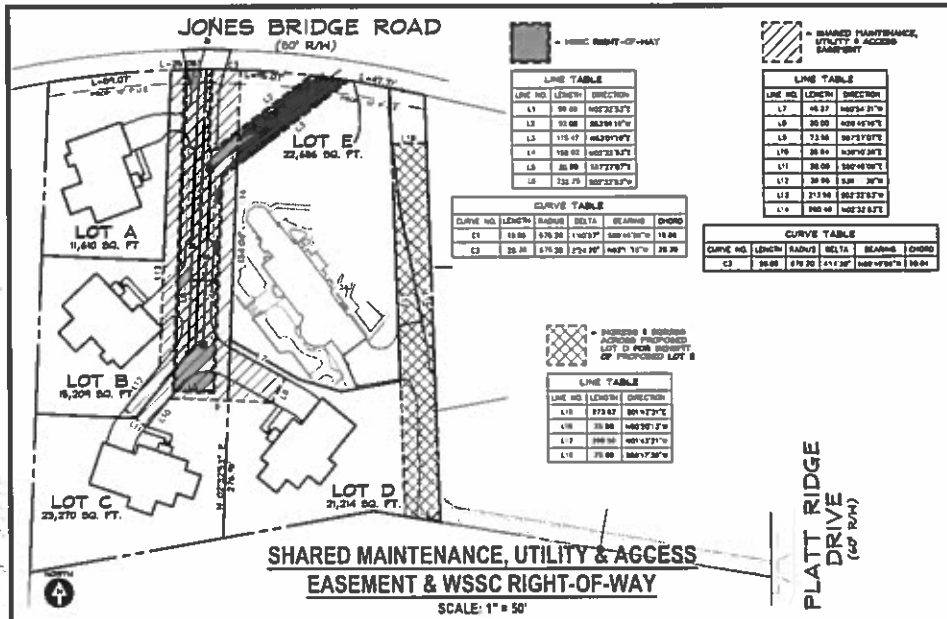
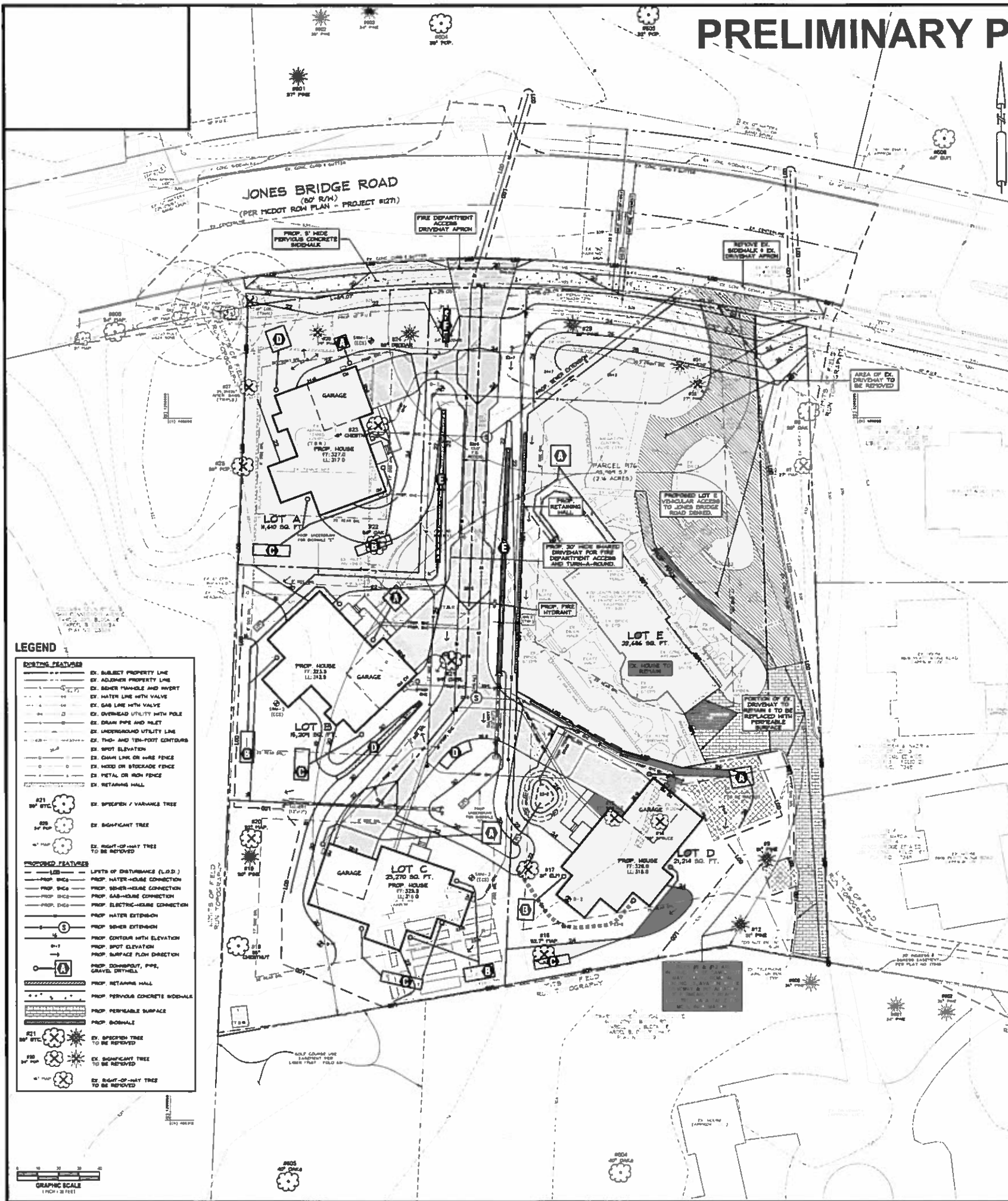


PRELIMINARY PLAN M-NCPPC No. 120170180



TREE DATA (LISTS SPECIES / VARIANCE AND SIGNIFICANT TREES ONLY)			
NO.	SPECIES	DBH (INCHES)	COMMENTS
1	Red Oak	12"	Healthy, no decay, no structural issues.
2	White Oak	10"	Healthy, no decay, no structural issues.
3	Red Oak	8"	Healthy, no decay, no structural issues.
4	White Oak	6"	Healthy, no decay, no structural issues.
5	Red Oak	4"	Healthy, no decay, no structural issues.
6	White Oak	3"	Healthy, no decay, no structural issues.
7	Red Oak	2"	Healthy, no decay, no structural issues.
8	White Oak	1"	Healthy, no decay, no structural issues.
9	Red Oak	12"	Healthy, no decay, no structural issues.
10	White Oak	10"	Healthy, no decay, no structural issues.
11	Red Oak	8"	Healthy, no decay, no structural issues.
12	White Oak	6"	Healthy, no decay, no structural issues.
13	Red Oak	4"	Healthy, no decay, no structural issues.
14	White Oak	3"	Healthy, no decay, no structural issues.
15	Red Oak	2"	Healthy, no decay, no structural issues.
16	White Oak	1"	Healthy, no decay, no structural issues.
17	Red Oak	12"	Healthy, no decay, no structural issues.
18	White Oak	10"	Healthy, no decay, no structural issues.
19	Red Oak	8"	Healthy, no decay, no structural issues.
20	White Oak	6"	Healthy, no decay, no structural issues.
21	Red Oak	4"	Healthy, no decay, no structural issues.
22	White Oak	3"	Healthy, no decay, no structural issues.
23	Red Oak	2"	Healthy, no decay, no structural issues.
24	White Oak	1"	Healthy, no decay, no structural issues.
25	Red Oak	12"	Healthy, no decay, no structural issues.
26	White Oak	10"	Healthy, no decay, no structural issues.
27	Red Oak	8"	Healthy, no decay, no structural issues.
28	White Oak	6"	Healthy, no decay, no structural issues.
29	Red Oak	4"	Healthy, no decay, no structural issues.
30	White Oak	3"	Healthy, no decay, no structural issues.
31	Red Oak	2"	Healthy, no decay, no structural issues.
32	White Oak	1"	Healthy, no decay, no structural issues.
33	Red Oak	12"	Healthy, no decay, no structural issues.
34	White Oak	10"	Healthy, no decay, no structural issues.
35	Red Oak	8"	Healthy, no decay, no structural issues.
36	White Oak	6"	Healthy, no decay, no structural issues.
37	Red Oak	4"	Healthy, no decay, no structural issues.
38	White Oak	3"	Healthy, no decay, no structural issues.
39	Red Oak	2"	Healthy, no decay, no structural issues.
40	White Oak	1"	Healthy, no decay, no structural issues.

**PRELIMINARY PLAN NOTE:**  
UNLESS SPECIFICALLY NOTED ON THIS PLAN 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 LANDSCAPE WILL BE DETERMINED AT THE TIME OF ISSUANCE OF BUILDING PERMITS. PLEASE REFER TO THE ZONING DATA TABLE FOR DEVELOPMENT STANDARDS SUCH AS SETBACKS, BUILDING HEIGHTS, BUILDING FOOTPRINTS, AND LOT COVERAGE FOR EACH LOT. OTHER LIMITATIONS FOR SITE DEVELOPMENT MAY ALSO BE INCLUDED IN THE CONDITIONS OF THE PLANNING BOARD'S APPROVAL.

**PROFESSIONAL ENGINEER 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. 10434, EXPIRATION DATE 06/30/2021, AND THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, MARYLAND.  
11/20/2017  
DATE  
Curt A. Schreffler, PE  
CURT A. SCHREFFLER, PE

PROPOSED LOTS A-E  
4100 JONES BRIDGE ROAD, CHEVY CHASE, MD 20815  
PARCEL 976

LIBER W423 / FOLD 550  
TAX MAP 4P34 9 1A34, H&C GRID 21 N4 04 + 20 N4 04

BETHESDA (TTU) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

PRELIMINARY PLAN

**COS ENGINEERING**  
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301-407-4033 fax  
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info@cosengineering.com  
CIVIL • SURVEYING • LAND PLANNING

4100 JONES BRIDGE ROAD  
PARCEL 976  
HAYES  
PROPOSED FIVE LOT SUBDIVISION (A-E)  
PRELIMINARY PLAN



November 27, 2017

M-NCP&PC  
Development Review Division  
8787 Georgia Avenue, 2<sup>nd</sup> Floor  
Silver Spring, MD 20910

Attn: Marco Fuster

Re: **CAS Job No. 16-176**  
**4100 Jones Bridge Road, Chevy Chase, MD 20815**  
**Parcel 976, Hayes, Tax Map HP341 & HN343**  
**Preliminary Plan #: 120170180**  
**Forest Conservation (Chapter 22A) Variance Request - Revised**

Dear Mr. Fuster:

This letter is intended to serve as the Forest Conservation Variance Request pursuant to Section 22A-21 of the Montgomery County Code. The Final Forest Conservation Plan is attached hereto for your review and approval.

*Variance Justification*

The applicant, Leonard and Donna Wartofsky ("Applicant"), is requesting a variance for the impact / removal of several specimen trees located at 4100 Jones Bridge Road, Chevy Chase, MD 20815 (Parcel 976, Hayes). The subject property proposed for development is comprised of 2.16 acres (93,989 square feet) of land and is currently improved with a single-family home, asphalt driveway, tennis court, pool and associated appurtenances. The subject property is roughly rectangular in shape with 273.53-ft of road frontage. The property is located along the south side of the 80-ft wide Jones Bridge Road Right-of-Way. It is bounded by the *North Chevy Chase Local Park* to the north, single family homes to the east, the Howard Hughes Medical Institute to the south and the Columbia Country Club to the west. A twenty-foot wide ingress & egress easement exists along the southern property lines of the adjacent Lots 4 and 5 and provides access to the rear of the subject property and to the Hayes Manor located on the adjoining Howard Hughes Medical Institute property. The majority of the property is sloped to the southwest with a small portion of the property frontage sloped towards the Jones Bridge Road Right-of-Way. Steep slopes exist only along the frontage of the property and appear to result from previous widening and / or sidewalk installation along Jones Bridge Road. The existing house is currently served by public utilities. There is no forest on-site, however, fourteen (14) specimen trees exist on the subject property.

The property is subject to a Preliminary Plan of subdivision of which five (5) new lots are proposed. One of the proposed lots will contain the existing house. The additional four lots will be improved with new single family homes accessed via a shared driveway originating from Jones Bridge Road. The existing entrance on

Jones Bridge Road will be removed. The existing secondary entrance via Platt Ridge Drive and its twenty-foot wide ingress and egress easement will remain and will to provide access to the existing house, Proposed Lot E, during and after construction. A reforestation / afforestation requirement of 0.34 acres has been computed for the proposed development and it will be provided through an offsite easement or through a fee in lieu.

Fourteen (14) specimen trees are included in this variance request. Trees 16, 17, 20, 21, 22, 23, 24, 28 and 29 are proposed for removal due to their proximity to the proposed houses, utilities, fire department access, driveway stormwater management devices, and necessary grading. Trees 9 and 12 are intended to be saved but are included with this variance request for removal due to percentage of critical root zone disturbed. The roots of trees 9 and 12 may be limited beneath the existing driveway and the proposed disturbance from replacing the existing driveway with pervious pavement may be minimal. Trees 9 and 12 are both in good condition. All specimen trees proposed for removal are in fair/good condition except for Tree 17 which is in fair/poor condition. Although trees 12, 18 and 19 will be impacted their removal will not be necessary. All three (3) specimen trees that are proposed to be retained are in good condition. The following charts indicate the specimen trees proposed for removal and the proposed amount of root zone disturbance to each of the three (3) specimen trees to be retained.

In summary, the applicant is requesting a variance for the impact to fourteen (14) specimen trees, of which eleven (11) are proposed for removal.

#### **Specimen Trees Proposed for Removal**

Tree No.	Common Name	Botanical Name	D.B.H.	C.R.Z. Radius	C.R.Z. Area	% C.R.Z. Area Disturbed	Condition
9	White Pine	<i>Pinus strobus</i>	31 in.	46.5 feet	6,793 s.f.	64.4%	Good (Intended to be saved but may require removal) *
12	White Pine	<i>Pinus strobus</i>	31 in.	46.5 feet	6,793 s.f.	35.7%	Good (Intended to be saved but may require removal) *
16	Silver Maple	<i>Acer saccharinum</i>	52.7 in.	79.1 feet	19,632 s.f.	REMOVE	Good (Remove)
17	Siberian Elm	<i>Ulmus pumila</i>	31 in.	46.5 feet	6,793 s.f.	REMOVE	Fair/Poor (Remove)
20	Sugar Maple	<i>Acer saccharum</i>	32 in.	48.0 feet	7,238 s.f.	REMOVE	Good (Remove)
21	Weeping Cherry	<i>Prunus subhirtella var pendula</i>	39 in.	58.5 feet	10,751 s.f.	REMOVE	Good (Remove)
22	Red Oak	<i>Quercus rubra</i>	50 in.	75 feet	17,671 s.f.	REMOVE	Good (Remove) Slight Dieback
23	Chinese Chestnut	<i>Castanea mollissima</i>	41 in.	61.5 feet	11,882 s.f.	REMOVE	Fair (Remove) Cavity w/ decay
24	Deodar Cedar	<i>Cedrus deodara</i>	33 in.	49.5 feet	7,698 s.f.	REMOVE	Good (Remove)
28	Tulip Poplar	<i>Liriodendron tulipifera</i>	38 in.	57.0 feet	10,207 s.f.	REMOVE	Fair (Remove)
29	White Pine	<i>Pinus strobus</i>	30 in.	45 feet	6,362 s.f.	REMOVE	Good (Remove)

\* Intent to save but may require removal if impacts from existing driveway excavation and installation of permeable pavement are detrimental to trees.

**Specimen Trees to be Saved – Impacted**

Tree No.	Common Name	Botanical Name	D.B.H.	C.R.Z. Radius	C.R.Z. Area	% C.R.Z. Area Disturbed	Condition
6	Red Oak	<i>Quercus rubra</i>	33 in.	49.5 feet	7,698 s.f.	36.1%	Good / Save
18	Chinese Chestnut	<i>Castanea mollissima</i>	35 in.	52.5 feet	8,659 s.f.	17.7% (Includes shed disturbance)	Good / Save
19	White Pine	<i>Pinus strobus</i>	30 in.	45.0 feet	6,362 s.f.	33.0%	Good / Save

In accordance with Section 22A-21(b) of the Forest Conservation Law, the following is a description of the application requirements:

*1. Describe the special conditions peculiar to the property which would cause the unwarranted hardship.*

The property (proposed Lots A through E) has a combined area of 2.16 acres with no existing forest. Fourteen (14) specimen trees from fair to good condition are located throughout the property. The eleven (11) specimen trees proposed for removal are located within and in close proximity to the buildable areas of proposed Lots A through D and along the frontage of the subject property. Removal of nine (9) specimen trees is unavoidable due to the available building areas and necessary utility and stormwater management locations. Specimen trees 9 and 12 are intended to be saved but removal of these trees may be necessary if the roots beneath the existing driveway are damaged. The removal and replacement of the existing driveway with pervious pavement is necessary to reduce impervious area as recommended in the Chevy Chase Lake Sector Plan. The pervious pavement will introduce additional water to the existing roots if trees 9 and 12 can be saved. A Critical Root Zone Exhibit is included at the end of this letter to clearly show the extent of Specimen Trees across the entire property. Reconfiguring building areas and lot configurations is not feasible due to the desired retainage of the existing house and the location for vehicular access. Previously submitted plans, application #120090010, proposed more impacts to specimen trees. The current application reduces these impacts. Only specimen trees 6, 16 and 17 were retained under the previous application. This particular property requires the relocation of the existing public sidewalk which necessitates the regrading of the property's frontage. Grading for the sidewalk in addition to typical site grading for development of the property prevents the saving of multiple specimen trees. In this area the requirement for a fire department access driveway (20-ft wide) impacts specimen trees as well. This shared driveway is designed to limit the impervious area while meeting all fire and rescue requirements. The fire and rescue access road influences the overall design and configuration for the proposed lots. The use of a shared driveway does however eliminate individual driveways and reduces the amount of disturbance and impervious area.

Providing access to more than one lot from Platt Ridge Drive was explored but determined infeasible for the following reasons:

- Adding four (4) new properties to the existing common driveway would increase the overall access of a shared driveway to six (6) lots. MCDOT access policy typically allows no more than four (4) lots to be served by a common driveway. Access for the four (4) new properties, Lots A through D, via Jones Bridge Road complies with MCDOT policy.

- Adequate Fire Department Access is not feasible within the existing twenty-foot wide ingress / egress easement.
- Stormwater Management within the existing ingress / egress area cannot be provided.
- Improvements within the existing ingress / egress easement would result in additional tree impacts and tree disturbances.
- The property owners of the adjoining Lots 4 and 5, Jones Bridge Estates, have expressed opposition to increased use of the common driveway.

The removal of some of the property's specimen trees is necessary and unavoidable. Efforts have been made to preserve three specimen trees (6, 18 and 19), located near the perimeter of the property. Although the trees are impacted, those impacts have been minimized and limited root zone disturbance has been proposed. Specimen trees 6, 18 and 19 that are impacted by the proposed development are limited to one-third of the critical root zone being disturbed. Tree preservation techniques, such as root pruning, tree protection fencing and other measures specified by the Certified Arborist, Donald E. Zimar: Certified Arborist MA-0039, RCA #446, on the Forest Conservation Plan will help ensure survival of these specimen trees that are to remain.

*2. Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas.*

All specimen trees that will either be removed or impacted by the proposed development are located within and/or within close proximity of the buildable areas of proposed Lots A through D. The proposed development and associated regulatory requirements makes removal of existing trees unavoidable. Saving all of these trees would require preserving a substantial amount of their critical root zones and as such would greatly diminish, if not eliminate the development of the five (5) proposed lots. The Critical Root Zone Exhibit of specimen trees included with this letter shows that a majority of the property could not be disturbed without a variance.

*3. Verify that State water quality standards will not be avoided or that a measurable degradation in water quality will not occur as a result of the granting of the variance.*

State water quality standards will be achieved by implementation of the Stormwater Management (SWM) Concept Plan that was approved by the Montgomery County Department of Permitting Services on April 6, 2017. The SWM Concept Plan will ensure that water quality standards are met in accordance with State and County criteria. All applicable stormwater management requirements have been addressed and met.

In addition, the proposed development of this property will reduce runoff leaving the site by means of grading and installation of Best Management Practices that will capture and infiltrate rainwater into the ground. Specific practices proposed on the approved Stormwater Management (SWM) Concept Plan are gravel drywells, grassed swales, bioswales and a micro bioretention facility. Additionally, the Sector Plans recommendation for sustainable site/building is achieved by reducing non-pervious surfaces. Approximately 0.14 acres of existing driveway located in front of the existing house is proposed for removal. Additionally, non-pervious surfaces are reduced by 10.4% by replacing the existing driveway that is to remain with

pervious pavement. A Drainage and Runoff Exhibit is provided with this application to clearly show the reduced post-development runoff.

*4. Provide any other information appropriate to support the request.*

The forest conservation requirements resulting from the redevelopment of this property will be met through a 0.34-acre off-site forest conservation easement or through fee in lieu payment. Furthermore, twenty-nine (29) native trees are proposed as mitigation (at a rate of every 4" DBH removed: 1" DBH to be planted) for the removal of trees 16, 17, 20, 21, 22, 23, 24, 28 and 29. In addition to the twenty-nine (29) mitigation trees to be planted an additional six (6) trees are to be planted for a total of thirty-five (35) trees to satisfy Sector Plan recommendations for sustainable site and building design and expanding existing tree canopy. The additional six (6) trees also provides additional mitigation for the removal of trees 6 and 9 if required. As previously stated, these trees are intended to be saved but may require removal pending excavation of the existing driveway that is to remain and installation of a pervious surface.

The locations of the mitigation trees are within the disturbed area of the project where there is either open space or where tree canopy will be lost due to development. As these trees mature, the tree canopy for the site will exceed the Chevy Chase Lake Sector Plan goal of 25 to 30 percent tree canopy cover. Existing and Proposed Tree Canopy Exhibits are included with this Preliminary Plan Application to illustrate compliance with the Sector Plan. None of the subject trees either proposed for removal or impacted are rare, threatened, or endangered, per the Maryland Nongame and Endangered Species Conservation Act. The property is not part of a historic site nor does it contain any historic structures. Specimen tree loss is often unavoidable when developing small properties under similar zoning criteria.

Finally, as recommended by the Sector Plan there are two environmental enhancement projects located offsite, in portions of the adjacent Chevy Chase Local Park and in nearby Lynbrook Local Park. These two projects propose supplemental tree plantings and removal of invasive species. Due to unclear policy within the Department of Parks the two enhancement projects have not been confirmed by staff. However, based on an email from Marco Fuster on August 8, 2017; "Staff is agreeable to condition of approval that the final details/approval of the enhancements occurs a later time (after Planning Board hearing)."

In accordance with Section 22A-21(d) of the Forest Conservation Law, the following is a description of the minimum criteria necessary for granting a variance. A variance may not be granted unless the following conditions are achieved. Granting the variance....

*1. Will not confer on the applicant a special privilege that would be denied to other applicants;*

Granting the variance will not confer a special privilege as the removal and/or disturbance of the specimen trees noted above is the minimum necessary in order to redevelop the property under R-90 zoning, to meet State and County stormwater management requirements, and to ensure proper surface drainage across the lots. Furthermore, the loss of certain trees and the need for a variance is often necessary and unavoidable in order to develop single-family homes on similar sized residential lots containing mature tree cover.

*2. Is not based on conditions or circumstances which result from the actions by the applicant;*

The requested variance is not based on conditions or circumstances which are the result of actions by the applicant. The variance is necessitated by R-90 zoning requirements, site topography, required BMP's for stormwater management, fire department apparatus access and turn-a-round, necessary grading and reasonable site appurtenances for the use and enjoyment of the property. Additionally, the locations of the trees and their proximity to buildable areas of the lots also necessitate a variance.

*3. Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property;*

The requested variance is necessitated based on the site's R-90 zoning requirements, topography, required BMP's for stormwater management, fire department apparatus access and turn-a-round, necessary grading and reasonable site appurtenances for the use and enjoyment of the property and is not a result of land or building use on a neighboring property.

*4. Will not violate State water quality standards or cause measurable degradation in water quality.*

The requested variance will not violate State water quality standards or cause measurable degradation in water quality. The proposed development of this property will reduce runoff leaving the site by means of grading and installation of Best Management Practices that will capture and infiltrate rainwater into the ground. Specific practices proposed on the approved Stormwater Management (SWM) Concept Plan are gravel drywells, grassed swales, bioswales and a micro bioretention facility. Additionally, the Sector Plans recommendation for sustainable site/building is achieved by reducing non-pervious surfaces. Approximately 0.14 acres of existing driveway located in front of the existing house is proposed for removal.

As mentioned previously a Stormwater Management (SWM) Concept Plan was approved by Montgomery County Department of Permitting Services on April 6, 2017. The specimen trees being removed or impacted are not within a stream buffer or a special protection area. Furthermore, trees proposed as mitigation will provide shade, water uptake, and water retention.

Should you have any questions or require any additional information, please do not hesitate to contact me.

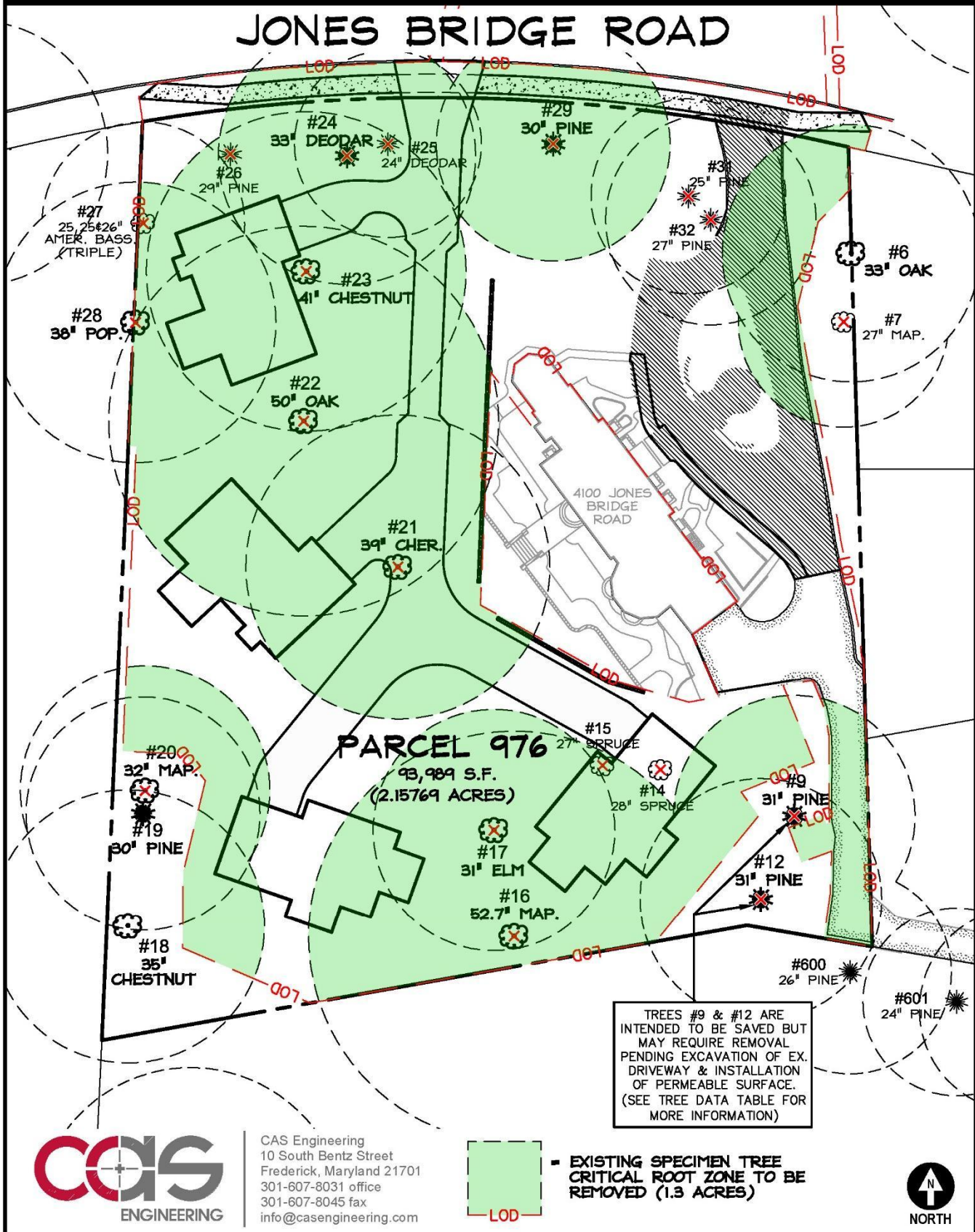
Sincerely,



Jeffrey A. Robertson  
Branch Manager  
DNR/COMAR 08.19.06.01, Qualified Professional



# CRITICAL ROOT ZONE EXHIBIT - 4100 JONES BRIDGE ROAD





**From:** Torma, Rebecca [mailto:Rebecca.Torma-Kim@montgomerycountymd.gov]  
**Sent:** Friday, November 17, 2017 3:45 PM  
**To:** Folden, Matthew <matthew.folden@montgomeryplanning.org>  
**Cc:** curt@casengineering.com; brent <brent@casengineering.com>  
**Subject:** RE: 16-176 : 4100 Jones Bridge Road

Hi Matt,

This email is to clarify DOT's position concerning the sight distance for the 4100 Hayes project.

DOT does not oppose the relocation of the driveway to a point opposite and directly aligned with the existing North Chevy Chase Local Park driveway, as shown on the revised plan dated November 9, 2017 (attached). The sight distance appears to be acceptable based on the proposed grading; however, the final location of the site access point must be verified by DPS, based on conditions present upon completion of the proposed grading, prior to the release of right-of-way construction and site access permits for this project.

The revised sight distance analysis does not change MCDOT's formal comments, dated May 19, 2017, which stated:

"3. We have reviewed the consultant's March 7, 2017 revised Sight Distance Evaluation and proposed regrading exhibit for the relocated private shared common driveway. We find the consultant's concept and estimated sight distance to be plausible. However, we are unable to approve the new Certification Form at this time – since the regrading and removal of obstacles have not yet been completed.

Prior to DPS release of the right-of-way construction and site access permits for this project, the consultant will need to submit an updated Sight Distances Evaluation Certification Form for the proposed driveway – based on actual field measurements – which indicates regrading, tree trimming, and/or removal of obstacles to achieve a minimum of three hundred twenty five (325) feet of visibility in each direction."

Please contact me with any additional questions.

Rebecca Torma  
Acting Team Manager of Development Review / Senior Planning Specialist  
Development Review Team  
Office of Transportation Policy  
Director's Office

Montgomery County Department of Transportation  
101 Monroe Street, 10th floor  
Rockville, MD 20850  
office 240.777.7170  
office (direct) 240.777.2118  
[Rebecca.Torma-Kim@montgomerycountymd.gov](mailto:Rebecca.Torma-Kim@montgomerycountymd.gov)



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

**SIGHT DISTANCE EVALUATION**

Facility/Subdivision Name: HAYES Preliminary Plan Number: 1- 20170180

Street Name: JONES BRIDGE ROAD Master Plan Road Classification: ARTERIAL

Posted Speed Limit: 35 mph

Street/Driveway #1 ( PROP. ENTRANCE ) Street/Driveway #2 ( \_\_\_\_\_ )

Sight Distance (feet) OK?  
 Right 416 [1] YES  
 Left 370 [1] YES

Sight Distance (feet) OK?  
 Right \_\_\_\_\_  
 Left \_\_\_\_\_

Comments: [1] Based on existing conditions

Field measurements conducted on 11/16/17

Comments: \_\_\_\_\_

**GUIDELINES**

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.

*Curt A. Schreffler*

11/16/2017

Signature

Date

19568

PLS/P.E. MD Reg. No.



**Montgomery County Review:**

☐ Approved

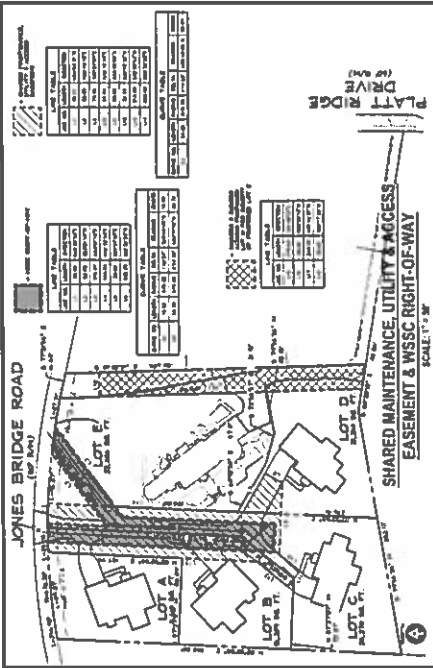
☐ Disapproved:

By: \_\_\_\_\_

Date: \_\_\_\_\_

# PRELIMINARY PLAN M-NCPPC No. 120170180

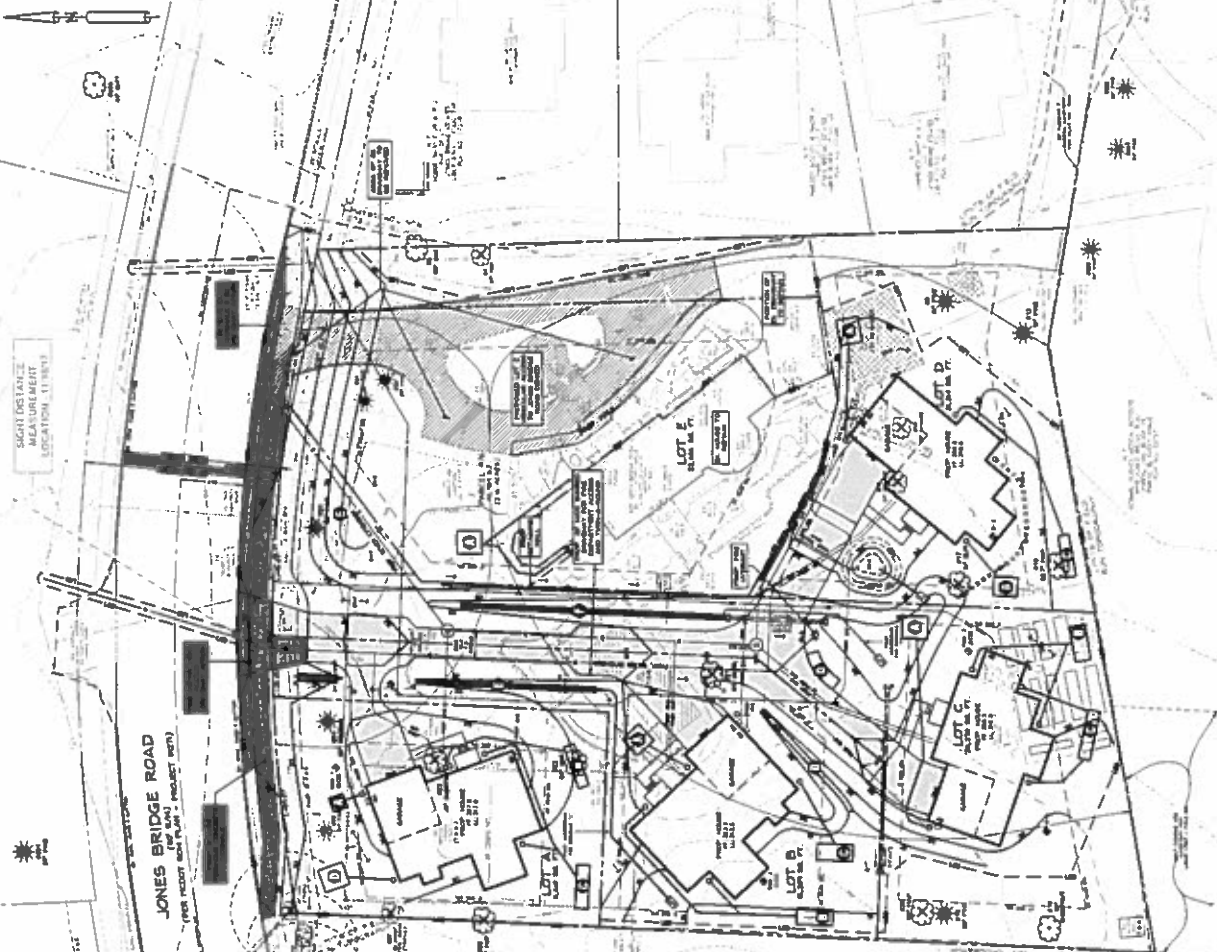
CAS  
BDA  
11/2017



Lot	Area (sq. ft.)	Dimensions (ft.)
Lot 1	10,000	100 x 100
Lot 2	10,000	100 x 100
Lot 3	10,000	100 x 100
Lot 4	10,000	100 x 100
Lot 5	10,000	100 x 100
Lot 6	10,000	100 x 100
Lot 7	10,000	100 x 100
Lot 8	10,000	100 x 100
Lot 9	10,000	100 x 100
Lot 10	10,000	100 x 100

**LEGEND**

[Symbol]	Proposed Building Footprint
[Symbol]	Proposed Parking Space
[Symbol]	Proposed Driveway
[Symbol]	Proposed Easement
[Symbol]	Proposed Right-of-Way
[Symbol]	Proposed Street
[Symbol]	Proposed Utility
[Symbol]	Proposed Fence
[Symbol]	Proposed Landscaping
[Symbol]	Proposed Signage
[Symbol]	Proposed Accessory Building
[Symbol]	Proposed Detached Garage
[Symbol]	Proposed Attached Garage
[Symbol]	Proposed Pool
[Symbol]	Proposed Deck
[Symbol]	Proposed Patio
[Symbol]	Proposed Walkway
[Symbol]	Proposed Driveway
[Symbol]	Proposed Easement
[Symbol]	Proposed Right-of-Way
[Symbol]	Proposed Street
[Symbol]	Proposed Utility
[Symbol]	Proposed Fence
[Symbol]	Proposed Landscaping
[Symbol]	Proposed Signage
[Symbol]	Proposed Accessory Building
[Symbol]	Proposed Detached Garage
[Symbol]	Proposed Attached Garage
[Symbol]	Proposed Pool
[Symbol]	Proposed Deck
[Symbol]	Proposed Patio
[Symbol]	Proposed Walkway



4100 JONES BRIDGE ROAD  
PARCEL 976  
HAYES  
PROPOSED FIVE LOT SUBDIVISION (A-E)  
PRELIMINARY PLAN





Isiah Leggett  
County  
Executive

DEPARTMENT OF TRANSPORTATION

Al R. Roshdieh  
Director

May 19, 2017

Mr. Matthew Folden Planner Coordinator  
Area 1 Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 120170180  
Hayes

*Matt:*  
Dear Mr. Folden:

We have completed our review of the preliminary plan dated March 20, 2017. A previous plan was reviewed by the Development Review Committee at its meeting on February 7, 2017. 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. Grant necessary slope easements. Slope easements are to be determined by study or set at the building restriction line.
2. 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.
3. We have reviewed the consultant's March 7, 2017, revised Sight Distance Evaluation and proposed regrading exhibit for the relocated private shared common driveway. We find the consultant's concept and estimated sight distance to be plausible. However, we are unable to approve the new Certification Form at this time – since the regrading and removal of obstacles have not yet been completed.

Office of the Director

101 Monroe Street 10<sup>th</sup> Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178

FAX

[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)

Located one block west of the Rockville Metro Station

Mr. Matthew Folden  
Preliminary Plan No. 120170180  
May 19, 2017  
Page 2

Prior to DPS release of the right-of-way construction and site access permits for this project, the consultant will need to submit an updated Sight Distances Evaluation Certification Form for the proposed driveway – based on actual field measurements – which indicates regrading, tree trimming and/or removal of obstacles have been completed to achieve a minimum of three hundred twenty five (325) feet of visibility in each direction.

4. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by the proposed common driveway.
5. Private common driveways and private streets shall be determined through the subdivision process as part of the Planning Board's approval of a preliminary plan. The composition, typical section, horizontal alignment, profile, and drainage characteristics of private common driveways and private streets, beyond the public right-of-way, shall be approved by the Planning Board during their review of the preliminary plan.
6. Provide a ten (10) foot wide Public Utility Easement (PUE) along the Jones Bridge Road street frontage.
7. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
8. 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.
9. If the proposed development will alter or impact any existing County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Kamal Hamud of our Transportation Systems Engineering Team at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
10. 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.
11. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
  - a. Construct a five (5) foot wide sidewalk and install minor species trees if the tree panel is more than four (4) feet wide along Jones Bridge Road.
  - b. Remove existing sidewalk and driveway apron along Jones Bridge Road.

**NOTE: the Public Utilities Easement is to be graded on a side slope not to exceed 4:1.**



Mr. Matthew Folden  
Preliminary Plan No. 120170180  
May 19, 2017  
Page 3

- c. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
- d. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
- e. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the MCDOT Division of Traffic Engineering and Operations.

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

Sincerely,



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

Sharepoint/transportation/directors office/development review/Rebecca/developments/chevy chase/120170190 DOT 4100  
Hayes Prelim Plan ltr.docx

cc:	Leonard and Donna Wartofsky	Owner
	Brent Allgood	CAS Engineering
	Curt Schreffler	CAS Engineering
	Preliminary Plan folder	
	Preliminary Plan letters notebook	
cc-e:	Sam Farhadi	MCDPS RWPR
	Christina Contreras	MCDPS RWI
	Marie LaBaw	MCDPS DLD
	Rebecca Torma	MCDOT OTP



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**Department of Permitting Services  
Fire Department Access and Water Supply Comments**

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**DATE:** 10-Apr-17  
**TO:** Curt Schreffler - curt@casengineering  
CAS Engineering  
**FROM:** Marie LaBaw  
**RE:** Hayes (4100 Jones Bridge Road)  
120170180

---

**PLAN APPROVED**

1. Review based only upon information contained on the plan submitted 10-Apr-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.

**\*\*\* 11/21/2017 Approval of revised plan - See Statement of Performance Based Design regarding modified driveway \*\*\***



Experience you can build on.

Attachment C - Agency Letters  
corporate office  
10 south bentz street  
frederick, maryland 21701  
office 301 607 8031  
info@casengineering.com  
www.casengineering.com

civil • surveying • land planning

November 21, 2017

Marie Labaw, PhD, PE  
Fire Department Access and Water Supply  
Department of Permitting Services  
255 Rockville Pike, 2<sup>nd</sup> Floor  
Rockville, Maryland 20850

Attn: Marie LaBaw

Re: CAS Job No. 16-176  
4100 Jones Bridge Road, Bethesda, MD 20815  
Proposed Lots A, B, C, D & E, Hayes  
Preliminary Plan #120170180  
Statement of Performance Based Design

## FIRE CODE ENFORCEMENT

### Fire Department Access Review

Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation

BY: SML FM: 413 DATE: 11/21/2017

Dear Marie,

In accordance with Executive Regulation 8-16, Fire Safety Code – Building Construction, we hereby request an approval under the application of performance based design for the attached Fire Department Access Plan.

In this case, a performance based design is required to reduce the amount of impervious area as recommend by the Chevy Chase Sector Plan where the subject property is located. The Chevy Chase Sector Plan states that development should promote sustainable site and building design to mitigate negative environmental impacts and reduce direct stormwater discharge into Coquelin Run. We are requesting that a section of the Fire Department apparatus access be reduced in width to limit impervious area, provide additional greenspace and lessen stormwater runoff leaving the subject property.

Section 18.2.3.4.1.1.1 states, "Fire Department apparatus access must be 20 feet wide, unless specifically excepted in this Regulation, or as approved by the Director." As proposed on the Fire Department Access Plan the required 20-ft wide Fire Department Apparatus Access is reduced to a through access width between the entrance and turnaround. An additional water supply is provided beyond the through access section of the Fire Department access road and located at the dead-end apparatus turnaround.

If you have any questions or need additional information do not hesitate to contact me.

Sincerely,

Brent D. Allgood  
Project Manager

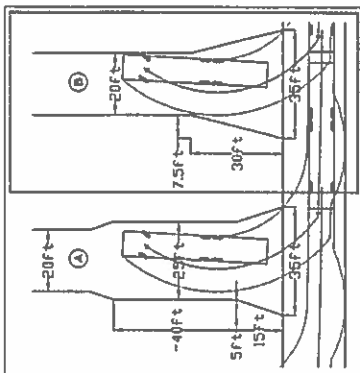


CURT A. SCHREFFLER, PE  
11/21/2017

## FIRE DEPARTMENT ACCESS PLAN

[illegible]

SHARED DRIVEWAY APPROVED  
2018-01-01



1 THE CODE FOR DOCUMENT

974 Department of Agriculture

For more leaves, send with Manpower furnished at  
your local and down telephone subject  
including your address, street & phone  
number. Please send in the form, Department  
of Agriculture, Washington, D.C. 20250.  
We will be glad to send you more information  
on this subject.

DATE RECEIVED

DATE

NO. 15

00000

PRELIMINARY PLAN NO. 120170180  
4100 JONES BRIDGE ROAD  
PARCEL 976  
HAYES  
PROPOSED FIVE LOT SUBDIVISION (A)  
FIRE DEPARTMENT ACCESS PLAN

**NOT A PROFESSIONAL ENGINEER CERTIFICATION**



Curt A. Schmitt

1702/2011

DISTANCE BETWEEN NEXT  
FINE HYDRAUT: 413-47

EXISTING FIRE HYDRANT  
NEAREST TO SITE

EXISTING DRIVEWAY  
ENTRANCE TO BE REMOVED

PROPOSED SHARED  
RESIDENTIAL DRIVEWAY FROM  
1456 DETAR TOWN BLVD. N.

DATE: 219-5712

FIRE DEPARTMENT ACCESS ROAD  
MUST BE CAPABLE OF SUPPORTING  
85,000 LBS.





DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Diane R. Schwartz Jones  
Director

April 6, 2017

Mr. Brent Allgood  
CAS Engineering  
10 South Bentz Street  
Frederick, MD 21701

Re: Combination Stormwater Management  
**Concept/Site development Plan Request** for  
4100 Jones Bridge Road  
Preliminary Plan #: N/A  
SM File #: 282523  
Tract Size/Zone: 2.1/R-90  
Total Concept Area: 2.1ac  
Lots/Block: 5 Proposed  
Parcel(s): P976  
Watershed: Rock Creek

Dear Mr. Allgood:

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 the use of drywells, bio-swales and non-structural practices.

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

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. The site will be re-evaluated at the detailed plan stage to see if a better drainage/conveyance plan can be implemented which will include the stormwater management underdrain locations.
5. All stormwater practices must be designed per the latest DPS design guidelines.

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**.



255 Rockville Pike, 2<sup>nd</sup> Floor, Rockville, Maryland 20850 | 240-777-0311  
[www.montgomerycountymd.gov/permittingservices](http://www.montgomerycountymd.gov/permittingservices)

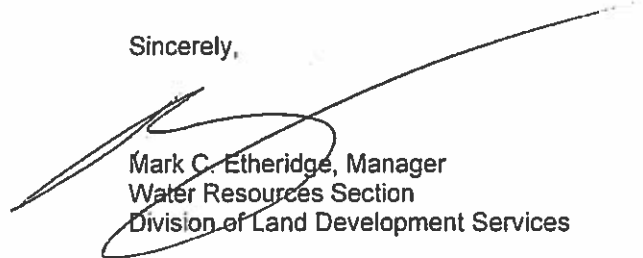


Mr. Brent Allgood  
April 6, 2017  
Page 2 of 2

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.

If you have any questions regarding these actions, please feel free to contact Thomas Weadon at 240-777-7309.

Sincerely,



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

MCE: TEW

cc: C. Conlon  
SM File # 282523

ESD Acres:	2.1ac
STRUCTURAL Acres:	N/A
WAIVED Acres:	N/A

November 14, 2017

M-NCP&PC  
Development Review Division  
8787 Georgia Avenue, 2<sup>nd</sup> Floor  
Silver Spring, MD 20910

**RECEIVED**

**NOV 20 2017**

Attn: Matthew Folden

**MONTGOMERY PLANNING/Area 1**

Re: **4100 Jones Bridge Road, Chevy Chase, MD 20815**  
**Preliminary Plan #: 120170180**

Dear Mr. Folden:

My wife and I live in Jones Bridge Estates, the group of five homes that abuts the proposed Preliminary Plan #120170180. Our home is located in the back left corner. The shared driveway easement that is used by the Wartofsky family and Howard Hughes Medical Institute (HHMI) crosses over our property. This "driveway" is narrow (allowing for only one way traffic), cannot support heavy loads, and was never intended as a major roadway. It certainly could not handle any construction trucks or heavy equipment.

Although this easement is referred to as a "driveway," it is actually over 280 feet long -- almost the length of a football field! It is narrow and cannot be widened. Thus, it is impossible for vehicles to pass each other, which means that if one vehicle is entering while another one is exiting, one of them must back up a considerable distance. Currently this occurs only rarely, but when it does, the six foot high metal fence that runs along the HHMI boundary only inches from the driveway edge and the large rocks placed along the edge of my property to keep cars and trucks from driving on my lawn, are major hazards -- even for someone driving forward and particularly for a driver attempting to back up several hundred feet.

Another safety or emergency factor to consider is that in icy conditions or heavy snow the "driveway" is impassable until it is plowed, which can take several days. Several times in the last 15 years it has been covered with up to three feet of hard snow. In these conditions it would be difficult, if not impossible, for emergency vehicles to access the proposed subdivision.

The proposed subdivision would allow for five homes, i.e. the existing Wartofsky residence plus four new ones. Assuming a minimum of two vehicles per home this could mean at least 10 resident vehicles, plus any number of service personnel, delivery trucks, and other commercial vehicles attempting to use the "driveway" on a daily basis.

We support approval of the subdivision in conjunction with condition #8 of the staff report that limits access of the easement to only the residents of proposed Lot E, we do not support a new highway along the south side of our property. Thank you for noting our position with respect to this matter.

Sincerely,

James and Marcia Lawrence  
8806 Platt Ridge Drive  
Chevy Chase, MD 20815  
(301) 335-6755  
[lawrencejf@verizon.net](mailto:lawrencejf@verizon.net)



November 28, 2017

**Via E-Mail Delivery**

Mr. Matthew Folden  
Development Review Division  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Howard Hughes Medical Institute  
Preliminary Plan No. 120170180 (4100 Jones Bridge Road)

Dear Mr. Folden:

This letter follows previous correspondence, dated October 26, 2017, from Howard Hughes Medical Institute ("HHMI") to the Planning Board Chair regarding Preliminary Plan No. 120170180. The prior letter sought a vegetative buffer between HHMI's property and the proposed subdivision. It also strongly supported Planning Staff's Condition No. 8, in their October 19, 2017 Staff Report, that limited the use of an existing access easement along HHMI's property line to only the residents of proposed Lot E (*i.e.*, the applicants). At its hearing on November 2, 2017, the Planning Board did not have the opportunity to address HHMI's buffer proposal because it was focused on access challenges associated with the new subdivision. In particular, the Planning Board directed the applicant to investigate, among other options, the use of the access easement as the primary vehicle access for the entire 5-lot subdivision. HHMI strongly opposes any increased use of the access easement.

Following the November 2, 2017 hearing, HHMI asked Patrick O'Neil of the firm of Lerch, Early and Brewer, HHMI's outside counsel for land use matters in Montgomery County, to analyze the subject access easement on HHMI's behalf. It is our understanding that the subject access easement was created in 1958 at Liber 2555 and Folio 83 to provide ingress and egress to Jones Bridge Road for the benefit of two owners, the DeVeauss and the Platts, who at the time together owned over 9.5 acres of land off of Jones Bridge Road between what is now Platt Ridge Drive and Columbia Country Club. The DeVeauss owned the land fronting Jones Bridge Road, a portion of which is now owned by the applicant, and the Platts owned interior land to the south of the DeVeauss property that is now owned by HHMI. Presumably, the access easement was to provide clear access to homes that are now the applicant's residence and a residence now owned and used by HHMI. We also understand that the DeVeauss sold their remaining property in 1988 to a developer for the creation of 5 lots known as Jones Bridge Estates, which is located to the east of the applicant's property and to the west of Platt Ridge Drive. A 1988 agreement executed by representatives of the DeVeauss, the Platts, and the developer reflected a conscious effort not to expand the use of the access easement. In particular, none of the lots on the subdivided property were permitted

to use the access easement, even though two of the new lots were encumbered with the easement.

HHMI believes that the intent of the access easement was to provide access to and from only the DeVeau (now applicant) and Platt (now HHMI) houses. We have been informed by outside counsel that the relevant property history supports HHMI's position. We strongly believe that any expansion of the use of the easement for the benefit of other homes would violate the letter and spirit of the access easement.

Moreover, any expansion of the use of the access easement disregards the dimensions and location of the access easement. The access easement is simply too narrow to accommodate increased traffic. We firmly believe that any traffic increase will destroy the quiet enjoyment of property that is currently experienced by HHMI and the two other properties encumbered by the easement.

As noted in our previous correspondence, HHMI is generally comfortable with the applicant's proposed subdivision, subject to consideration of our requested buffer and as long as Planning Staff's Condition No. 8 is approved by the Planning Board. Otherwise, HHMI cannot and, will not, support the use of the access easement as the subdivision's primary ingress and egress. Thank you for your consideration of our comments.

Sincerely,



Robert Obrist  
Director for Facilities

cc: Patrick L. O'Neil, Esq.  
Lauri Spiliotes, Esq.  
Donna Wartofsky  
CAS Engineering

RECEIVED  
OCT 27 2017

OFFICE OF THE CHAIRMAN  
THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

October 26, 2017

**Via Hand Delivery**

Hon. Casey Anderson  
Chair, Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Howard Hughes Medical Institute  
Preliminary Plan No. 120170180 (4100 Jones Bridge Road)

Dear Mr. Anderson:

We are writing this letter on behalf of the Howard Hughes Medical Institute ("HHMI") regarding Preliminary Plan No. 120170180, which seeks to resubdivide an adjacent lot located at 4100 Jones Bridge Road in Chevy Chase, Maryland into five new residential lots. Because of the project's proximity to HHMI, we have been monitoring the plan for some time and offer the below comments for the Planning Board's consideration before making a final determination on the Preliminary Plan application.

HHMI is a world-renowned research organization dedicated to advancing scientific discoveries for the benefit of humanity. Its headquarters is located on a 36-acre campus in Chevy Chase, Maryland at 4000 Jones Bridge Road, immediately adjacent to the subject Preliminary Plan property. The current HHMI campus is separated from all adjoining houses and structures by roadways and/or significant buffer areas.

The proposed Preliminary Plan, if approved in its current configuration, will alter this buffer condition by allowing for the construction of new houses approximately 25 feet from HHMI's property line. Additional accessory structures (i.e., decks, sheds and/or swimming pools) may be located even closer. To counter the visual impacts of this enhanced development in close proximity to HHMI's property, including the current residence of HHMI's President, HHMI seeks a healthy vegetative buffer to screen the anticipated new structures and related activity. HHMI envisions that this buffer would be comprised of additional plantings along the property line between HHMI and proposed Lots C and D on the Preliminary Plan. In particular, HHMI requests that the Preliminary Plan include more plantings in the nature of supplemental screening with large evergreen shrubs and trees such as holly, spruce, pine, fir, and arborvitae that would complement any additional plantings that HHMI may include on its side of the property line.



HHMI also is focused on the current access condition that allows vehicles from the Preliminary Plan property to access Platt Ridge Drive via an existing access easement along HHMI's property line. HHMI strongly believes that the proposed subdivision plan should not increase the current level of vehicular traffic on this access easement. For this reason, HHMI greatly appreciates Planning Staff's recommended condition (Condition No. 8 in the Staff Report) that limits the use of the access easement to only the residents of proposed Lot E.

HHMI appreciates the opportunity to comment on Preliminary Plan No. 120170180 and is available to answer any questions the Planning Board may have about them. Thank you for your consideration of our comments.

Sincerely,



Robert Obrist  
Director for Facilities

cc: Lauri Spiliotes, Esq.  
Donna Wartofsky  
Patrick O'Neil, Esq.  
Elza Hisel-McCoy  
Robert Kronenberg  
Matthew Folden