



Rothbard Property, Preliminary Plan No. 120170140

BCB

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Completed: 07/07/17

Description

Rothbard Property, Preliminary Plan No. 120170140:

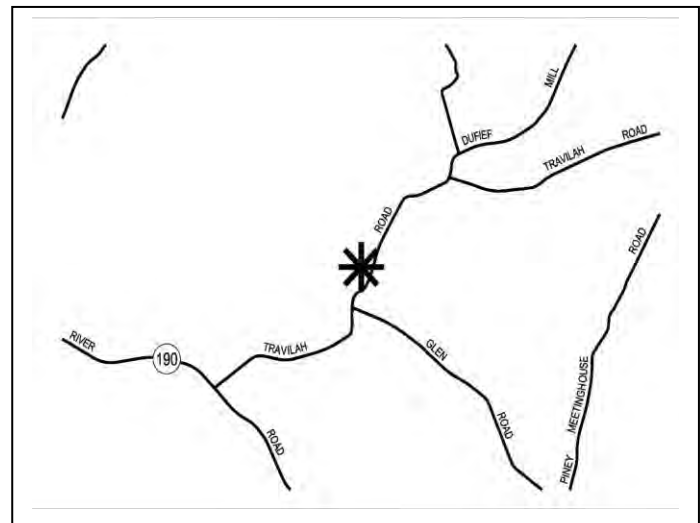
Application to create one lot and one outlot located on the east side of Stonebarn Lane, approximately 1000 feet east of the intersection with Squires Court; 9.77 acres; RE-2 zone; Potomac Subregion Master Plan.

Recommendation – Approval with conditions.

Applicant: Michael Rothbard

Submittal Date: December 5, 2016

Review Basis: Chapter 50, Chapter 22A



Summary

- Converting an existing Part of an Outlot into one (1) buildable lot and one (1) outlot. The new outlot was requested by MCDPS and is a 10-foot wide property, extending the full frontage length of Travilah Road, to avoid creating a double frontage lot.
- Buffer averaging used for the Category 1 Conservation Easement to allow for maintenance of the dam face and recreational access by the property owners.
- The Applicant has opted to be reviewed under the new rules and procedures of Chapter 50, The Subdivision Regulations, that are in effect as of February 13, 2017.
- This application is being reviewed under the 2012-2016 Subdivision Staging Policy for APF review.
- This application was granted an extension request on May 4, 2017.

Preliminary Plan No. 120170040: Staff recommends approval with conditions of the Preliminary Plan subject to the following conditions:

1. This Preliminary Plan is limited to one lot for one dwelling unit, and one outlot.
2. Include the stormwater management concept approval letter and Preliminary Plan Resolution on the approval or cover sheet(s).
3. The Applicant must comply with the conditions of approval for the Preliminary Forest Conservation Plan No. 120170040, approved as part of this Preliminary Plan, subject to the following:
 - a. A Final Forest Conservation Plan must be approved by M-NCPPC Staff prior to recordation of the plat and address the following conditions:
 - i. The limits of disturbance on the Final Forest Conservation Plan must be substantially consistent with the approved Preliminary Forest Conservation Plan, subject to staff review.
 - ii. Tree protection measures must be shown on the plan for existing trees to remain.
 - b. Applicant must have all required site inspections performed by M-NCPPC Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
 - c. The Applicant must record a Category I Conservation Easement (“Easement”) over all areas of forest retention, forest plantings and environmental buffers as specified on the approved Forest Conservation Plan. The Category I Conservation Easement approved by the M-NCPPC Office of the General Counsel must be recorded in the Montgomery County Land Records by deed prior to the start of any demolition, clearing, or grading on the Subject Property, and the Liber Folio for the easement must be referenced on the record plat.
 - d. The Applicant must execute a two-year Maintenance and Management Agreement approved by the M-NCPPC Office of General Counsel prior to the start of any demolition, clearing or grading on the Property. The maintenance and management agreement is required for all forest planting areas credited toward meeting the requirements of the Forest Conservation Plan, including the reforestation of environmental buffers.
 - e. The Applicant must provide financial surety to the M-NCPPC Planning Department for the 2.30 acres of new forest planting prior to the start of any demolition, clearing, or grading on the Property.
 - f. The Applicant must install permanent forest conservation easement signage along the perimeter of the conservation easements in all areas, as shown on the forest conservation plan, or as amended by the M-NCPPC forest conservation inspector.
 - g. The Applicant must comply with all tree protection and tree save measures shown on the approved FCP. Tree save measures not specified on the FCP may be required by the M-NCPPC forest conservation inspector.
 - h. The limits of disturbance (LOD) on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.
4. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated May 18, 2017, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.

5. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements as required by MCDOT.
6. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service ("MCDPS") – Water Resources Section in its stormwater management concept letter dated April 20, 2017, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
7. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service ("MCDPS") – Well and Septic Section in its letter dated May 18, 2017, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Well and Septic Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
8. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated March 13, 2017, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Preliminary Plan approval.
9. The record plat must show necessary easements.
10. The Adequate Public Facility ("APF") review for the Preliminary Plan will remain valid for sixty-one (61) months from the date of mailing of this Planning Board Resolution.
11. The certified Preliminary Plan must contain the following note:

Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of building permit(s) [or] site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.

SECTION 2 – SITE LOCATION, HISTORY, AND DESCRIPTION

Site Location

The subject property is approximately 9.77 acres and is located on the east side of Stonebarn Lane, approximately 1000 feet east of the intersection with Squires Court. The property was first recorded on plat 18856 at Outlot D, however approximately 1.5 acres was deeded to a neighboring property owner, and the property subject to this Preliminary Plan is the remaining 9.77 acres of Outlot D (“Property or Subject Property”).

Site Vicinity

Surrounding the Property on all sides are large lot, single-family detached residential development, in the RE-2 zone. Further to the southeast of the site is the Greenbriar Local Park, and approximately 1 mile to the east is Travilah Elementary School (Figure 1). The Property and its surroundings are located in the Travilah section of the Potomac Subregion Master Plan.

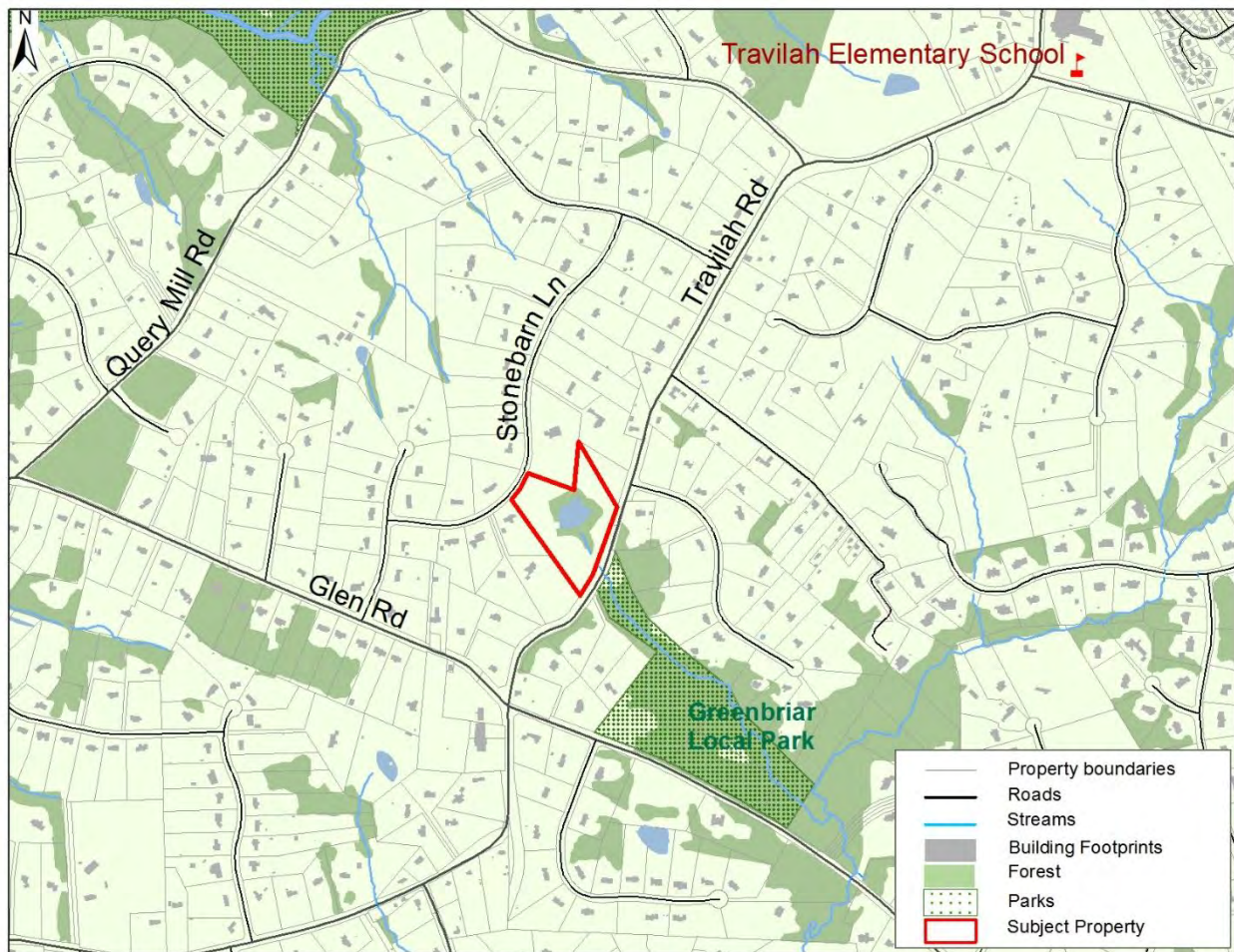


Figure 1 – Vicinity Map

Site Description

The Subject Property is currently undeveloped without any structures, but does have an old farm pond located in its center. The Property has two road frontages, with Stonebarn Lane located on the western side, and Travilah Road located to the east. Along the Travilah Road frontage is an existing row of mature white pine trees, presumably planted when the surrounding lots developed because this row of pine trees extends along a much longer section of Travilah Road than just the Properties frontage. The elevation is highest in the northwestern portion of the Property, and slopes down to the pond and stream. The stream starts with the pond and continues to flow southeastward until it goes under Travilah Road. There are areas of existing vegetation around the pond and along the stream. The Property is located within the Watts Branch watershed, which is identified as a Class I-P Waters.



Figure 2 – Arial Map

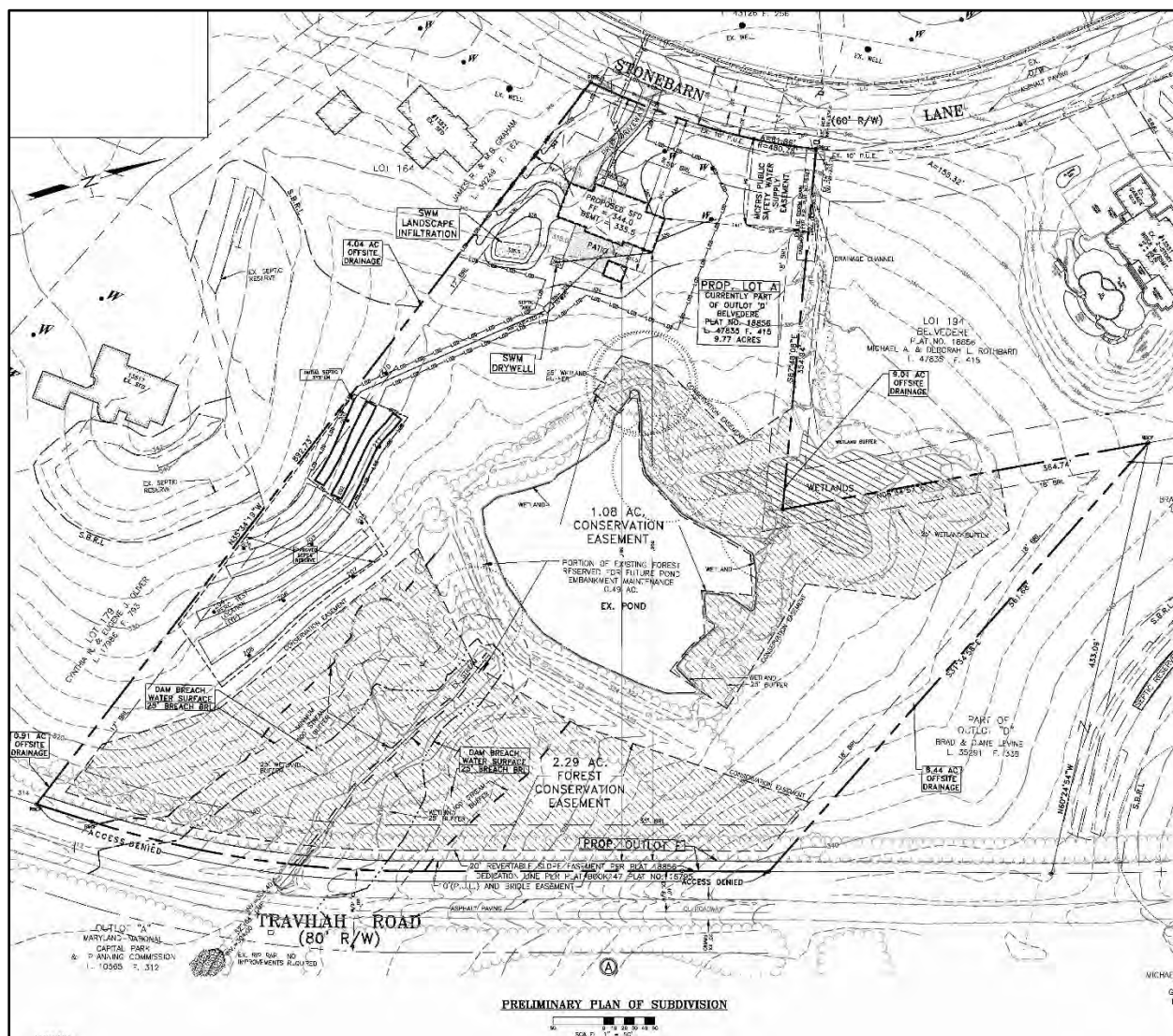
SECTION 3 – HISTORY AND PROPOSAL

History

The land that contains the Subject Property was first subdivided and recorded on Record Plat No. 16795 on January 4, 1988 as an 18.26-acre lot, identified as lot 162. In 1992, Plat No. 18856 (Attachment C) divided lot 162 into lot 194 (5 acres), Outlot D (11.12 acres, part of the subject property) and an additional two-acre remainder. Since 1992, the two-acre remainder combined with approximately 1.5 acres of Outlot D to create lot 195 to the northeast, leaving 9.77 acres remaining as Part of Outlot D, which is the subject of this Preliminary Plan.

Proposal

Preliminary Plan No. 120170040 was submitted on December 5, 2016, to create one lot for the purposes of constructing a new one-family detached dwelling (“Preliminary Plan” or “Application”). The Preliminary Plan would create one lot, approximately 9.6 acres in size for a new dwelling, and would include the existing pond and forested area (Figure 3). The Application also proposes Outlot E, approximately 0.17 acres in size, which is a 10-foot wide property, running the length of the site’s frontage with Travilah Road. This Outlot is being proposed to satisfy concerns raised by MCDPS over a dual-frontage lot, specifically future property owners needing to receive a variance for any accessory structures on the property. Outlot E would make Stonebarn Lane the only frontage, and is consistent with the existing plats which deny access to Travilah Road. The Preliminary Plan shows a possible house location west of the pond near Stonebarn Lane, with possible well, and septic locations. Category I Conservation Easements are proposed in the eastern 1/3 of the Property covering the stream valley buffer, plus additional area for buffer averaging necessary to accommodate maintenance access to both the dam face and the pond itself. This Application is also providing an easement along Stonebarn Lane for a future Montgomery County Department of Fire and Rescue water supply cistern, but is not proposing to install the cistern.



SECTION 4 – ANALYSIS AND FINDINGS, 50.4.2.D

1. *The layout of the subdivision, including size, width, shape, orientation and diversity of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59*

The layout of the subdivision is appropriate considering the lot size, width, shape, and orientation, given its location, the type of development contemplated, and the requirements of Chapter 59.

- a. The block design is appropriate for the development or use contemplated

The Preliminary Plan is for one lot and one outlot in an existing block with other existing lots and does not change the design of the overall block.

b. *The lot design is appropriate for the development or use contemplated*

The lot design is appropriate for one, one-family detached house. The lot fronts on an existing public road, is generally aligned perpendicular to the road. The outlot is necessary to avoid creating a dual frontage lot between Stonebarn Lane and Travilah Road.

c. *The Preliminary Plan provides for required public sites and adequate open areas*

The Preliminary Plan for one lot is not required to provide any public spaces or open areas, identified in any Master Plans or Recreation Guidelines. No dedication for public streets is required because the site has access to Stonebarn lane, which is already dedicated to the full 60-foot width required by the Master Plan.

d. *The Lot(s) and Use comply with the basic requirements of Chapter 59*

The lot was reviewed for compliance with the dimensional requirements for the RE-2 zone as specified in the Zoning Ordinance. The lot as proposed will meet all the dimensional requirements for area, frontage and, width, and setbacks for structures can be accommodated in that zone. A summary of this review is included in Table 1.

Table 1 – Development Standards in the RE-2 Zone

Standard	Required/Permitted	Proposed
Density (DU)	1 DU/2 acres, 4 DU max	1 DU total
Minimum lot size	2 acres	9.6 acres
Front setbacks	50 ft. min.	50 ft. or more
Side setbacks	17 ft. min., 35 ft. total	17 ft./35 ft. or more
Rear setbacks	35 ft. min.	500 ft. or more
Min Lot Width at Street	25 ft.	231 feet
Min Lot Width at building	150 ft.	150 ft or more
Max Lot Coverage	25%	1% as shown
Max Building Height	50 ft max	50 ft. max

2. *The Preliminary Plan substantially conforms to the Master Plan or Urban Renewal Plan*

The Preliminary Plan is in substantial conformance to the 2002 Potomac Subregion Master Plan (Master Plan).

a. Land Use

The Master Plan recognizes and affirms the general area as a green wedge with low-density residential development, and reconfirmed all existing residential zoning within the Master Plan boundary unless specifically changed. The Property is located within the Travilah portion of the Master Plan (Figure 4), which is described on Page 80 as “a transition from the higher densities of Potomac and North Potomac, to lower densities in Darnestown and the natural environment of the Potomac River.” This part of the Potomac Subregion is meant to be reliant on septic systems to ensure the more rural character, and lists RE-2 as one of the preferred zones for the area. There are no specific recommendations for this Property in the Master Plan, and no recommendations to change the zoning to anything other than RE-2, therefore Staff finds this Application in

conformance with the Master Plan by proposing one lot for a one-family detached dwelling consistent with the residential estate zone.



Figure 4 – Master Plan Communities (p. 5)

b. Environment

The Master Plan does not identify this Property in a watershed or resource area intended for extra protection, however the Master Plan does provide general water resource and wetland recommendations including maintaining and protecting stream buffer and forest areas, clustering, and appropriately locating stormwater management facilities. The large size of this Property provides the opportunity to locate the proposed dwelling and all associated impacts

away from the pond and stream valley, and the Preliminary Plan protects these features with Category I conservation easements.

3. *Public Facilities will be adequate to support and service the area of the subdivision*

This Application was submitted prior to January 1, 2017 and was therefore reviewed under the 2012-2016 Subdivision Staging Policy for adequate public facilities review.

a. Roads and Other Transportation Facilities

Transportation access is adequate to serve the proposed development by this Preliminary Plan.

i. *Existing Facilities*

The Property will take access from Stonebarn Lane, an existing tertiary open-section residential street with 20 feet of paving and no existing sidewalks within a 60-foot right-of-way.

ii. *Proposed public transportation infrastructure*

In coordination between MNCPPC and MCDOT staff, it was determined that no additional improvements are required to Stonebarn Lane.

b. Local Area Transportation Review (LATR)

The Application only proposes one new lot, which generates under 30 new peak hour vehicle trips, therefore the Application does not need to submit a full traffic study and satisfies the LATR guidelines.

c. Transportation Policy Area Review (TPAR)

The Property is located in the Rural West Policy Area according to the 2012-2016 Subdivision Staging Policy LATR and TPAR Guidelines, which was exempt from the Roadway and Transit tests. Therefore, the Application is adequate under TPAR.

d. Other Public Facilities and Services

Other public facilities and services are adequate to meet the demands of this Preliminary Plan. The Application is providing on-lot private wells and sewer system as approved by MCDPS Well and Septic (Attachment H). The MCDPS Fire Department Access and Water Supply Section has also recommended approval of the Application (Attachment E). Electricity and telecommunications are available for the Property, and the police and health services are operating within the standards set by the Subdivision Staging Policy. This Application was reviewed under the school adequacy of the 2012-2016 subdivision staging policies FY2017 test. The property is located in the Wootton High School cluster which was not in a payment or building moratorium area therefore no payment would have been required.

4. *All Forest Conservation Law, Chapter 22A requirements are satisfied*

Environmental Guidelines

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) #420151260 for the Property was approved on March 16, 2015. The NRI/FSD identified all the required environmental features on and adjacent to the Property, as further described in the *Environmental Guidelines for Management of Development in Montgomery County*. The NRI/FSD identified a perennial stream, wetlands, in-stream farm pond (man-made), steep slopes and slopes with highly erodible soils. In addition, the NRI/FSD also identified a high priority existing forest stand of 1.07 acres along the stream and pond at the south end of the Property.

Buffer Averaging

The Preliminary Forest Conservation Plan ("PFCP") proposes areas of Category I Forest Conservation Easement ("FCE") around the pond that differs from the approved stream valley buffer ("SVB") shown on the NRI/FSD. In this case, the Applicant has requested that the SVB not being enforced with Category I FCE along the northwest and southwest sides of the existing pond. The southwest side is the dam embankment and must be unencumbered to allow for future maintenance and dam safety; which is consistent with past practice. The northwest side of the pond faces the proposed house and the Applicant has requested this area remain open to provide recreational and aesthetic access to the pond. Staff agrees with the Applicant's requests to leave a portion of the pond outside of Category I FCE with on-site compensation, and recommends no mitigation for the lack of a FCE on southwest side since it is the pond embankment and will need routine maintenance.

The *Environmental Guidelines, Section V-A1* provides the option for buffer compensation to offset buffer encroachment, reviewed on a case-by-case basis. One method of compensation is "buffer averaging," which permanently protects environmentally comparable on-site areas outside the delineated stream buffer in exchange for the allowance of encroachment elsewhere in the delineated buffer. To approve the use of buffer averaging, the following five criteria must be met:

1. *Reasonable alternative for avoidance of the buffer are not available;*

The portion of the SVB being left out of FCE for maintenance of the dam and for recreational and aesthetic access to the pond cannot be reasonably avoided, since the entire pond is surrounded by a 25-foot wide SVB. No reasonable means of access can therefore be provided without omitting a portion from the FCE.

2. *Encroachment into the buffer has been minimized;*

The Applicant has limited access to approximately 150 feet along one side of the pond, which faces the rear of the proposed single-family detached house, and to the dam face which needs to be maintained free and vegetation. No construction or clearing activities are proposed at this time, however the Applicant wishes flexibility to maintain the view shed and access to the pond in the future.

3. *Existing sensitive areas have been avoided (forest, wetlands and their state-designated buffers, floodplain, steep slopes, habitat for rare, endangered, and threatened species and their associated buffers);*

The locations that would not be placed in conservation easement is part of a 25-foot wide wetland buffer that would be adjacent to any pond. Other than being within the buffer, the areas do not contain any other sensitive environmental features.

4. *The proposed use is consistent with the preferred use of the buffer;*

The area of the SVB not being placed in the FCE predominantly an open grassed area with some existing tree cover. This area will likely continue to be unimproved but maintained, and as such, will continue to function in the same manner as it does currently.

5. *The plan design provides compensation for the loss of buffer function;*

The Applicant proposes to use stream buffer averaging to compensate for the amount of SVB not being protected with FCE, by increasing the area of FCE outside of and adjacent to the SVBs on the northeast side of the existing farm pond adjacent to wetlands. The area of SVB not included in the proposed FCE is approximately 8,300 square feet. As compensation, the Applicant proposes to place 8,300 square feet of additional land outside of, but adjacent to, the SVB into FCE on the Subject Property. This additional area will be planted with new forest to supplement existing vegetation (approximately 6,500 SF of planting).

Staff supports the use of buffer averaging proposed by the Applicant, with the included additional FCE area and supplemental forest planting.

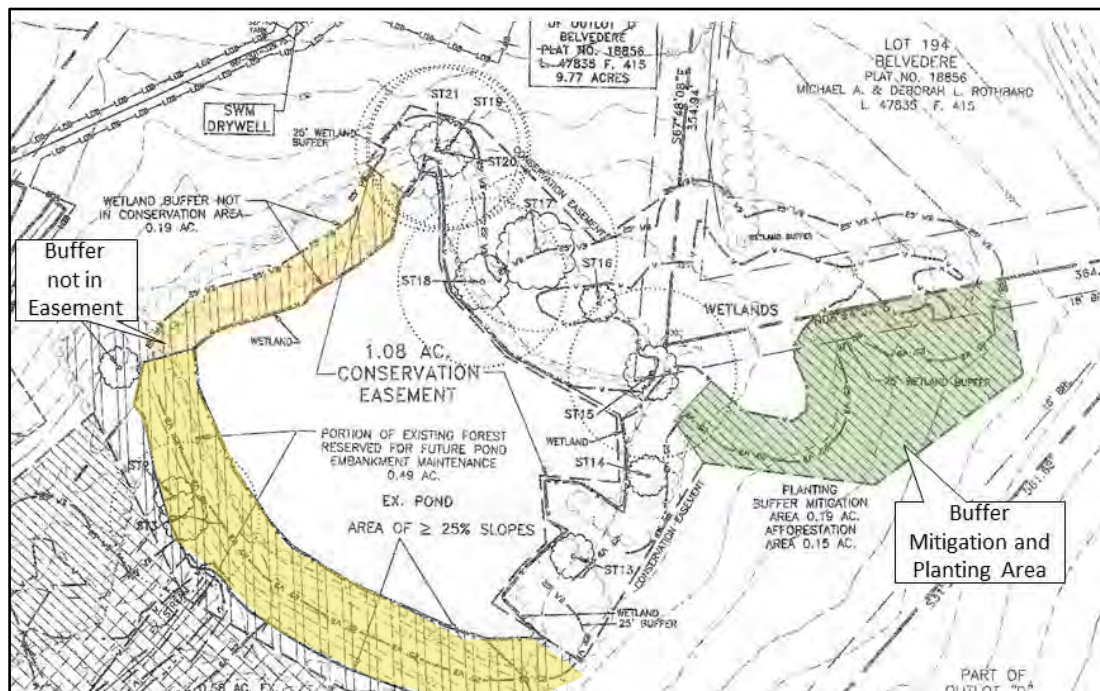


Figure 5 – Buffer Averaging Areas

Forest Conservation Plan

The Application meets the requirements of Chapter 22A of the Montgomery County code. An PFCP has been submitted for review as part of this Application (Attachment B). Based on the total tract area of this parcel (9.77 ac.), the Land Use Category (Medium Density Residential), and the existing 1.07 acres of forest, the Forest Conservation Worksheet results in a planting requirement of 1.86 acres. The Application meets the requirements of the forest conservation plan by retaining all 0.58 acres of existing high priority forest and planting an additional 1.86 acres onsite, in addition to the 8,300 square feet of buffer averaging plantings.

All retained forest, planted forest both inside and outside of the SVB, wetland areas, and SVB areas not otherwise discussed prior, will be placed into a Category I Conservation Easement, consistent with that shown on the PFCP. As stated earlier, the SVB on the southwest side of the pond will remain outside of any conservation easement to allow periodic maintenance to be performed on this structure, and the SVB on the northwest side of the pond will remain outside of any conservation easement for the owners recreational and aesthetic access and will be mitigated for on-site.

5. *All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied*

The Preliminary Plan Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a stormwater concept approval from MCDPS water resources division on April 20, 2017 (Attachment F). The Application will meet stormwater management goals through a variety of techniques including the use of landscape infiltration and drywells.

SECTION 6 – CITIZEN CORRESPONDENCE AND ISSUES

The Applicant has met all proper signage, noticing and pre-submission meeting requirements for the submitted Applications. A pre-submission meeting notice was sent and a pre-submission meeting for the Preliminary Plan was held on October 5, 2016 at Quince Orchard High school. As of the writing of this report, Staff has not received any correspondence from the community involving this Application.

SECTION 7– CONCLUSION

The proposed lots meet all of the requirements established in the Subdivision Regulations and the Zoning Ordinance, and conform to the recommendations of the Potomac Master Plan. Access to the lots is adequate and all public facilities and utilities have been deemed adequate to serve this Application. The Application was reviewed by other applicable County agencies, all of whom have recommended approval of the plans. Therefore, staff recommends approval of the Application, with the conditions as specified.

Attachments

Attachment A – Preliminary Plan
Attachment B – Preliminary FCP
Attachment C – Plat No 18856
Attachment D – MCDOT Memo
Attachment E – Fire & Rescue Memo
Attachment F – Stormwater Management Memo
Attachment G – Extension Request
Attachment H – Well and Septic

Attachment A

GENERAL NOTES

1. This property is located at:
13527 Stonebarn Lane
Gaithersburg, MD. 20878
2. Total Site Area is 9.77 Acres
Existing Zoning is RE-2.
Part of Outlot D Belvedere
Liber 47835, Folio 415
Montgomery County Tax Map: ER51
3. Current owners on record: Michael A. and Deborah L. Rothbard
13531 Stonebarn Lane
Gaithersburg, MD 20878
4. The property drains to the Sandy Branch Tributary to Watts Branch Watershed. The watershed is not a special protection area and has a Use Class of I-P.
5. Topographic information is from available records and supplemented by survey performed by Landmark Engineering, Inc.
6. The property will be served by well and septic system. The water and sewer categories are W-6 & S-6. All wells and septic systems within 100' of the property boundaries are shown.
7. The existing pond which drains through an on-site intermittent stream will be retained.
- 8) This property is shown in Zone X, area of minimal flooding on FEMA Flood Insurance Rate Map Community Panel No. 24031C0310D dated September 29, 2006.
- 9) No rare, threatened or endangered species were observed on the site. In addition a letter has been sent to the MD-DNR requesting an environmental review for the property.
- 10) This property is not located on the Locational Atlas and Index of Historic Sites.
- 11) Seven (7) specimen trees and fourteen (14) significant trees were identified on or immediately adjacent to property. No trees were identified onsite that are 75% of the State or County Champions.
- 12) NRI/FSD 420151260 was approved for this property on March 16, 2015.
- 13) Driveway access along entire Travilah Road frontage is denied.

TABULAR SUMMARY

Zoning:	RE-2	
Use:	Residential	
Description	Required	Proposed
Minimum Lot Area	2 Acres	9.60 Acres
Minimum Lot Width		
At Front BRL	150 Ft.	259.8 Ft.
At Street	25 Ft.	231.5 Ft.
Maximum Density Unit/Acres	1/2	1/9.6
Description	Required	As Shown*
Maximum Coverage	25%	1%
Minimum Setbacks		
From Street	50 Ft.	89 Ft.
One Side/Sum of Both	17 Ft/35 Ft.	44 Ft/185 Ft.
Rear	35 Ft.	596 Ft.
Maximum Building Height	50 Ft.	50 Ft.

* House size & location, walks, patios and driveway are conceptual.

OUTLOT D

TEST SITE	TEST DEPTHS TIME
201	2.5' 15 MIN 15 MIN
202	2.5' 5 MIN
203	2.5' 20 MIN
204	2.5' 17 MIN
205	2.5' 20 MIN
206	2.5' 30 MIN
207	2.5' 30 MIN
208	2.5' 30 MIN 15 MIN
209	2.5' 8 MIN
210	2.5' NT@2.5
211	2.5' 9 MIN 12 MIN

AVERAGE TIME = 17.4 MIN

SEPTIC TREATMENT DESIGN CHART

INVERT OF LOW FIXTURE	SEPTIC TREATMENT TANK			AVERAGE RATE	TOP STONE @ TRENCH START	LENGTH INITIAL SYSTEM	LENGTH TOTAL SYSTEM	DEPTH OF STONE	NUMBER OF BEDROOMS
	INV. IN	INV. OUT	TOP						
335.5	330.0	329.75	331.5	17.4 MIN.	330.5	479	1,975	2'	5

* INITIAL SYSTEM PLUS THREE RESERVES

AVERAGE PERCOLATION TIME 201 - 209 & 211 = 17.4 MIN.
INITIAL SYSTEM REQUIRED = $\frac{1915}{2} = 479$ L.F.
2 (4' STONE)

3 RESERVES REQUIRED = 3 (479) = 1,437 L.F.
TOTAL SYSTEM REQUIRED = 1,916 L.F.
TOTAL SYSTEM PROVIDED = 1,975 L.F.
SEPTIC RESERVE AREA = 25,496 SQ. FT.

NOTE:

Conceptual Building Footprint and Site Development are for illustrative purposes shown with Limits of Disturbance Line.

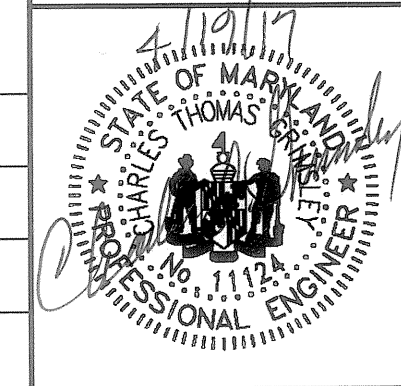
SITE UTILITIES

PEPCO
Washington Gas
Verizon
Comcast

APPLICANT

MICHAEL A. & DEBORAH L. ROTHBARD
13531 STONEBARN LANE
GAITHERSBURG, MD. 20878
PHONE: (301) 340-3932

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 11124, EXPIRATION DATE: OCTOBER 3, 2018.



WSSC SHEET: 217NW12 217NW13	M-NCPPC PRELIMINARY PLAN NO. 120170140	NRI/FSD: 420151260
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PRELIMINARY PLAN OF SUBDIVISION

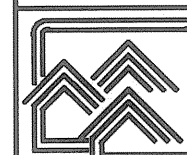
ROTHBARD PROPERTY

13527 STONEBARN LANE

PART OF OUTLOT D, BELVEDERE, PLAT NO 18856
PARCEL N327, TAX MAP ER51

DARNESTOWN (6TH) ELECTION DISTRICT

MONTGOMERY COUNTY, MARYLAND



LANDMARK ENGINEERING, INC.

8110 EXECUTIVE BLVD, SUITE 110 PHONE: (301) 230-5881

ROCKVILLE, MARYLAND 20852 FAX: (301) 230-5884

CONSULTING ENGINEERS

PLANNERS

SURVEYORS

DRN: DVA CK: CTG

PROJECT NO.: 1417

SCALE: 1" = 50'

DATE: APR. 19, 2017

SHEET 1 OF 1

LEGEND

---	PROPERTY LINE
- - - - -	PROPOSED LIMITS OF DISTURBANCE
- - - - -	UNDERGROUND ELECTRIC
- - - - -	UNDERGROUND TELEPHONE
- - - - -	STORM DRAIN
- - - - -	STREAM
- - - - -	STREAM BUFFER
- - - - -	WETLAND
- - - - -	WETLAND BUFFER
- - - - -	FOREST LINE

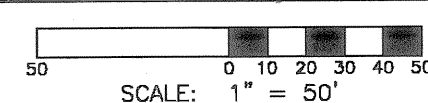


SIGNIFICANT/SPECIMEN TREE

PROPOSED WELL LOCATION

PROPOSED FOREST CONSERVATION AREA

PRELIMINARY PLAN OF SUBDIVISION



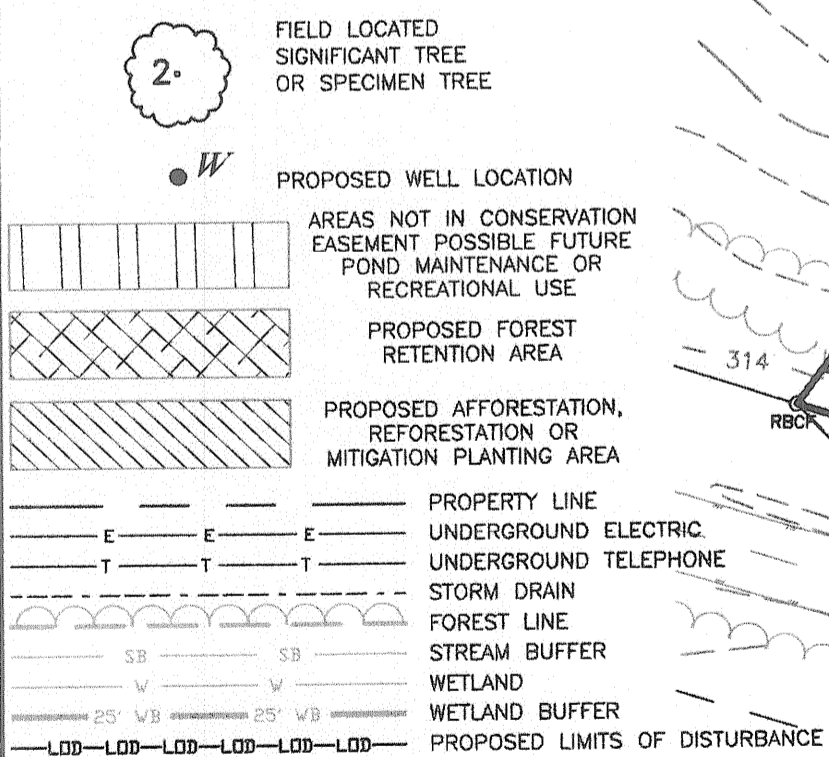
SCALE: 1" = 50'

Attachment B

SIGNIFICANT/SPECIMEN TREE TABLE					
No.	Scientific Name	Common Name	DBH (Inches)	Condition	Comments
1	<i>Acer rubrum</i>	red maple	25	Fair	co-dominant leader, poor crotch attachment, crown dieback
2	<i>Acer rubrum</i>	red maple	25	Fair	multi-stem trunk
3	<i>Acer rubrum</i>	red maple	31	Fair	cavities, poor crotch attachment, broken branches, multi-stem trunk
4	<i>Pinus strobus</i>	eastern white pine	26	Fair	heavy vine cover
5	<i>Pinus strobus</i>	eastern white pine	25	Poor	cavity, multi-stem trunk
6	<i>Pinus strobus</i>	eastern white pine	26	Fair	co-dominant leader, vine cover
7	<i>Pinus strobus</i>	eastern white pine	26	Fair	co-dominant leader, vine cover
8	<i>Pinus strobus</i>	eastern white pine	26	Fair	co-dominant leader, vine cover
9	<i>Pinus strobus</i>	eastern white pine	26	Good	
10	<i>Pinus strobus</i>	eastern white pine	26	Fair	multi-stem trunk, vine cover
11	<i>Pinus strobus</i>	eastern white pine	25	Good	
12*	<i>Pinus strobus</i>	eastern white pine	25	Good	multi-stem trunk
13	<i>Acer rubrum</i>	red maple	28	Fair	co-dominant leader, poor crotch attachment, dead branches
14	<i>Acer rubrum</i>	red maple	26	Very Poor	60% of trunk base rotted, leaning, crown dieback
15	<i>Acer rubrum</i>	red maple	35	Fair	trunk cavity, crown dieback
16	<i>Acer rubrum</i>	red maple	24	Fair	crown dieback, cavity
17	<i>Acer saccharinum</i>	silver maple	50, 30	Fair	multi-stem trunk
18	<i>Acer rubrum</i>	red maple	35	Poor	dead leader
19	<i>Nyssa sylvatica</i>	black gum	34	Poor	cavities, vine cover, crown dieback
20	<i>Acer rubrum</i>	red maple	33	Very Poor	cavities, part of main leader has fallen
21	<i>Acer rubrum</i>	red maple	34	Very Poor	large cavity at base

* Tree located offsite size and condition estimated

LEGEND



Forest Conservation Data Table			
Number of Acres			
Tract	9.8		
Remaining in Agricultural Use	-		
Road & Utility ROWs	-		
Total Existing Forest	1.07		
Forest Retention	0.58		
Forest Cleared	0.49		
Land Use & Thresholds			
Land Use Category	MDR	ARA, MDR, IDA, HDR, MPD, or CIA	
Conservation Threshold	20%	percent	
Afforestation Threshold	25%	percent	
Average Buffer Width (ft.)			
Total Channel Length (ft.)	280	100	
Stream(s)			
Acres of Forest In			
Retained	Cleared	Planted	
Wetlands	0.11	-	0.03
100-year Floodplain			
Stream Buffers	0.49	-	0.76
Priority Areas	0.60	-	0.79

1 Only Road or Utility ROWs not to be improved as part of development application.
2 Information from FC Land Use Categories & Thresholds document.
3 Measured from stream edge to buffer edge.

OUTLOT "A"
MARYLAND-NATIONAL
CAPITAL PARK
& PLANNING COMMISSION
L. 10565 F. 312

FOREST CONSERVATION NOTES

All Forest Conservation requirements are to be met on-site.

The pond embankment and the area next to the downstream toe of slope are excluded from the conservation area so any possible future pond maintenance can be conducted with permits from DNR and DPS. This area is outside of the Limits of Disturbance required for construction of a single family dwelling.

A 0.19 Ac. area of unforested wetland buffer was excluded from the Conservation Easement to allow for possible pond maintenance and recreational use. A 0.19 Ac. area was added to the conservation area along the wetland on the far side of the pond for buffer averaging purposes.

PRELIMINARY FOREST CONSERVATION PLAN

DEVELOPER'S CERTIFICATE

The undersigned agrees to execute all the features of Approved Final Forest Conservation Plan No. _____ including financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: Michael A. Rothbard & Deborah L. Rothbard

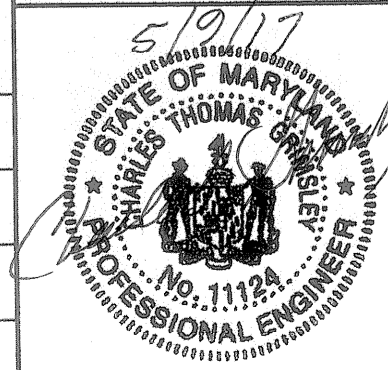
Contact Person or Owner: Michael A. Rothbard
Address: 13531 Stonebarn Lane, Gaithersburg, MD 20878
Phone and Email: 301-340-3932
mike.rothbard@executivemediacommunications.com

Signature: _____
Michael A. Rothbard

Wetland Studies and Solutions, Inc.
1131 Benfield Boulevard, Suite L
Millersville, Maryland 21108
Phone: (410) 672-5990
Fax: (410) 672-5993
Plan prepared by
Kenneth R. Wallis
Qualified Professional Engineer
CoMer 06.18.06.01

DATE:	REVISIONS:

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 11124, EXPIRATION DATE: OCTOBER 3, 2018.



WSSC SHEET: 217NW12 217NW13 M-NCPPC PRELIMINARY PLAN NO. 120170140 NRI/FSD: 420151260

PRELIMINARY FOREST CONSERVATION PLAN ROTHBARD PROPERTY

13527 STONEBARN LANE
PART OF OUTLOT D, BELVEDERE, PLAT 18856
PARCEL N327, TAX MAP ER51

DARNESTOWN (6TH) ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND		LANDMARK ENGINEERING, INC.	
8110 EXECUTIVE BLVD, SUITE 110 ROCKVILLE, MARYLAND 20852		PHONE: (301) 230-5881 FAX: (301) 230-5884	
CONSULTING ENGINEERS		PLANNERS SURVEYORS	
DRN: DVA CHK: CTG	PROJECT NO.: 1417	SCALE: 1" = 50'	SHEET 1 OF 1

GENERAL NOTES

- This property is located at:
13527 Stonebarn Lane
Gaithersburg, MD. 20878
- Total Site Area is 9.77 Acres
Existing Zoning is RE-2.
Part of Outlot D Belvedere
Liber 47835, Folio 415
Montgomery County Tax Map: ER51
Tax Parcel: N327
- Current owners on record: Michael A. and Deborah L. Rothbard
13531 Stonebarn Lane
Gaithersburg, MD 20878
- Topographic information is from available records and supplemented by survey performed by Landmark Engineering, Inc.
- The property drains to the Watts Branch Watershed which has a Use Class of I-P and is not in a Special Protection Area or primary management area.
- The existing pond which drains to an on-site intermittent stream will be retained.
- The property will be served by well and septic system. Water & Sewer Categories W-6 & S-6.
- No rare, threatened or endangered species were observed on the site. In addition a letter has been sent to the MD-DNR requesting an environmental review for the property.
- This property is not located on the Locational Atlas and Index of Historic Sites.
- Seven (7) specimen trees and fourteen (14) significant trees were identified on or immediately adjacent to property. No trees were identified onsite that are 75% of the State or County Champions.

FOREST CONSERVATION WORKSHEET Rothbard Property

NET TRACT AREA:

A. Total tract area ...	9.77
B. Land dedication acres (parks, county facility, etc.) ...	0.00
C. Land dedication for roads or utilities (not being constructed by this plan) ...	0.00
D. Area to remain in commercial agricultural production/use ...	0.00
E. Other deductions (specify)	0.00
F. Net Tract Area	9.77

LAND USE CATEGORY: (from Trees Technical Manual)
Input the number "1" under the appropriate land use, limit to only one entry.

ARA	MDR	IDA	HDR	MPD	CIA
0	1	0	0	0	0

G. Afforestation Threshold ...	20%	x F =	1.95
H. Conservation Threshold ...	25%	x F =	2.44

EXISTING FOREST COVER:

I. Existing forest cover	1.07
J. Area of forest above afforestation threshold	0.00
K. Area of forest above conservation threshold	0.00

BREAK EVEN POINT:

L. Forest retention above threshold with no mitigation	0.00
M. Clearing permitted without mitigation	0.00

PROPOSED FOREST CLEARING:

N. Total area of forest to be cleared	0.49
O. Total area of forest to be retained	0.58

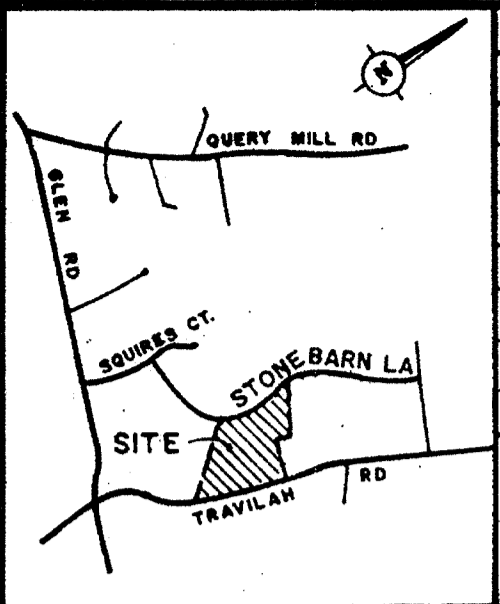
PLANTING REQUIREMENTS:

P. Reforestation for clearing above conservation threshold	0.00
Q. Reforestation for clearing below conservation threshold	0.98
R. Credit for retention above conservation threshold	0.00
S. Total reforestation required	0.98
T. Total afforestation required	0.88
U. Credit for landscaping (may not exceed 20% of "S")	0.00
V. Total reforestation and afforestation required	1.86

MONTGOMERY COUNTY CIRCUIT COURT (Subdivision Plats, MO) Plat 18856, MSA_s1249_025055. Date available 1992/10/06. Printed 12/12/2016.

Maryland State Archives

1
2
3
4
5
6



VICINITY MAP
SCALE: 1" = 2000'

CURVE DATA						
No.	RA					IRING
1	74'					6" E
2	480.78'					" E
3	990.62'	15°30'11"	268.04'	134.84'	267.22'	N 02°39'58" E
4	6960.00'	02°02'14"	247.48'	123.75'	247.46'	N 17°17'36" E
5	1035.00'	17°36'43"	318.14'	160.34'	316.89'	N 25°39'47" E

PLAT NO 18856



LEGEND

- W. WELL LOCATION
- SBRL SEPTIC BUILDING RESTRICTION
- S TOTAL SEPTIC RESERVE AREA
- INITIAL SEPTIC TRENCH

NOTE

THE LOT INCLUDED IN THIS PLAN OF SUBDIVISION HAS BEEN APPROVED FOR A SIX BEDROOM HOUSE. SEPTIC BUILDING RESTRICTION LINES MAY BE CHANGED SUBJECT TO APPROVAL BY THE MONTGOMERY COUNTY HEALTH DEPARTMENT.

OWNERS DEDICATION

WE, MONROE DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, BY CLARENCE W. GOSNELL, JR., PRESIDENT AND WILLIAM G. GOSNELL, VICE PRESIDENT AND SECRETARY, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF RESUBDIVISION AND ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND GRANT TO MONTGOMERY COUNTY, MARYLAND, SLOPE EASEMENTS TWENTY (20) FEET WIDE ON ALL LOTS, ADJACENT, CONTIGUOUS AND PARALLEL TO THE STREET RIGHT OF WAY SHOWN HEREON, SAID SLOPE EASEMENT SHALL BE EXTINGUISHED WHEN ALL PUBLIC IMPROVEMENTS HAVE BEEN COMPLETED AND ACCEPTED FOR MAINTENANCE BY MONTGOMERY COUNTY, MARYLAND, OR OTHER APPROPRIATE PUBLIC AGENCY. WE ALSO GRANT TO THE PARTIES NAMED IN A DOCUMENT ENTITLED "DECLARATION OF TERMS AND PROVISIONS OF PUBLIC UTILITY EASEMENTS" AS RECORDED IN LIBER 3834 AT FOLIO 457 OF THE MONTGOMERY COUNTY LAND RECORDS, PUBLIC UTILITY EASEMENT SHOWN HEREON AS 10' P.U.E. SUBJECT TO ALL CURRENT AND APPLICABLE REGULATIONS OF ALL FEDERAL, STATE AND LOCAL AGENCIES.

THERE ARE NO SUITS OF ACTIONS, LEASES, LIENS, MORTGAGES, OR TRUSTS ON THE PROPERTY EXCEPT A CERTAIN DEED OF TRUST AND ALL PARTIES IN INTEREST THERETO HAVE INDICATED THEIR ASSENT TO THIS PLAN.

MONROE DEVELOPMENT CORP.
Barbara D. Welch 1/8/92 DATE CLARENCE W. GOSNELL, JR. PRESIDENT
Wm. G. Gosnell 1-2-92 DATE WILLIAM G. GOSNELL, VP & SECRETARY
WE ASSENT TO THIS PLAN OF SUBDIVISION. FAIRFAX BANK & TRUST COMPANY
Tony J. Hanna 1/9/92 DATE
Gary J. Hanna 1/9/92 DATE

SURVEYOR'S CERTIFICATE

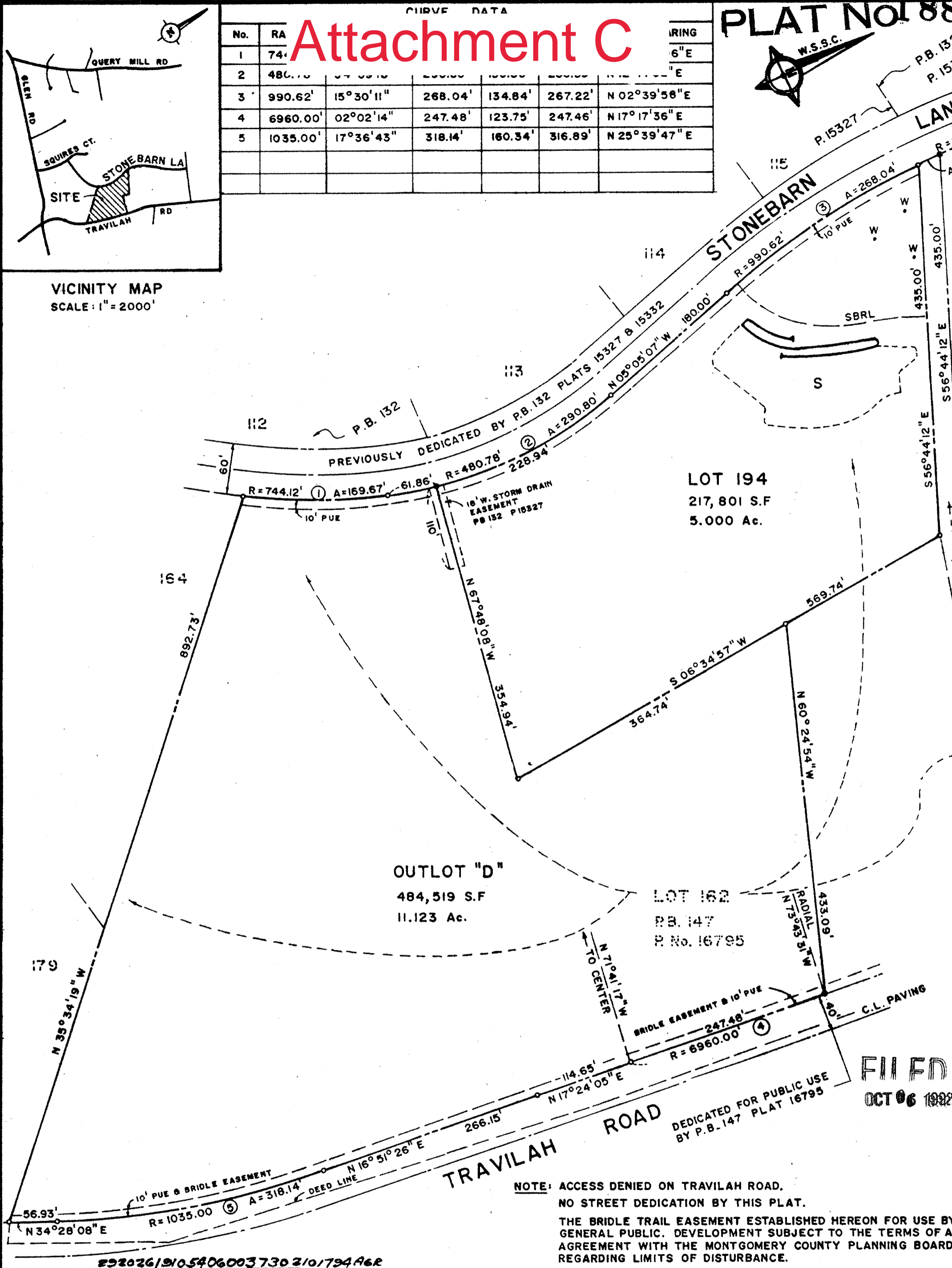
I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE PLAN SHOWN HEREON IS CORRECT, THAT IT IS A SUBDIVISION OF PART OF THE LAND CONVEYED BY THOMAS N. DOWD, ET UX, TO MONROE DEVELOPMENT CORPORATION BY DEED DATED OCTOBER 6, 1977 AND RECORDED IN LIBER 5048 AT FOLIO 755 THROUGH 780 ALSO BEING A RESUBDIVISION OF PART OF LOT 162 BELVEDERE AS RECORDED IN PLAT BOOK NUMBER 147 AT PLAT NO. 16795 ALL AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND. THE TOTAL AREA OF THIS PLAT IS 16.123 ACRES.

IRON PROPERTY MARKERS SHOWN THUS IN PLACES WHERE INDICATED.

DATE: DECEMBER 10, 1991
JOHN J. ALLEN, JR.
PROFESSIONAL LAND SURVEYOR NO. 2208

TOTAL AREA OF THIS PLAT = 16.123 AC.
NO STREET DEDICATION.

LOT 194 & OUTLOT "D" BELVEDERE DARNESTOWN ELECTION DISTRICT (6TH) MONTGOMERY COUNTY, MARYLAND				
BETHESDA ENGINEERS & SURVEYORS, INC. 4550 MONTGOMERY AVENUE, SUITE 210 N BETHESDA, MARYLAND 20814 (301) 961-8890				
CHECKED	DRAWN	SCALE	DATE	JOB No.
J.A.	W.S.	1" = 100'	6-12-91	91-029



NOTE: ACCESS DENIED ON TRAVILAH ROAD.
NO STREET DEDICATION BY THIS PLAT.
THE BRIDLE TRAIL EASEMENT ESTABLISHED HEREON FOR USE BY THE GENERAL PUBLIC. DEVELOPMENT SUBJECT TO THE TERMS OF AN AGREEMENT WITH THE MONTGOMERY COUNTY PLANNING BOARD REGARDING LIMITS OF DISTURBANCE.

DEPARTMENT OF HEALTH MONTGOMERY COUNTY, MARYLAND APPROVED: 7/16/92 OFFICER: Harold D. Galul MD/PhD	MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION MONTGOMERY COUNTY PLANNING BOARD APPROVED: JANUARY 30, 1992 CHAIRMAN: Thomas J. Hanna ASST. SECRETARY / TREASURER: Rosemary C. Higgins	DEPARTMENT OF TRANSPORTATION MONTGOMERY COUNTY, MARYLAND APPROVED: APRIL 22, 1992 DIRECTOR: [Signature]	RECORDED: PLAT BOOK: PLAT No.:
---	---	--	--------------------------------------

MSA SSU 1249-25055 588-30

Attachment D



Isiah Leggett
County
Executive

Al R. Roshdieh
Director

DEPARTMENT OF TRANSPORTATION

May 18, 2017

Mr. Benjamin Berbert, Planner Coordinator
Area 3 Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 120170140
Rothbard Property

Ben
Dear Mr. Berbert:

We have completed our review of the preliminary plan dated April 19, 2017. A previous plan reviewed by the Development Review Committee at its meeting on December 27, 2016. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Necessary dedication for future widening of Travilah Road in accordance with the master plan.
2. Retain the necessary slope and drainage easements along Travilah Road and Stonebarn Lane, as well as the existing "Bridle Easement" along the Travilah Road site frontage.
3. Wells and septic systems cannot be located within the right of way nor slope or drainage easements.

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178

FAX

www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

Mr. Benjamin Berbert
Preliminary Plan No. 120170140
May 18, 2017
Page 2

4. The storm drain analysis was reviewed and is acceptable to MCDOT. No improvements are needed to the downstream public storm drain system for this plan.
5. The sight distance study has been accepted. A copy of the accepted Sight Distance Evaluation certification form is enclosed for your information and reference.
6. Record plat to reflect denial of access along Travilah Road.
7. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
8. Trees in the County rights of way – spacing and species to be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with DPS Right-of-Way Plan Review Section.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Rebecca Torma, our Development Review Area Senior Planning Specialist for this project at rebecca.torma@montgomerycountymd.gov or (240) 777-2118.

Sincerely,



Gregory M. Leck, Manager
Development Review Team
Office of Transportation Policy

Sharepoint/director's office/development review/Rebecca/developments/ Potomac subregion/rothbard/120170140 rothbard
prelim lan ltr.doc

Enclosure

cc: Michael Rothbard Owner
David Albamonte Landmark Engineering, Inc.
Charles T. Grimsley Landmark Engineering, Inc.
Preliminary Plan folder
Preliminary Plan letters notebook

cc-e: Sam Farhadi MCDPS RWPR
Rebecca Torma MCDOT OTP



MONTGOMERY COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: Belvedere Preliminary Plan Number: 1-20170140

Street Name: Stonebarn Lane Master Plan Road Classification: Secondary Residential

Posted Speed Limit: 25 mph

Street/Driveway #1 (Stonebarn Lane) Street/Driveway #2 ()

Sight Distance (feet) OK?
Right 355' ✓
Left 355' ✓

Sight Distance (feet) OK?
Right
Left

Comments: _____

Comments: _____

GUIDELINES

No Posted Speed Limit

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

*Source: AASHTO

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Charles T. Grimsley 4/24/17
Signature Charles T. Grimsley Date

P.E. 11124 expires Oct. 3, 2018

PLS/P.E. MD Reg. No.

Montgomery County Review:

☒ Approved

☐ Disapproved:

By: Rebecca Poma

Date: 5/5/17

Attachment E



Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 13-Mar-17
TO: Charles Grimsley - landmarktg@aol.com
Landmark Engineering
FROM: Marie LaBaw
RE: Rothbard Property
120170140

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **13-Mar-17**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

***** Applicant to submit easement document prior to record plat *****



Attachment F

DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

April 20, 2017

Mr. Charles T. Grimsley
Landmark Engineering
6110 Executive Boulevard, Suite 110
Rickville, MD 20852

Re: **COMBINED STORMWATER MANAGEMENT
CONCEPT/SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN** for
Rothbard Property
Preliminary Plan #: 120170140
SM File #: 282334
Tract Size/Zone: 9.77 acres
Total Concept Area: 9.77 acres
Parcel(s): N327
Watershed: Watts Branch, Potomac River

Dear Mr. Grimsley:

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 proposes to meet required stormwater management goals via landscape infiltration and a drywell.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. An engineered sediment control plan will be required for this project.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.

This list may not be all-inclusive and may change based on available information at the time.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

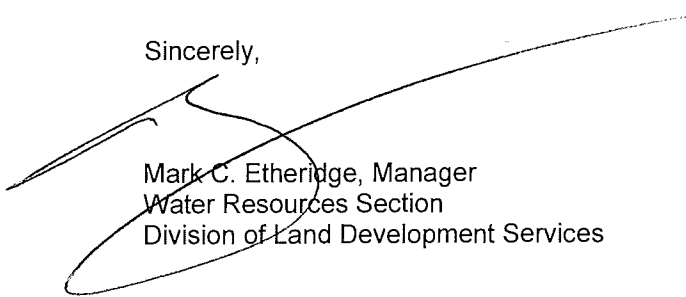


255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850 | 240-777-0311
www.montgomerycountymd.gov/permittingservices

Mr. Charles T. Grimsley
April 20, 2017
Page 2 of 2

If you have any questions regarding these actions, please feel free to contact Jean Kapusnick, P.E., at 240-777-6345.

Sincerely,



Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services

MCE: jak

cc: C. Conlon
SM File # 282334

ESD Acres:	1.0 ac
STRUCTURAL Acres:	0.0 ac
WAIVED Acres:	0.0 ac



Rothbard Property: Preliminary Plan No. 120170140

BCB Benjamin Berbert, Planner Coordinator, Area 3, Benjamin.Berbert@Montgomeryplanning.org 301-495-4644

SP Sandra Pereira, Acting Supervisor, Area 3, Sandra.Pereira@Montgomeryplanning.org 301-495-2186

RAW Richard Weaver, Acting Chief, Area 3, Richard.Weaver@Montgomeryplanning.org 301-495-4544

Staff Report Date: 04/21/17

Description

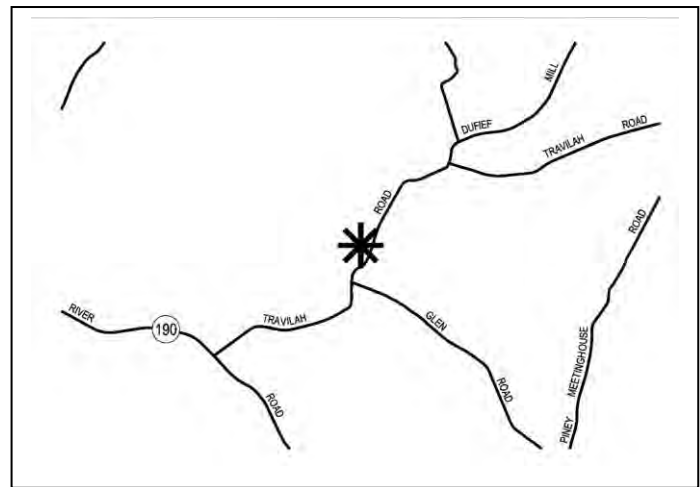
Rothbard Property 120170140:

Request to extend the regulatory review period by up to four months, to July 27, 2017; to convert an existing outlot into a buildable lot for one, one-family detached dwelling, located on the east side of Stonebarn Lane, approximately 1000 feet east of the intersection with Squires court; 9.77 acres, RE-2 zone; Potomac Subregion Master Plan.

Applicant: Michael Rothbard

Submittal Date: December 5, 2016

Review Basis: Chapter 22A, Chapter 50



Summary

Section 50.4.2.E of the Subdivision Regulations establishes the hearing date for a Preliminary Plan application and states that:

“the Board must schedule a public hearing to begin within 120 days after the date the Director accepts an application. The Director may postpone the public hearing by up to 30 days once without Planning Board approval. The Director or applicant may request one or more extension beyond the original 30 days with Planning Board approval. The Board must notice the public hearing and indicate the new hearing date on the Board’s agenda”.

The Rothbard Property Preliminary Plan application was accepted on December 5, 2016, which established a Planning Board date no later than March 30, 2017. Although the acceptance date is before the effective date of the current Subdivision Regulations, the Preliminary Plan will be heard by the Board after the effective date of the new regulations, and the Applicant has requested to be reviewed under the new regulations. Based on a December 5, 2016 acceptance, the Board hearing should have been on March 30th. The Applicant is still working with various DRC agencies to respond to DRC comments, and needs additional time to make their final plan submissions to Staff. Staff and the Applicant have agreed to a request for an extension of four months, so the Preliminary Plan will be before the Board no later than July 27th, 2017.

Staff recommends **approval** of this extension request.

Attachment A: Applicant’s extension request



Montgomery County Planning Department
Maryland-National Capital Park and Planning Commission

Page 1 of 2

Effective: December 5, 2014

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

www.montgomeryplanning.org

Phone 301.495.4550
Fax 301.495.1306

REGULATORY PLAN EXTENSION REQUEST

☒ Request #1

☐ Request #2

M-NCPPC Staff Use Only

File Number

Date Received

MCPB Hearing Date

Plan Name: Rothbard Property

Plan No. 120170140

This is a request for extension of:

☐ Project Plan
☒ Preliminary Plan

☐ Sketch Plan
☐ Site Plan

The Plan is tentatively scheduled for a Planning Board public hearing on: 3/30/2017

The Planning Director may postpone the public hearing for up to 30 days without Planning Board approval. Extensions beyond 30 days require approval from the Planning Board.

Person requesting the extension:

☐ Owner, ☒ Owner's Representative, ☐ Staff (check applicable.)

David Albamonte

Landmark Engineering, Inc.

Name

Affiliation/Organization

6110 Executive Blvd, Suite 110

Street Address

Rockville

MD

20852

City

State

Zip Code

(301) 230-5881

(301) 230-5884

landmarkctg@aol.com

Telephone Number ext.

Fax Number

E-mail

We are requesting an extension for 4 months until 7/27/2017

Describe the nature of the extension request. Provide a separate sheet if necessary.

Landmark Engineering, Inc on behalf of the Rothbard family has been working with the various DRC review agencies to address DRC comments. Completing these revisions and receiving favorable recommendations from the agencies has taken longer than the 120 days allotted. We the applicant expect to have final plans submitted to review staff in the coming weeks and anticipate being ready for a Planning Board date no later than the end of July, 2017.

Signature of Person Requesting the Extension


Signature

Date

Extension Review

Planning Director Review for Extensions 30 days or less

I, the Planning Director, or Director's designee, have the ability to grant extensions of the Planning Board public hearing date of up to 30 days and approve an extension of the Planning Board public hearing date from _____ until _____.

Signature

Date

Planning Board Review for Extensions greater than 30 days

The Montgomery County Planning Board reviewed the extension request on _____ and approved an extension for more than 30 days of the Planning Board public hearing date from _____ until _____.



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

MEMORANDUM

May 18, 2017

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

FROM: Gene von Gunten, Manager- Well & Septic Section
Department of Permitting Services

SUBJECT: Status of Preliminary Plan: #120170140

*606
5-18-17*

Rothbard Property, proposed lot A

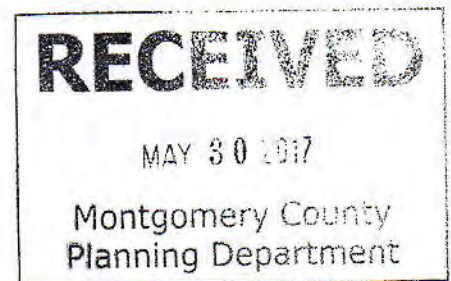
This is to notify you that the Well & Septic Section of MCDPS approved the plan received in this office on May 15, 2017

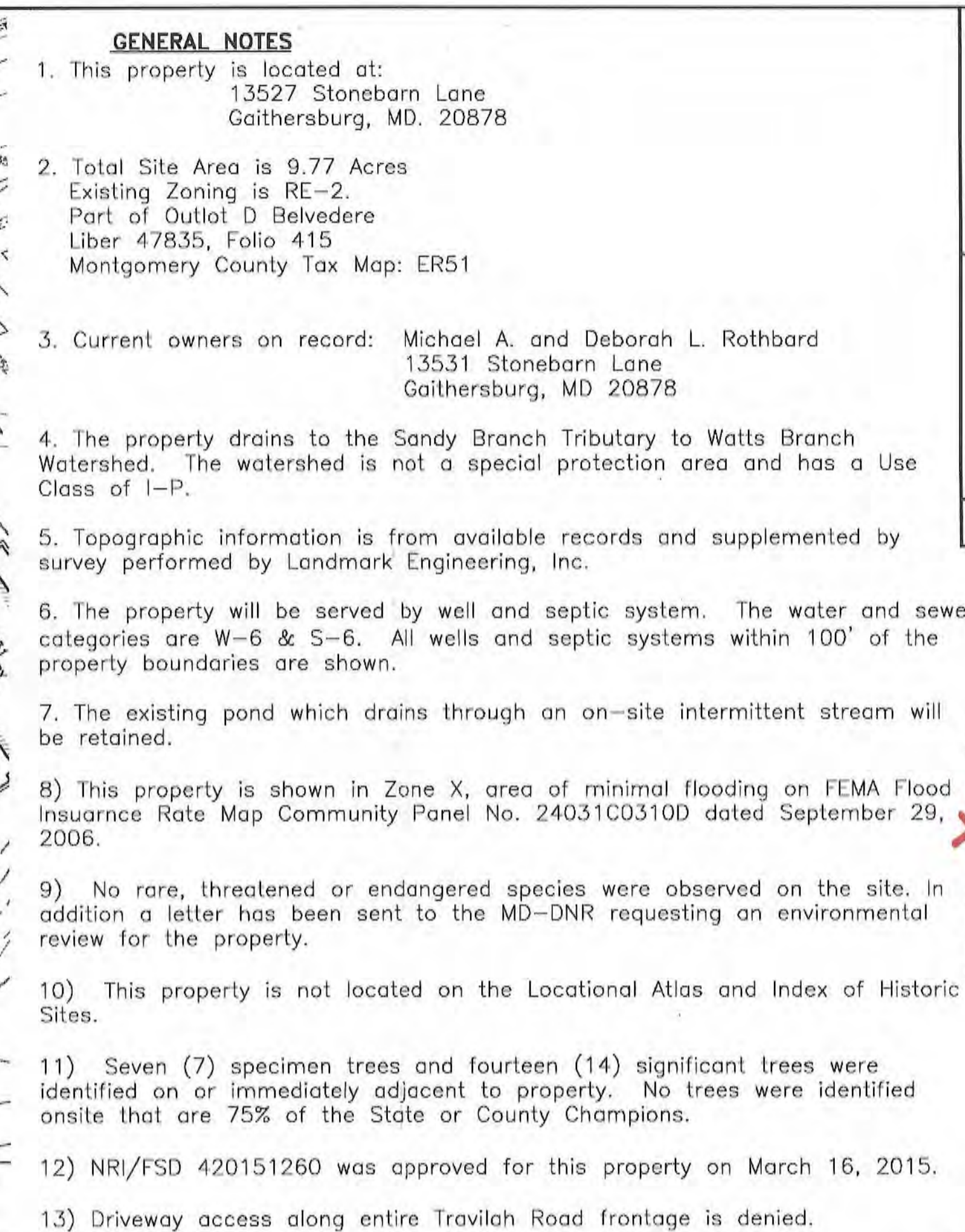
Approved with the following reservations:

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.
2. This lot to utilize an individual water well; and individual on-site (septic) sewage disposal system.

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

cc: Surveyor
File





ENGINEER'S CERTIFICATE

I hereby certify that this Plan of Subdivision was prepared in accordance with section 50-34 of the Montgomery County Subdivision Regulations; that the boundary shown is based on a field surveys by Landmark Engineering, Inc. conducted in April, 2014, and that it is a subdivision of part of the land the owners obtained by Deed dated October 9, 2013 and recorded among the Land Records of Montgomery County, Maryland in Liber 48735 at Folio 415, that it represents Part of Outlot D, as shown on a Subdivision Record Plat entitled Lot 194 and Outlot D, Belvedere recorded among said Land Records as Plat 18856, and that the topographic information shown hereon is based on available records and supplemented by field surveys.

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the laws of the State of Maryland, License No. 11124, Expiration Date: October 3, 2018.

Charles T. Grimsley, P.E. Professional Engineer Maryland Registration No. 11124	Date
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SEPTIC DESIGN CHART

INVERT OF LOW FIXTURE	SEPTIC TREATMENT TANK			AVERAGE RATE	TOP STONE @ TRENCH START	LENGTH INITIAL SYSTEM	TOTAL LENGTH REQUIRED	TOTAL LENGTH SHOWN	DEPTH OF STONE	MAX NUMBER OF BEDROOMS
	INV. IN	INV. OUT	TOP							
335.5	330.0	329.75	331.5	17 MIN.	330.5	479	1,916	1,975	2'	5

*** INITIAL SYSTEM PLUS THREE RESERVES**

$$\begin{aligned} \text{AVERAGE PERCOLATION TIME} &= 201 - 209 \div 211 = 17 \text{ MIN.} \\ \text{INITIAL SYSTEM REQUIRED} &= \frac{1915 \text{ SQ. FT.}}{2 (2' \text{ STONE})} = 479 \text{ L.F.} \end{aligned}$$



$$\text{SEPTIC RESERVE AREA} = 25,496 \text{ SQ. FT.}$$

SITE UTILITIES







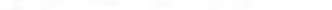






NOTE:

Conceptual Building Footprint and Site Development are for illustrative purposes shown with Limits of Disturbance Line.

PEPCO
Washington Gas
Verizon
Comcast

THBARD 7B 2	WSSC SHEET: 217NW12 217NW13	M-NCPPC PRELIMINARY PLAN NO. 120170140	NRI/FSD: 420151260
CERTIFICATION THAT THESE PREPARED OR THAT I AM A PERSONAL ENGINEER THE STATE OF NO. 11124 DATED 3. 2018.	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <u>PRELIMINARY PLAN OF SUBDIVISION</u> </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> ROTHBARD PROPERTY </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> 13527 STONEBARN LANE </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> PART OF OUTLOT D, BELVEDERE, PLAT NO 18856 </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> PARCEL N327, TAX MAP ER51 </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> DARNESTOWN (6TH) ELECTION DISTRICT </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> MONTGOMERY COUNTY, MARYLAND </div> <div style="display: flex; align-items: center;"> <div style="margin-right: 10px;">  </div> <div style="text-align: center;"> LANDMARK ENGINEERING, INC. 6110 EXECUTIVE BLVD, SUITE 110 PHONE: (301) 230-5681 ROCKVILLE, MARYLAND 20852 FAX: (301) 230-5684 CONSULTING ENGINEERS PLANNERS SURVEYORS </div> </div>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">  </div> <div style="width: 50%;"> PROJECT NO: 1417 SCALE: 1" = 60' DATE: MAY 15, 2017 SHEET 1 OF 1 </div> </div>			DRN: DWA CR: CTG

LEGEND

	PROPERTY LINE		SIGNIFICANT/SPECIMENT TREE
	PROPOSED LIMITS OF DISTURBANCE		PROPOSED WELL LOCATION
	UNDERGROUND ELECTRIC		PROPOSED FOREST CONSERVATION AREA
	UNDERGROUND TELEPHONE		
	STORM DRAIN		
	STREAM		
	STREAM BUFFER		
	WETLAND		
	WETLAND BUFFER		
	FOREST LINE		