



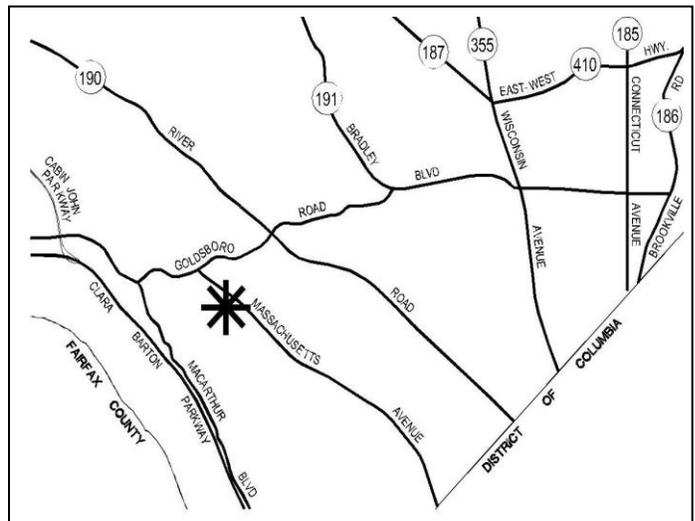
Glen Echo Heights, Preliminary Plan, 12012010A

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- Robert Kronenberg, Chief, Area 1, Robert.Kronenberg@montgomeryplanning.org, 301.495.2187

Staff Report Date: 1-22-18

Description

- Preliminary Plan Amendment to modify the limits of disturbance and associated Tree Save Plan for the construction of 2 one-family detached dwellings.
- 6209 & 6211 Dahlonga Road, Bethesda MD
- 0.58 acres in the R-90 zone, within the Palisades subsection of the Bethesda Chevy Chase Master Plan area.
- Applicant: Todd Wood Castlewood Consulting LLC
- Acceptance Date: 8/18/2017



Summary

- **Staff Recommendation: Approval with conditions**
- The Preliminary Plan Amendment proposes LOD expansions beyond the original Planning Board approval. The increased disturbance is largely due to the proposed demolition and reconstruction of a home which was to remain under the approved plans. Although there is increased tree clearing over the previous approval, the revised plans now include a Category II Conservation Easement protecting existing and supplemental trees. The easement area will perpetuate mature trees and their associated character and therefore continue the project's conformance with the *Bethesda-Chevy Chase Master Plan* recommendations for the Palisades, which has a heavy emphasis on the protection of environmental features such as mature trees and their associated character.

RECOMMENDATION: Approval of the Preliminary Plan Amendment, subject to the following conditions. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted to the M-NCPPC are required, except as modified by the condition of approval. All conditions of previous approvals remain valid and binding. In the event of a conflict between the following conditions and those of previous approvals, the condition as amended shall control.

- 1) The Category II Conservation Easement as shown on the submitted plans must be recorded by deed prior to any demolition or onsite land disturbing activity.
- 2) Prior to certification of the Preliminary Plan, the Tree Save Plan must be revised to address the following items:
 - a. Protect any offsite minor trees occurring along the western property line and provide minor LOD adjustments as applicable to preserve the affected offsite trees.
 - b. Confirm the accuracy of trees along eastern property line and finetune the LOD and tree save measures as necessary.
 - c. Revise general notes to specify deadwood pruning for any applicable trees.
 - d. Coordinate with Staff on the final locations of the soil restoration areas. Provide an inset or other graphics to map the extent of the soil restoration work.
 - e. Include a provision to remove tree 186 (with consent of the affected neighbor) if there is further decline within the tree save plan's 3-year maintenance & monitoring period.

SITE DESCRIPTION

The subject property consists of two platted lots measuring a total of 0.58 acres (25,256 square feet) in area. The property is located on the north side of Dahlongega Road and is located approximately 300 feet west of Wiscasset Road. The property is currently occupied with a one-family dwelling along with a large shed, and is located in the R-90 zone. The surrounding properties are also developed with one-family detached dwellings in the R-90 zone. Most of the nearby residences, including the subject dwelling, were constructed in the 1950's. However, a number of the original houses in the general area have been demolished and rebuilt within recent years.

The property is located in the Potomac Direct Watershed, a use I-P watershed¹. The neighborhood has many mature trees which characterize the community. Approximately nine specimen trees (measuring $\geq 30''$ DBH) are located on or near the site boundary. A number of significant and minor-size trees are also associated with the property. The southern edge of the site overlaps with the adjacent highly erodible soils which are generally located towards the west of the property and more extensively on the south side of Dahlongega Road.



Figure #1 Subject property and vicinity

NORTH ↑

¹ Use I-P:

WATER CONTACT RECREATION, PROTECTION OF AQUATIC LIFE, AND PUBLIC WATER SUPPLY

Waters that are suitable for: water contact sports: play and leisure time activities where the human body may come in direct contact with the surface water; fishing; the growth and propagation of fish (other than trout); other aquatic life, and wildlife; agricultural water supply; industrial water supply; and public water supply.

Previous Approvals

On April 17, 2013, the Planning Board approved Preliminary Plan No. 120120100 (MCPB No. 13-14), to create two lots on 0.58 acres of land in the R-90 zone. The Planning Board action included the approval of the Tree Save Plan, which was necessary to make findings of conformance to the Master Plan recommendations for retention of mature trees stands, the protection of the high quality of life, the residential character, and the natural environment throughout the area.

The Planning Board approval included condition #7:

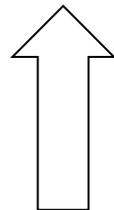
Any changes to the Limits of Disturbance (LOD) shown, or activity on proposed lot 33 subject to sediment control permit requires the submission of new tree save plan.

PROJECT DESCRIPTION

The project proposes to revise the limits of disturbance and associated tree save plan for the construction of 2 one-family detached dwellings, which now includes the demolition, rather than retention, of the existing single-family home. The increased tree clearing over the previous approval is offset by the inclusion of a Category II Conservation Easement which will provide long-term protection of existing and supplemental trees.



Figure #2 Preliminary Plan 120120100. LOD shown in red shading.



NORTH

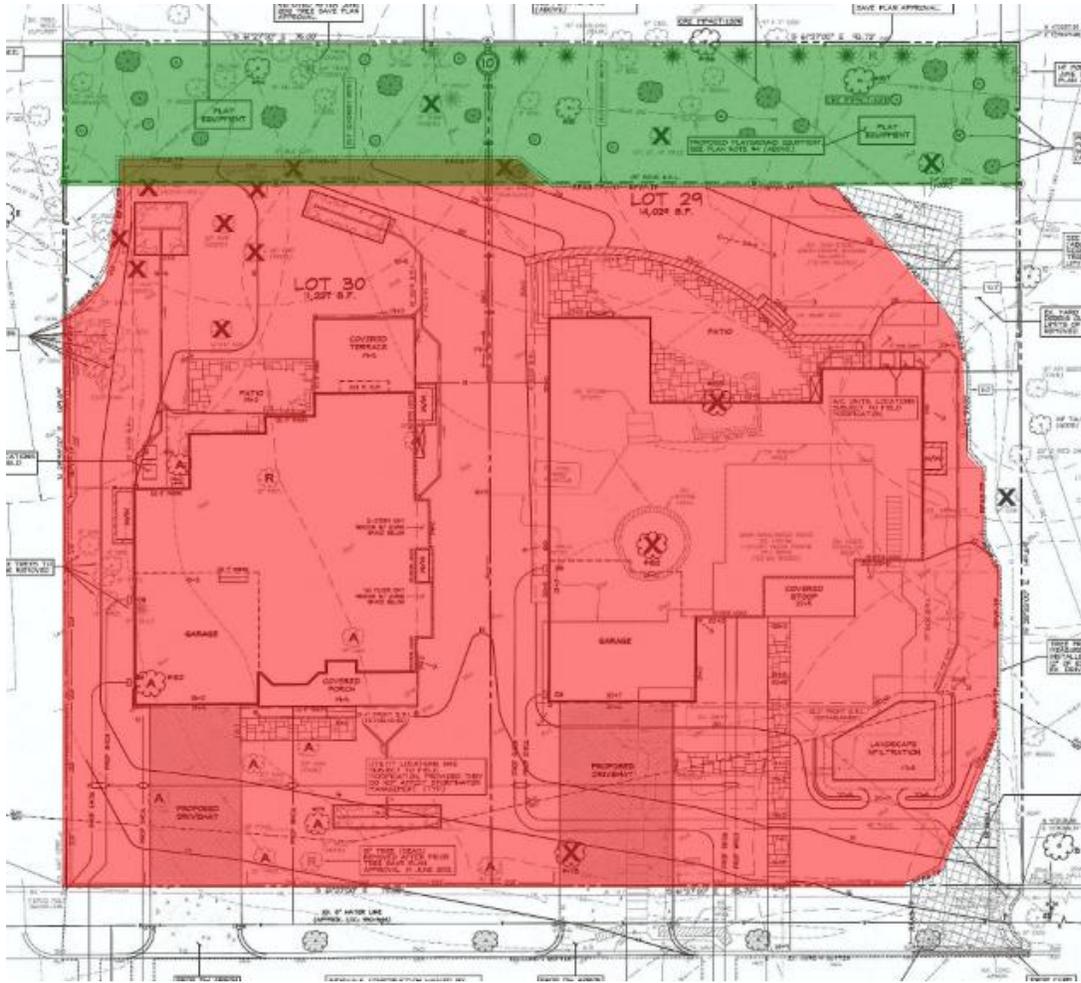
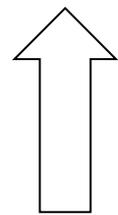


Figure #3 Proposed Preliminary Plan 12012010A
 LOD shown in red shading,
 Category II Conservation Easement shown in green shading.



NORTH

ANALYSIS AND FINDINGS

Except as discussed below, all original findings remain valid, binding, and in full effect.

Conformance to the Master Plan

The application continues to substantially conforms to the *Bethesda-Chevy Chase Master Plan* and the associated Palisades subsection. The Preliminary Plan Amendment proposes LOD expansions beyond the original Planning Board approval. The increased disturbance is largely due to the proposed demolition and reconstruction of a home which was to remain under the approved plans. Although there is increased tree clearing over the previous approval, the revised plans now include a Category II Conservation Easement protecting existing and supplemental trees. The easement area will perpetuate

mature trees and their associated character and therefore continue the project's conformance with the Master Plan recommendations for the Palisades, which has a heavy emphasis on the protection of environmental features such as mature trees and their associated character.

Citizen Correspondence

Staff received three letters of opposition to the proposed amendment. The concerns expressed were generally related to excessive tree removal and the associated negative effects on the screening, character and environment. However, the letters were sent in response to the initial submission which showed the clearing of nearly every tree onsite and also proposed severe impacts to some of the neighboring offsite trees. Staff believes that Category II Conservation Easement now proposed provides a balanced level of tree preservation that addresses the concerns of the neighbors.

CONCLUSION

Preliminary Plan Amendment No. 12012010A will not alter the overall character or impact of the development with respect to the original findings of approval. Further, the Amendment will not adversely affect the compatibility of the development with respect to the surrounding neighborhood. Staff recommends approval of Preliminary Plan Amendment No. 12012010A.

Attachments

Attachment 1 – Previous Planning Board Resolution

Attachment 2 – Letters of opposition



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

APR 17 2013

MCPB No. 13-14
 Preliminary Plan No. 120120100
 Glen Echo Heights
 Date of Hearing: February 7, 2013

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on November 30, 2011, Alan Giese ("Applicant"), filed an application for approval of a preliminary plan of subdivision of property that would create two lots on 0.58 acres of land in the R-90 zone, located approximately 400 feet northwest of the intersection of Dahlonga Road and Wiscasset Road ("Subject Property"), in the Bethesda-Chevy Chase master plan ("Master Plan") area; and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120120100, Glen Echo Heights ("Preliminary Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated January 25, 2013, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on February 7, 2013, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on February 7, 2013, the Planning Board voted to approve the Application subject to certain conditions, on motion of Commissioner Dreyfuss, seconded by Commissioner Wells-Harley, with a vote of 5-0; Commissioners Anderson, Carrier, Dreyfuss, Presley, and Wells-Harley voting in favor.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board approves Preliminary Plan No. 120120100 to create two lots on the Subject Property, subject to

Approved as to
 Legal Sufficiency:

Christina Stone 4/3/13
 MNCPPC Legal Department

the following conditions:¹

- 1) This Preliminary Plan is limited to two lots for one one-family detached dwelling unit on each lot.
- 2) The Planning Board has accepted the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letter dated October 22, 2012, and does hereby incorporate them as conditions of the Preliminary Plan approval. Therefore, 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.
- 3) 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). Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval.
- 4) Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements as required by MCDOT.
- 5) The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Service ("MCDPS") – Water Resources Section in its stormwater management concept approval letter dated May 21, 2012, and does hereby incorporate them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Stormwater Section, provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 6) The Subject Property is located within the Whitman School cluster area. The Applicant must make a School Facilities Payment to MCDPS at the middle and high school level, at the single-family detached unit rate for the unit for which a building permit is issued and a School Facilities Payment is applicable. The timing and amount of the payment will be in accordance with Chapter 52 of the Montgomery County Code.

¹ For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

- 7) Any changes to the Limits of Disturbance (LOD) shown, or activity on proposed lot 33 subject to sediment control permit requires the submission of a new tree save plan.
- 8) Record Plat must show necessary easements.
- 9) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board Resolution.

BE IT FURTHER RESOLVED, that, having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. The Preliminary Plan substantially conforms to the Master Plan.

The Application substantially conforms to the Bethesda/Chevy Chase Master Plan and the associated Palisades subsection. The Master Plan does not specifically address the Subject Property; however, it does recommend retention of the existing R-90 zoning throughout the Master Plan area in the absence of a specific recommendation for change on a particular property. The 1,000-foot scale Land Use Plan and Zoning Maps from the Master Plan identify the property and surrounding areas within the Palisades as low density residential within the R-90 Zone. The Application complies with the recommendations adopted in the Bethesda/Chevy Chase Master Plan in that it proposes one-family detached housing consistent with the current density of the neighborhood and the current zoning designation.

Furthermore the Master Plan has references regarding the retention of mature tree stands and protection of the high quality of life, the residential character, and the natural environment throughout the area. Since the LOD for the Application has been minimized to reduce impacts/removals of the associated trees, the Application is consistent with the Master Plan.

2. Public facilities will be adequate to support and service the area of the approved subdivision.

The Application does not generate 30 or more vehicle trips during the morning or evening peak-hours. Therefore, the Application is not subject to Local Area Transportation Review.

Proposed vehicle and pedestrian access for the subdivision will be safe and adequate because the existing circulation pattern is not being changed, the additional driveway will not overburden the existing street and a new sidewalk is required along the road

frontage unless waived by DPS during their permit review. Public facilities and services are available and will be adequate to serve the proposed development. The Subject Property will be served by public water and public sewer. The Application has been reviewed by the Montgomery County Fire and Rescue Service who has determined that the property will have appropriate access for fire and rescue vehicles. Other public facilities and services, such as police stations, firehouses, and health services are operating according to the Subdivision Staging Policy resolution currently in effect and will be adequate to serve the Subject Property. The Application is located within the Whitman School cluster area which is currently operating at 109% of capacity at the high school level and 116% at the middle school level. Therefore, school facilities payments are required for both levels. Electrical, telecommunications, and gas services are also available to serve the Subject Property.

- 3. The size, width, shape, and orientation of the approved lots are appropriate for the location of the subdivision.*

The proposed lots will be similar to surrounding existing lots with respect to dimensions, orientation, and shape, and the proposed residences will have a similar relationship to the public street and surrounding residences as do existing residences in the area.

- 4. The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.*

The Subject Property was granted an exemption from submitting a Forest Conservation Plan under Chapter 22A-5(s)(2) for an activity on a tract of land less than 1-acre that will not result in afforestation requirements in excess of 10,000 square feet, and will not result in the clearing of more than a total of 20,000 square feet of forest. Exemption Number 42012064E was confirmed for the project on November 17, 2011.

- 5. All stormwater management requirements shall be met as provided in Chapter 19, article II, title "stormwater management", Section 19-20 through 19-35.*

This finding is based in part upon the determination by MCDPS that the Stormwater Management Concept Plan meets applicable standards. The MCDPS Stormwater Management Section approved the stormwater management concept for the project on May 21, 2012. The stormwater management concept consists of environmental site design through the use of drywells and non-rooftop disconnect.

- 6. The approved lots are of the same character as to street frontage, alignment, size, shape, width, area and suitability for residential use as other lots within the existing neighborhood (as delineated in the Staff Report).*

Size: The lots in the neighborhood range from 7,074 square feet to 15,917 square feet. Six of the lots are smaller than 11,000 square feet, 24 are between 11,000 and 14,000 square feet, and five are larger than 14,000 square feet. One of the proposed lots will be 11,212 square feet in size; the other will be 13,991 square feet in size. The proposed lot sizes are in character with the size of existing lots in the neighborhood.

Width: The lots in the neighborhood range from 49 feet to 126 feet in width. Seventeen of the lots have widths of less than 75 feet, 14 lots have widths between 75 and 100 feet, and the remaining four lots have widths of more than 100 feet. One of the proposed lots has a width of 75 feet; the other will be 93 feet wide. The proposed lots will be in character with existing lots in the neighborhood with respect to width.

Frontage: In a neighborhood of 35 lots, lot frontages range from 49 feet to 142 feet. Twenty eight of the lots have frontages between 65 and 100 feet. One lot has less than 65 feet and the remaining six lots have frontages of over 100 feet. The proposed lots have frontages of 93 feet and 75 feet. The proposed lot will be of the same character as existing lots in the neighborhood with respect to lot frontage.

Area: The lots in the neighborhood range from 1,048 square feet to 6,952 square feet of buildable area. Eleven of the lots have a buildable area less than 4,700 square feet, 22 range from 4,700 to 6,500 square feet. Two are larger than 6,500 square feet. One of the proposed lots has a buildable area of 4,725 square feet, and the other proposed lot has a buildable area of 6,480 square feet. The proposed lots will be of the same character as other lots in the neighborhood with respect to buildable area.

Alignment: Thirty-two of the 35 existing lots in the neighborhood are perpendicular in alignment, one lot is a through-lot and the remaining two properties are corner lots. Both of the proposed lots are perpendicular in alignment. The proposed perpendicular lots are of the same character as existing lots with respect to the alignment criterion.

Shape: Thirty of the 35 lots in the neighborhood are rectangular, two lots are pie shaped and three are irregular. Both of the proposed lots are rectangular in shape. The rectangular shapes of the proposed lots will be in character with shapes of the existing lots.

Suitability for Residential Use: The existing and the proposed lots are zoned residential and the land is suitable for residential use.

BE IT FURTHER RESOLVED, that this Preliminary Plan will remain valid for 85 months from its initiation date (as defined in Montgomery County Code Section 50-35(h)), and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records, or a request for an extension must be filed; and

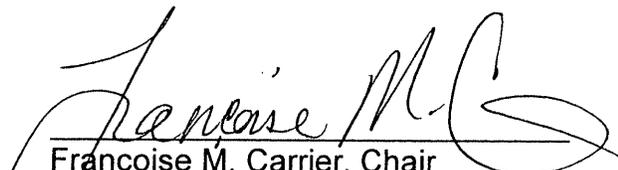
BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is APR 17 2013 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Presley, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley, voting in favor at its regular meeting held on Thursday, April 11, 2013, in Silver Spring, Maryland.


Françoise M. Carrier, Chair
Montgomery County Planning Board

From: Marc B [<mailto:marcberg@fastmail.fm>]

Sent: Friday, August 25, 2017 1:43 PM

To: Hisel-McCoy, Elza <elza.hisel-mccoy@montgomeryplanning.org>

Subject: Opposition to plan 12012010a

>>> Hello,

>>>

>>> I live behind the Dahlongea road site. The proposed plan would devastate a old, beautiful, oak forest that is of great value to the community. (See attached photo and please visit.) It is a natural treasure!

>>>

>>> Please reject the plan!

>>>

>>> Concerned citizen,

>>>

>>> Marc Bergeron

>>> 6210 Wiscasset Rd

>>> Bethesda, MD

>>> 20816



>>> Sent from my iPhone

Response to Plan Amendment 12012010A
Glen Echo Heights Lots 29-30, Block 10
6209/6211 Dahlonga Road, Bethesda Md

From: George Spano and Ning Jiang neighbors with adjacent property at the back
(away from Dahlonga Road)
My Address is 6208 Wiscasset Road Bethesda Md 20816
August 28, 2017

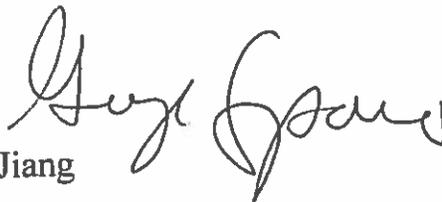
Dear Reviewers,

After review of the preliminary amendment plan (PP3) dated 05/2017; we are strongly against any tree removal. The trees serve as a screen to the back of our house and the amendment would add to light, air and noise pollution. It would also create a nuisance during construction.

Please let ⁻⁴⁵me know how we can help with the prevention of additional unwanted pollution due to amendment 12012010A.

Sincerely,


George Spano and Ning Jiang
6208 Wiscasset Road
Bethesda Maryland 20816
301 229 2817



George Spano

6208 Wiscasset Road Bethesda Maryland 20816



Laurie Roberge Yang <laurie.roberge.yang@gmail.com>

Hisel-McCoy, Elza; Fuster, Marco ▾

8/31/2017

Opposition to Plan 12012010a (Dahlonaga Rd)



Dear Ms. Hisel-McCoy and Mr. Fuster,

I am writing to express my opposition to the removal of so many of the trees on the land for 6209 & 6211 Dahlonaga Rd, Bethesda. My property at 6212 Wiscasset Rd is directly behind and adjacent to these plots. The large trees and wooded lots/areas (along with the hills) are key to the character of the Glen Echo Heights/Mohican Hills neighborhood and provide important practical environmental benefits (e.g. mitigating flooding and preventing run off).

Also, I would like to think it will be in the builder's interest to maintain the trees along the property border because all homeowners value privacy and beautiful, natural scenery. It is a very costly endeavor (with a long time horizon) to plant new trees. I know because we purchased 6212 Wiscasset from a builder who also removed all but one of the trees. To make up for the loss to the environment, keep our property in character with the neighborhood and create some privacy for ourselves and our surrounding neighbors, we have invested heavily in new plantings. We have planted 25 trees--3 large maples, a large river birch and 13 (will be) tall and full evergreens and many smaller garden trees, plus dozens of bushes. Even if new homeowners are willing and able to plant new trees, it will be impossible to replace the large, established trees that this plan proposes to remove.

I respectfully ask you to reconsider the removal of the trees along the property lines. The prospective buyers in this neighborhood will certainly appreciate buying a new home with an established yard and some privacy. That is worth a premium!!

I will be happy to appear at a hearing to express my thoughts in person.

Thank you for listening.

Sincerely,

Laurie R. Yang
Homeowner/concerned neighbor
6212 Wiscasset Road
Bethesda, MD 20816