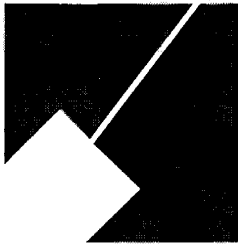


M-NCPPC



**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING**

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760  
301-495-4500, www.mncppc.org

**MCPB**  
**ITEM #16**  
**10/28/04**



**MEMORANDUM**

**DATE:** October 22, 2004

**TO:** Montgomery County Planning Board

**VIA:** Richard Hawthorne, Acting Chief *RCH*  
Development Review Division

**FROM:** Richard A. Weaver, Coordinator (301) 495-4544 *RAW*  
Catherine Conlon, Acting Supervisor *CC*  
Development Review Division

**REVIEW TYPE:** Preliminary Plan of Subdivision for 9 single-family detached residential units

**APPLYING FOR:** Preliminary Plan Review and Final Water Quality Plan

**PROJECT NAME:** Briarcliff Meadows North

**CASE NOS.** 1-04027

**REVIEW BASIS:** Pursuant to Chapter 59, the Zoning Ordinance and Chapter 50, the Subdivision Regulations

**ZONE:** RE-1 w/cluster

**LOCATION:** Located on the east side of Thompson Road approximately 600 feet south of Romer Street

**MASTER PLAN:** Cloverly

**APPLICANT:** Winchester Homes

**ENGINEER:** Macris, Hendricks & Glascock, P.A.

**HEARING DATE:** October 28, 2004

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**Staff Recommendation:** Approval of the Preliminary Plan and Final Water Quality Plan, including a waiver of the minimum area of development pursuant to Section 59-C-1.532 of the Zoning Ordinance, a waiver pursuant to §50-26(h)(3) to permit sidewalk on only one side of proposed Briarcliff Meadows Court; and subject to the following conditions:

- 1) Approval under this preliminary plan application is limited to nine (9) single-family detached residential dwelling units.
- 2) Place in reservation the area shown in Attachment 1, dated October 4, 2004 ("Reservation Area") until the earlier of (a) September 1, 2005; or (b) a final Record of Decision is issued by FHWA, and that Record of Decision does not include the Reservation Area, or any portions thereof, within the final ICC alignment.
- 3) Any contract of sale between the applicant and any prospective buyer of the subdivision must (a) advise the buyer in writing that the Reservation Area is in reservation; and (b) advise the buyer that they can contact the State Highway Administration for current information on the alignment within the Reservation Area. This notification requirement is binding on the applicant's heirs/successors and/or assigns.
- 4) Dedicate, and show on final record plat, adequate right-of-way along Thompson Road to provide 35 feet of right-of-way from the roadway centerline.
- 5) Construct Briarcliff Meadows Court as an over-length cul-de-sac, and as an open section modified tertiary residential street with a 50-foot right-of-way.
- 6) Construct a four-foot wide sidewalk to only one side of Briarcliff Meadows Court (north side), and extend the sidewalk around the cul-de-sac to the driveway to Lot 6.
- 7) Compliance with the conditions of approval for the preliminary forest conservation plan dated 10/22/04. The applicant must meet all conditions prior to recording of plat or MCDPS issuance of sediment and erosion control permit(s), as appropriate. Conditions include, but are not limited to, the following:
  - a. Final forest conservation plan to include methods to clearly mark the Category I conservation easement boundary, such as permanent fencing and signage.
  - b. Planting plan to include a mix of 1" and 2" caliper native trees. The specific mix to be determined as part of the final forest conservation plan.
- 8) Prior to submission of record plat, applicant to enter into an agreement with the Planning Board to limit impervious surfaces to no more than 10 percent as shown on the revised preliminary plan.
- 9) Prior to release of building permits, applicant to demonstrate conformance to impervious surface limits as shown on the revised preliminary plan.

- 10) Record plat to reflect a Category I easement over all forest conservation areas.
- 11) Record Plat to reflect all areas under Homeowners Association ownership and stormwater management areas.
- 12) Record plat to reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant shall provide verification to Commission staff prior to release of final building permit that Applicant's recorded HOA Documents incorporate by reference the Covenant.
- 13) Compliance with the MCDPS conditions of approval of the Preliminary Water Quality Plan and stormwater management concept letter dated, October 5, 2004.
- 14) Compliance with conditions of approval of MCDPWT letter dated, September 7, 2004 unless otherwise amended by DPWT.
- 15) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s).
- 16) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed.
- 17) 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.
- 18) Other necessary easements.

## **SITE DESCRIPTION**

The 11.56-acre property is located on the east side of Thompson Road approximately 600 feet south of Romer Street in Cloverly (Attachment 2). The property is zoned RE-1 and has been previously used as a landscape business. The site is located within the Upper Paint Branch watershed, which is a Use Class III watershed and a designated Special Protection Area. This is an upland site which does not contain any streams or environmentally sensitive areas. The site is not forested, but does contain scattered trees which are not specimen size.

The site is directly impacted by one of the optional alignments for the Intercountry Connector (ICC) currently under study as part of the Maryland State Highway Administration's (SHA) Alternative Retained for Detailed Study process (Attachment 1). As discussed below, the optional alignment impacts the southern half of the property and would cut off the road connection from the proposed lots to Thompson Road.

## **PROJECT DESCRIPTION**

The proposed Preliminary Plan contains nine single-family detached residential dwelling units clustered on the west side of the site and served by a reduced-width, open-section, public tertiary residential street. The proposed lot sizes range from 18,000 square feet to 28,643 square feet. The lots are clustered to provide a 5.62 acre open space parcel which will be afforested.

### Waiver of the Minimum Development Area

Section 59-C-1.532 of the zoning ordinance establishes 50 acres as the minimum size of a site for a cluster development in the RE-1 zone. However, footnote 6 of this section of the zoning ordinance states: "This minimum area requirement may be waived by the planning board upon a finding that the cluster development is more desirable for environmental reasons."

The applicant has submitted a request to waive the minimum area requirement for cluster. In addition, a concept of a non-cluster subdivision was also submitted to compare to the proposed cluster subdivision. Since there are no environmentally-sensitive features (e.g., streams, wetlands, floodplains, forest, or environmental buffers) on the subject site, the primary environmental benefit of the proposed cluster plan is afforestation on common open space that exceeds the required forest conservation law requirements. The applicant proposes to plant 4.98 acres of forest, but is required to plant only 2.31 acres under the law.

Compared to the cluster subdivision, the non-cluster subdivision layout would have less land available for forest planting because land is needed not only for roads, homes, driveways, and usable yards, but suitable land must also be set aside for septic systems. In addition, afforestation areas would be located on private lots (as opposed to common open space in the cluster subdivision). It is staff's experience that when afforestation areas are on private lots, there is more likelihood that encroachments into the afforestation areas will occur (e.g., mowing of planted trees and shrubs, construction of structures, etc.) even with Category I conservation easements recorded on the afforestation areas. Staff, therefore, believes the proposed cluster subdivision is better for environmental reasons than a non-cluster one for this site.

## **TRANSPORTATION**

### Site Location, Access, Circulation and Transportation Facilities

The site is located along the east side of Thompson Road approximately 1,300 feet south of its intersection with Spencerville Road (MD 198), and currently has access to Thompson Road. Thompson Road proceeds south from MD 198 and turns east at Briggs Chaney Middle School (located to the south of the site) to end at Peach Orchard Road. The section of Thompson Road between the school and Peach Orchard Road has sidewalk to one side of the roadway (to the south side between the school and Kingshouse Road and to the north side between Kingshouse Road and Peach Orchard Road). Land use in the vicinity of the site is primarily residential.

Along the property frontage, Thompson Road is a two-lane secondary residential roadway, with a 70-foot right-of-way. Metrobus route Z3 serves MD 198 in the area.

Staff concludes that the subject preliminary plan will provide safe and adequate access for vehicles and pedestrians, and satisfies the APF requirements (see Attachment 4). A waiver of sidewalks on one side of proposed Briarcliff Meadows Court is being recommended to help reduce the overall level of impervious surfaces on the property. Staff believes that pedestrians will be able to safely use the roadway and remaining sidewalk. Proposed Briarcliff Meadows Court is designed as a reduced-width tertiary road, and will create a cul-de-sac which is greater than 500 feet in length. Staff finds that the lesser width is environmentally better and allows better use of the property as a cluster development. Staff also finds that the over-length cul-de-sac is justified because of the existing street alignment to which the street connects, and the shape and size of the property.

### Proposed Intercounty Connector

SHA is currently developing detailed mapping as part of its preparation of the Draft Environmental Impact Statement (DEIS) for the proposed ICC (a limited-access east-west highway intended to link areas between I-270 and I-95/US 1, through central/eastern Montgomery County and western Prince George's County).

The ICC planning process has concurrence on two major alternative alignments, selected through the Alternative Retained for Detailed Study (ARDS) process, called Corridor 1 and Corridor 2. Corridor 1 is the southern alignment that generally follows the alignment incorporated in the area master plans for the ICC, and Corridor 2 is the alignment to the north that is not represented in any area master plans. Of the above two alternative roadway alignments, based on the most current information provided by the SHA, the Corridor 2 alignment would physically impact the proposed Briarcliff Meadows North development as shown on Attachment 1. This alignment will also impact access to the proposed subdivision via Thompson Road.

### Master Plan Roadway and Pedestrian/Bikeway Facilities

The 1997 Approved and Adopted Cloverly Master Plan describes the nearby master-planned roadway, pedestrian and bikeway facilities as follows:

1. Spencerville Road (to the north of the site), as a four-lane Major Highway (M-76) with a minimum right-of-way of 120 feet to the west of Thompson Road to New Hampshire Avenue and a minimum right-of-way of 70 feet to the east of Thompson Road to 360 feet east of Batson Road. A Class I bikeway (PB-34) is recommended in the master plan for this roadway.
2. Thompson Road (i.e., the portion of Thompson Road to the south of the site), between the terminus of Rainbow Drive at Briggs Chaney Middle School to the west and Peach Orchard Road to the east, as a two-lane Primary (P-8), with a minimum right-of-way

width of 70 feet. A Class III bikeway (PB-36) is recommended in the master plan for this roadway.

3. Kingshouse Road (to the south of the site), between Thompson Road to the north and Peach Orchard Road to the east, as a two-lane Primary (P-11), with a minimum right-of-way width of 70 feet.
4. Peach Orchard Road (to the east of the site), between MD 198 to the north and Briggs Chaney Road to the south, as a two-lane Primary (P-10), with a minimum right-of-way width of 70 feet.

#### Local Area Transportation Review

The subject Preliminary Plan, consisting of nine single-family detached units, will generate less than **50** total peak hour trips during the weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods (9 and 10 total peak hour trips, respectively). Therefore, a traffic study (to analyze traffic impact at nearby intersections) is not required of this development to satisfy Local Area Transportation Review.

#### Policy Area Transportation Review/Staging Ceiling Conditions

Transportation staging ceiling capacity existed for residential development (+1,285 residential units as of June 30, 2004) within the Cloverly Policy Area under the FY 2004 AGP. Therefore, as a preliminary plan filed before July 1, 2004, Briarcliff Meadows North development satisfies the PATR test.

### **ENVIRONMENT**

#### Review for Conformance to the Special Protection Area Requirements, Including the Environmental Overlay Zone

As part of the requirements of the Special Protection Area law, a preliminary and final water quality plan must be reviewed in conjunction with a preliminary subdivision plan<sup>1</sup>. Under the provision of the law, the Montgomery County Department of Permitting Services (DPS) and the Planning Board have different responsibilities in the review of a water quality plan. DPS reviews and acts on those elements of the water quality plan that relate to water quality protection performance goals, stormwater management, sediment and erosion control, and monitoring of best management practices. **DPS has reviewed and approved the elements of the preliminary water quality plan under its purview (see Attachment 6).** The Planning Board's responsibility is to determine if environmental buffer protection, SPA forest conservation and planting requirements, and site imperviousness limits have been satisfied.

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<sup>1</sup> Section 19-62 (b) of the Montgomery County Code states that "except as otherwise expressly provided in this Chapter, the requirements for a water quality inventory and a preliminary and final water quality plan apply in any area designated as a special protection area to a person proposing a land disturbing activity on privately owned property:...who is seeking approval of an amendment to an approved development plan, diagrammatic plan, schematic development plan, project plan, special exception, preliminary plan of subdivision, or site plan.

### *Site Performance Goals*

As part of the preliminary and final water quality plan, several performance goals were established for the site: minimize storm flow runoff increases, minimize increases to ambient stream water temperatures, minimize sediment loading, and minimize pollutant loadings.

### *Site Imperviousness*

The Upper Paint Branch SPA is the only SPA that has a ten percent (10%) site imperviousness limit on new development. The imperviousness limit is set forth in the environmental overlay zone for the Upper Paint Branch SPA. The water quality plan proposes a site imperviousness of 10 percent. This consists of nine single-family detached houses and driveways, a short road ending in a cul-de-sac, and a sidewalk on one side of the road. The house footprints range from 2050 to 2150 square feet. The site imperviousness also include a small area of Thompson Road improvement for access along the frontage of the site that will be constructed as part of the subdivision. The applicant's proposal conforms to the environmental overlay zone.

### *Environmental Buffers*

There are no streams, floodplains, wetlands, or environmental buffers on or adjacent to the site.

### *Forest Conservation*

There is no existing forest or large or specimen trees on the site. To meet the forest conservation requirements, 2.31 acres of afforestation are required. The applicant proposes to afforest 4.98 acres of the 5.62-acre HOA common open space. The excess forest planting is the major component of the applicant's justification for using the cluster option of the RE-1 zone on a property less than 50 acres (see discussion later in this memorandum). The configuration of the afforestation area is such that part of it abuts existing conservation easements to the north and a proposed conservation easement area to the south that is part of the proposed Briarcliff Meadows South preliminary plan (no. 1-04036).

### *Stormwater Management Concept*

To help meet the project's performance goals, the stormwater management (SWM) concept includes the following features:

- A dry facility will provide water quantity controls.
- Stormwater management quality controls will be provided by vegetated swales next to the road and in the backs of lots and two sand filters that drain to the dry facility..

*Sediment Control*

DPS is requiring the use of redundant sediment control measures, such as sediment traps with forebays.

*Monitoring of Best Management Practices*

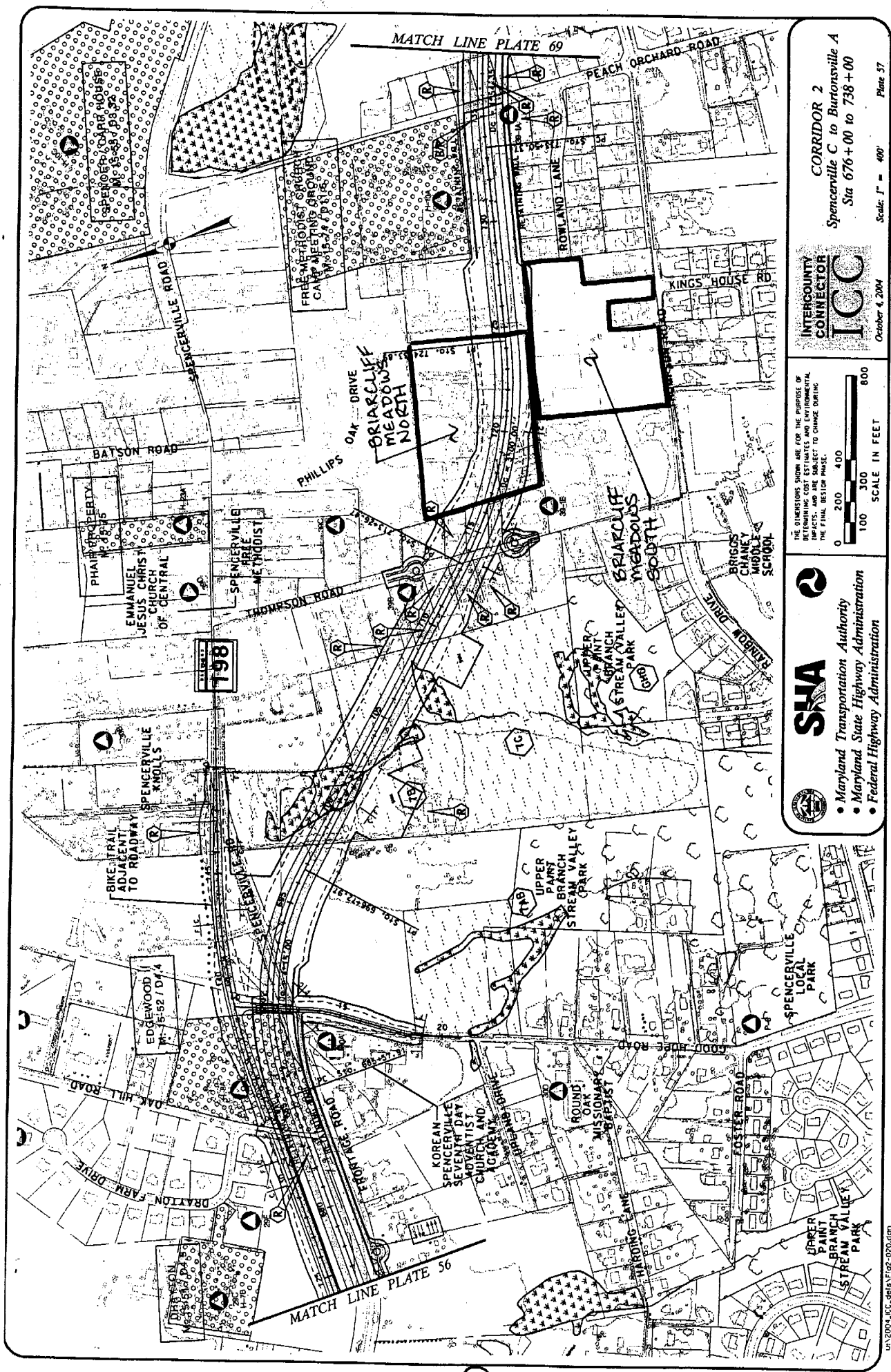
DPS requires monitoring of best management practices that meets the monitoring protocols established by DPS and the Department of Environmental Protection (DEP).

See Attachment 6 for Environmental Planning Staff memo.

Attachments:

- Attachment 1 – ICC Reservation Area
- Attachment 2 – Site Vicinity Map
- Attachment 3 – Preliminary Plan
- Attachment 4 – Transportation Planning memo
- Attachment 5 – MCDPS Water Quality Plan Approval memo
- Attachment 6 – Environmental Planning memo
- Attachment 7 – MCDPWT memo

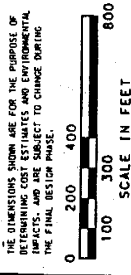




MATCH LINE PLATE 69

MATCH LINE PLATE 56

**CORRIDOR 2**  
 Spencerville C to Burtonsville A  
 Sta 676+00 to 738+00  
 Scale: 1" = 400'  
 Plate 57



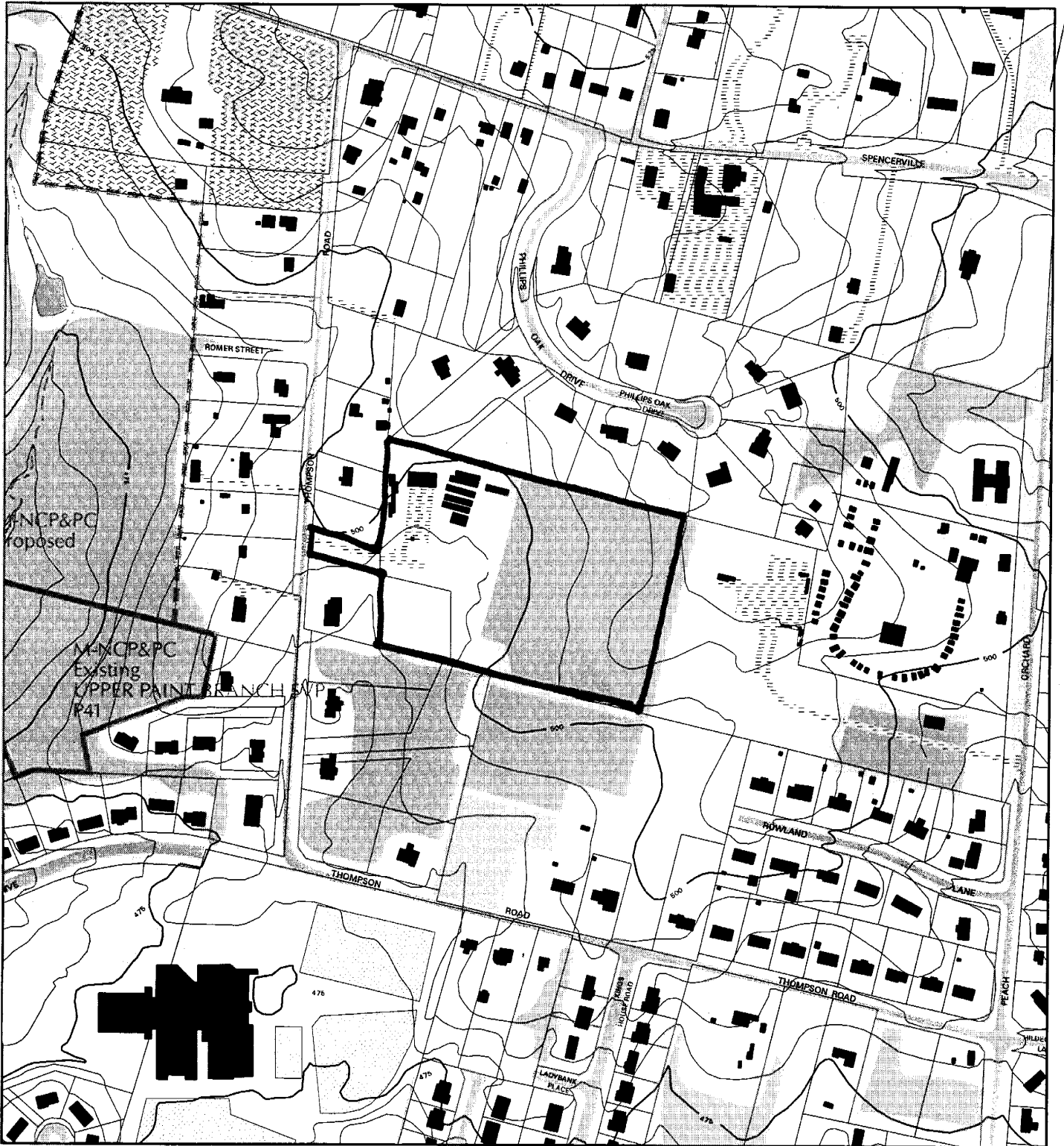
**SHA**  
 Maryland Transportation Authority  
 Maryland State Highway Administration  
 Federal Highway Administration

THE DIMENSIONS SHOWN ARE FOR THE PURPOSE OF DETERMINING COST ESTIMATES AND ENVIRONMENTAL IMPACTS, AND ARE SUBJECT TO CHANGE DURING THE FINAL DESIGN PHASE.

04/2004/ACC-delta-VF02-020.cgr

# Attachment 1

# BRIARCLIFF MEADOWS NORTH (1-04027)



Map compiled on October 22, 2003 at 11:40 AM | Site located on base sheet no - 221NE02

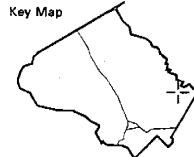
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Key Map

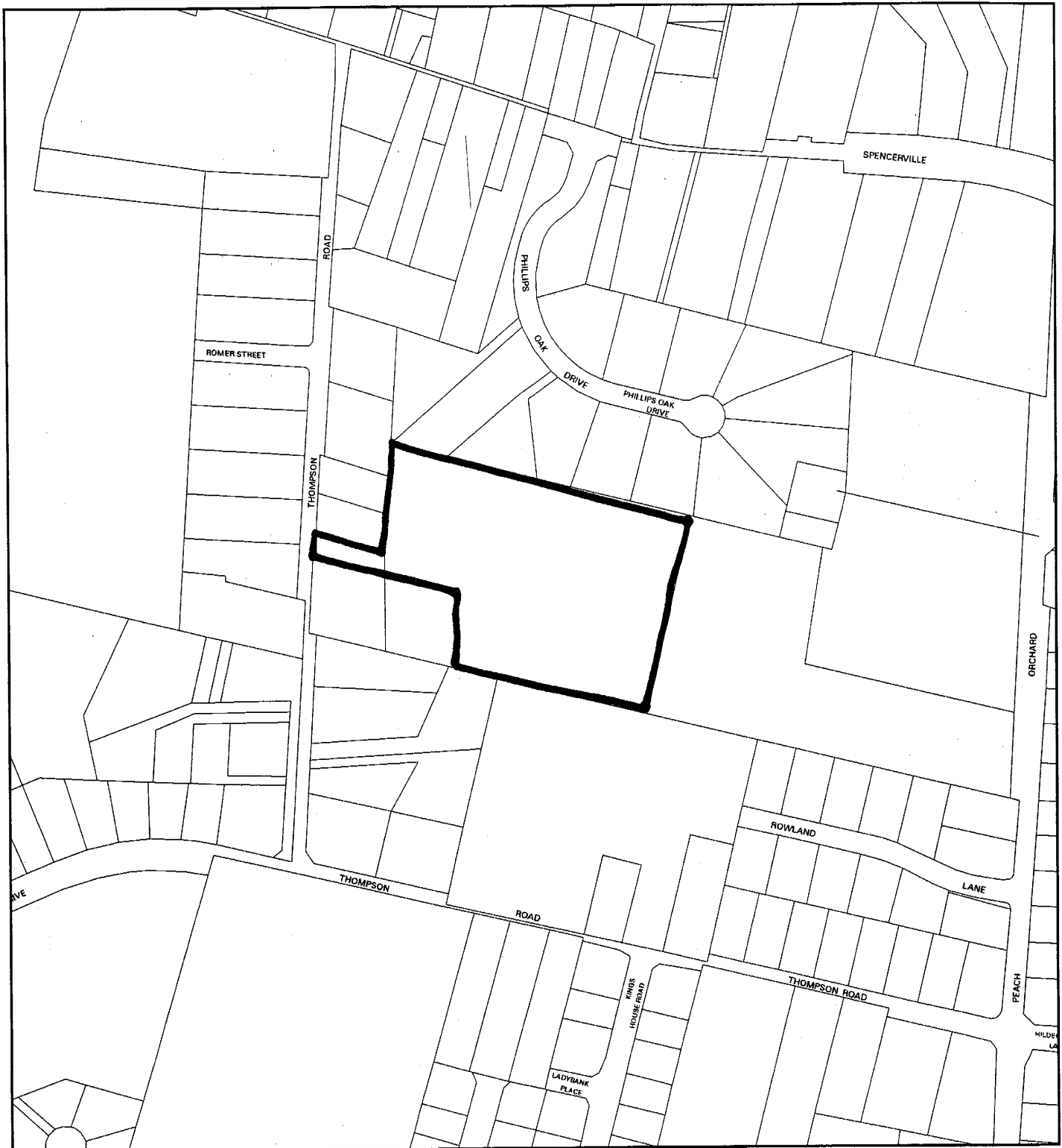


Research & Technology Center



1 : 4800

# BRIARCLIFF MEADOWS NORTH (1-04027)



Map compiled on October 22, 2003 at 11:43 AM | Site located on base sheet no - 221NE02

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Key Map



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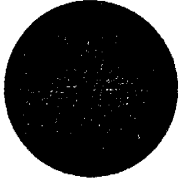


Research & Technology Center



1 : 4800





October 22, 2004

## MEMORANDUM

TO: Catherine Conlon, Acting Supervisor  
Development Review Division

VIA: Shahriar Etemadi, Supervisor  
Transportation Planning

FROM: Cherian Eapen, Planner/Coordinator  
Transportation Planning  
301-495-4525

SUBJECT: Preliminary Plan No. 1-04027  
Briarcliff Meadows North  
Thompson Road  
Cloverly Policy Area

CE

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This memorandum summarizes Transportation Planning staff's Adequate Public Facilities (APF) review of the subject Preliminary Plan to build nine single-family detached dwelling units on the property, in an RE-1 Zone within the Cloverly Policy Area. The application was reviewed under the FY 2004 Annual Growth Policy (AGP) since it was filed prior to July 1, 2004.

## RECOMMENDATIONS

Transportation Planning staff recommends the following conditions as part of the transportation-related requirements to approve this Preliminary Plan application:

1. Place in reservation the area shown on Attachment 1, dated October 4, 2004 ("Reservation Area") until the earlier of (a) September 1, 2005; or (b) a final Record of Decision is issued by the FHWA, and that Record of Decision does not include the Reservation Area, or any portions thereof, within the final Intercounty Connector (ICC) alignment.
2. Limit any future development on the site as part of the subject Preliminary Plan to nine single-family detached dwelling units.

3. Dedicate, and show on final record plat, adequate right-of-way along Thompson Road to provide 35 feet of right-of-way from the roadway centerline.
4. Per requested waiver, construct Briarcliff Meadows Court as an over-length cul-de-sac, and as an open section modified tertiary residential street with a 50-foot right-of-way.
5. Per requested waiver, construct a four-foot wide sidewalk to only one side of Briarcliff Meadows Court (north side), and extend the sidewalk around the cul-de-sac to the driveway to Lot 6.
6. Coordinate with the Montgomery County Department of Public Works and Transportation (DPWT) per letter dated September 7, 2004, and the Department of Permitting Services on design requirements for the proposed Briarcliff Meadows Court, and on any site access and frontage improvements along Thompson Road.

## **DISCUSSION**

### Site Location, Access, Circulation and Transportation Facilities

The site is located along the east side of Thompson Road approximately 1,300 feet south of its intersection with Spencerville Road (MD 198), and currently has access to Thompson Road. Thompson Road proceeds south from MD 198 and turns east at Briggs Chaney Middle School (located to the south of the site) to end at Peach Orchard Road. The section of Thompson Road between the school and Peach Orchard Road has sidewalk on one or the other side of the roadway (to the south side between the school and Kingshouse Road and to the north side between Kingshouse Road and Peach Orchard Road). Land use in the vicinity of the site is primarily residential.

Along the property frontage, Thompson Road is a two-lane secondary residential roadway, with a 70-foot right-of-way. Metrobus route Z3 serve MD 198 in the area.

### Proposed Intercounty Connector

SHA is currently developing detailed mapping as part of its preparation of the Draft Environmental Impact Statement for the proposed ICC (a limited-access east-west highway intended to link areas between I-270 and I-95/US 1, through central/eastern Montgomery County and western Prince George's County).

The ICC planning process has concurrence on two alternative alignments, selected through the Alternatives Retained for Detailed Study process, called Corridor 1 and Corridor 2. Corridor 1 is the southern alignment that generally follows the alignment incorporated in the area master plans for the ICC, and Corridor 2 is the alignment to the north that is not represented in any area master plans. Of the above two alternative roadway alignments, based on the most current information provided by the SHA, the Corridor 2 alignment would physically impact the proposed Briarcliff Meadows North development as shown on Attachment 1 and on Attachment 2. This alignment will also impact access to the proposed subdivision via Thompson Road.

### Master Plan Roadway and Pedestrian/Bikeway Facilities

The 1997 Approved and Adopted Cloverly Master Plan describes the nearby master-planned roadway, pedestrian and bikeway facilities as follows:

1. Spencerville Road (to the north of the site), is a four-lane Major Highway (M-76) with:
  - a minimum right-of-way of 120 feet to the west of Thompson Road to New Hampshire Avenue, and
  - a minimum right-of-way of 70 feet to the east of Thompson Road to 360 feet east of Batson Road.

A Class I bikeway (PB-34) is recommended in the master plan for this roadway.

2. Thompson Road (i.e., the portion of Thompson Road to the south of the site) is a two-lane Primary Residential Street (P-8), with a minimum right-of-way width of 70 feet between the terminus of Rainbow Drive at Briggs Chaney Middle School to the west and Peach Orchard Road to the east. A Class III bikeway (PB-36) is recommended in the master plan for this roadway.
3. Kingshouse Road (to the south of the site) is a two-lane Primary Residential Street (P-11), with a minimum right-of-way width of 70 feet, between Thompson Road to the north and Peach Orchard Road to the east.
4. Peach Orchard Road (to the east of the site) is a two-lane Primary Residential Street (P-10), with a minimum right-of-way width of 70 feet, between MD 198 to the north and Briggs Chaney Road to the south.

### Local Area Transportation Review

The subject Preliminary Plan, consisting of nine single-family detached units, will generate less than 50 total peak hour trips during the weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods (nine and ten total peak hour trips, respectively). Therefore, a traffic study (to analyze traffic impact at nearby intersections) is not required of this development to satisfy Local Area Transportation Review.

Policy Area Transportation Review/Staging Ceiling Conditions

Transportation staging ceiling capacity existed for residential development (+1,285 residential units, as of June 30, 2004) within the Cloverly Policy Area under the FY 2004 AGP. Therefore, as a preliminary plan filed before July 1, 2004, Briarcliff Meadows North development satisfies the Policy Area Transportation Review test.

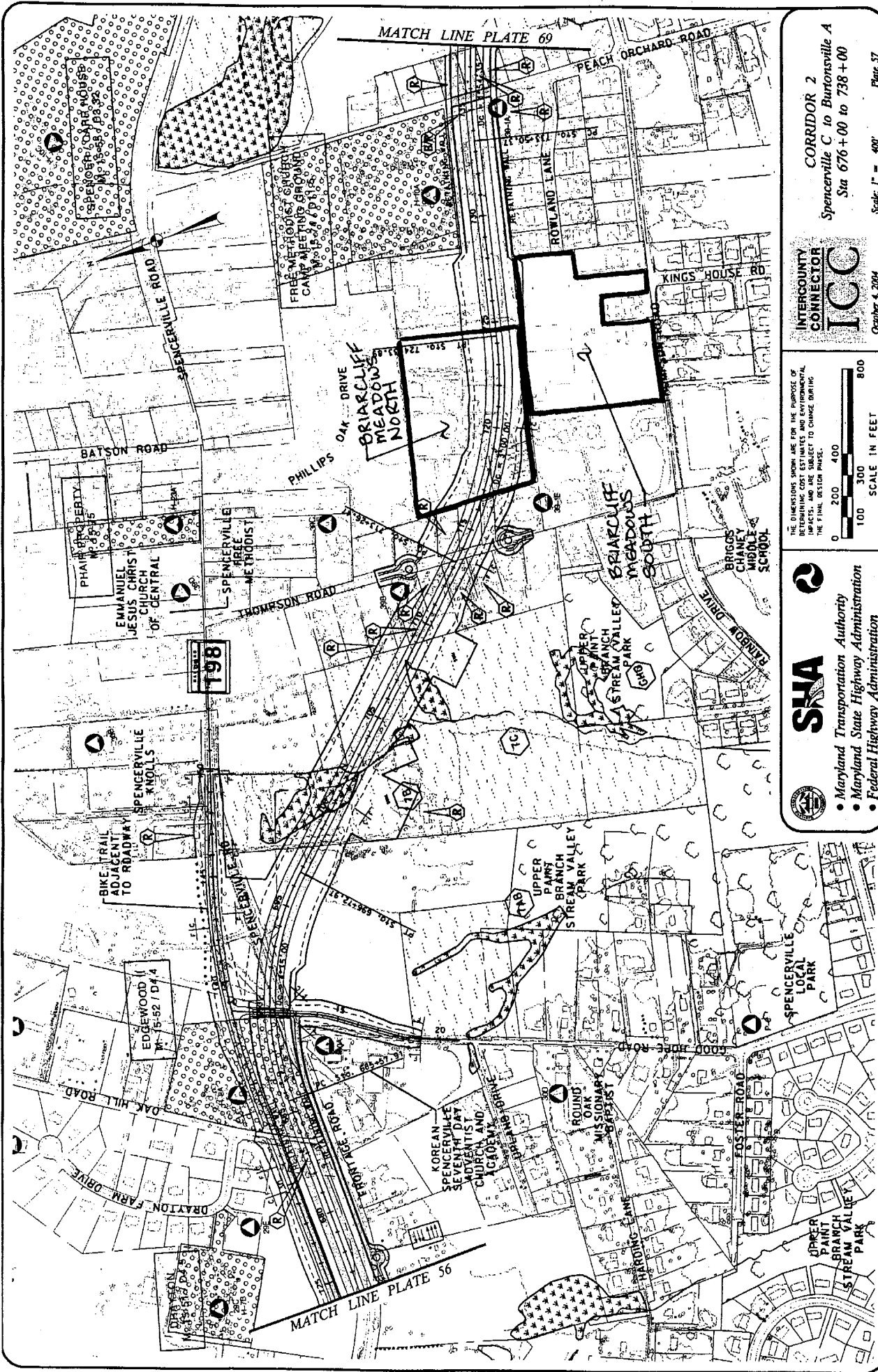
CE:gw

Attachments

cc: Jeff Riese  
Greg Cooke  
Wes Mitchell  
Michele Rosenfeld  
Jeff Zyontz  
Dan Hardy  
Rich Weaver  
Candy Bunnag

mno to Conlon re BMN 1-04027





**INTERCOUNTY CONNECTOR**  
**ICC**  
 October 4, 2004

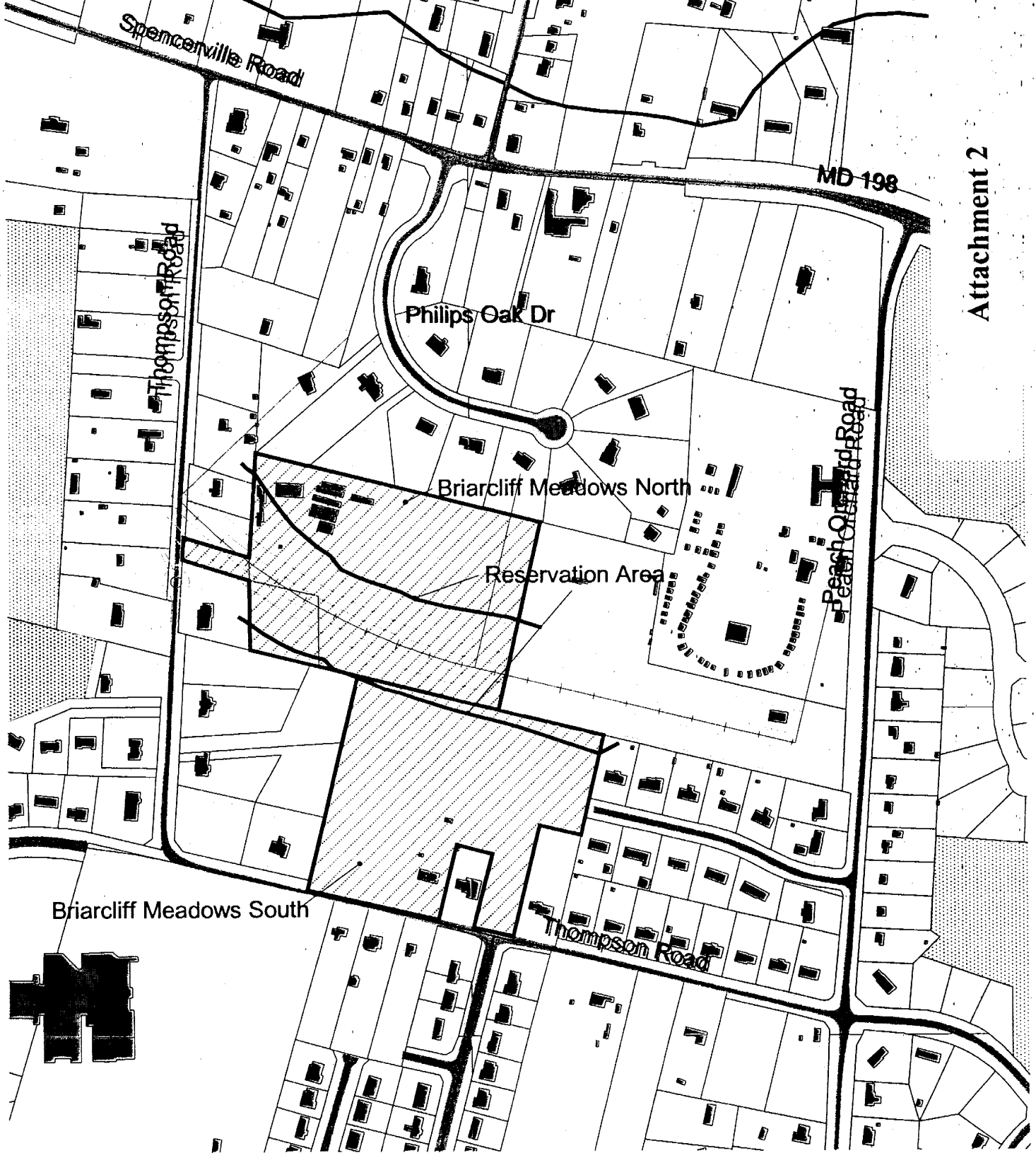
THE QUANTITIES SHOWN ARE FOR THE PURPOSES OF DETERMINING COST ESTIMATES AND ENVIRONMENTAL IMPACTS, AND ARE SUBJECT TO CHANGE DURING THE FINAL DESIGN PHASE.

SCALE IN FEET

**SNA**  
 Maryland Transportation Authority  
 Maryland State Highway Administration  
 Federal Highway Administration

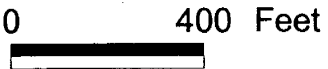
**CORRIDOR 2**  
 Spencerville C to Burtonsville A  
 Sta 676+00 to 738+00  
 Scale: 1" = 400'  
 Plate 57

Briarcliff Meadows North (1-04027) and South (1-04036)



Attachment 2

Map Compiled On 10-22-2004 at 08:19 AM  
Map Scale: 1 inch = 400 feet or 1:4800



The Maryland-National Capital Park and Planning Commission  
Montgomery County Department of Park and Planning  
Transportation Planning Unit  
8787 Georgia Avenue | Silver Spring, Maryland 20910  
301.495.4525 voice | 301.495.1302 fax | <http://www.mc-mnccppc.org>

- Briarcliff.dgn
- 2
  - 3
  - 15
  - Bc\_Imptc.lshp
  - Master Plan of Highways Centerline 2
  - Streams
  - Street Pavement
  - Buildings
  - All Parks
  - Existing
  - Proposed
  - Special Protection Areas
  - Property
  - Municipalities
  - Montgomery County

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