



Staff Report: Poplar Pointe, Site Plan No. 820200020

TG Tamika Graham, Senior Planner, Area 2 Division, Tamika.Graham@montgomeryplanning.org, 301-495-4551
P.B. Patrick Butler, Regulatory Supervisor, Area 2 Division, Patrick.Butler@montgomeryplanning.org, 301-495-4561
CS Carrie Sanders, Chief, Area 2 Division, Carrie.Sanders@montgomeryplanning.org, 301-495-4653

Completed: 12/9/2019

Description

Request to develop eleven single-family detached dwelling units (on 12 new lots with one existing dwelling unit); including open space and HOA parcels, which includes the preservation of onsite forest, and to dedicate and construct an unbuilt segment of Alderton Road from its current terminus to the intersection of Night Sky Drive.

Location: 13710 Alderton Road, 150 feet north of Night Sky Drive, Silver Spring, MD, 20906.

Master Plan: 1989 *Communities of Kensington - Wheaton Master Plan* area.

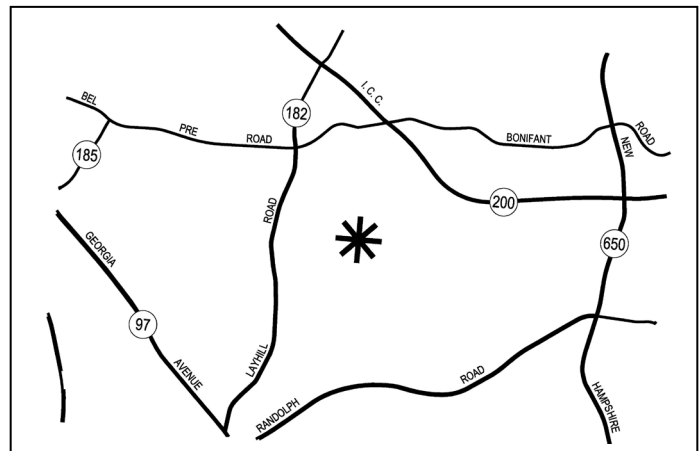
Zone: R-200.

Size: 6.28 acres.

Acceptance Date: August 23, 2019.

Applicant: Oxbridge Development at Alderton, LLC
c/o Elliot Totah, Deborah Poznerzon-Tallman Trust
and Martha E. Barrick.

Review Basis: Chapter 59, Zoning Ordinance, and
Chapter 22A, Forest Conservation Law.



Summary

- Staff recommends approval with conditions.
- The Applicant is utilizing the Optional Method Cluster Development to develop this Property. Thus, the applicant is required to submit a Site Plan as required by Section 59.4.4.2 B of the Zoning Ordinance.
- To achieve the goals of the Cluster Method Development, the Applicant is providing a large area of Common Open Space for active and passive recreation, as well as the preservation of onsite forest.
- The Site Plan includes approval of the Final Forest Conservation Plan (FFCP).
- The Planning Board approved Preliminary Plan No. 120180080 for this project, which is reflected in the corrected MCPB Resolution No. 18-130, dated January 15, 2018.
- No correspondence has been received as of the date of this Staff Report.

SECTION 1: RECOMMENDATION AND CONDITIONS

Staff recommends approval of Site Plan No. 820200020, including the Final Forest Conservation Plan. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions:

1. Preliminary Plan Conformance

The development must comply with the conditions of approval of Preliminary Plan No. 120180080.

Density and Height

2. Density

The Site Plan is limited to twelve single-family detached units, and various open space and HOA parcels on the Subject Property.

3. Height

The development is limited to a maximum height of 40 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.

Site Plan

4. Site Design

Prior to the issuance of any building permit, the Applicant must obtain approval of a Minor Site Plan Amendment to provide architectural drawings that illustrate exterior architectural character, proportion, materials, and articulation, which are to be in substantial conformance to the architectural design guidelines provided, as determined by M-NCPPC Staff. Details of the houses shall include elements related to a) recessed garages by at least 4 feet from the main body of the house or architecturally treated garages to minimize presence from the sidewalk, b) front porches that cover a minimum of 1/3 of the front façade (excluding the width of the garage), c) building fenestration for side elevations that add up to a minimum of 15%, and d) the option for lead walks that connects the porch or stoop to the main sidewalk (to be installed at homebuyer's discretion).

5. Lighting

- a) Prior to Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for residential development. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded). All onsite downlights for lighting on homes must have full cut-off fixtures.
- b) Deflectors shall be installed on all proposed fixtures to prevent excess illumination and glare, including on the fixtures abutting residential properties.
- c) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting public roads and residentially developed properties.
- d) Streetlights and other pole-mounted lights must not exceed the permitted height including the mounting base as illustrated on the Certified Site Plan.

- e) Lighting must not conflict with required spacing of proposed street tree plantings and utility poles and overhead wires along the site frontage.

Open Space, Facilities and Amenities

6. Open Space

The Applicant must provide a minimum of 23% of the net lot area (approximately 63,018 square feet) of Common Open Space on-site as shown on the Site Plan.

7. Maintenance of Public Amenities

Prior to issuance of the final residential building permit, the Applicant must install all publicly accessible amenities including, but not limited to, the natural surface trail, easement fencing, picnic tables, fitness stations, and benches. The homeowner's association shall be responsible for maintaining all publicly accessible amenities.

8. Recreation Facilities

The Applicant must provide the minimum required recreation facilities as shown on the Certified Site Plan.

Environment

9. Final Forest Conservation and Tree Save

The Applicant must comply with the conditions of the approved Forest Conservation Plan (FFCP) No. 820200020.

- a) The Applicant must record a Category I Conservation Easement over all areas of forest retention, forest planting and environmental buffers as specified on the certified Final Forest Conservation Plan. The Category I Conservation Easement must be approved by the M-NCPPC Office of the General Counsel and 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.
- b) The Applicant must install permanent Category I Conservation Easement signage along the perimeter of the conservation easements.
- c) The Final Sediment Control Plan must be consistent with the final limits of disturbance shown on the approved FFCP.
- d) Prior to scheduling a pre-construction meeting, the Applicant must submit and obtain approval for the financial security for 0.58 acres of forest planting and required elements of the FFCP.
- e) The Applicant must comply with all tree protection and tree save measures shown on the approved FFCP. Tree save measures not specified on the FFCP may be required by the M-NCPPC forest conservation inspector at the pre-construction meeting.

10. Stormwater Management

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its stormwater management concept letter dated October 25, 2019 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all

landscaping within the Storm Water Management easements and facilities. All standard notes should be added to the landscape plans.

Transportation & Circulation

11. Transportation

- a) Prior to issuance of any residential building permit, the Applicant must:
 - i. The Applicant must provide a Public Improvement Easement (PIE) revised to ten (10)-feet-wide, on both sides of Alderton Road along the Property frontage.
 - ii. Provide a ten (10)-foot-wide Public Utility Easement, opposite the right-of-way, in addition to the Public Improvement Easement, on each side of Alderton Road along the Property frontage, as shown on the Site Plan.
- b) Prior to issuance of the last residential building permit, the Applicant must:
 - iii. Construct the unbuilt segment of Alderton Road through the Property and extend the unbuilt segment of Alderton Road approximately 140 feet south to connect to Night Sky Drive, as shown on the Site Plan.
 - iv. Satisfy MCDOT's requirements for safe and continuous sidewalks and an appropriate pedestrian crossing where the proposed sidewalk terminates along Alderton Road.
 - v. Provide dual ramps aligned with the existing receiving ramps at the southeast corner of the intersection of Alderton Road and Night Sky Drive.
 - vi. Construct the final driveway layout of the existing home to remain at 13701 Alderton Road (Parcel 607) as determined by the homeowner.

12. Pedestrian Circulation

The Applicant must provide 5-foot wide sidewalks along Alderton Road.

13. Easements

The easement plan must show that the PIE includes the proposed sidewalk around the circular driveway on Alderton Road.

14. Department of Permitting Services-Right-of-Way

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Right-of-Way Permitting Section in its letter dated October 16, 2019, 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 Site Plan approval.

15. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.

- b) The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, indoor and outdoor recreational facilities, site furniture, mailbox pad sites, trash enclosures, retaining walls, fences, railings, private roads and sidewalks, private utilities, paths and associated improvements of development, including sidewalks and bikeways. The surety must be posted before issuance of any building permit of development and will be tied to the development program.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

16. Development Program

The Applicant must construct the development in accordance with the development program subject to review and approval by Staff before Certified Site Plan.

17. Clearing and Grading

No clearing or grading of the site or recording of plats may occur prior to Certified Site Plan approval.

18. Certified Site Plan

Before approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a) Include the stormwater management concept approval letter, development program, and Site Plan resolution on the approval or cover sheet(s).
- b) Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."

SECTION 2 - SITE DESCRIPTION AND BACKGROUND

Site Vicinity

The Poplar Pointe Property (Property or Subject Property), shown in red in (Figure 1), is approximately 6.28 acres in size and is located at 13710 Alderton Road, 150 feet north of Night Sky Drive. The Intercounty Connector (MD 200) and Bonifant Road are to the north of the site, New Hampshire Avenue (MD 650) to the east, Randolph Road to the south and Layhill Road (MD 182) to the west.

The neighborhood surrounding the Property is predominately residential and comprised of single-family detached houses. The neighborhood is zoned R-200 and includes Middlebridge Village to the southwest of the Property and the Poplar Run townhouse community to the south of the Property. Recreational facilities near the Property include the Mid-County Recreation Center, Layhill Village Local Park, the Matthew Henson Trail and Middlevale Neighborhood Park. The Property lies within the 1989 *Communities of Kensington-Wheaton Master Plan* (Master Plan).

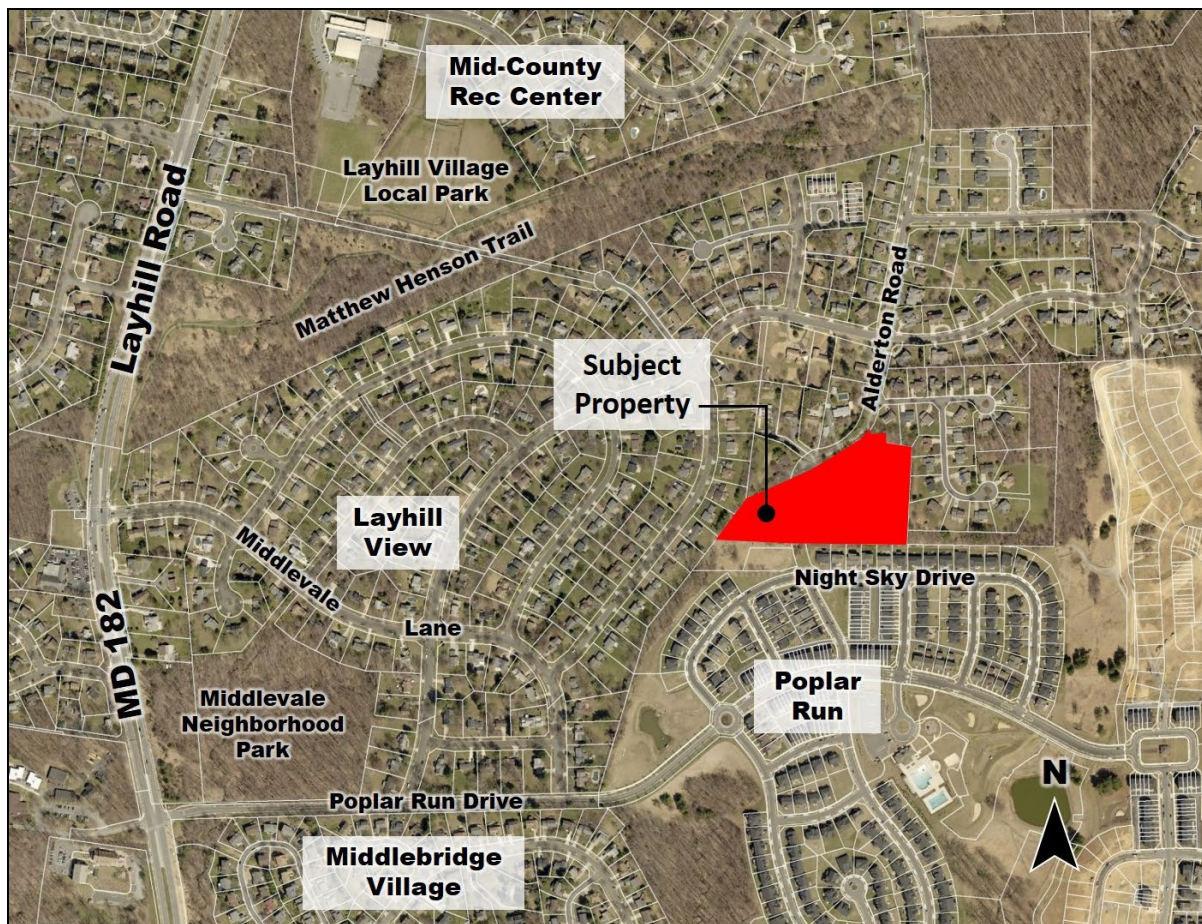


Figure 1: Aerial view of the Vicinity of the Subject Property

Site Analysis

The Property (Figure 2) comprises Parcels 526, 582, 605 (owned by Deborah Poznerzon-Tallman Trust) and Parcel 607 (owned by Martha E. Barrick, et al). Parcels 605 and 607 are both currently improved with single family detached houses. The remaining Parcels 526 and 582 are currently open space which was used historically for horses and recreation. Parcels 526, 582, 605 and 607 all front onto Alderton Road. The Property is moderately sloped, with a 1.15-acre forested area which contains a spring/seep and a small farm pond with a buffer in the southeastern portion of the Property. The farm pond was used for irrigation and water for the animals. The Property lies in the Northwest Branch, a Use IV watershed. The current houses on the Property are served by well and septic.



Figure 2: Aerial view with Property outlined in red

SECTION 3 – PROJECT DESCRIPTION

Previous Development Proposals

Preliminary Plan No. 120180080

In accordance with the prerequisite for filing a Preliminary Plan, the applicant submitted a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD). Staff approved the NRI/FSD on January 29, 2018.

Subsequently, Preliminary Plan No. 120180080, was reviewed and approved by the Planning Board per Resolution No. 18-130 dated January 15, 2019. The Preliminary Plan approval consisted of the subdivision of four unplatted parcels into twelve single family detached lots and the retention of one of the existing dwellings (Parcel 607) on one of the twelve proposed lots (Figure 3 and Attachment 1). In addition to the 12 new lots, the development proposal included:

- Demolition of the existing dwelling on Parcel 605;
- 1.82 acres of common open space to be owned and maintained by the HOA;
- 1.76 acres of Category I Forest Conservation Easement, which includes the existing spring seep and farm pond;
- Natural surface trails throughout the Forest Conservation Easement and common open space areas;
- Dedication and construction of Alderton Road, as shown on the Preliminary Plan;
- Sidewalks internal to the Property and along Alderton Road;
- Common ingress/egress and utility easements for the proposed dwellings sharing the two sets of common oval-shaped driveways (Lots 1, 2, 3, 4, 5, 6, 7, and 8);
- Several small landscaped /open space areas within the shared driveways;
- The 11 new lots will each have two-car garages; and
- On-street public parking on the east side of Alderton Road.

The layout uses shared driveways rather than pipe stems and cul-de-sacs to access eight of the twelve houses, and the location of lots and units have been situated in a way that preserves a larger amount of Common Open Space and Conservation Easement area, which yields a much more efficient open space network justifying the clustering of the lots.



Figure 3: 2018 Preliminary Plan Approved

Current Proposal

Site Plan No. 820200020

Section 59.4.4.2.B of the Zoning Ordinance requires Site Plan approval for Optional Method Cluster Development. Therefore, the Applicant is seeking to obtain Site Plan approval for the Property subsequent to their Preliminary Plan approval and prior to Record Plat.

Due to site constraints as an infill residential subdivision, the proposed lots vary in shape and square footage (9,000 up to 14,000+ square feet as shown in Figure 4). For the construction of 11 single-family detached, front-loaded dwellings, the Site Plan proposes to meet the required building setbacks from Alderton Road and the adjoining properties.

Per the Zoning Ordinance, the proposed development must provide a minimum of 20% of Common Open Space based on the net lot area, or 54,798.48 square feet (1.25 acres). Currently, the Applicant proposes to provide 23% of open space, or 63,018.25 square feet (1.4 acres) in conjunction with the required Category I Forest Conservation Easement area. A significant Forest Conservation Easement area and Common Open Space area will occupy the southeastern section of the Property and will screen views of the single-family detached dwellings from the east and south of the Property.

In addition to the new lots and units, additional features with the proposed Site Plan include: a rain garden in the sidewalk seating area; an ADA accessible picnic table and fitness stations within the Common Open Space and Forest Conservation Easement area; a realigned natural surface trail; a re-

organized arrangement of mitigation trees and required plantings in a pattern that yields more synergy with the proposed natural surface trail; a permanent three-rail easement fencing to delineate private backyards from the adjacent public space; and streetscape improvements. The Applicant is not required to construct any Moderately Priced Dwelling Unit's (MPDU) because the development proposes less than 20 units but must make a payment to the Housing Initiative Fund, as provided by regulation.

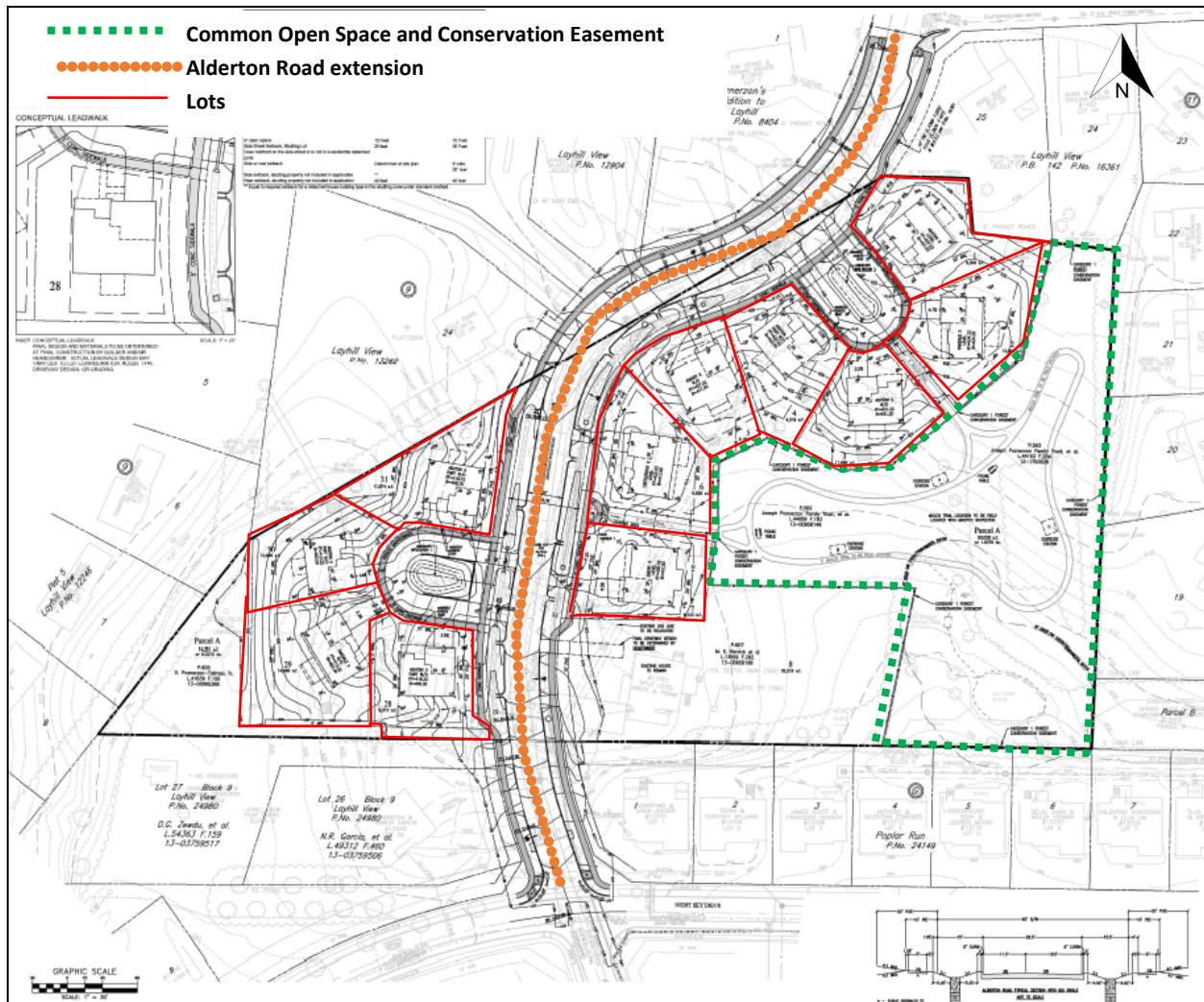


Figure 4: Proposed Site Plan

SECTION 4 - ANALYSIS AND FINDINGS

Site Plan Findings

In accordance with Section 7.3.4.E. of Chapter 59, the Montgomery County Zoning Ordinance, the following Necessary Findings must be satisfied:

1. *When reviewing an application, the approval findings apply only to the site covered by the application.*

2. *To approve a site plan, the Planning Board must find that the proposed development:*

a. *satisfies any previous approval that applies to the site;*

The Applicant has demonstrated compliance with the conditions of approval for the previously approved Preliminary Plan (No. 120180080) for the Property.

b. *satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;*

Not applicable.

c. *satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;*

Not applicable.

d. *satisfies applicable use standards, development standards, and general requirements under this Chapter;*

i. *Division 4.4. Residential Zones*

Development Standards

The proposed lots were reviewed for compliance with the dimensional requirements for the R-200 Zone as specified in the Zoning Ordinance. As shown in Table 3 , the proposed lots will meet all the dimensional requirements for area, frontage, width, and setbacks in the zone and accommodate the proposed use.

Table 3: Applicable Development Standards, R-200 Zone

Section 59.4.4.7 C (Dwelling unit, one-family detached house) Optional Method Development - Cluster Development		
	Required	Proposed
1. Site		
Dimensions (min)		
Usable area	5 acres	6.29 acres
Density (max)		
Density (units/acre of usable area)	2	1.91
Open Space (min)		
Common open space (% of usable area)	20%	23.0%
Site Coverage (max)		
Site coverage	n/a	n/a
2. Lot Dimensions (min)		
Lot area	9,000 sf.	Varies (9,000+ sf. – 14,000+ sf.)
Lot width at front building line	Determined at Site Plan	60 ft. min.
Lot width at front lot line	25 ft.	25 ft.
Frontage on street or open space	25 ft.	25 ft.
Coverage (max)		
Lot	25% max.	25% max.
3. Placement		
Principal Building Setbacks (min)		
Front setback from public street	25 ft.	25 ft.
Front setback from private street or open space	10 ft.	10 ft.
Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone	25 ft.	25 ft.
Side street setback, abutting lot does not front on the side street or is not in a Residential Detached Zone	15 ft.	n/a
Side setback	Determined at Site Plan	5 ft.
Rear setback	Determined at Site Plan	20 ft.
Side setback, abutting property not included in application	Equal to required setback for a detached house building type in the abutting zone under standard method	Min. 12 ft.
Rear setback, abutting property not included in application	40 ft.	40 ft.
Rear setback, alley	4 ft.	n/a
4. Height (in feet)		
Height (max)		
Principal building	40 ft.	40 ft.
Accessory structure	25 ft.	n/a

ii. Division 6.1. Site Access

Not applicable.

iii. Division 6.2. Parking, Queuing, and Loading

The intent of the vehicle and bicycle parking, queuing, and loading requirements is to ensure that adequate parking is provided in a safe and efficient manner. The Property proposes to meet the on-site parking requirement of 2.0 vehicle spaces for each new dwelling unit, while also providing additional on-street parking along one side of the new road extension. In total, the proposed parking provided is not excessive, but rather appropriate for the nature of the use and intensity and is easily accessible from the street. Residential uses are not required to provide designated areas for queuing and loading; however, the design of the project can facilitate the safe unloading of small delivery trucks that can be anticipated for neighborhood deliveries. Such minor loading activities can be facilitated using available on-street parking temporarily, without impeding the flow of traffic along Alderton Road. Also, the proposed on-street parking will allow for additional visitor parking and will aid in traffic calming to make the neighborhood more pedestrian friendly and walkable. Additionally, to the greatest extent feasible, the proposed Site Plan limits vehicle access to and from parking areas from crossing the proposed sidewalks.

iv. Division 6.3. Open Space and Recreation

The Applicant is providing Common Open Space in accordance with requirements for residential zones. In accordance with Section 59.6.3.1 of the Zoning Code, the proposed Site Plan incorporates open space in a manner that provides adequate light, air, circulation, and recreation and encourages preservation and enhancement of natural resources, including improvement of water and air quality. The Common Open Space and Conservation Easement areas will feature additional trees that yield environmental benefits, and the existing on-site spring-fed farm pond and stream will remain intact. No prohibited features are proposed within the Open Space areas. Two public access points are provided to the Common Open Space and Conservation Easement areas that are visible from Alderton Road and include landscaped areas.

v. Division 6.4 General Landscaping and Outdoor Lighting

Division 6.4 of Chapter 59 of the Zoning Code provides minimum standards for quantity, size, location, and installation of landscaping and outdoor lighting on private property. The intent of these standards is to preserve property values, preserve and strengthen the character of communities, and improve water and air quality. The proposed landscaping and lighting satisfy all applicable design guidelines and streetscape standards. All proposed trees and plant materials meet the minimum required caliper and height at the time of planting, and most of the site landscaping contributes to stormwater management measures. The proposed six (6) street lighting fixtures along Alderton Road are within the public right-of-way and will not be directed upward. In accordance with design requirements for lighting, the shielded light fixtures are appropriately spaced and oriented away from the residential uses to reduce light glare. Overall, Staff finds that the proposed Site Plan meets the intent of these general development requirements and will not have

adverse impacts on the existing community character but will rather enhance safety along the road and in the neighborhood.

e. satisfies the applicable requirements of:

i. Chapter 19, Erosion, Sediment Control, and Stormwater Management; and

The Stormwater Management Section of the Montgomery County Department of Permitting Services (MCDPS) issued a letter accepting the stormwater management concept dated October 25, 2019 (SM File #283561). Stormwater management will be implemented through an environmental site design (ESD) plan that includes drywells, landscape infiltration, and bioswales.

ii. Chapter 22A, Forest Conservation

Environmental Guidelines

As previously noted, Staff approved a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD No. 420180880) on January 29, 2018. The site lies in the Upper Northwest Branch watershed and contains 1.15 acres of high priority forest. There is a spring-fed farm pond within the forest and 0.45 acres of partially forested stream buffer. The stream valley buffer will be planted and protected by easement.

Forest Conservation

The site is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code) and Preliminary Forest Conservation Plan was approved in conjunction with Preliminary Plan No. 120180080. There is 1.15 acres of existing isolated forest and the Applicant proposes to clear 0.29 acres of forest, to retain 0.86 acres of forest, and to plant 0.58 acres of forest. The retained and planted forest will be on homeowner's association property and will be covered by a 1.77-acre Category I Conservation Easement. The Category I Conservation Easement will protect existing and planted forest while allowing for natural surface paths and low impact recreational facilities. The planted forest has been designed to be an attractive community asset that creates an area for the residents to use, while providing environmental benefits. The Final Forest Conservation Plan shows the proposed recreation facilities, which include a balance board, a body curl board, and other low-impact equipment that is consistent with the purposes of forest conservation. Additionally, 61 plantings (12 evergreen trees, 22 ornamental trees, and 28 shade trees) are provided as mitigation for the nine (9) trees to be removed as part of the previously approved tree variance.

Minimum Retention

As per Sec. 22A-12(f)(2)(B) of Forest Conservation Law,

"In a planned development or a site developed using a cluster or other optional method in a one-family residential zone, on-site forest retention must be equal the applicable conservation threshold in subsection (a).

The Property is subject to the minimum retention provision because R-200 is a single-family zone and the Applicant is proposing to use the cluster development optional

method of development. The conservation threshold for this property is 20%, or 1.40 acres. The Applicant is retaining 0.86 acres, 0.54 acres below the requirement.

However, Sec. 22A-12(f)(3) allows flexibility in meeting this requirement.

“If the Planning Board or Planning Director, as appropriate, finds that forest retention required in this subsection is not possible, the applicant must provide the maximum possible on-site retention in combination with on-site reforestation and afforestation, not including landscaping.”

In this case, the Property is constrained by the spring-fed pond and associated environmental buffer and the alignment of and need to connect Alderton Road. There is no way to connect Alderton Road while retaining the existing house, except through the current alignment. These requirements shape the form of the proposed development by limiting the development area. Lot sizes have been minimized for the units adjacent to the existing forest and 0.12 acres of forest is not being cleared but is outside of the Category I Forest Conservation Easement. For example, Lot 4 is 9,519 square feet (the minimum lot size is 9,000 square feet) and 1,340 square feet of the lot will be covered with unprotected forest (tree cover).

Given the constraints associated with developing the Property, the Applicant is clearing 0.29 acres of forest but planting 0.58 acres of forest. Staff recommends that the Planning Board find that, when all of the site constraints are considered, it is not possible for the Applicant to develop the property without clearing 0.29 acres of forest.

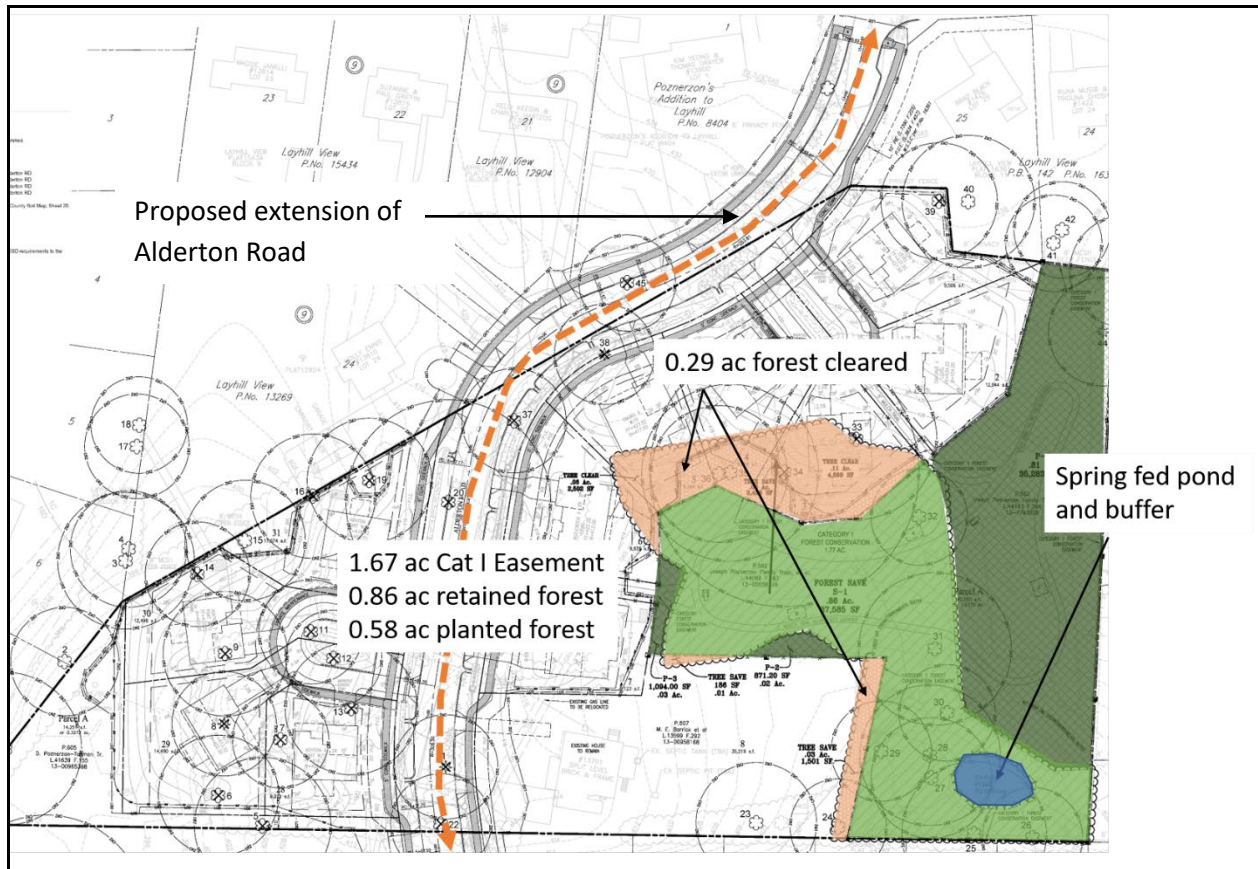


Figure 5: Proposed Final Forest Conservation Plan

Forest Conservation Variance

Section 22A-12(b)(3) of the Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection. Any impact to these trees, including removal or disturbance within the tree's critical root zone (CRZ) requires a variance. The Applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. The law requires a variance to impact trees that: measure 30 inches or greater diameter at breast height (DBH); are part of a historic site or designated with a historic structure; are designated as national, State, or County champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species.

As part of the Preliminary Plan and associated Preliminary Forest Conservation Plan, the Planning Board approved a variance request to remove eight (8) trees and to impact, but not remove, six (6) trees that are considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law. The variance request has been updated to show the removal of nine (9) trees and impact, but not remove, five (5) trees. Tree #5, 34" Sycamore was previously shown as impacted, but retained, and is now shown as being removed after further study. The Site Plan shows increased impacts to the Tree #5's CRZ due to refinements in housing footprints and grading. The following variance request section applies only to Tree #5, as the previous variance was approved with the Preliminary Plan.

Unwarranted Hardship for Variance Tree Impacts

Per Section 22A-21, a variance may only be granted if the Planning Board finds that leaving the requested trees in an undisturbed state will result in unwarranted hardship. The requested variance is necessary due to the site constraints of the existing development on all sides and the location of the road connecting two existing roads, which limits flexibility in grading. In addition, the development has been designed to minimize forest impacts.

Variance Tree Tables

Removals

ID	Species	Size	Condition	Impacts
#5	Sycamore	34"	Good	Impacts from proposed building construction and grading.

Variance Findings

1. *Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants.*

Granting this variance will not confer a special privilege on the Applicant as disturbance of the specified tree is a result of the need to grade the proposed lots to provide positive drainage, while meeting the existing grades on adjacent properties. Disturbance has been minimized to retain the existing forest. The size and configuration of the Property preclude alternative site designs that would allow the variance trees to remain undisturbed.

2. *The need for the variance is not based on conditions or circumstances which are the result of the actions by the applicant.*

The requested variance is not based on conditions or circumstances that are the result of actions by the Applicant. The variance is necessary due to the constraints of Property size, the two existing segments of road that will connect, the infill nature of the development, and the need to retain existing forest.

3. *The need for the variance 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 a result of the location of tree and the proposed development and not a result of land or building use on a neighboring property. The impacts are due to the location of Tree #5 between existing development and proposed development and the need to meet existing grades.

4. *Granting the variance will not violate State water quality standards or cause measurable degradation in water quality.*

The Applicant will plant 61" caliper inches of native shade trees to replace the form and function of the variance trees proposed for removal. In addition, the Property will be developed in accordance with the Maryland Department of the Environment criteria for stormwater management and the stream valley buffer planted.

Mitigation for Trees Subject to the Variance Provisions

The Applicant is requesting a variance to remove an additional one (1) tree, for a total of nine (9) trees. The nine (9) trees will be mitigated at a rate of 1" caliper per 4" DBH removed, using a minimum 3" caliper native shade tree. The Final Forest Conservation Plan includes 21 native shade trees, with a 3" caliper size, as mitigation for the trees removed. These trees are located in the Category I Conservation Easement and are complementary to the forest conservation plantings.

County Arborist's Recommendation of the Variance

In accordance with Montgomery County Code Section 22A-21(c), the Planning Department is required to refer a copy of the variance request to the County Arborist in the Montgomery County Department of Environmental Protection for a recommendation prior to acting on the request. The variance request was sent to the arborist on September 3, 2019, and a response has not been received as of the date of this report.

Variance Recommendation

Based on the analysis above, Staff recommends that the Planning Board grant the variance.

- f. *provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;*

Vehicular Access and Circulation

Proposed vehicular access points for the dwelling units are provided on shared semi-circular driveways which are located along the extension of Alderton Road, a public roadway. The proposed Site Plan also includes locations of the driveways, including the driveway for the retained single-family detached dwelling on Alderton Road near Night Sky Drive, that maximize the intent of the cluster method development through efficient compact design and access. As conditioned, the final driveway layout of the existing home to remain at 13701 Alderton Road (Parcel 607) will be determined by the homeowner at the time of building permit.

The minimum required parking for each proposed detached single-family dwelling will be provided on each individual lot via a two-car garage. The garages are intended to provide adequate parking without dominating the streetscape. By way of the extension of Alderton Road, the proposed development will connect the Layhill Village neighborhood to the north and the Poplar Run neighborhood to the south, which improves connectivity and access points into surrounding neighborhoods.

Pedestrian and Bike Access and Circulation

While the subdivision to the south of the Subject Property has continuous sidewalks, the existing portion of Alderton Road has no pedestrian accommodations. The proposed Site Plan will provide five-foot wide public sidewalks along the proposed Alderton Road extension and the two shared driveways off Alderton Road. In accordance with the Department of Transportation standards, all new sidewalks must connect to existing sidewalks or an ADA ramp and connection must be provided. Accordingly, the new sidewalks will connect into existing sidewalks along Night Sky Drive and will extend as far north as possible along the existing northern portion of Alderton Road. A safe crossing will be provided at the northern terminus of the sidewalk on Alderton Road. Alongside the provision of sidewalks, the walking experience on Alderton Road

will be further enhanced due to streetscape improvements which include pedestrian scale lighting, landscaping, and street trees.

Currently, the proposed Site Plan also includes the relocation of existing ADA curb ramps and new crosswalks. However, additional re-positioning of the ADA curb ramps is necessary. As conditioned, prior to plan certification, the Applicant must provide dual ramps aligned with the existing receiving ramps at the southeast corner of the intersection of Alderton Road and Night Sky Drive. As a result, acceptable ADA ramps must be at all four corners at the intersection of Alderton Road and Night Sky Drive to facilitate safe pedestrian crossing movements. Any relocated ADA ramps must be located as close as practical to the intersection and all receiving ramps must be properly aligned. The provision of adequate sidewalks and crosswalks will assist in facilitating access to bus service, open space within the Subject Site, and to other nearby community amenities. The proposed sidewalks along each of the circular driveways are included in the PIE, and the easement delineation must be clearly depicted on the final plan for certification. Figure 6 depicts an acceptable curb ramp alignment at Alderton Road and Night Sky Drive, which the Applicant has agreed to provide.

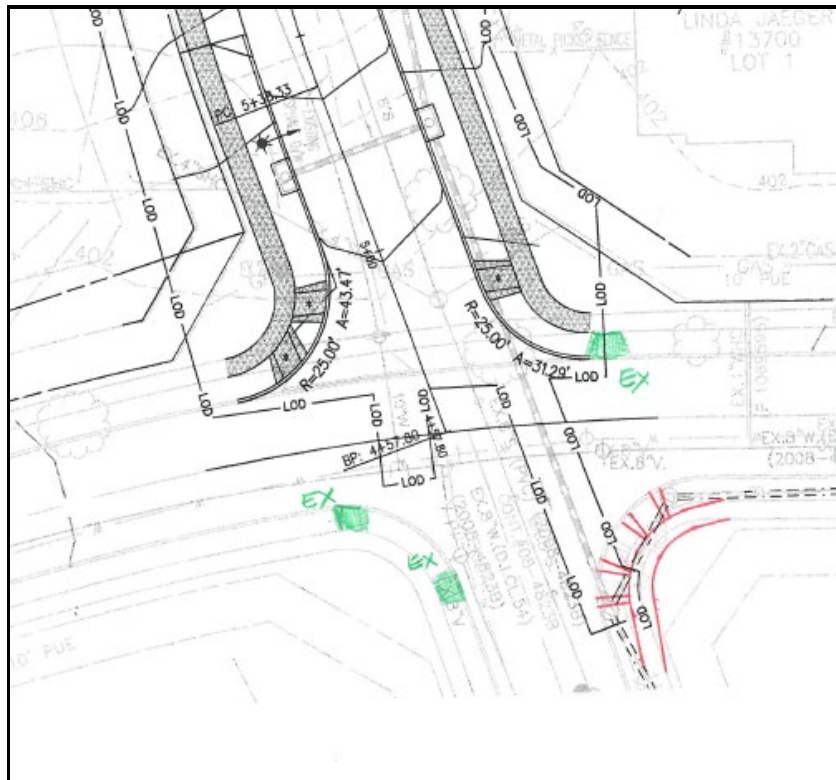


Figure 6 – Proposed Curb Ramp Improvements at Alderton Road and Night Sky Drive

There is no recommended bike facility along the Property frontage and no other facility to connect to in the vicinity. Thus, no bike facilities are required.

Transit

There is no transit service along Alderton Road between Night Sky Drive and Wagon Way or within the immediate Subject Property. The nearest bus service is approximately one mile away and includes the following:

- Ride On Routes 26, 39, and 49 to the west along Layhill Road (MD 182), via Wagon Way and Middlevale Lane; and
- Ride On Route 39 to the north along Bonifant Road, via a segment of Alderton Road to the far north.

These three Ride On routes serve key destinations such as the Glenmont Metrorail Station, the Montgomery Mall Transit Center, the Briggs Chaney Road Park and Ride Lot, and the Rockville Metrorail Station, but are generally inaccessible from the Subject Property due to a lack of sidewalks or bicycle facilities.

Open Space

The proposed placement of the houses provides an opportunity for additional functional open space and landscaping through the shared-driveway configuration. Site amenities include benches along Alderton Road and ADA-accessible picnic tables and a fitness station within the open space area, which is centrally located and accessible to the broader surrounding community. Opportunities for passive and active recreation can occur throughout the Property. Other site amenities will enhance the streetscape along Alderton Road with sidewalks, pedestrian scale lighting, landscaping, and street trees. In line with zoning code requirements and industry standards, the on-site lighting will limit the necessary light levels to streets and sidewalks and will prevent light spillover to adjacent areas.

The proposed Site Plan allows for the preservation and planting of an environmentally sensitive area through the provision of natural surface trails within the Forest Conservation Easement area and Common Open Space areas.

Building Massing and Architecture

As conditioned, the Applicant shall provide additional architectural details at the time of Certified Site Plan. Additionally, in keeping with the nearby neighborhood, architectural plans for the Property must address key residential building features such as recessed garages, front porches, building fenestration, and lead walks. Further detailed and final architectural details and building footprints will be provided at the time of the subsequent Minor Site Plan Amendment.

Staff has requested that this residential infill development provide pedestrian friendly streets where the garage does not dominate the streetscape from protruding in front of the main body of the house. Having the garage massing set back from the main façade of the home is a critical component of a well-designed front-loaded single-family house. Acceptable design parameters include garage massing set back from the main body of the house by at least 4 to 6 feet, or the garage facade should be architecturally treated to minimize its presence from the sidewalk.

The application of a generous porch is another critical element to make the main façade of the house more prominent than the garage. Acceptable design parameters include a front porch that covers a minimum of 1/3 of the front facade (excluding the width of the garage). To offer

flexibility, Staff has also suggested that a prominent stoop can be a replacement for some of the front porches within the development.

The side elevations of proposed Lots No. 1, No. 3, No. 4, and No. 28 are facing Alderton Road. As a condition, the side façades should be treated as the main façade with special material and ample amount of fenestration that must add up to minimum of 15% of the overall side elevation area.

A lead walk that connects the porch or stoop to the sidewalk is an essential component of pedestrian friendly streets as it shifts the focus from the garage to the entryway of each home. While not a requirement, lead walks should be offered to all homeowners as an option.

Thus, with the conditions of approval, the Site Plan provides safe, well-integrated parking, vehicular and pedestrian circulation patterns, open spaces, site amenities and building massing/architecture.

- g. substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;*

The proposed Site Plan is located within the 1989 *Master Plan for the Communities of Kensington-Wheaton* (Master Plan). The Master Plan identifies the subject parcels (Parcels 526, 582 and 605) as Critical Area 4 and recommends continuation of the existing R-200 zoning. The Master Plan also designates the parcels as suitable for the cluster option, “with such development assuring compatibility with the surrounding neighborhood.”

The Master Plan emphasizes the protection of the existing residential character. A land use and zoning policy of the Master Plan provides “that all infill residential development be similar in character and compatible in density with the immediate neighborhood within which it is contained.”

The proposal is consistent with the Master Plan designation of these parcels as suitable for the cluster option. In addition, the Master Plan specifically states that the cluster development is “permitted only if it also provides common open space for the community.” Accordingly, the proposed Site Plan provides open space that is accessible to the surrounding individual lots being created as well as the broader existing community.

The Master Plan focused on the maintenance of the well-established low-to medium-density residential character and encouraged the protection, stabilization and continuation of existing land use patterns. The plan evaluated vacant or underutilized sites and provided land use and zoning recommendations to allow infill development consistent with the goals and objectives to protect and maintain the existing residential character. These vacant or underutilized sites were considered “*Critical Parcels and Areas*.”

The Master Plan identified the subject parcels as Critical Area #4 – Alderton Road near Atwood Road. The Plan recommended the continuation of the existing R-200 zoning and designated the parcels as suitable for the cluster option “*with such development assuring compatibility with the surrounding neighborhood*.”

Master Planned Roadway

The proposed Site Plan extends Alderton Road between Night Sky Drive and the dead-end segment of Alderton Road that spans southward from Wagon Way. Alderton Road is classified as a 70-foot primary residential roadway per the 2018 *Master Plan of Highways and Transitways* update. Prior to the 2018 update, the planned roadway segment extending from existing Alderton Road south of Wagon Way to Night Sky Drive was classified as a secondary residential street with a 60-foot right-of-way. The 2018 *Master Plan of Highways and Transitways* update recommended the change from secondary to primary to make the segment consistent with recommendations north and south of the planned roadway. However, at the time of Preliminary Plan, which preceded the 2018 *Master Plan of Highways and Transitways* update, only 60 feet of right-of-way was approved to be dedicated along this Property frontage due to Staff's request for the maximization of space for the proposed conservation easement, difficulty meeting setback requirements of the zone, and the lack of a formal recommendation for a 70-foot right-of-way at the time. To accommodate the Applicant's previous plan approval, the Applicant has sought and obtained the necessary design exceptions from MCDOT to allow for a modified primary residential roadway standard. The Applicant's certified plan is conditioned to include the updated roadway classification and documentation of modifications, as necessary, from the horizontal curve and sight distance design standards.

To accommodate sidewalks, the Applicant's preliminary plan was approved to provide seven (7)-foot-wide public infrastructure easements (PIEs) on either side of the roadway. The proposed Site Plan increases the PIEs to be ten (10) feet wide, including two (2) 5-foot wide sidewalks with a two percent cross-slope, and additional landscaping.

Master Planned Bikeway

The approved and adopted 2018 *Bicycle Master Plan* does not recommended a bicycle facility along the Property frontage and there is no other facility to connect to in the vicinity. Thus, no bike facilities are required to be constructed with the Subject Property.

The proposed Site Plan is consistent with the land use goals and objectives of the Master Plan as it uses the cluster method of subdivision to create lots consistent with the surrounding residential character. Further, the proposed development allows for the preservation of an environmentally sensitive area. The proposed natural surface paths within the Forest Conservation Easement and Common Open Space areas provide a connected trail for recreational use and enjoyment. The proposed placement of the lots provides an opportunity for additional functional open space and landscaping through the shared driveway configuration. Therefore, with the conditions above, the proposed Site Plan is in substantial conformance with the Master Plan.

- h. will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.*

As previously approved by Preliminary Plan No. 120180080, the development will be served by adequate public facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.

- i. on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and*

The Property is located within the R-200 zoning district and exclusively surrounded by single-family detached dwellings. The 12 proposed single-family detached dwellings are compatible with neighboring residential uses in the area in terms of density, layout, orientation, height and scale. This proposal continues the existing pattern of single-family detached houses in the neighborhood. Also, the proposed dwellings directly relate to the abutting residential dwelling (Parcel 607 which is part of the 12-lot subdivision), that will be retained at the southeastern corner of Alderton Road and the residential dwelling at the southwest corner of Alderton Road and approximately 250 feet north of Night Sky Drive. The proposed dwellings are set back at the minimum required setback from the street, which contributes to maintaining a pedestrian-friendly environment.

- j. on a property in all other zones, is compatible with existing and approved or pending adjacent development.*

Not applicable.

SECTION 5 – COMMUNITY CORRESPONDANCE

During the Preliminary Plan approval process in 2018, Staff received one letter of objection which raised the following concerns: 1) The size of the proposed easement is too large and too close to the rear of their property; 2) Construction activities will generate dust and dirt and may cause structural damage to their property; and 3) The proposed development will decrease the value of their property. In response, the Applicant met with the resident to discuss their concerns. After that meeting, the Applicant agreed to modify the design to minimize disturbance to the resident's property. The Applicant asserts that follow-up attempts to meet with this concerned resident to discuss construction drawings, project schedule, and impacts were unsuccessful due to a lack of response from the resident.

For the current Site Plan review process, the Applicant held the required pre-submission meeting on June 10, 2019, at the Mid-County Community Recreation Center, which was attended by 11 residents. Subsequently, a notice of application to M-NCPPC regarding the proposed development was sent to all parties of record by the Applicant on August 29, 2019.

The Applicant has met all proper signage, noticing and pre-submission meeting requirements for the submitted Application. No correspondence has been received as of the date of this Staff Report.

SECTION 6 - CONCLUSION

This Application meets all the applicable requirements established in the Montgomery County Code, Chapter 59, "Montgomery County Zoning Ordinance" and Chapter 22A, "Forest Conservation Law", and substantially conforms with the recommendations of the applicable Master Plan. This Application has been reviewed by other applicable County agencies, all of which have recommended approval of the application with conditions. Staff recommends approval of this Site Plan No. 820200020 with the conditions listed at the beginning of the Staff Report.

Attachments:

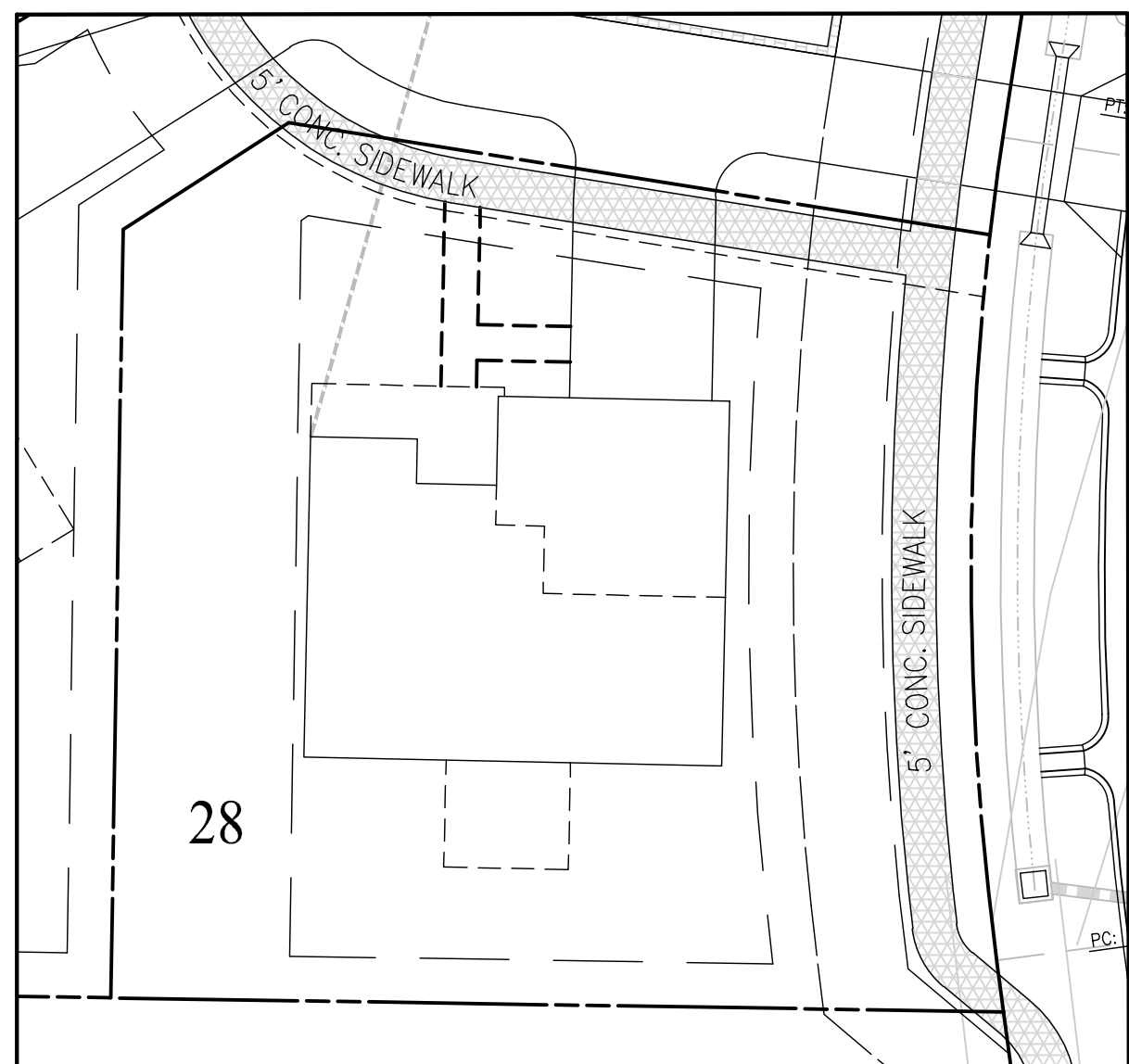
1. Site Plan Proposal
2. Final Forest Conservation Plan
3. MCDPS Water Resources Section Letter dated October 25, 2019
4. MCDPS Right-of-Way Permitting letter dated October 16, 2019

DEVELOPMENT DATA
R-200 OPTIONAL METHOD DEVELOPMENT
STANDARD-CLUSTER DEVELOPMENT

	Required	Proposed/Min.
Dimensions (Min)		
Useable Area	5 AC	6.29 AC
Density (Units Per Useable AC)	2	1.91
Min Open Space	20%	23.0%
Site Coverage	N/A	N/A
Lot		
Dimensions (Min)		
Lot Area	9,000 SF	9,000 SF
Lot Width at Front Building Line	Determine at Site Plan	60 Feet Min
Min House Setback from Street	25 Feet	25 Feet
Frontage on Street	25 Feet	25 Feet
Coverage	25% Max	25% Max
Placement		
Principal Building Setbacks (Min)		
Front Setback from Public Street	25 Feet	25 Feet
Front Setback from Private Street or open space	10 Feet	10 Feet
Side Street Setback, Abutting Lot	25 Feet	25 Feet
Does not front on the side street or is not in a residential detached zone		
Side or rear setback	Determined at site plan	5' side 20' rear
Side setback, abutting property not included in application		
Rear setback, abutting property not included in application	40 feet	40 feet

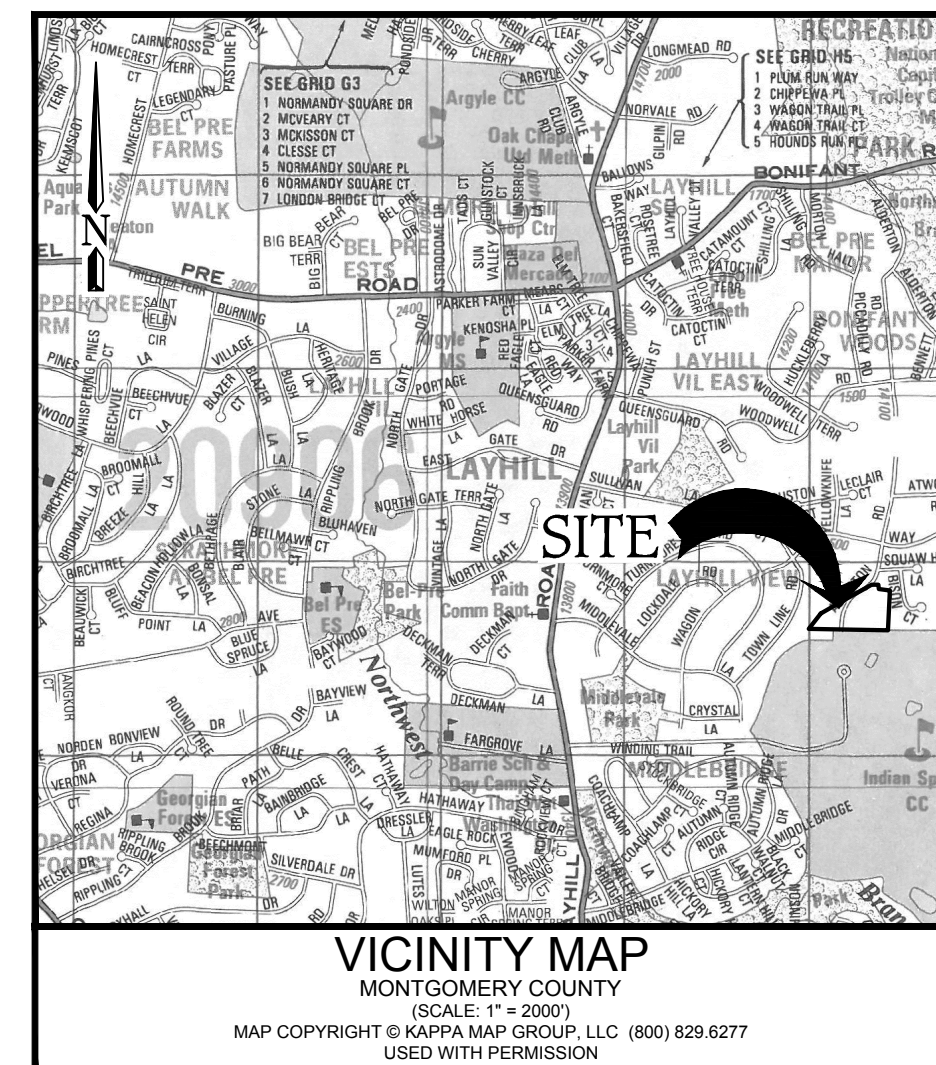
** Equal to required setback for a detached house building type in the abutting zone under standard method.

CONCEPTUAL LEADWALK



SCALE: 1" = 20'

INSET: CONCEPTUAL LEADWALK
FINAL DESIGN AND MATERIALS TO BE DETERMINED
AT FINAL CONSTRUCTION BY BUILDER AND/OR
HOMEOWNER. ACTUAL LEADWALK DESIGN MAY
VARY DUE TO LOT CONFIGURATION, HOUSE TYPE,
DRIVEWAY DESIGN, OR GRADING.



GENERAL NOTES

- This site is located on tax map JR-122.
- This site is located on WSC 200 sheet 218-NW-02.
- This site is located on ADC map 5166 grid E-7.
- This site is located in Election District 13.
- This site is located in the Northwest Branch use class IV watershed.
- WSSC service categories: S-1, W-1.
- Site is to be serviced by public water and sewer systems.
- Legal descriptions
- Parcel No. Tax ID Liber/Folio Address
- 526 01793806 44193284 13931 Alderton RD
- 582 00958146 44058183 13703 Alderton RD
- 605 00953368 41638155 13710 Alderton RD
- 607 00958168 13599292 13701 Alderton RD
- Soil types are 1C, 2B, 2C, 16D, as shown on the Montgomery County Soil Map, Sheet 20.
- Utility Companies
- Electric: Pepco
- Telephone: Verizon
- Gas: Washington Gas
- CATV: Comcast
- Water/Sewer: WSSC
- Stormwater management to be provided on-site to meet the ESD requirements to the MEP.
- Disturbed area = 183,179 sq. ft. or 4.21 ac.
- Topography and boundary by Packard & Associates, LLC November 2017.
- Owner (Parcel 526, 582, 605)
- Deborah Poznerzon-Talman TR
- 13710 Alderton Road
- Silver Spring, Maryland 20906
- Owner (Parcel 607)
- Martha E. Baskin, ET AL
- 13701 Alderton Road
- Silver Spring, Maryland 20906
- Contract purchaser/ Applicant
- The Oxbidge Group
- 1250 Connecticut Avenue NW
- Washington, DC 20006
- Contact: Elliot Tsoh
- 301-294-4150

LEGEND

—	BOUNDARY LINE
---	LIMIT OF DISTURBANCE
---	EXISTING TREE LINE
---	EXISTING OVERHEAD LINES
---	EXISTING UNDERGROUND ELECTRICAL LINES
---	EXISTING UNDERGROUND GAS LINES
---	EXISTING CHAIN LINK FENCE
---	EXISTING WOOD FENCE
---	CATEGORY 1 FOREST CONSERVATION EASEMENT
---	FOR GRAPHIC PURPOSES, EASEMENT OFFSET FROM PROPERTY LINES. (SEE EASEMENT PLAN FOR LIMITS)
---	3-RAIL FENCE
---	LANDSCAPE WALL
---	STREET LIGHT
---	DRYWELL
---	HANDICAP SIDEWALK RAMP

ENGINEER CERTIFICATE

THE UNDERSIGNED LICENSED PROFESSIONAL ENGINEER CERTIFIES THAT THE DRAWINGS HEREON CONFORM TO THE STANDARDS OF THE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS OF THE STATE OF MARYLAND. THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.	
MATTHEW B. HOGAN PROFESSIONAL ENGINEER MD #49288	5/12/20 EXPIRATION DATE
DATE	EXPIRATION DATE

DEVELOPER'S CERTIFICATE

THE UNDERSIGNED AGREES TO EXECUTE ALL FEATURES OF THE SITE PLAN APPROVAL NO. 820200020, INCLUDING APPROVAL CONDITIONS, DEVELOPMENT PROGRAM AND CERTIFIED SITE PLAN.	
DEVELOPER'S NAME: THE OXBIDGE GROUP	ELLIOT TSOH CONTACT PERSON
ADDRESS: 1250 CONNECTICUT AVE. NW, SUITE 700, WASHINGTON, DC, 20006	
PHONE: (301) 294-4150	
SIGNATURE:	

UPDATES/REVISIONS :	
09/19/19 REVISIONS TO ADDRESS REVIEW COMMENTS	SSS
10/14/19 REVISIONS TO ADDRESS REVIEW COMMENTS	SSS

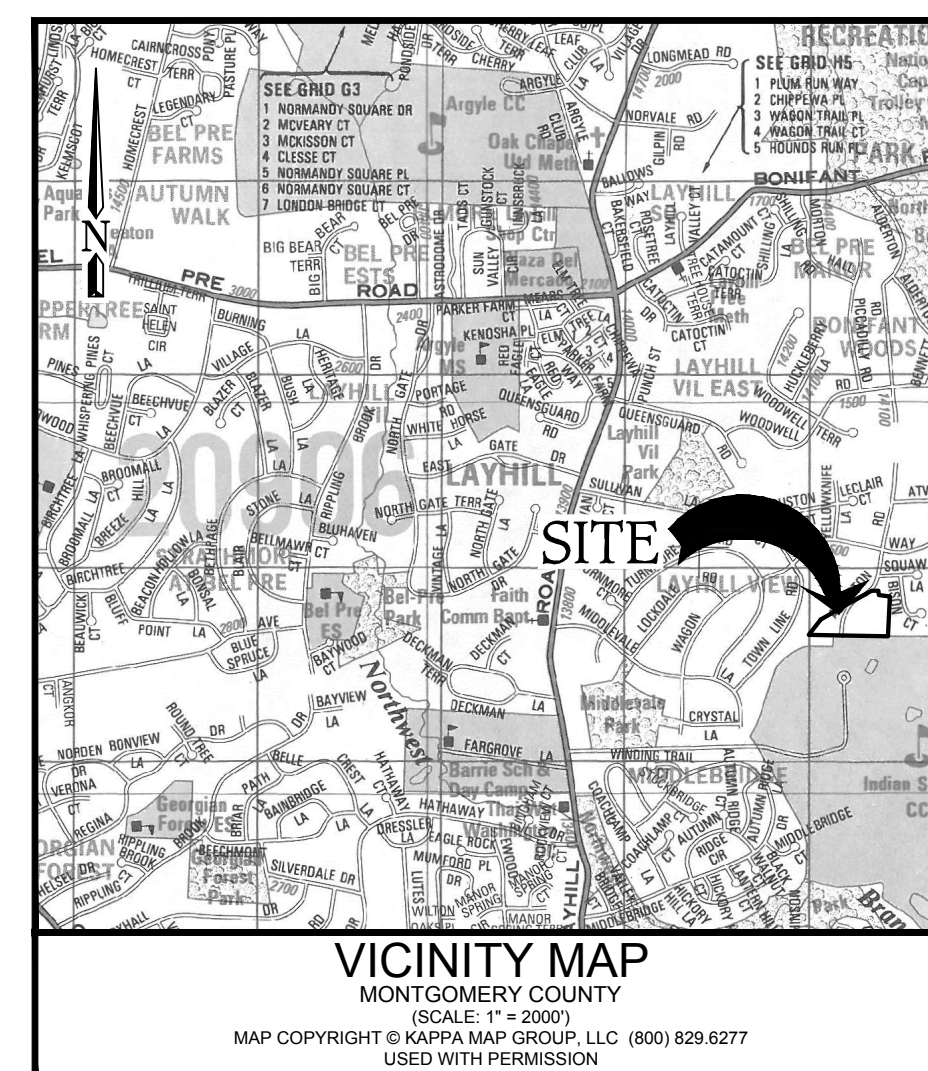
SITE PLAN
PLAN NO. 820200020
POPLAR POINTE
WHEATON (13th) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

CPI Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
1751 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-4394
www.cpi.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

CLIENT: The Oxbidge Group 1250 Connecticut Avenue, NW Suite 700 Washington, DC 20006 Attn: Elliot Tsoh	WSSC GRID: 288/W02 DESIGN: LWP DRAFT: SSS DATE: APRIL 2019 SCALE: AS NOTED	TAX MAP: JR22 SHEET: 2 OF 7 FILE NO.: 2019-1022-21-D
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GENERAL NOTES

- This site is located on tax map JR-122.
- This site is located on WSC 200 sheet 218-NW-02.
- This site is located on ADC map 5166 grid E-7.
- This site is located in Election District 13.
- This site is located in the Northwest Branch use class IV watershed.
- WSSC service categories: S-1, W-1.
- Site is to be serviced by public water and sewer systems.
- Legal descriptions
- Parcel No. Tax ID Liber/Folio Address
- 526 01759606 44193/284 13931 Alderton RD
- 582 00958146 44089/183 13703 Alderton RD
- 605 00965369 41639/155 13710 Alderton RD
- 607 00958168 13599/292 13701 Alderton RD
- Soil types are 1C, 2B, 2C, 16D, as shown on the Montgomery County Soil Map, Sheet 20
- Utility Companies
- Electric: Pepco
- Telephone: Verizon
- Gas: Washington Gas
- CATV: Comcast
- Water/ Sewer: WSSC
- Stormwater management to be provided on-site to meet the ESD requirements to the MEP.
- Disturbed area = 183,179 sq. ft. or 4.21 ac.
- Topography and boundary by Packard & Associates, LLC November 2017
- Owner (Parcels 526, 582, 605)
- Deborah Poznerzon-Talman TR
- 13710 Alderton Road
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- Martha E. Barwick, ET AL
- 13701 Alderton Road
- Silver Spring, Maryland 20906
- Contract purchaser/ Applicant
- The Oxbridge Group
- 1250 Connecticut Avenue NW
- Washington, DC 20006
- Contact: Elliot Totah
- 301-294-4150



LEGEND	
	BOUNDARY LINE
	LIMIT OF DISTURBANCE
	EXISTING FOREST LINE
	EXISTING OVERHEAD LINES
	EXISTING UNDERGROUND ELECTRICAL LINES
	EXISTING UNDERGROUND GAS LINES
	EXISTING CHAIN LINK FENCE
	EXISTING WOOD FENCE
	SOILS
	CATEGORY 1 FOREST CONSERVATION EASEMENT
	LANDSCAPE WALL
	DRYWELL
	CRITICAL ROOT ZONE
	TEMPORARY TREE PROTECTION FENCE
	PERMANENT TREE PROTECTION FENCE
	ROOT PRUNING
	SUPER SILT FENCE
	TREE TO BE REMOVED
	FOREST CONSERVATION EASEMENT SIGN
	EXERCISE STATION
	LETTER SPECIFIES TYPE OF EXERCISE EQUIPMENT
	SEE SHEET 7 FOR DETAILS
	PICNIC TABLE
	SEE SHEET 7 FOR DETAILS
	FOREST PRESERVATION AREA (WPA)
	FOREST CLEAR
	REFORESTATION/AFFORESTATION AREA (WRA)
	TREE SAVE - NOT CREDITED COUNTED AS CLEAR

CERTIFICATE OF COMPLIANCE

I DO HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND REASONABLE BELIEF, THAT ALL OF THE INFORMATION AND DATA PROVIDED WITH THIS APPLICATION IS ACCURATE, AND ALL OF THE FEATURES AND ELEMENTS PROVIDED ON THE PLANS IS CONSISTENT WITH THE STANDARDS OF THE APPLICABLE ZONE. THE CERTIFICATION INCLUDES, BUT IS NOT LIMITED TO BOUNDARY INFORMATION, PROPERTY INFORMATION AND OWNERSHIP, TOPOGRAPHY, HISTORIC RESOURCES, ETC. I AGREE THAT THE SUBMITTED PLANS MAY BE REJECTED BY MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION IF THE PLANS ARE FOUND TO BE INACCURATE, FALSE OR MISLEADING.

LANDSCAPE ARCHITECT CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAN IS PREPARED IN ACCORDANCE WITH MONTGOMERY COUNTY FOREST CONSERVATION REGULATIONS.

SALLIE B. STEWART
REGISTERED LANDSCAPE ARCHITECT
MD, #612
EXPIRES: 9/9/2021
DATE _____



DEVELOPER'S CERTIFICATE

THE UNDERSIGNED AGREES TO EXECUTE ALL FEATURES OF THE APPROVED FINAL FOREST CONSERVATION PLAN NO. 820200020, INCLUDING FINANCIAL, BONDING, FOREST PLANTING, MAINTENANCE, AND ALL OTHER APPLICABLE AGREEMENTS.

DEVELOPER'S NAME: THE OXBRIDGE GROUP COMPANY
ADDRESS: 1250 CONNECTICUT AVE. NW, SUITE 700, WASHINGTON DC, 20006
PHONE: (301) 294-4150
SIGNATURE: _____

UPDATES/REVISIONS:
09/19/19 REVISIONS TO ADDRESS REVIEW COMMENTS SPS
10/17/19 REVISIONS TO ADDRESS REVIEW COMMENTS SSS
11/12/19 REVISIONS TO ADDRESS REVIEW COMMENTS SSS

FINAL FOREST CONSERVATION PLAN
PLAN NO. 820200020
POPLAR POINTE
WHEATON (13th) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

CPI Charles P. Johnson & Associates, Inc.
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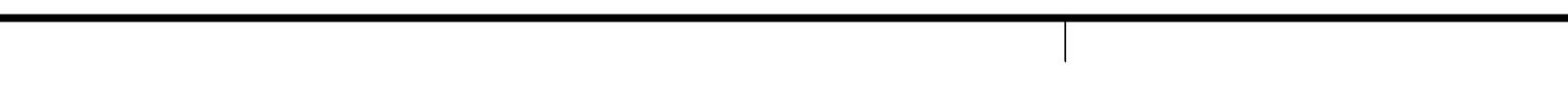
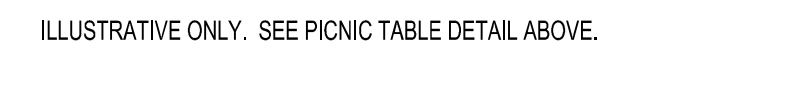
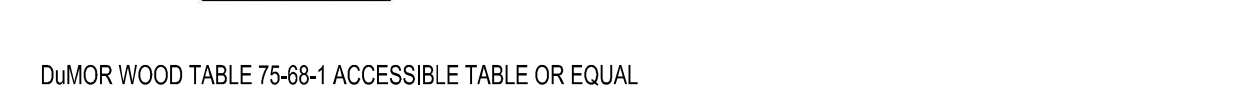
CLIENT: The Oxbridge Group 1250 Connecticut Avenue, NW Suite 700 Washington, DC 20006 Attn: Elliot Totah	WSSC GRID: 288/W02 DESIGN: LWP DRAFT: SSS DATE: APRIL 2019 SCALE: 1" = 30'	TAX MAP: JR22 SHEET: 5 OF 7 FILE NO.: 2019-1022-21 D
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TOTAL 62

Note: Substitutions within this list are acceptable. Substitutions to be subject to approval by inspector.

TOTAL **21** Trees with a total tree caliper of 63"

Note: Substitutions within this list are acceptable. Substitutions to be subject to approval by inspector.



LANDSCAPE ARCHITECT CERTIFICATE

DEVELOPER'S CERTIFICATE

REVISIONS :

Printed 11/13/2019 Last Plotted 11/13/2019 1:54 PM Sheet N:\2019-1022\DWG\22-0

ATTACHMENT 3



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Hadi Mansouri
Acting Director

October 25, 2019

Matt Hogan
CPJ - Charles P. Johnson & Associates, Inc.
1751 Elton Rd. Suite 300,
Silver Spring, MD 20903

Re: Stormwater Management **CONCEPT** Request
for Poplar Pointe
Preliminary Plan #: 120180080
SM File #: 283561 (Revision)
Tract Size/Zone: 6.29
Total Concept Area: 4.17
Lots/Block: 1-12
Parcel(s): A
Watershed: Northwest Branch

Dear Mr. Hogan:

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 Drywells, Landscape Infiltration, and Bioswales.

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. You have successfully demonstrated compliance of drainage and control of the 10-year runoff to the adjacent Poplar Run site. While it is evident that your development is not the primary cause of the existing flooding, we encourage you to work with the adjacent property owners to alleviate the flooding conditions were possible.

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

This 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



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

SM File #: 283561

Page 2 of 2

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 Bill Musico at 240-777-6340.

Sincerely,



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

MCE: WJM

cc: N. Braunstein
SM File # 283561

Onsite Lots

ESD: Required/Provided 3,760cf / 3,887cf
PE: Target/Achieved: 1.2"/ 1.24"
STRUCTURAL: 0.0 cf
WAIVED: 0.0 ac.

Onsite R/W

ESD: Required/Provided 1,438 cf / 1,528 cf
PE: Target/Achieved: 1.2"/1.3"
STRUCTURAL: 0.0 cf
WAIVED: 0.0 ac.

Parcel A

ESD: Required/Provided 61 cf / 62 cf
PE: Target/Achieved: 1.2"/1.23"
STRUCTURAL: 0.0 cf
WAIVED: 0.0 ac.

Offsite R/W ESD: Required/Provided 2,059 cf / 918 cf

PE: Target/Achieved: 1.2"/0.53"
STRUCTURAL: 0.0 cf
WAIVED: 0.0 ac.

ATTACHMENT 4

DPS-ROW CONDITIONS OF APPROVAL

October 16, 2019

820200020 Poplar Pointe

Contact: Sam Farhadi at 240 777-6333

We have reviewed site and landscape plans files:

“07-SITE-820200020-002.pdf V3” uploaded on/ dated “10/15/2019” and
“08-LL-820200020-003.pdf V3” uploaded on/ dated “10/15/2019” and

The followings need to be addressed prior to the certification of site plan:

1. Please coordinate with MNCPPC about the updated classification of Alderton Road and how it impacts the road cross section, ROW, horizontal curve radii and sight distance. Update the plan accordingly.
2. Proposed street trees species and spacing depend on the followings; please address and update the plan accordingly:
 - a. presence of utility poles and OH wires along the site frontage.
 - b. final driveway layout for 13701 Alderton Road (P. 607).
3. Provide curb radius where existing and proposed Alderton Road connect.

And, the following needs to be a condition of the certified site plan:

1. We recommend the applicant provide dual ramps aligned with the existing receiving ramps at the SE corner of the intersection of Alderton Road and Night Sky Drive.