



## Linden Forest, Administrative Subdivision Plan No. 620200150



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Completed: 11/9/2020

### Description

Request to create two lots from two parcels of land for two single-family detached houses.

Location: 2424/2500 Forest Glen Road.

Master Plan: 1996 *Forest Glen Sector Plan*.

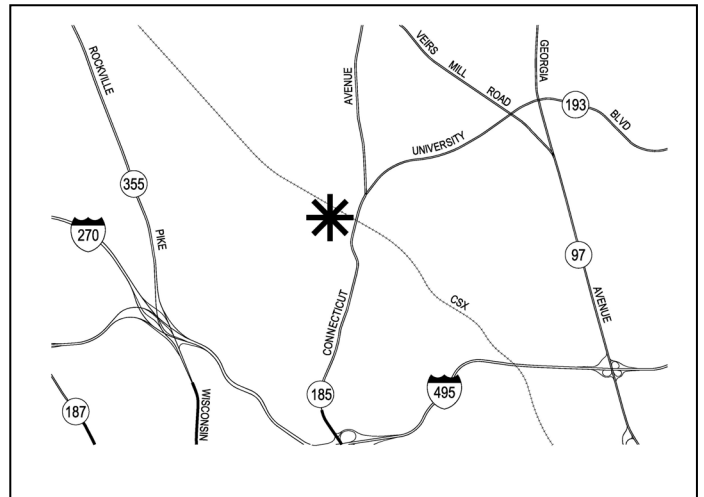
Zone: R-60.

Property Size: 0.81 acres.

Applicant: Sterling Mehring.

Acceptance Date: July 29, 2020.

Review Basis: Chapter 50, Subdivision Regulations.



### Summary

- Staff recommends approval with conditions.
- The Applicant has requested relief from providing requested pedestrian improvements along the Forest Glen Road frontage, triggering Planning Board review. Staff does not support this request. The pedestrian improvements are supported by the 1996 *Forest Glen Sector Plan* and the County's Vision Zero policies.
- Substantially conforms to the 1996 *Forest Glen Sector Plan*.

## **PRELIMINARY PLAN RECOMMENDATION AND CONDITIONS**

Staff recommends approval of Administrative Subdivision Plan No. 620200150, subject to the following conditions:

1. The Administrative Subdivision Plan is limited to two lots for two single-family detached dwelling units.
2. The Adequate Public Facility ("APF") review for the Administrative Subdivision Plan will remain valid for sixty (60) months from the date of mailing of this Planning Board Resolution.
3. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated August 10, 2020 and incorporates them as conditions of the Administrative Subdivision Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Administrative Subdivision approval.
4. The Applicant must obtain a Residential Access Permit from Maryland State Highway Administration (SHA) for the proposed driveway.
5. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS") – Water Resources Section in its stormwater management concept letter dated October 28, 2020 and incorporates them as conditions of the Administrative Subdivision approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Administrative Subdivision approval.
6. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS"), Fire Department Access and Water Supply Section in its letter dated October 15, 2020 and incorporates them as conditions of the Administrative Subdivision approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Administrative Subdivision approval.

### **Forest Conservation/Environment**

7. The Limits of Disturbance (LOD) on the Final Forest Conservation Plan must be consistent with the LOD on the Sediment and Erosion Control Plan.
8. No clearing, grading, or any demolition may occur prior to receiving approval of the Sediment and Erosion Control Plan.
9. Prior to the start of any clearing, grading, or demolition occurring on the Property, the Applicant must receive approval from the M-NCPPC Office of the General Counsel of a Certificate of Compliance to use an off-site forest mitigation bank for mitigation credit as shown on the Final Forest Conservation Plan submitted with the Certified Preliminary Plan.

10. The Certificate of Compliance must be recorded in the Montgomery County Land Records prior to any clearing, grading, or demolition occurring on the Property.

### **Transportation**

11. The Applicant must provide and show on the record plat:
  - a. Dedication of twenty (20) feet of right-of-way, for a total of forty (40) feet of right-of-way from the centerline on Forest Glen Road.
12. Prior to issuance of the building permit for a residential unit, the Applicant must improve the Forest Glen Road frontage with a five (5) foot sidewalk, separated from vehicular traffic by an eight (8) foot lawn panel.

### **Record Plats**

13. The record plat must show all necessary easements.

### **Certified Administrative Subdivision Plan**

14. The certified Administrative Subdivision Plan must show the following changes:
  - a. Revise the Limits of Disturbance to be a minimum of five (5) feet from the eastern property line.
  - b. Revise the Forest Conservation Plan to remove all references to forest retention and Category I Conservation Easements.
15. The Applicant must include the stormwater management concept approval letter and Administrative Subdivision Plan Resolution on the approval or cover sheet(s).
16. The certified Administrative Subdivision 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.*

### **AREA AND SITE DESCRIPTION**

The Subject Property (or the Property) is located at 2424 and 2500 Forest Glen Road approximately 780 feet east of Seminary Road (Figure 1). The Property (in red) is located within the 1996 *Forest Glen Sector Plan* and directly adjacent to the Forest Glen Historic District. The Subject Property abuts the Capital Beltway (I-495) sound wall. The surrounding uses are residential except for the property to the northeast, across Forest Glen Road. The St. John's Catholic Church Cemetery (also known as Forest Glen Cemetery) is a historic cemetery, next to Old St. John the Evangelist Church. The Property is approximately 1/3 mile from the Forest Glen Metro Station.

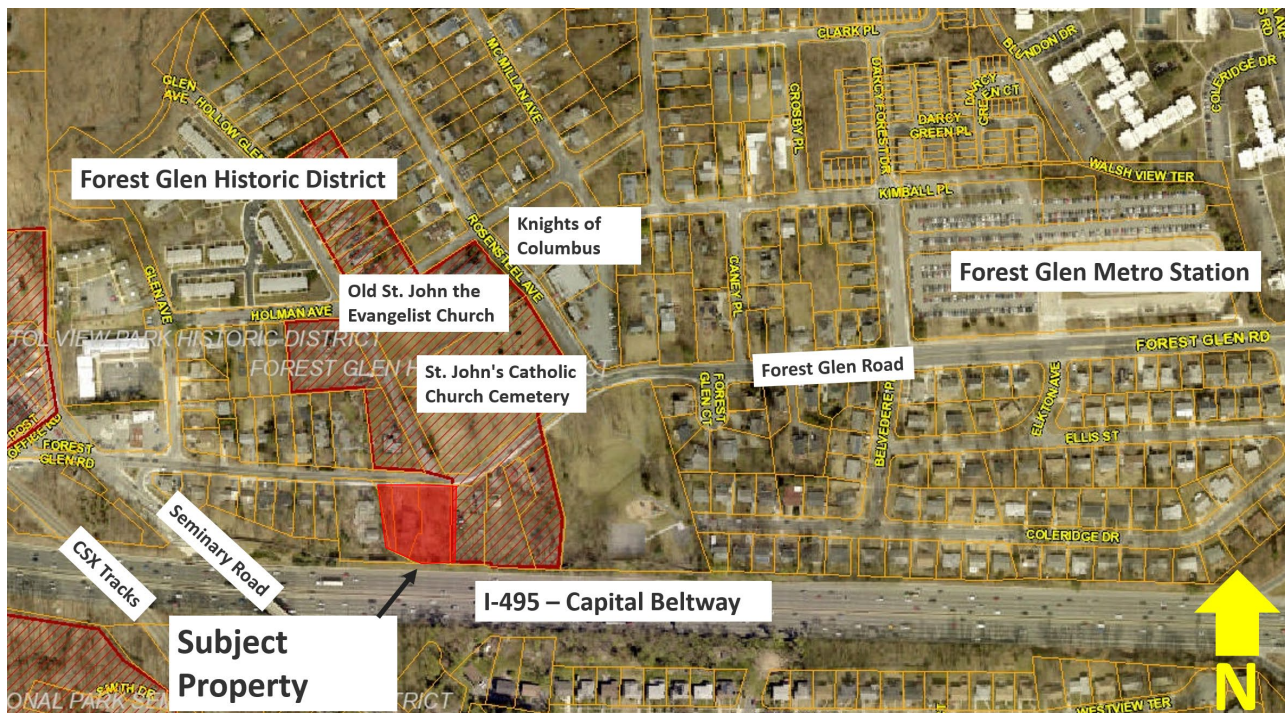


Figure 1: Vicinity Map (Subject Property in red)

The 42,995-square foot Property is comprised of two parcels – Parcel 673 and Parcel 674. Parcel 674 has an eastern and western portion, with Parcel 673 between them. Parcel 673 has an existing house that will be retained. The Property has 0.38 acres of forest on it and slopes southwards to the I-495 sound wall. A five (5) foot wide sidewalk is directly adjacent to Forest Glen Road, with a guardrail on the south edge.

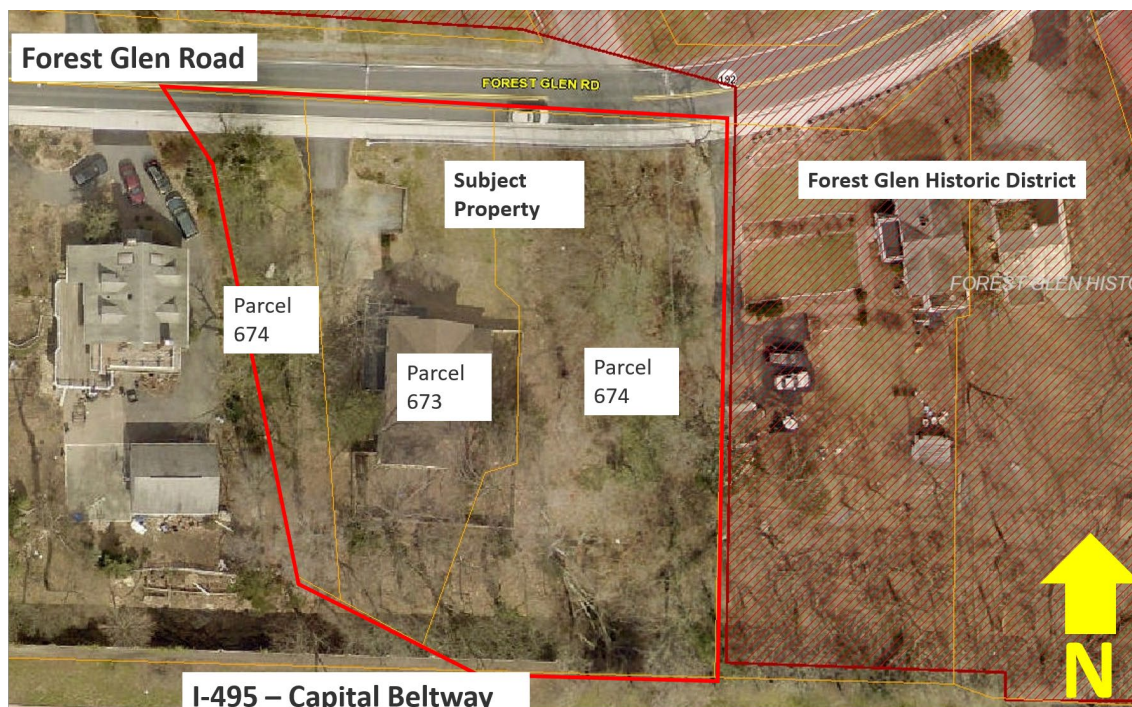


Figure 2: Existing Conditions (Subject Property outlined in red)



## PROJECT DESCRIPTION

The Applicant proposes to create two (2) lots from two (2) parcels for the purpose of constructing one (1) additional single-family dwelling unit and retaining (1) single-family dwelling unit (Figure 3). The proposed lots will have frontage and access from Forest Glen Road (MD-192), a road owned and maintained by Maryland State Highways Administration. The Applicant proposes to dedicate 20 feet of right-of-way (ROW) adjacent to the proposed lots to meet the master-planned ROW. While the Administrative Subdivision Plan (Attachment 1) shows upgraded pedestrian improvements in the ROW, the Applicant is seeking relief from these requirements due to the size of the project and the proximity to the historic district (Attachment 2). The requested eight (8) foot improvement is consistent with the Sector Plan and Vision Zero principles and is supported by the State Highway Administration.

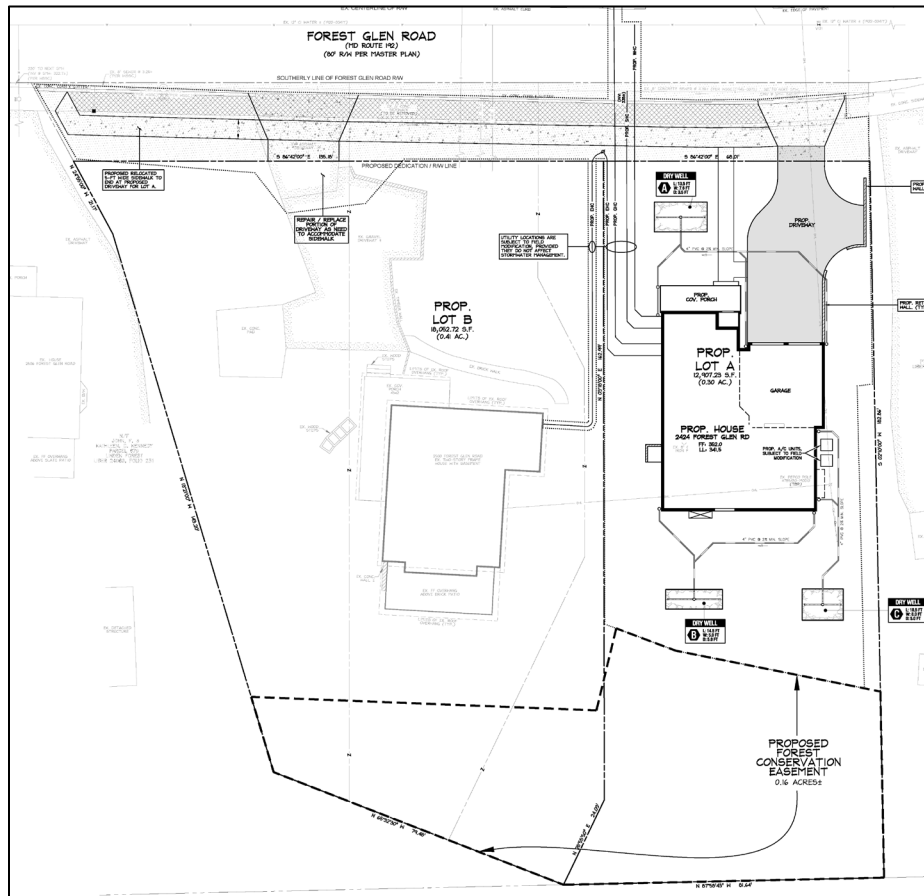


Figure 3: Administrative Subdivision Plan

## ANALYSIS AND FINDINGS FOR CHAPTER 50, SECTION 6.1.C.

C. *Subdivision for creation of certain residential lots.* Up to 3 lots for detached houses are permitted in any residential zone under these procedures if:

1. The lots are approved for standard method development;

The proposed lots conform to the standards for standard method development in the R-60 Zone.

2. Written approval for any proposed well and septic area is received from the Department of Permitting Services, Well and Septic Section before approval of the plat;

The proposed lots/units will be served by public water and sewer. There are no well and septic services proposed as part of this Application.

3. Any required road dedications and associated public utility easements are shown on the plat and the applicant provides any required improvements;

The proposed lots are providing the required road dedications and will be shown on the plat. The applicant is showing the required improvements to the frontage of the Property, and the Applicant is required to construct a five (5) foot sidewalk, separated from vehicular traffic by an eight (8) foot lawn panel. However, the Applicant is contesting the frontage improvements, which will be discussed in detail below.

4. The requirements for adequate public facilities under Section 4.3.J. are satisfied before approval of the plat;

Public facilities will be adequate to support and service the subdivision.

#### Site Access

Per Chapter 49 § 6.1.3.A.3, vehicles should be able to enter and exit the site in a front-in front-out motion. Both the existing driveway on Proposed Lot B and the proposed driveway on Proposed Lot A provide enough space for front-in, front-out vehicle maneuvers. SHA is satisfied with the site distance and safety of the location of the driveways.

#### Local Area Transportation Review (LATR)

The proposed subdivision generates fewer than 50 total weekday peak-hour person trips. As such, the Applicant is not required to provide a Local Area Transportation Review (LATR) study.

#### Schools Adequacy Test

The Subject Application satisfies the schools portion of the APF test. The Project is located within the Down County Consortium, which has capacity to support the proposed administrative subdivision. The Project adds one new single family detached dwelling unit. Therefore, the Application qualifies for the *de minimis* (three units or less) exemption.

#### Other Public Facilities and Services

Other utilities, public facilities and services, such as water, sewer, electric, telecommunications, police stations, firehouses and health services are currently operating within the standards set by the Subdivision Staging Policy Resolution currently in effect.

5. Forest conservation, stormwater management, and environmental protection requirements are satisfied before approval of the plat.

#### Environmental Guidelines

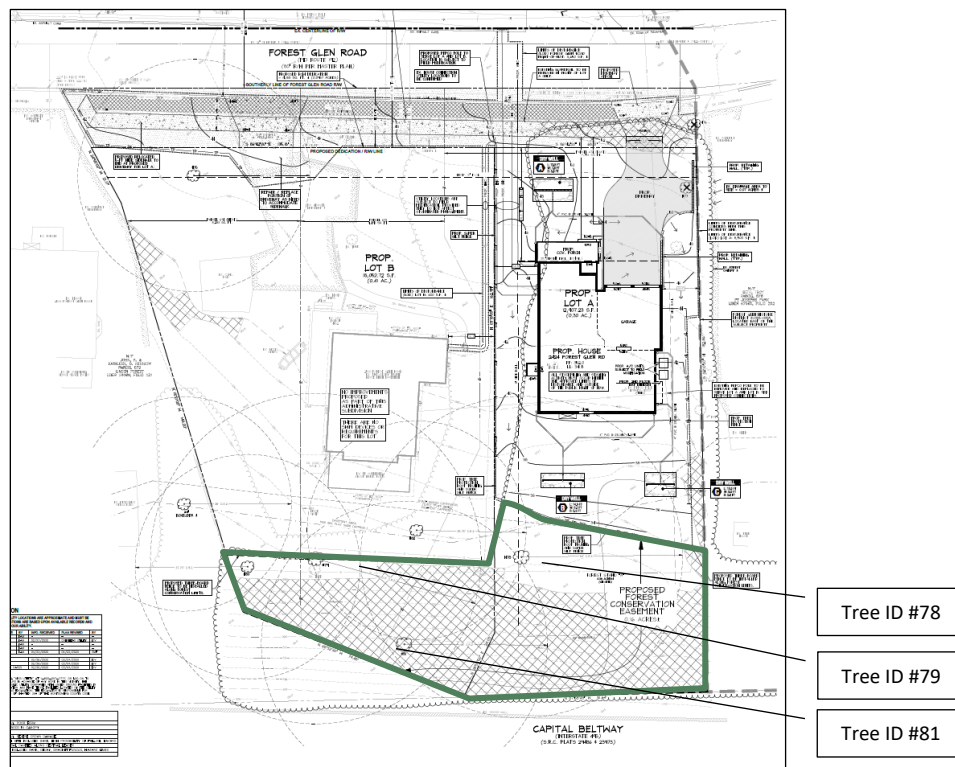
Staff approved a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD No. 420201790) on June 15, 2020. The Subject Property contains roughly 0.38 acres of forest and has three (3) specimen trees and several significant trees. The Property contains no streams or stream buffers, wetlands or wetland buffers, 100-year floodplains, or known habitats of rare,

threatened, and endangered species. Approximately 0.14 acres of steep slopes (25%+) are located on the Property but do not contain highly erodible soils. There are no historic resources on-site, but the Property abuts a historic district. The Property is within the Lower Rock Creek Watershed, which is a Maryland State Use Class I-P stream. This watershed is not in a Special Protection Area. The submitted Administrative Subdivision Plan is in conformance with the Montgomery County Planning Department's *Environmental Guidelines*.

### Forest Conservation

The Project is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the Code) and therefore the Application includes a Forest Conservation Plan for approval with the Administrative Subdivision Plan. The Final Forest Conservation Plan shows 0.22 acres of forest clearing to accommodate the additional single-family dwelling. The Final Forest Conservation Plan proposes to retain 0.16 acres of forest within a Category I Conservation Easement along the rear of the Property on proposed Lots A and B. However, this forest cannot be retained in a Category I Conservation Easement due to the existence of an existing easement to SHA (Attachment 3). Additionally, the current plans for the I-495 and I-270 Managed Lanes Study shows proposed disturbance in this area. The Final Forest Conservation Plan must be revised to remove all areas of Category I Conservation Easement and meet the forest conservation planting requirements off-site.

Additionally, the forest conservation plan shows that the Limit of Disturbance coincides with the eastern property line, which is shared with the abutting historic district. The certified plan will include a revision that shows the LOD at least 5-feet off the property line to avoid impacts on the existing tree line in this area.



**Figure 4: Final Forest Conservation Plan**

#### Forest Conservation Tree Variance

Section 22A-12(b)(3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as a high priority for retention and protection (Protected Trees). The law requires no impact to trees that measure 30 inches or greater diameter 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 ("Protected Trees"). Any impact to a Protected Tree, including removal or disturbance within the Tree's critical root zone ("CRZ") requires a variance. An application 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.

Variance Request - The Applicant submitted a variance request in a letter dated October 21, 2020, for the proposed impact to one (1) specimen (Tree ID #78). The impacted specimen tree on-site measures 30 inches or greater DBH, which is considered a high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law. The critical root zone impact of this tree is approximately 25% as this tree would be impacted by the construction on the Subject Property. Details of the Protected Tree to be affected is shown graphically in Figure 4 and listed in Table 1.

**Table 1 – Summary of Specimen Trees**

<b>Tree ID</b>	<b>Species</b>	<b>DBH Inches</b>	<b>Status</b>
#78	American Beech	36	On-site; To be impacted but retained.
#79	White Oak	37	On-site; No proposed impacts.
#81	Black Locust	32	On-site; No proposed impacts.

Unwarranted Hardship Basis – Per Section 22A-21, a variance may only be considered if the Planning Board finds that leaving the Protected Trees in an undisturbed state would result in an unwarranted hardship, denying an applicant reasonable and significant use of a property. The Applicant indicates that this specimen tree (Tree ID #78) proposed to be impacted creates an unwarranted hardship due to its location in close proximity to the construction activities for a new dwelling unit. If this tree is not impacted, the Applicant cannot construct the proposed single-family residential structure while also meeting the minimum dimensional requirements of the R-60 zoning district for the anticipated use. Staff has reviewed this Application and finds that there would be an unwarranted hardship if a variance were not considered.

Variance Findings – Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, for a variance to be granted. Staff has made the following determination based on the required findings in the review of the variance request and the Preliminary/Final Forest Conservation Plan:

Granting of the requested variance:

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

Granting the variance will not confer a special privilege on the Applicant as the disturbance to the Protected Tree is due to the reasonable development of the Property. Considering



dimensions prescribed by the Zoning Ordinance and distancing requirements for various appurtenances on-site, no other site configuration alternative would preclude the variance tree from being impacted.

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

The need for the variance is not based on conditions or circumstances which are the result of actions by the Applicant. Proposed impacts on the specimen tree arise in measures to meet various regulatory requirements for access, grading, and stormwater management. Additionally, while a variance for impact is requested to the tree due to its root system and proximity to the foundation of the proposed dwelling unit and dry well, the disturbance will be minimized, and tree protection measures are proposed to the greatest extent feasible.

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

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 the specimen tree nearby the rear building line of the proposed dwelling unit and the minimum required distance of one of the proposed dry wells.

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

The variance will not violate State water quality standards or cause measurable degradation in water quality. The impacted specimen tree is within the delineated forest stand. Further, this Application entails the provision of a new stormwater management system on-site. Water quality will improve with the proposed development and State water quality standards will not result in measurable degradation in water quality.

County Arborist's Recommendation on 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 before acting on the request. The request was forwarded to the County Arborist. As of the date of this Staff Report, the County Arborist has not submitted correspondence.

Variance Recommendation - Staff recommends that the variance request be granted.

#### Stormwater Management

The Administrative Subdivision Plan received an approved stormwater concept plan from the Montgomery County Department of Permitting Services, Water Resources Section on October 28, 2020.

## ANALYSIS AND FINDINGS – Chapter 50, Section 50.4.3 – Technical Review

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

The proposed lots were reviewed for compliance with the dimensional requirements for the R-60 Zone as specified in the Zoning Ordinance. The proposed lot dimensions, size, width, shape and orientation are appropriate for the location of the subdivision and this type of development and will meet all dimensional requirements for area, frontage, width, and setbacks in the zone. The proposal is consistent with the intent of the R-60 Zone that reads as follows:

“... to provide designated areas of the County for moderate density residential uses. The predominant use is residential in a detached house. A limited number of other building types may be allowed under the optional method of development.”

Pursuant to Section 59.4.4.9 of the current Zoning Ordinance, applicable development standards for a Standard Method development in the R-60 Zone are as follows:

R-60		Provided	
Lot Area	6,000sf	Lot A	Lot B
		12,907 sf	18,052 sf
Principal Building Placement			
Lot Width at Front Lot Line / Front Building Line	25' / 60'	>25' / >60'	>25' / >60'
Front Setback (Minimum)	25'	38' (established) or more	25' (or established
Side Setback	Sides: 8' min. 18' total	8' or more each side	8' or more each side
		18' or more total	18' or more total
Rear Setback	20'	≥20'	≥20'
Building Height	35'	35' or less	35' or less
Lot Coverage	35% (max)	22.75% or less	20% or less

The proposed lots meet the standards for the R-60 Zone.

*2) The preliminary plan substantially conforms to the master plan.*

The Property is in the 1996 *Forest Glen Sector Plan* (Sector Plan) but not specifically mentioned in the Plan. However, the proposed subdivision meets the general recommendations of the Sector Plan including:

- *To preserve the Forest Glen community as a stable, predominantly single-family residential community.*

The creation of two lots from two parcels and the development of an additional single-family house will contribute to the preservation of the Forest Glen community as a stable single-family residential community.

- *To focus new development at appropriate locations near the Metrorail station consistent with the General Plan.*

The Application is located approximately 1/3 of a mile from the Forest Glen Metro Station, so this development will add a residential unit within walking distance of a Metrorail station.

- *To encourage non-automobile modes of transportation such as transit, bicycles, and walking by providing for attractive, safe, and convenient access to major destinations including the Metrorail station and the center in Montgomery Hills.*

The pedestrian improvements associated with the development will improve the pedestrian safety of the frontage of Forest Glen Road.

#### Master-Planned Roadways and Bikeways

The *Master Plan of Highways and Transitways* calls for 80 feet of right-of-way along Forest Glen Road (MD-192), which is classified as a two-lane arterial adjacent to the site. The right-of-way is currently 40-feet. As such, the Applicant proposes to dedicate 20 feet of right-of-way adjacent to the proposed lots consistent with the Master Plan. The properties across the street would be responsible for dedicating the remaining property. The *Bicycle Master Plan* recommends a sidepath along the north side of the roadway across from the proposed lots. The provision of the full 80-foot right of way and the sidepath may prove challenging due to the historic cemetery and single-family development pattern across the street.

#### Pedestrian Facilities

Consistent with Vision Zero principles, Applicants are expected to implement pedestrian and/or master-planned bicycle facilities with at least eight (8) feet of separation between the cartway and the facility. This can be in the form of landscaping, tree panels, on-street parking, or other forms of hardened vertical separation. In this case, the Applicant is required to create an eight (8) foot landscaped buffer between the road and the sidewalk. The required improvement is shown in the submitted Plan, but the Applicant is looking for relief from the Planning Board of this requirement.

Today, the existing five (5) foot sidewalk abuts the roadway as shown in Figure 5. A guardrail is positioned behind the sidewalk, following the curve of Forest Glen Road. The guardrail is intended to prevent speeding motorists who lose control of their vehicles from dropping into the relatively steep adjacent wooded lots behind the sidewalk. Guardrails should be positioned at the front of sidewalks, assuming adequate unobstructed sidewalk width can be maintained, to protect pedestrians from motorists and to decrease vehicle speeds.



Figure 5: Forest Glen Road Adjacent to Site

Creating either an ideal sidewalk with eight (8) feet of separation or a minimally acceptable sidewalk that positions the guardrail at the front of sidewalk would necessitate re-grading the front portions of the proposed lots.

The 1996 *Forest Glen Sector Plan* recommends five (5) feet of separation between the sidewalk and curb on Forest Glen Road—one (1) foot less than the requested improvement—and depicts trees separating pedestrians from traffic at the location as shown in Figure 6.

### Forest Glen Road – Illustrative Streetscape Concept

Figure 25

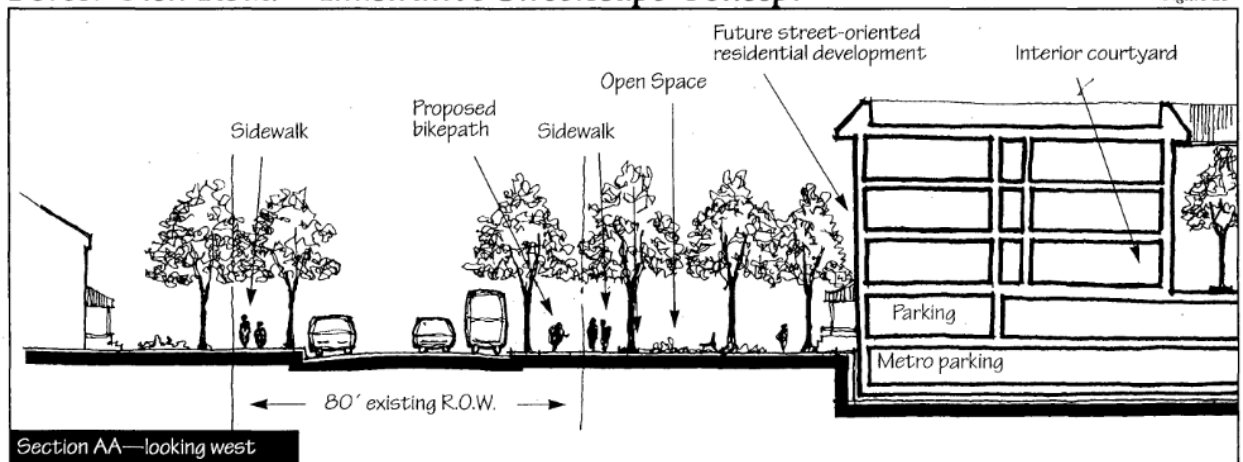


Figure 6: 1996 *Forest Glen Sector Plan* Illustrative Section of Forest Glen Road

While the requested eight (8) foot improvement is consistent with the Sector Plan and Vision Zero principles, there is no provision of Chapter 50 § 6.1.C (Administrative Subdivision of Certain Residential Lots) that directly requires or would relate to the provision of the requested improvement. However, Chapter 50 § 6.1.C does require the technical review provisions of Chapter 50 § 4.3 (Technical Review) to be met. Chapter 50 § 4.3.E.2.b requires the provision of “roads, alleys, bicycle facilities, sidewalks, and pedestrian ways with drainage, street trees, and other integral facilities in each new subdivision as required by the appropriate transportation or permitting agency.” In this case, SHA would be the relevant permitting agency. SHA uses the American Association of State Highway and Transportation Officials’ (AASHTO) *A Policy on Geometric Design of Highways and Streets* for its design standards; however, SHA’s own *Accessibility and Policy Guidelines for Pedestrian Facilities Along State Highways* state the following:

“Whenever feasible, sidewalks shall be separated from the back of curb by a green space/planting/utility strip. This area can be used for signs and utility poles and provides pedestrians with a greater sense of safety from traffic. This strip shall be continuous along the sidewalk, a minimum of 3 feet wide and can be grassed, brick or patterned concrete.” (p. 14)

SHA is supportive of the upgraded pedestrian facilities, as shown on the Administrative Subdivision Plan.

While the rationale for the required pedestrian safety improvements is clear, the Applicant is requesting relief from the requirement to provide the pedestrian safety improvements for two primary reasons:

1. Based on the adjacent pattern of single-family development, it is extremely likely that the recommended condition would only be continued in either direction beyond the site frontage through a SHA capital project (not through development) and would likely require property takings. Because the Applicant is dedicating its share of the required right-of-way, the State would be able to make use of the dedicated space for the project if and when a capital project were to be pursued.
2. The Applicant contends that the improvement may diminish project returns to the extent that the project is no longer worth pursuing. Staff are required to request master-planned improvements and safety enhancements in the public interest where applicable and relevant. However, the extent of improvements requested for smaller projects, including minor subdivisions or improvements to existing lots, may disincentivize housing growth.

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

As stated in detail above, public facilities will be adequate to support and service the subdivision.

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

As previously stated, the Forest Conservation requirements are being met off-site because the area of forest at the rear of the Property is covered by an easement to SHA.

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



As previously stated, the Administrative Subdivision Plan received an approved stormwater concept plan by the Montgomery County Department of Permitting Services, Water Resources Section on October 28, 2020.

*6) Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.M.*

Not applicable; the Applicant is not aware of any burial sites and the Property is not included in the Montgomery County Inventory.

*7) Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.*

Not applicable.

## **COMMUNITY OUTREACH**

The Applicant has complied with all the submittal and noticing requirements. No correspondence has been received as of the date of this report.

## **CONCLUSION**

The Administrative Subdivision Plan meets the technical requirements of Section 50.6.1.C., including the technical requirements of 50.4.3 of the Subdivision Regulations. The lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conforms to the recommendations of the 1996 *Forest Glen Sector Plan*. Access and public facilities will be adequate to serve the proposed lot, and the Application has been reviewed by other applicable county agencies, all of which have recommended approval of the plan. Staff recommends approval, subject to the conditions above.

### **Attachments:**

1. Administrative Subdivision Plan
2. Final Forest Conservation Plan
3. State Highway Record Plat
4. MCDPS Concept Plan Acceptance Letter
5. MCDPS Fire Department Access Approval Letter

# ADMINISTRATIVE SUBDIVISION PLAN - M-NCP&PC No. 620200150

## GENERAL NOTES

- Boundary information and two-foot contour data are based upon surveys performed by CAS Engineering, dated February, 2020.
- Total lot area: Parcel 674 (West) = 8,283 sq. ft.  
Parcel 673 = 9,495 sq. ft.  
Parcel 674 (East) = 17,356 sq. ft.  
Total = 35,134 sq. ft.
- Property is located on Tax Map HP562 and WSSC 200' Sheet 212NW03.
- Property is located on Soils Survey Map Number 26.  
Soil type(s): ZUC, Glenelg Urban land complex, HSG "B".
- Flood zone "X" per F.E.M.A. Firm Maps, Community Panel Number 24031C0370D.
- Property is located in the Lower Rock Creek Watershed.
- Subject property is not located within a Special Protection or Primary Management Area.
- Water Category - 1, Sewer Category - 1
- Local utilities include:  
Water / Sewer - Washington Suburban Sanitary Commission  
Electric - PEPCO  
Telephone - Verizon  
Gas - Washington Gas
- This plan was created without the benefit of a title report.
- Owner Information:  
Richard Sterling Mehring  
2424 Forest Glen Road  
Silver Spring, MD 20910  
Kyle E. Keithley and Marie Louise Land  
2500 Forest Glen Road  
Silver Spring, MD 20910
- Property Information:  
Parcel 674, Linden Forest  
Parcel 674 = 25,639 s.f. per Book 58821, Page 75  
Tax Account: 13-0095262  
Parcel 673, Linden Forest  
Parcel 673 = 9,495 s.f. per Book 53186, Page 129  
Tax Account: 13-03537630

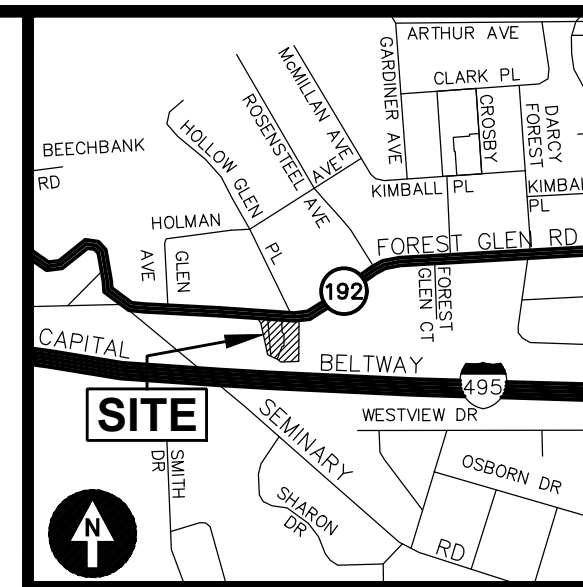
## LEGEND

EXISTING FEATURES	
	Ex. Property Line (Subject)
	Ex. Property Line (Other)
	Ex. Sewer Line with Cleanout
	Ex. Sewer Manhole and Invert
	Ex. Water Line with Valve
	Ex. Gas Line with Valve
	Ex. Overhead Utility with Pole
	Ex. Retaining Wall
PROPOSED FEATURES	
	Limit Of Disturbance (L.O.D.)
	Prop. Water-House Connection
	Prop. Sewer-House Connection
	Prop. Gas-House Connection
	Prop. Electric-House Connection
	Prop. 4" PVC Drain Pipe
	Gravel Dry Well with the Perforated Pipe
	Lateral, Downspout Leader, Pipe Flow Direction, and Pipe Invert Elevation

## UTILITY INFORMATION

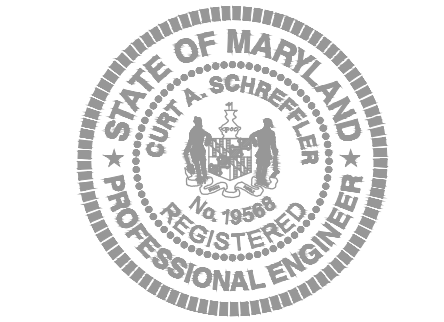
EXISTING UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE AND MUST BE FIELD VERIFIED. UTILITY LOCATIONS ARE BASED UPON AVAILABLE RECORDS AND ARE SHOWN TO THE BEST OF OUR ABILITY.					
UTILITY CO.	REQUEST DATE	BY	INFO. RECEIVED	PLAN REVISION	BY
AT&T	02/28/2020	KAM	-	OVERHEAD UTILITY	IBV
COMCAST	02/28/2020	KAM	02/27/2020	-	-
PEPCO	02/28/2020	KAM	-	-	-
VERIZON	02/28/2020	KAM	-	-	-
WASH. GAS	02/28/2020	KAM	04/23/2020	04/22/2020	SMF
W.S.S.C.	02/28/2020	KAM	02/26/2020	03/04/2020	IBV
SEWER CONTRACT DRAWING	02/28/2020	KAM	02/26/2020	03/04/2020	IBV
WATER CONTRACT DRAWING	02/28/2020	KAM	02/26/2020	03/04/2020	IBV
HOUSE CONNECTION PLUMBING CARDS	02/28/2020	KAM	02/26/2020	03/04/2020	IBV

**MISS UTILITY**  
FOR LOCATION OF UTILITIES, CALL "MISS UTILITY" AT 1-800-267-7777, OR LOG ON TO WWW.MISSUTILITY.COM 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY. THE EXCAVATOR MUST NOTIFY ALL PUBLIC UTILITY COMPANIES WITH UNDERGROUND FACILITIES IN THE AREA OF PROPOSED EXCAVATION AND BE RESPONSIBLE FOR THE LOCATION OF UTILITIES PRIOR TO COMMENCING EXCAVATION. THE EXCAVATOR IS RESPONSIBLE FOR COMPLIANCE WITH REQUIREMENTS OF CHAPTER 33A OF THE MONTGOMERY COUNTY CODE.



VICINITY MAP  
ADC MAP 5286, GRID B-8, SCALE: 1" = 200'

DATE	REVISION
03/13/20	IND - Building Permit Site Plan Base Sheet to Client and Architect
03/27/20	SMF - Administrative Subdivision Progress Print to Client
06/23/20	SMF - Administrative Subdivision Progress Print to Client
07/21/20	SMF - Admin Subdivision and SWMC applications submitted
09/30/20	SMF - SWMC plan re-submitted
10/08/20	JAR - Admin Subdivision Plans updated for MNCPPC Review



Curt A. Schreffler, PE  
CURT A. SCHREFFLER, PE  
10/08/2020

**PROFESSIONAL ENGINEER CERTIFICATION:**  
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 19068, expiration date 3/30/2022, and that this plan meets MCDPS criteria for building and sediment control permit applications.

Parcel 674 and Parcel 673, Linden Forest  
Book 58821, Page 75, Recorded 01/06/2020  
Book 53186, Page 129, Recorded 11/14/2016  
Wheaton (13th) Election District, Montgomery County, MD  
2424/2500 Forest Glen Road  
Silver Spring, Maryland 20910

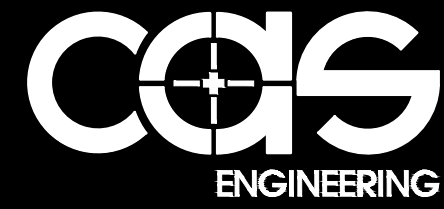
OWNER/APPLICANT  
(2500 FOREST GLEN RD)  
Kyle E. Keithley and Marie L. Land  
2500 Forest Glen Road  
Silver Spring, MD 20910

OWNER/APPLICANT  
(2424 FOREST GLEN RD)  
Richard Sterling Mehring  
2500 Forest Glen Road  
Silver Spring, MD 20910  
yosterling@gmail.com

2424/2500 Forest Glen Road  
Parcel 674 & Parcel 673  
Linden Forest  
Proposed Lots A & B  
Utility Plan

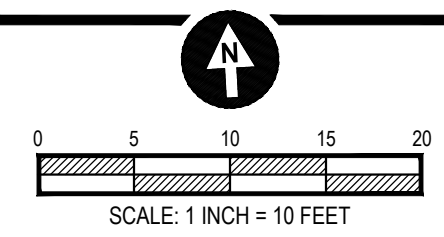
Existing Water and Sewer Categories: W-1 / S-1

**ADMINISTRATIVE SUBDIVISION PLAN NOTE:** Unless explicitly noted on this Administrative Subdivision Plan or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, sidewalks, and other proposed features are for illustrative purposes only. The final locations of the proposed improvements will be determined at the time of building permit issuance. Please refer to the Zoning Data Table for development standards such as setbacks, building restriction lines, building height, and lot coverage. Other site development limitations may be included in the conditions of the planning board or planning staff approvals.



CAS ENGINEERING-MD  
10 South Bond Street  
Frederick, Maryland 21701  
301-507-8031 Phone  
info@caseng-md.com  
www.caseng-md.com

CAS ENGINEERING-DC, LLC  
1001 Connecticut Avenue, NW, Suite 401  
Washington, DC 20036  
202-393-7200 Phone  
info@cas-dc.com  
www.cas-dc.com

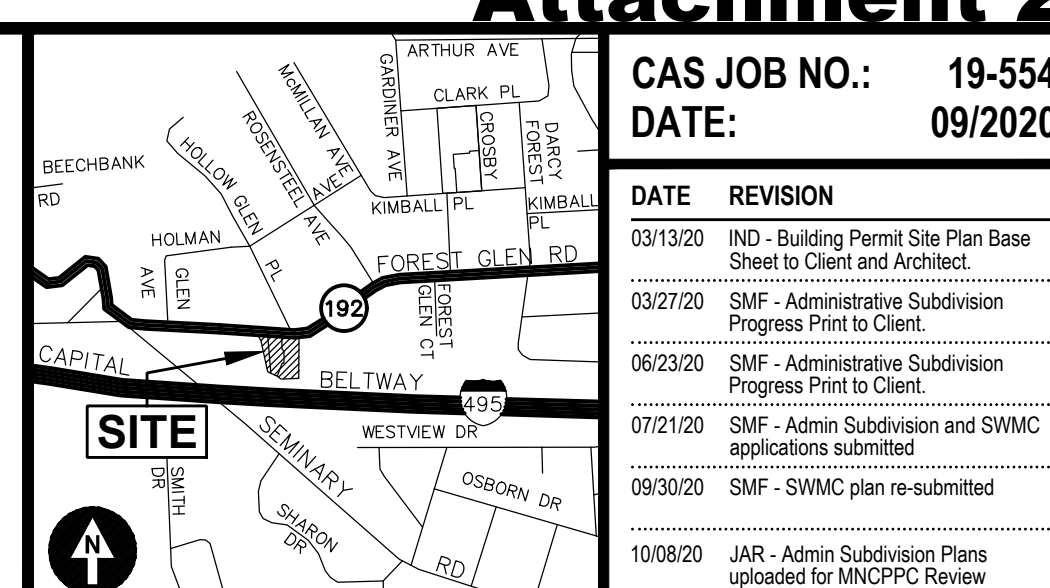


**SHEET TITLE:**  
Administrative  
Subdivision Plan  
Utility Plan

AP-5



## Attachment 2

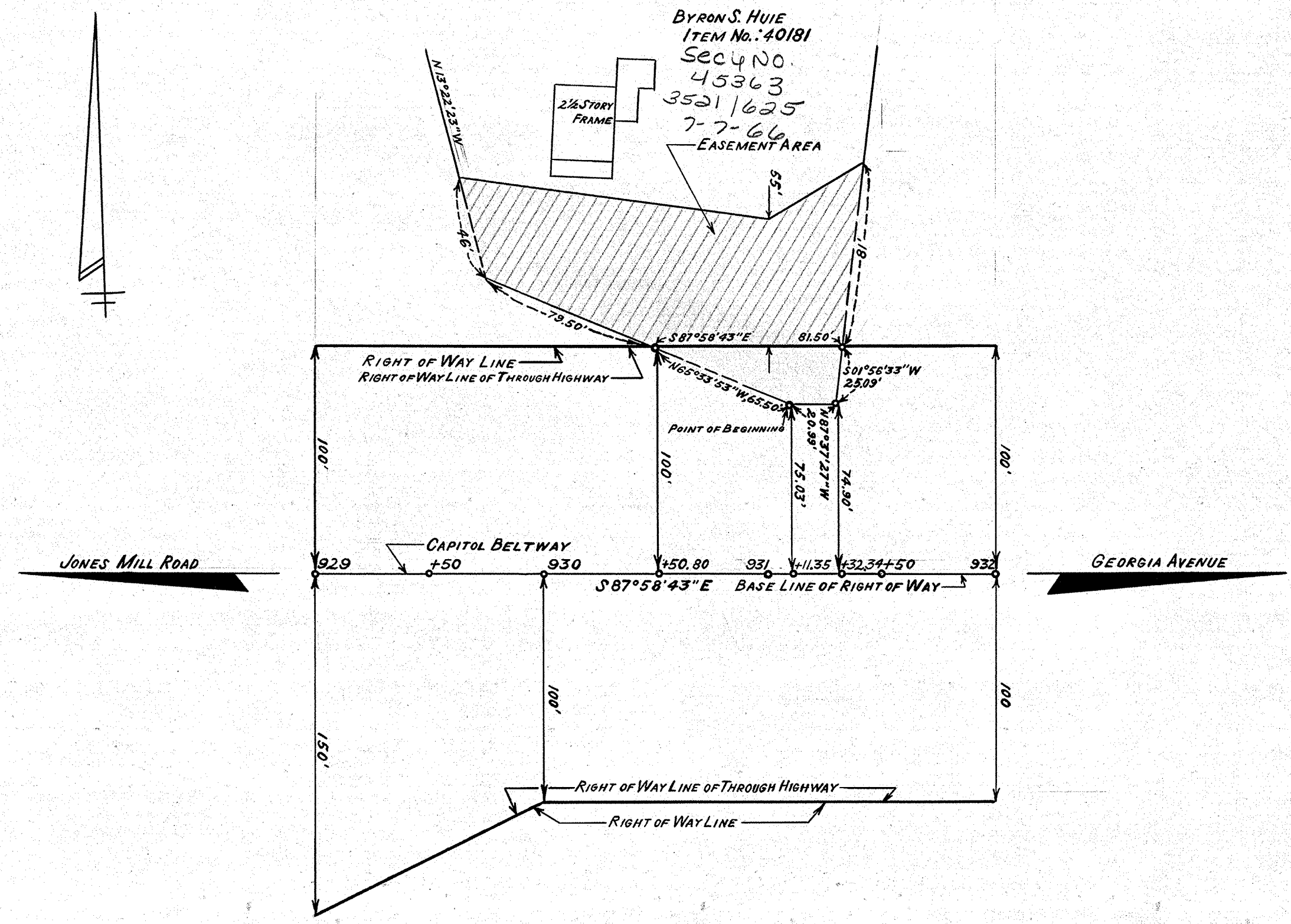


P:\2019\19554\_unaddressed Forest Glen Road\6. drawings\19554\_ADMIN (POST 04C).dwg 10/8/2020 1:04:56 PM, DW



This is an Expressway, and no access either vehicular, pedestrian and/or animal will be permitted across the lines designated "Right of Way Line of Through Highway" except by means of such public road connections as the Commission may construct or permit to be constructed.

LEGEND FOR DRAINAGE STRUCTURES  
DRAINAGE STRUCTURES CALLED FOR IN THE DEED OR DEEDS TO THE STATE OF MARYLAND TO THE USE OF THE STATE ROADS COMMISSION ARE PLANNED AT APPROXIMATELY THE FOLLOWING STATION LOCATIONS: HOWEVER, THE COMMISSION RESERVES THE RIGHT TO LOCATE OR LATER MOVE SAID DRAINAGE STRUCTURES NOT MORE THAN TWENTY-FIVE (25) FEET, PLUS OR MINUS, FROM SAID DESIGNATED STATIONS.



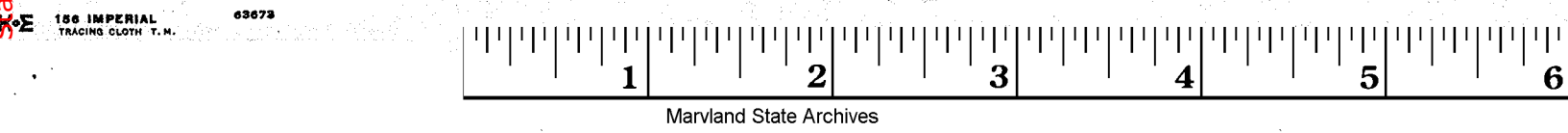
FEE SIMPLE AREA 0.03± ACRES SHOWN THUS

LOCATED IN		MONTGOMERY		COUNTY
PREPARED BY				
BUREAU OF DESIGN <i>Henry F. Cheim</i> CHIEF CONDEMNATION DATA				
BOOK No's	REVISIONS	STATE ROADS COMMISSION OF MARYLAND CAPITOL BELTWAY CONTRACT No. M512-18-320 PLAT No. 28932		
21-155	PART OF PLAT No. 15408			
SCALE: 1" = 50'		ISSUED <i>June 12</i> 19 <i>63</i> <i>Le Rapt. More</i> RIGHT OF WAY ENGINEER		

State Highway Administration (State Road Plans) M-512-016-320-Plat 28932, M&A 51625-28932. Date available 5/8/1985. Printed 1/7/67/2020.

SENT TO RECORD OFFICE ON: MARCH 8, 1985

NAME OF REPORTER PROPERTY OWNERS AS SHOWN ON THIS PLAT ARE THOSE OF ORIGINAL GRANTORS TO THE COMMISSION. THE APPROXIMATE PROPERTY LINES SHOWN WERE NOT ESTABLISHED BY ACTUAL SURVEY, BUT ARE INTENDED FOR AN APPROXIMATE GUIDE ONLY.





# Attachment 4

## DEPARTMENT OF PERMITTING SERVICES

Marc Elrich  
County Executive

Mitra Pedoeem  
Director

October 28, 2020

Ms. Stephanie Fisher  
CAS Engineering  
10 South Bentz Street,  
Frederick, Maryland 21701

Re: **COMBINED STORMWATER MANAGEMENT  
CONCEPT/SITE DEVELOPMENT  
STORMWATER MANAGEMENT PLAN** for  
2424/2500 FOREST GLEN RD  
Administrative Subdivision: 620200150  
SM File #: 286217  
Tract Size/Zone: 12,907 sf.  
Total Concept Area: 12,907 sf.  
Lots/Block: A & B  
Watershed: Lower Rock Creek

Dear Ms. Fisher:

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.

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.

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

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is not required**.

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



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



*Ms. Stephanie Fisher*  
*October 28, 2020*  
*Page 2 of 2*

If you have any questions regarding these actions, please feel free to contact Bill Musico at 240-777-6340.

Sincerely,

*Mark Etheridge*

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

MCE: WJM

cc: N. Braunstein  
SM File # 286217

ESD: Required/Provided 453 cf / 456 cf  
PE: Target/Achieved: 1.60"/1.61"  
STRUCTURAL: 0.00 cf  
WAIVED: 0.00 cf.

# Attachment 5



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Department of Permitting Services  
Fire Department Access and Water Supply Comments

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**DATE:** 22-Oct-20  
**TO:** Curt Schreffler - curt@casengineering  
CAS Engineering  
**FROM:** Marie LaBaw  
**RE:** 2424/2500 Forest Glen Road  
620200150

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## PLAN APPROVED

1. Review based only upon information contained on the plan submitted **22-Oct-20**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.



# ADMINISTRATIVE SUBDIVISION PLAN - M-NCP&PC No. 620200150

CAS JOB NO.:	19-554
DATE:	10/20/20
DATE	REVISION
03/27/20	SMF - Administrative Subdivision Progress Print to Client
06/23/20	SMF - Administrative Subdivision Progress Print to Client
07/21/20	SMF - Admin Subdivision and SWMC applications submitted
09/30/20	SMF - SWMC plan re-submitted
10/08/20	JAR - Admin Subdivision Plans uploaded for MNCPPC Review
10/16/20	SMF - SWMC plan uploaded for approve

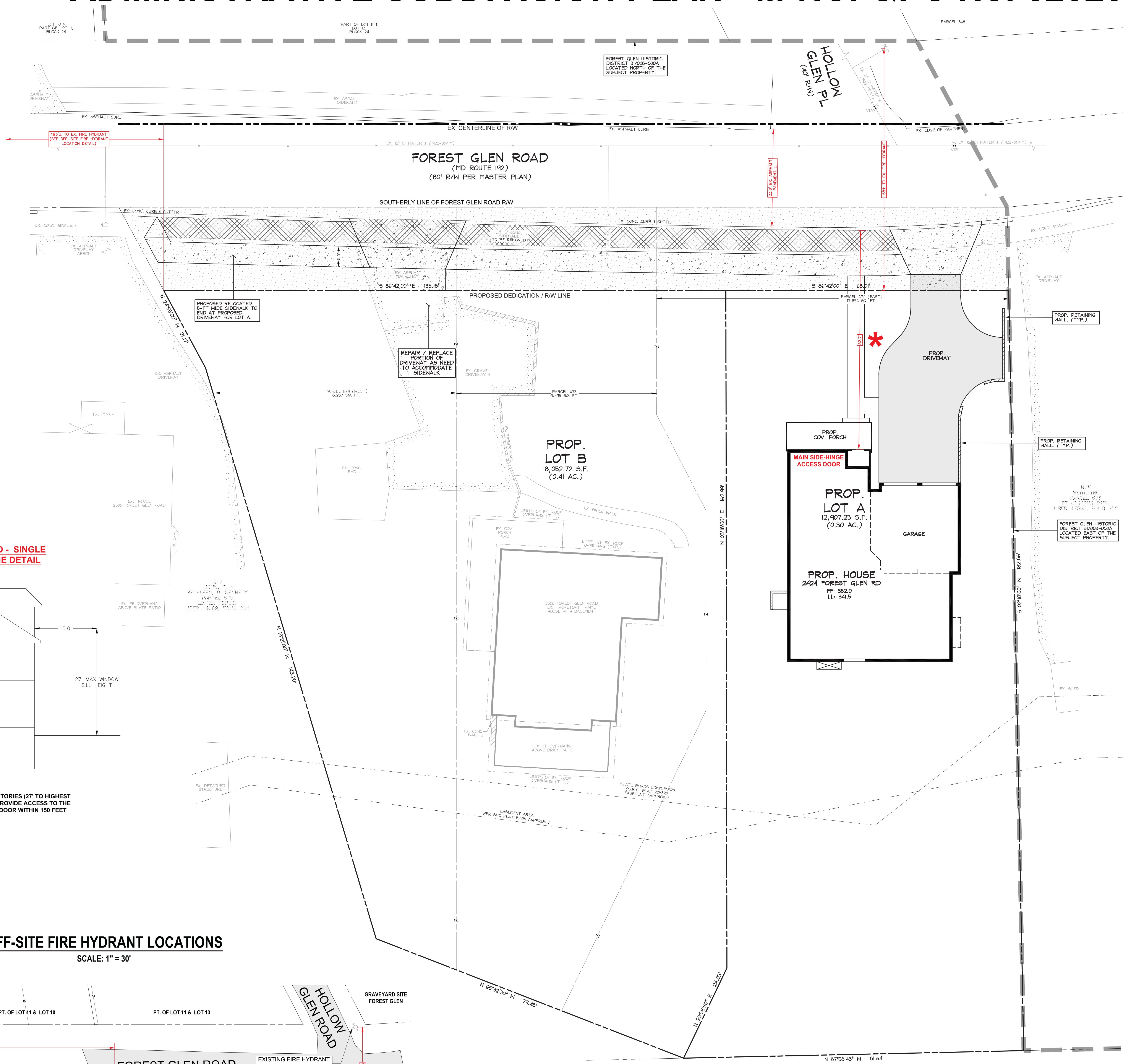
VICINITY MAP  
ADC MAP 5286, GRID B-8, SCALE: 1" = 200'

**Curt A. Schreffler, PE**  
CURT A. SCHREFFLER, PE  
10/16/2020

PROFESSIONAL ENGINEER CERTIFICATION:  
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 18068, expiration date 3/31/2022, and that this plan meets MCDPS criteria for building and sediment control permit applications.

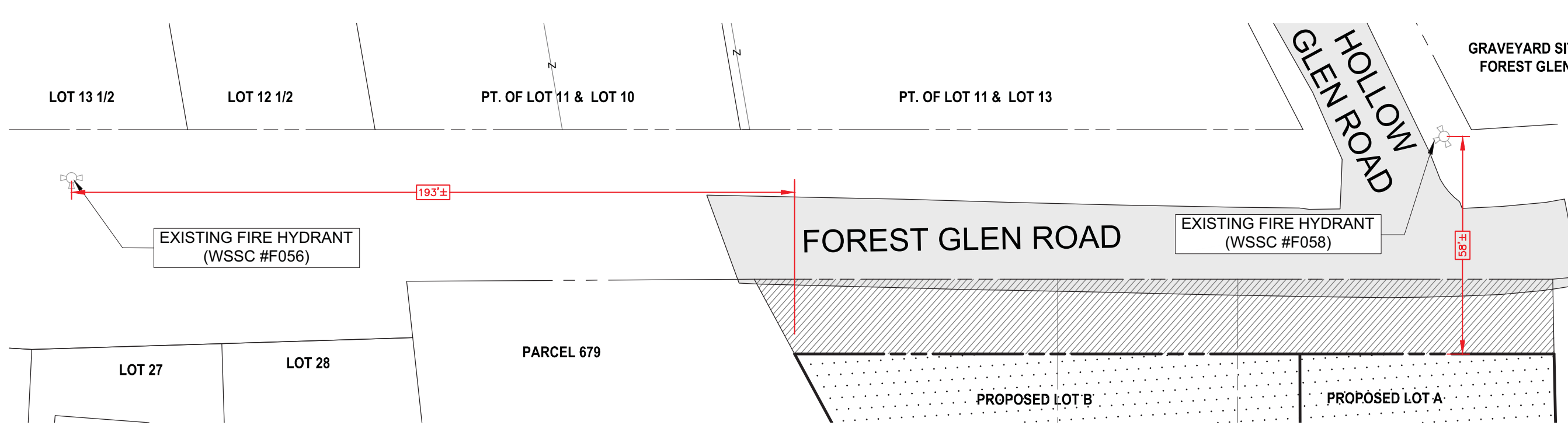
Parcel 674 and Parcel 673, Linden Forest Book 58821, Page 75, Recorded 01/06/2020  
Book 53186, Page 129, Recorded 11/14/2016  
Wheaton (13th) Election District, Montgomery County, MD

2424/2500 Forest Glen Road  
Silver Spring, Maryland 20910



## OFF-SITE FIRE HYDRANT LOCATIONS

SCALE: 1" = 30'



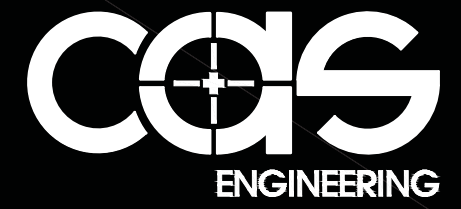
OWNER/APPLICANT  
(2500 FOREST GLEN RD)  
KYLE E. KEITHLEY and MARIE L. LAND  
2500 Forest Glen Road  
Silver Spring, MD 20910

OWNER/APPLICANT  
(2424 FOREST GLEN RD)  
Richard Sterling Mehning  
2505 Forest Glen Road  
Silver Spring, MD 20910  
yostersterling@gmail.com

**FIRE CODE ENFORCEMENT**  
Fire Department Access Review  
Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.  
BY: SML\* PW: 43 DATE: 10/15/2020

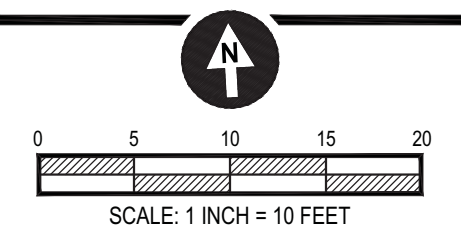
2424/2500 Forest Glen Road  
Parcel 674 & Parcel 673  
Linden Forest  
Proposed Lots A & B  
Fire Department Access Plan

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SHEET TITLE:  
Administrative  
Subdivision Plan  
Fire Dept. Access Plan

AP-6