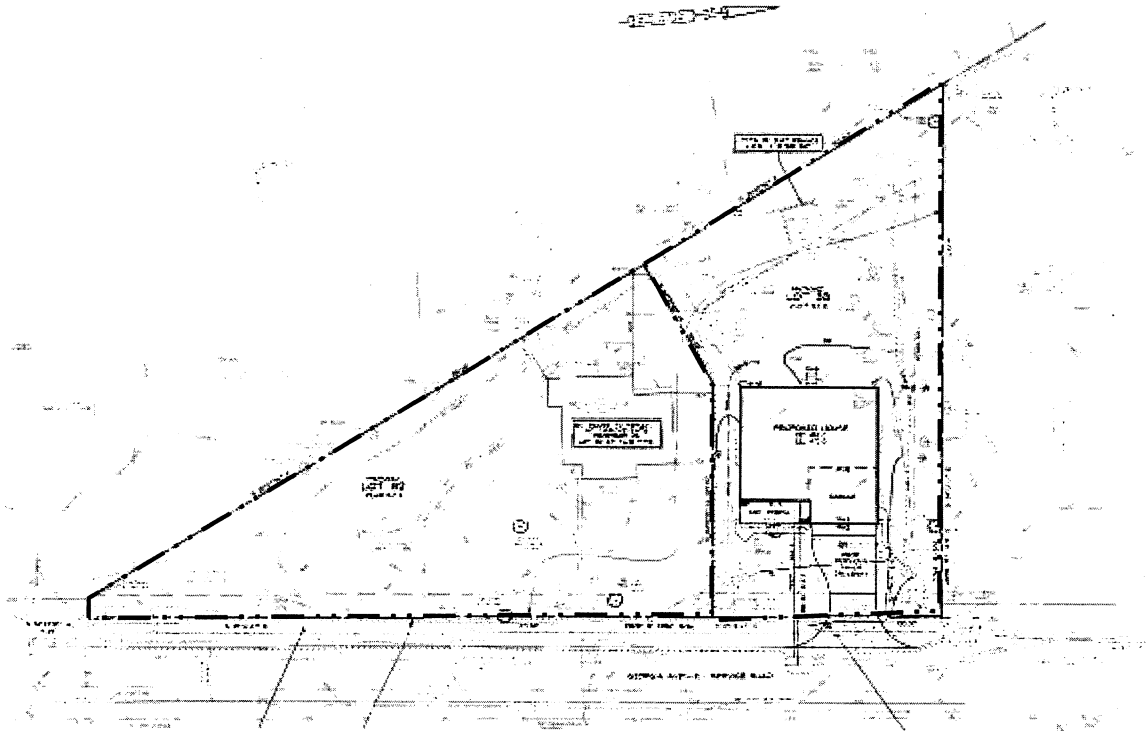
The Subject Property, pictured on the following page, is a 1.03 acre unrecorded parcel with frontage on the Georgia Avenue (MD 97) service road, approximately 1000 feet south of Norbeck Road (MD 28). The property is zoned R-200 and is currently developed with an existing one-family detached residential dwelling unit, driveway and parking area. Across the service road and beyond Georgia Avenue (MD 97) to the east is property zoned Planned Retirement Community (PRC). To the south and west are developed, recorded lots zoned R-200 and directly north of the site is a townhouse community zoned RT-12.5.

The site is located within the Northwest Branch watershed (Use Class I/I-P). There is neither forest on-site nor other environmental features.



PROJECT DESCRIPTION (Attachment B – proposed plan)

The Applicant proposes to subdivide the Property and record 2 lots for 2 one-family detached residential dwelling units. The existing dwelling unit and driveway are to remain on the southern portion of the Property as proposed Lot 32. Proposed Lot 33, on the northern portion of the Property, will accommodate a new one-family detached dwelling unit with driveway access from the Georgia Avenue service road. The two proposed lots will be served by public water and sewer house connections and a public utility easement has been provided to accommodate any necessary installation of electric utilities. Proposed Lot 32 is 23,618 square feet and proposed Lot 33 is 21,379 square feet in size.



Preliminary Plan

ANALYSIS AND FINDINGS

Master Plan Compliance

The Aspen Hill Master Plan makes no specific recommendations regarding this Property or adjacent properties. The Master Plan only reconfirms the existing R-200 zoning for the area. This preliminary plan of subdivision contributes to the established nature of the Manor Country Club neighborhood in that it proposes to record 2 lots in conformance with the R-200 zoning standards with a perpendicular relationship to the street and a compatible relationship to abutting properties.

Public Facilities (Attachment C – SHA Interchange Design)

Roads and Transportation Facilities

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. In addition, Transportation Planning staff has determined the application is not subject to Policy Area Mobility Review because the proposed development generates fewer than 3 new peak-hour trips within the weekday morning and evening peak periods. The Georgia Avenue service road on which the Property is located is part of the 250 feet of required right-of-way for Georgia Avenue, a state highway. As delineated on the preliminary plan, the right-of-way is adequate and no additional dedication is necessary. A sidewalk does not currently exist along the Subject

Property's frontage but future construction of a sidewalk is included in the MDSHA Norbeck Road (MD 28) and Georgia Avenue (MD 97) Interchange design. The Applicant is, therefore, required to construct a 5 foot-wide sidewalk along the entirety of the Property frontage in anticipation of the funding of this project and installation of the remaining improvements in the future. Proposed vehicle and pedestrian access for the subdivision will be safe and adequate with the proposed public and private improvements.

Other Public Facilities and Services

Other public facilities and services are available and will be adequate to serve the proposed dwelling units. The application meets the Montgomery County Fire and Rescue Service requirements for fire and rescue vehicle access. Area schools are operating at adequate levels; therefore, the Subject Property is not within a school moratorium area and no facilities payment is required. Other public facilities and services, such as police stations, firehouses and health services, are operating within the standards set by the Growth Policy Resolution currently in effect. Electrical and telecommunications services are also available to serve the lots.

Environment

Environmental Guidelines

The applicant submitted a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) for the subject site prior to submission of the preliminary plan of subdivision. Environmental Planning staff approved the NRI/FSD on October 20, 2008.

Forest Conservation

A preliminary forest conservation plan was required as part of the preliminary plan submission. There is a planting requirement of 0.21 acres. All forest conservation requirements are being met off-site. One 38" red oak and twelve smaller trees will be removed as a consequence of the proposed development; no off-site specimen or large trees will be significantly affected. An invasive species management plan must be submitted as part of the final forest conservation plan to detail the removal of two large stands of bamboo on the Property.

Noise

A noise study was performed in April 2009 by Henning Associates to monitor day and night average sound levels from Georgia Avenue. The study indicates that the average existing and projected unmitigated noise levels at the face of the proposed house were slightly above the 65 dBA L_{dn} criteria set forth in the Noise Guidelines. Architectural acoustical measures will be necessary to reduce the interior noise level to 45 dBA L_{dn} . A building shell analysis must be used to design these measures and submitted at time of building permit.

Backyard noise levels are projected to be at the 65 dBA L_{dn} level. However, this does not consider any reduction of noise due to the shielding of the house. While there are areas of the yard that may be above the outdoor noise criteria, a noise wall would not be appropriate for this location and use.

Stormwater Management

The MCDPS Stormwater Management Section approved the stormwater management concept for the project on November 20, 2008 which includes on-site water quality control and recharge via drywells, rooftop disconnect and pervious pavement for proposed Lot 33. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cubic feet per second.

Compliance with the Subdivision Regulations and Zoning Ordinance (Attachment D – Agency Correspondence)

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections. The proposed size, width, shape and orientation of the lots is 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 whom have recommended approval of the plan.

Citizen Correspondence and Issues

As of the date of this report, no citizen concerns have been brought to Staff's attention regarding the proposed subdivision. On September 15, 2008 a pre-submission meeting was held, as required, and on December 11, 2008 the applicant properly notified adjacent and confronting property owners and civic associations of the preliminary plan submission. The application information was properly posted on the Property.

CONCLUSION

The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance and comply with the recommendations of the Aspen Hill Master Plan. Access and public facilities will be adequate to serve the proposed lots, and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

Attachments

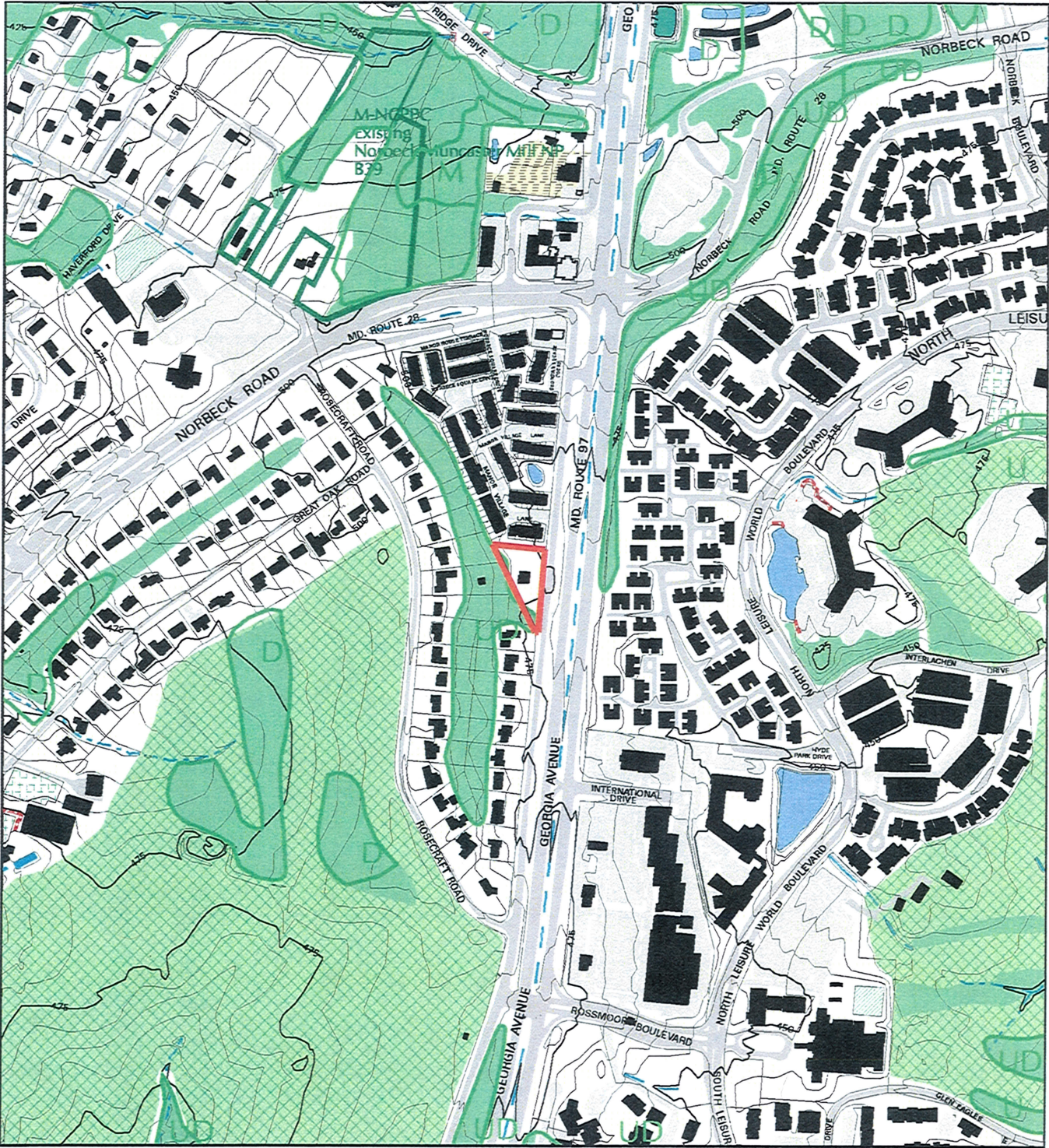
- Attachment A – Vicinity Development Map
- Attachment B – Proposed Development Plan
- Attachment C – SHA Interchange Design
- Attachment D – Agency Correspondence

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: Manor Park – Section I				
Plan Number: 120090170				
Zoning: R-200				
# of Lots: 2				
# of Outlots: 0				
Dev. Type: Residential, Standard Method				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	20,000 sq. ft.	21,379 sq. ft. is min. proposed	EG	4/28/09
Lot Width	100 ft.	100 ft. is min. proposed	EG	4/28/09
Lot Frontage	25 ft.	100 ft. is min. proposed	EG	4/28/09
Setbacks				
Front	40 ft. Min.	Must meet minimum ¹	EG	4/28/09
Side	12 ft. Min./25 ft. total	Must meet minimum ¹	EG	4/28/09
Rear	30 ft. Min.	Must meet minimum ¹	EG	4/28/09
Height	50 ft. Max.	May not exceed maximum ¹	EG	4/28/09
Max Resid'l d.u. or Comm'l s.f. per Zoning	2 dwelling units	2 dwelling units	EG	4/28/09
MPDUs	No		EG	4/28/09
TDRs	No		EG	4/28/09
Site Plan Req'd?	No		EG	4/28/09
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street		Yes	EG	4/28/09
Road dedication and frontage improvements		N/a	Agency letter	1/26/09
Environmental Guidelines		Yes	Staff memo	5/1/09
Forest Conservation		Yes	Staff memo	5/1/09
Master Plan Compliance		Yes	Staff memo	4/28/09
ADEQUATE PUBLIC FACILITIES				
Stormwater Management		Yes	Agency letter	11/20/08
Water and Sewer (WSSC)		Yes	Agency comments	1/26/09
10-yr Water and Sewer Plan Compliance		Yes	Agency comments	1/26/09
Well and Septic		N/a	EG	4/28/09
Local Area Traffic Review		N/a	Staff memo	1/26/09
Policy Area Mobility Review		N/a	Staff memo	1/26/09
Transportation Management Agreement		No	Staff memo	1/26/09
School Cluster in Moratorium?		No	EG	4/28/09
School Facilities Payment		No	EG	4/28/09
Fire and Rescue		Yes	Agency letter	3/26/09
Other (i.e., schools)				

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

MANOR PARK, SECTION 1 (120090170)



Map compiled on January 06, 2009 at 2:53 PM | Site located on base sheet no - 220NW04

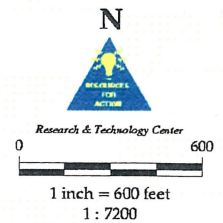
NOTICE

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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

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



- GENERAL NOTES**
- 1) HATCH CATCHER - 1. SHEET CATCHER - 1
 - 2) SPOKE AND RIBBON MARK ON A SHEET PREPARED BY...
 - 3) CAS PROFESSIONAL ENGINEER, 1712 NORTH...
 - 4) TOTAL LOT AREA: 61,200 SQ. FT. (SEE ADDITIONAL SHEETS) (6.8 AC)
 - 5) TOTAL LOT AREA: 61,200 SQ. FT. (SEE ADDITIONAL SHEETS) (6.8 AC)
 - 6) PROPERTY MAP ON HAND PER 2001 ZONING MAP...
 - 7) PROPERTY MAP ON HAND PER 2001 ZONING MAP...
 - 8) ZONING DISTRICT: R-1 (RESIDENTIAL SINGLE-FAMILY)
 - 9) ZONING DISTRICT: R-1 (RESIDENTIAL SINGLE-FAMILY)
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 - 50) ZONING DISTRICT: R-1 (RESIDENTIAL SINGLE-FAMILY)

ZONING DATA

ZONING DISTRICT: R-1 (RESIDENTIAL SINGLE-FAMILY)

MINIMUM LOT AREA: 6,000 SQ. FT.

MINIMUM LOT FRONTAGE: 30 FT.

MINIMUM SETBACKS: 5 FT.

LEGEND

- RESIDENTIAL SINGLE-FAMILY
- RESIDENTIAL MEDIUM-DENSITY
- RESIDENTIAL HIGH-DENSITY
- COMMERCIAL
- INDUSTRIAL
- OFFICE
- RECREATION
- SCHOOL
- UTILITY
- TRANSPORTATION
- WATER
- WETLANDS

SITE / ZONING DATA

REQUIREMENT	REQUIRED	PROVIDED
TOTAL LOT AREA	61,200 SQ. FT.	61,200 SQ. FT.
TOTAL LOT FRONTAGE	120 FT.	120 FT.
TOTAL LOT DEPTH	510 FT.	510 FT.
MINIMUM SETBACKS	5 FT.	5 FT.

MISS UTILITY

EXISTING MISS UTILITY LOCATIONS TO BE MAINTAINED OR RELOCATED TO AVOID CONFLICTS WITH THE PROPOSED LOTS. THE LOCATION OF EXISTING MISS UTILITY LOCATIONS IS SHOWN ON THE PRELIMINARY PLAN.

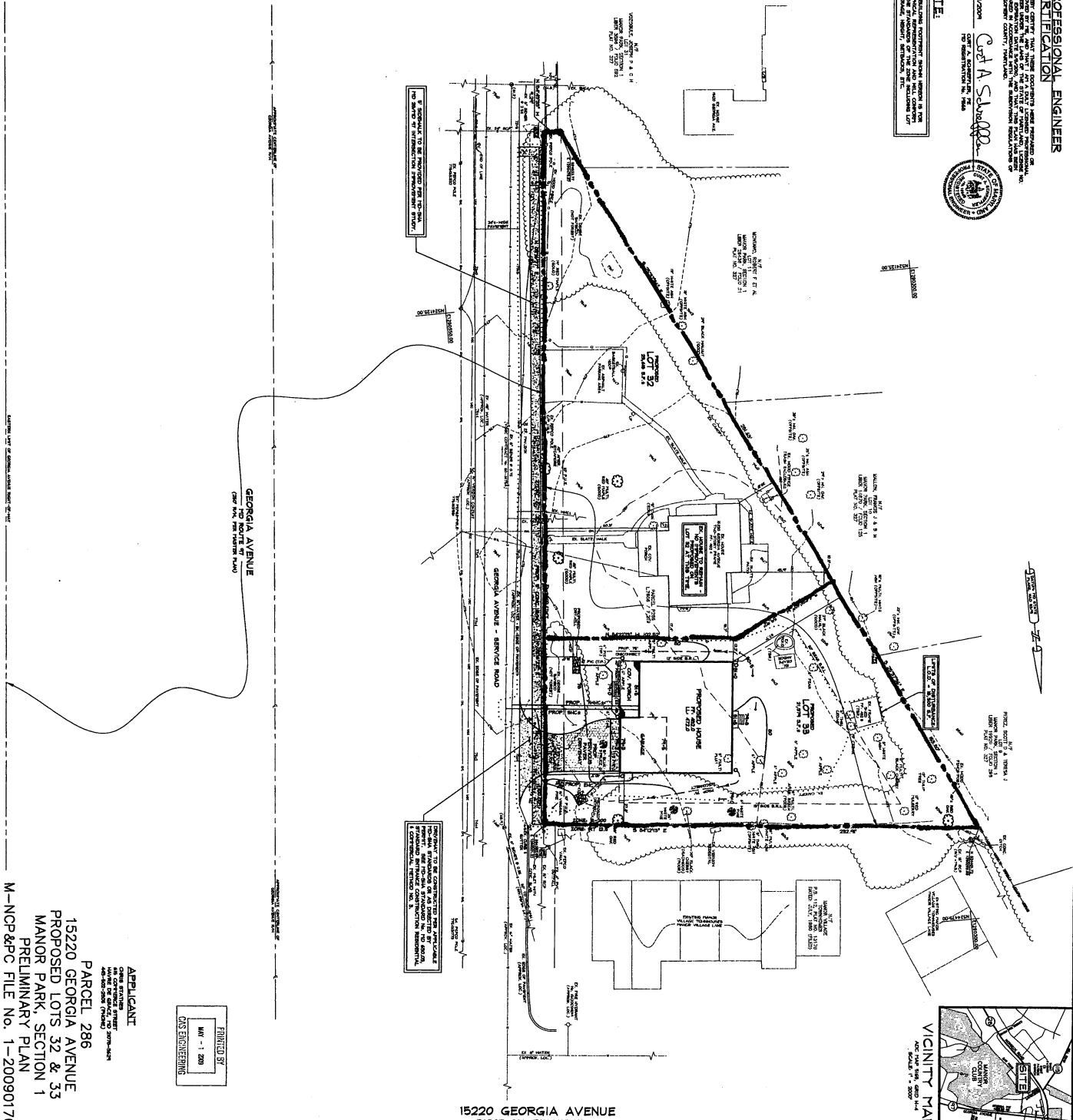
PROFESSIONAL ENGINEER CERTIFICATION

Geoffrey A. Schmitt

REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF MARYLAND, LICENSE NO. 28733

DATE: 04/20/09

PROJECT: PRELIMINARY PLAN FOR PROPOSED LOTS 32 & 33 MANOR PARK, SECTION 1, MONTGOMERY COUNTY, MARYLAND



15220 GEORGIA AVENUE
 PARCEL 286
 PROPOSED LOTS 32 & 33
 MANOR PARK, SECTION 1
 PRELIMINARY PLAN
 M-NCP&PC FILE NO. 1-20090170

CAS ENGINEERING

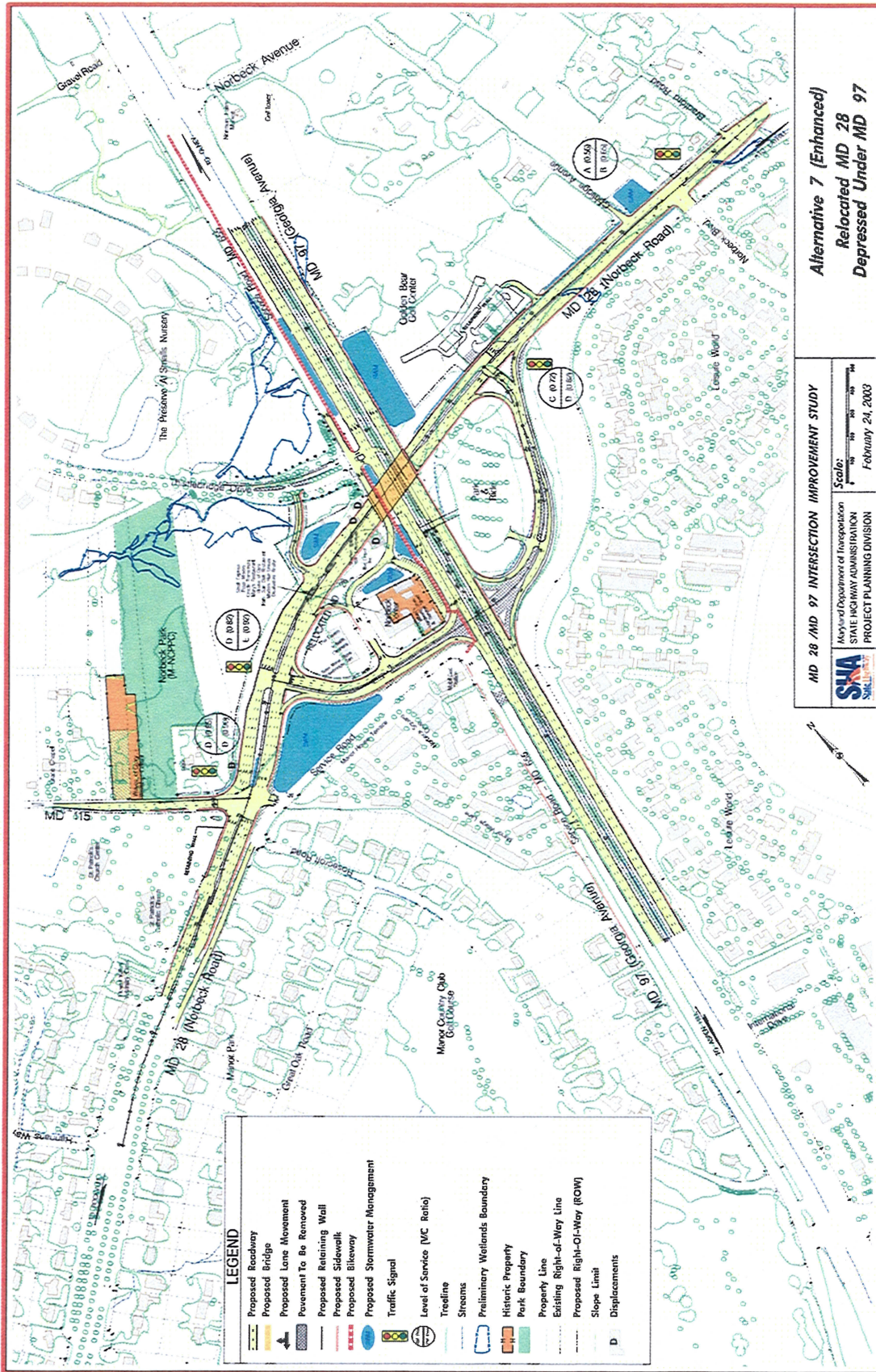
CIVIL - SURVEYING - LAND PLANNING
 A DIVISION OF CAS INTERESTS, INC.
 108 West Ridgeville Boulevard, Mount Airy, Maryland 21771
 DC Metro (301) 607-8031 FAX (301) 607-8045

MANOR PARK, SECTION 1

WHEATON (15TH) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND

PRELIMINARY PLAN
 M-NCP&PC FILE NO. 1-20090170

DATE	BY	REVISION	PROJECT	SHEET
04/20/09	DCL	PROGRESS PLOT TO CLIENT FOR REVIEW	08-068	04/2009
04/20/09	DCL	FINAL SUBMITTAL TO F-H-NCPIC	DCL	DCL
04/20/09	DCL	REVISED FOR PUBLIC COMMENTS	DCL	DCL
04/20/09	DCL	SUBMITTED TO F-H-NCPIC FOR PLANNING BOARD DATE	DCL	DCL
04/20/09	DCL	SUBMITTED TO F-H-NCPIC FOR PLANNING BOARD HEARING	DCL	DCL



**Alternative 7 (Enhanced)
Relocated MD 28
Depressed Under MD 97**

MD 28 AND 97 INTERSECTION IMPROVEMENT STUDY
 Maryland Department of Transportation
 STATE HIGHWAY ADMINISTRATION
 PROJECT PLANNING DIVISION

Scale: 1" = 100'
 February 24, 2003

LEGEND

- Proposed Roadway
- Proposed Bridge
- Proposed Lane Movement
- Pavement To Be Removed
- Proposed Retaining Wall
- Proposed Sidewalk
- Proposed Bikeway
- Proposed Stormwater Management
- Traffic Signal
- Level of Service (V/C Ratio)
- Tie Line
- Streams
- Preliminary Wetlands Boundary
- Historic Property
- Park Boundary
- Property Line
- Existing Right-of-Way Line
- Proposed Right-Of-Way (ROW)
- Slope Limit
- Displacements



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

State Highway
Administration

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

Maryland Department of Transportation

January 26, 2009

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

Re: Montgomery County
Manor Park, Section I
DRC File No. 120090170
MD 97 (Georgia Avenue)

Dear Ms. Conlon:

The State Highway Administration (SHA) appreciates the opportunity to review the plans for the Manor Park, Section I of Damascus development. We offer the following comments:

- The proposed driveway should provide a minimum entrance width of 20ft with 20ft. minimum radii.
- Reference the appropriate MDSHA Standard for the residential entrance apron.
- A permit will be required from SHA's District 3 Utilities office to construct the proposed driveway. Please contact Mr. Augie Rebish, ADE-Utilities, at 301-513-7350.

If you have any questions or require additional information, please contact Ms. Corren V. Giles at (410) 545-5595; toll free at (800) 876-4742, or via email at cgiles@sha.state.md.us.

Sincerely,

SD Steven D. Foster, Chief
Engineering Access Permits Division

SDF/cvg

Cc: Mr. Shahriar Etemadi / M-NCPPC
Mr. Sam Farhadi / Montgomery County DOT
Mr. Christopher Stathes / 615 Commerce Street, Havre de Grace, Maryland 21078
Mr. David Landsman / CAS Engineering, 108 W. Ridgeville Boulevard, Suite 101, Maryland 21771
Mr. Jeff Wentz *sent via e-mail*
Ms. Kate Mazzara *sent via e-mail*
Mr. Augustine Rebish *sent via e-mail*
Mr. Mark Loeffler *sent via e-mail*

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com





DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid
Director

November 20, 2008

RECEIVED
NOV 20 2008
DEVELOPMENT REVIEW

Mr. David C. Landsman
CAS Engineering
108 W. Ridgeville Boulevard, Suite 101
Mount Airy, MD 21771

Re: Stormwater Management **CONCEPT** Request
for Manor Park, Section 1
Preliminary Plan #: Pending 120060650
SM File #: 234730
Tract Size/Zone: 1.03 Ac./ R-200
Total Concept Area: 1.03 Ac.
Lots/Block: 2 Lots Proposed
Parcel: 286
Watershed: Northwest Branch

Dear Mr. Landsman:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site water quality control and recharge via drywells, rooftop disconnect and pervious pavement for proposed lot 33. 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