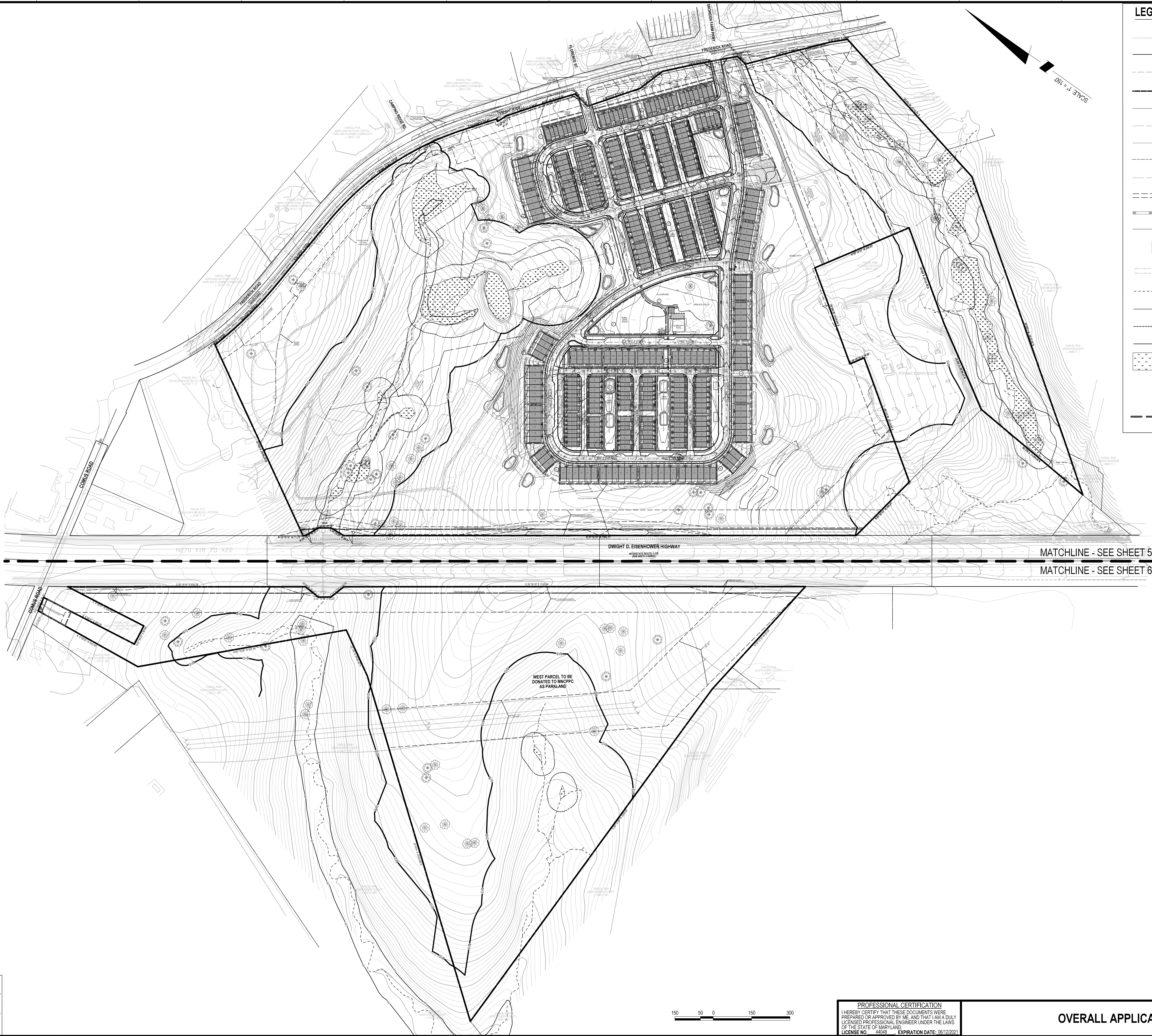


PLANNING DEPARTMENT USE ONLY (E-PLANS)



LEGEND:	
	EXISTING GRADE
	PROPOSED GRADE
	EXISTING BUILDING
	PROPOSED RIGHT OF WAY
	PROPOSED WATER LINE
	EXISTING 12" WATER LINE
	PROPOSED SEWER
	PROPOSED PRESSURE SEWER
	EXISTING SEWER
	PROPOSED PUE
	PROPOSED STORM PIPE
	EXISTING STORM PIPE
	PROPOSED DRYWELL
	PROPOSED SWM MAINTENANCE ACCESS PATH
	EXISTING STREAM
	STREAM VALLEY BUFFER (SVB)
	WETLAND BUFFER
	FLOOD PLAIN
	WETLAND
	SIGNIFICANT TREE
	SPECIMEN TREE
	DEVELOPMENT ENVELOPE

**ENGINEER'S CERTIFICATE**  
I HEREBY CERTIFY, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THAT THE PLAN SHOWN HEREON CONFORMS WITH THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS AS ADOPTED OCTOBER 1961 AND AS AMENDED THEREAFTER.  
SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
PRINTED NAME: MAHMUT AGBA, PE TITLE: PROJECT MANAGER  
MD. REG. NO. 44048

**SOLTESZ, INC.**

Rockville Office  
2 Research Place, Suite 100  
Rockville, MD 20850  
P. 301.948.2750 F. 301.948.9067

www.solteszco.com

REVISIONS	
NO.	REVISIONS
3	REVISED PRELIMINARY PLAN SUBMITTAL
2	REVISED PRELIMINARY PLAN SUBMITTAL
1	PRELIMINARY PLAN SUBMITTAL
DATE:	OCTOBER 2020
DESIGNED:	S.C.
CAO STANDARDS VERSION:	18 - NCS
TECHNICIAN:	G.M.M.
CHECKED:	K.D.L.

**MISS UTILITY NOTE**  
INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY EXCAVATING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-251-7777 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

**OWNER**  
MATTLYN ENTERPRISES LLC  
PO BOX 178  
CLARKSBURG MD 20871-0178  
240-375-7279  
BOB EGAN

**DEVELOPER/APPLICANT**  
ASHFORD WOODS, LLC  
505 MAIN ST, SUITE 300  
GAITHERSBURG, MD 20878  
301-970-4020  
MICHAEL NATELLI

MAP	9	GRID	B-3
TAX MAP	EW122	ZONING CATEGORY:	R-80
WESC 200' SHEET	233NW14		
SITE DATUM			
HORIZONTAL:	NAD 83/91		
VERTICAL:	NGVD25		

**PROFESSIONAL CERTIFICATION**  
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.  
LICENSE NO. 44048 EXPIRATION DATE: 06/12/2021

**OVERALL APPLICATION AREA**

**PRELIMINARY PLAN**  
**ASHFORD WOODS**  
**FORMERLY KNOWN AS EGAN PROPERTY**  
**#120200110**  
CLARKSBURG (2ND) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

SHEET **3** OF **53**

PROJECT NO. 0775-90-00



October 6, 2020

**REVISED  
JUSTIFICATION STATEMENT  
FOR PRELIMINARY PLAN NO. 120200110**

**Preliminary Plan Justification for Ashford Woods**

**I. INTRODUCTION**

Applicant, Ashford Woods, LLC (the “Applicant”), by its attorneys, Barbara A. Sears and Miles & Stockbridge P.C., submits this Preliminary Plan Justification Statement to demonstrate conformance of the proposed Preliminary Plan with all applicable review requirements and criteria. The subject property contains a gross tract area, as defined in the Montgomery County Zoning Ordinance (“Zoning Ordinance”), of approximately 141.4249 acres and is generally located along the west side of MD 355, south of Comus Road, and bisected by I-270 (“Property”).

The portion of the Property to the east of I-270 consists of approximately 101.4925 acres and is more particularly described as Lot 1 Little Bennett Meadows on Plat No. 22882 recorded among the Land Records of Montgomery County Maryland (the “Land Records”) on June 4, 2004 (“Eastern Parcel”).<sup>1</sup> The Eastern Parcel has existing scattered improvements associated with the on-site catering facility that will be removed. It is within the R-90 and Clarksburg East Environmental Overlay (“CEE Overlay”) zones.<sup>2</sup>

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<sup>1</sup> A copy of the April 3, 2019 ALTA Survey submitted with the Support Documents shows that this area contains 99.1868 acres (not 99.395 acres) as stated in the plat. The corrected ALTA area together with the 2.3057 acres of previous dedication results in 101.4925 acres, which we have used.

<sup>2</sup> Collectively, herein, the CEE Overlay and CWE Overlay are referred to as the “Overlay Zones.”

The portion of the Property to the west of I-270 consists of 39.9324 acres and is more particularly described as Parcel P787 on tax map EW12 (the “Western Parcel”). It is unimproved and in the Rural and Clarksburg West Environmental Overlay (“CWE Overlay”) zones.

By way of background, the Property was originally comprised of multiple parcels of land, all of which were under common ownership as early as 1956. The largest of these parcels, containing approximately 110 acres, together with four smaller parcels, was conveyed to Peyton Nevitt, et al. (“Nevitt”) by a deed recorded October 5, 1936 in Liber 642, folio 418 among the Land Records of Montgomery County, Maryland (the “Land Records”). All parcels are shown on the attached Survey Exhibit. A portion of the 110+ property was later required to be conveyed to the State Roads Commissions (SRC) for the relocation of U.S. 240 Washington National Pike (now I-270). Accordingly, by a deed recorded March 21, 1952 in Liber 1643, folio 222 among the Land Records, Nevitt conveyed a portion of the 110± acre parcel to SRC. This involuntary partition bifurcated the Property resulting in approximately 71 acres of the 110± acre parcel being located on the east side of U.S. 240 (now I-270), with access to Frederick Road, and 39± acres being located on the west side of U.S. 240 (now I-270), with no access to a public road. By a deed recorded February 27, 1956, and recorded in Liber 2174, folio 534 among the Land Records, the SRC conveyed two small parcels of land it had previously acquired from an adjoining owner to Nevitt in order to provide access from the western parcel to Comus Road. The portion of the Property to the east of I-270 consists of approximately 101.4925<sup>3</sup> acres and is more particularly described as Lot 1 Little Bennett Meadows on Plat No. 22882 recorded among the Land Records

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<sup>3</sup> See footnote 1.

on June 4, 2004 (“Eastern Parcel”). The Eastern Parcel has existing scattered improvements associated with the on-site catering facility that will be removed. It is within the R-90 and Clarksburg East Environmental Overlay (“CEE Overlay”) zones.<sup>4</sup>

The Property is subject to the recommendations of the Ten Mile Creek Area Limited Amendment to the Clarksburg Master Plan and Hyattstown Special Area Study, approved by the Montgomery County Council (“County Council”) in April 2014 and adopted by the Maryland-National Capital Park and Planning Commission (“M-NCPPC”) in July 2014 (“Limited Amendment”). The Property is also located in the Ten Mile Creek Special Protection Area (“SPA”).

Pursuant to the applicable provisions of Chapter 50 of the Montgomery County Code (the “Subdivision Regulations”), Applicant submits this Preliminary Plan Application (“Application” or “Preliminary Plan”) for subdivision of the Property into 322 lots, 4 condominium building parcels and approximately 37 HOA parcels for the redevelopment of the Property with approximately 364 dwelling units in a compact pattern on up to approximately 26.37 acres of the Eastern Parcel (“Project”). The unit mix will include approximately 322 townhouses and 42 2-over-2 condominiums. Twenty-five percent (25%) of the total number of units, or 91 units (based on 364 units), will be moderately priced dwelling units (“MPDUs”). Pursuant to the Overlay

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<sup>4</sup> With regard to the attached Survey Exhibit, please note:

- Red Parcel was a single parcel of land prior to bifurcation by SRC deed in 1952.
- All Parcels, excepting gold Parcel, in common ownership continuously since 1936.
- SRC deemed the gold Parcel surplus land and conveyed it to Nevitt to provide road access to the western portion of the red Parcel after the I-270 conveyance left this portion of red Parcel landlocked.



Zones, at least 80% of the total area under the Application must be open space, which is considered Rural Open Space (“Rural Open Space”). An additional approximately 3.438 acres are proposed by the Application to be recreation and amenity spaces. Pursuant to the Overlay Zones, the total impervious area on the Property is permitted to be 764,192 square feet.<sup>5</sup> In keeping with the Limited Amendment’s primary purpose of protecting the environment while allowing appropriate development, the Project proposes development exclusively on the Eastern Parcel. The entire Western Parcel (approximately 39.932 acres) is Rural Open Space and is proposed to be donated to M-NCPPC for desired parkland. Applicant respectfully requests that the Planning Board grant approval of the Application described in more detail below.

## **II. BACKGROUND AND PRIOR APPROVALS**

The Eastern Parcel is subject to the following prior approvals: 1) Special Exception No. S-2367 for a private outdoor catering facility, approved by the Montgomery County Board of Appeals on April 9, 1999; 2) Preliminary Plan No. 120000890 for a commercial catering facility with both on and off site operations, approved by the Montgomery County Planning Board (the “Planning Board”) by opinion mailed on June 26, 2001; and 3) Record Plat No. 220012490, approved by the Planning Board on May 17, 2001.

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<sup>5</sup> The CEE Overlay permits up to 15% of impervious area, or 659,825 square feet of the Eastern Parcel, and the CWE Overlay permits up to 6% of impervious area or 104,367 square feet of the Western Parcel, for a total allowable impervious area of 764,192 square feet. No improvements are proposed on the Western Parcel; therefore, the total impervious area on that parcel will be 0 square feet. All impervious area shown for the Property on the Preliminary Plan is located on the Eastern Parcel. The Preliminary Plan shows approximately 702,062 square feet of impervious area, or 62,130 square feet less than the overall impervious cap for the Property under the Overlay Zones (764,192). The detailed charts showing how the revised impervious numbers are found in the Support Documents to the revised Preliminary Plan and incorporated by reference in this Revised Statement of Justification.

### **III. EXISTING CONDITIONS AND SURROUNDING AREA**

As explained above, the Property was a single property and bisected by the required conveyance to the State for I-270. The Eastern Parcel has existing scattered improvements associated with the current catering facility use. Otherwise, as stated in the Limited Amendment, the Eastern Parcel is “largely open, with sparsely wooded areas in the stream valleys” and mostly “turf or meadow.” Limited Amendment at 34. Streams are located on the Property. On the Eastern Parcel, stream valley buffers were established through the prior preliminary plan and platting process. One of the Eastern Parcel stream valley buffers is located in the southernmost area of the Eastern Parcel and runs across the width of the parcel. A second is located in the northernmost portion of the Eastern Parcel and also contains wetlands and a pond. Both stream valley buffers are within a Category I Conservation Easement recorded among the Land Records at liber 13178, folio 412, and shown on Plat No. 22882. Also, on the Eastern Parcel is a 60’ Right-of-Way granted to the Potomac Edison Company, recorded among the Land Records at liber 36499, folio 113 (“Potomac Edison Easement”). The access road associated with the Potomac Edison Easement is approximately 12’ wide (“Potomac Edison Access”)

The Western Parcel is unimproved and mostly forested. Streams exist on the Western Parcel, but are not subject to the conservation easements. The Western Parcel is also subject to a right-of-way granted to the Potomac Edison Company, recorded among the Land Records at Liber 2814, folio 689, running from the eastern boundary of the parcel in a northwesterly direction to the western boundary of the parcel. This easement is unforested and covered with turf.

The neighborhood surrounding the Eastern Parcel is of a varied but largely residential character. Abutting the Eastern Parcel are: 1) a single-family detached home zoned R-200 to the north; 2) a Potomac Edison facility and vacant land zoned R-90 to the west; and 3) single-family



detached homes zoned CRN-0.25, C-0.25, R-0.25, H-35 and vacant land and single-family detached homes zoned R-90 to the south. Across Frederick Road from the Property are: 1) Little Bennett Regional Park zoned AR; 2) single-family attached and detached homes zoned R-200; 3) a single-family home zoned CRT 0.5, C-0.25, R-0.5, H-45; and 3) unimproved land zoned CRT-0.75 C-0.25 R-0.5 H-65 T. All of the above properties are within the CEE Overlay.

The neighborhood surrounding the Western Parcel is largely of a rural character. Abutting the Western Parcel are: 1) unimproved properties to the south and west zoned Rural; 2) a landscaping contractor to the west zoned Rural; and 3) a single-family home to the north zoned Rural. All abutting properties are also subject to the CWE Overlay zone. The land north of Comus Road is unimproved and zoned AR.

The Eastern Parcel is classified as Sewer Category 3 (“S-3”) and Water Category 3 (“W-3”) within the Comprehensive Ten Year Water and Sewer Plan and pursuant to County Council Resolution No. 18-66 (February 24, 2015) and the Western Parcel is classified as Sewer Category 6 (“S-6”) and Water Category 6 (“W-6”). Pursuant to County Council Resolution No. 18-66, following subdivision and recordation, the Department of Environmental Protection will retain categories W-3 and S-3 on those lots on the Eastern Parcel “approved for development requiring public water and sewer service.” However, the lots and parcels within the Rural Open Space on the Eastern Parcel will be assigned categories W-6 and S-6. Further, there is no record of the Property containing any rare, threatened, or endangered species and does not include any historic properties or features on site. See letter from the Maryland Department of Natural Resources dated February 6, 2019 and the approved NRI-FSD 420191590 for Ashford Woods. Both of these documents are found in the Applicant’s submittal. The Property is mainly located within the Little Seneca Creek-10 Mile Creek Watershed, with 1.49 acres in the Little Bennett Creek Watershed.

Further, the Property is within the Ten Mile Creek Special Protection Area. Floodplain areas are present onsite as shown on the approved NRI/FSD.

#### **IV. PROPOSED PROJECT**

As noted on the included plans, Applicant proposes to redevelop the Property with all development located on the Eastern Parcel under the MPDU optional method of development, the R-90 Zone, CWE Overlay, and CEE Overlay, in accordance with Section 59.4.4.8.C of the Zoning Ordinance on 322 lots, 4 condominium building parcels and approximately 37 HOA parcels with approximately 3.59 units per acre (364 units). The Applicant proposes to donate the approximately 39.932 acres of Rural Open Space on the Western Parcel to M-NCPPC as parkland. If a donation is not acceptable to the M-NCPPC, Applicant will consider placing a conservation easement on the Property or donating the land to the Land Preservation Trust. The unit mix will include up to 322 townhouses and 42 2-over-2 condominiums. Of these units, 91 will be MPDUs, representing 25% of the total units. In accordance with the Overlay Zones, 80% of the land covered by the Application will be Rural Open Space, and impervious area will comply with the requirements of the Overlay Zones.<sup>6</sup> The Project will be developed in a compact pattern on approximately 26.37 acres on the Eastern Parcel. The development is proposed in the Traditional Neighborhood Design (“TND”) style with the majority of units fronting on main streets and served by alleys. A limited number of front-loaded units are incorporated on the edges of the development to reduce impervious areas on the site.

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<sup>6</sup> See impervious discussion in footnote 5.



A. Open Space and Amenity Areas

The Preliminary Plan includes approximately 106.7102 acres of Rural Open Space (105.4808 acres are required), representing at least 80% of the total area under the Application. Approximately 3.438 acres of additional land is proposed as open space for recreation and amenity space. Please see Open Space and Buildable Envelope Chart submitted as part of this resubmission. Accordingly, the Preliminary Plan satisfies the requirements of the Zoning Ordinance for open space.

The proposed recreation and amenity space will include open space parcels, mews, and portions of the Central Community Green. Pedestrians will be able to traverse the entire Project on sidewalks located within the open space, avoiding the need to utilize sidewalks abutting streets. The Central Community Green will serve as the main open space for the Project. It will be open to the rural open space to the north and south. A community center, playground, and open play fields are proposed for the Central Community Green and will be more fully defined at site plan. The clubhouse will include a meeting room. Interconnecting mews and open space parcels will be interspersed throughout the developed area of the Project. Units will be arranged around the mews and open space so that these areas provide relief and feel safe and inviting. The mews will provide smaller open spaces for gathering while the open space parcels will provide more activated recreation areas. As shown on the Preliminary Plan, the mews will be arranged such that they provide a view corridor from townhouses to the Central Community Green. The Central Community Green, mews, and open space parcels, in combination with the expansive Rural Open Space proposed, will provide the future residents of the development excellent opportunities for outdoor enjoyment and recreation.

The Western Parcel will be entirely Rural Open Space and is proposed by Applicant to be donated to the M-NCPPC for parkland. On the Eastern Parcel, the Rural Open Space will abut the Project to the north and south. This Rural Open Space will include all environmentally sensitive features on the Eastern Parcel, including the stream valley buffer corridors. Within the Rural Open Space and connecting to the Central Community Green is an existing natural surface trail. Modifications to these trails are proposed as shown on the Preliminary Plan. The trails will link with sidewalks within the Project, future planned bicycle improvements to be built by others within the MD 355 right-of-way, proposed Rural Open Spaces and recreation and amenity spaces as depicted on the Preliminary Plan. These trails and linkages will provide important recreational amenities to both the future residents of the Project and the surrounding community.

B. Access, Circulation and Transit Easement

The proposed road network will allow for safe and efficient vehicular, pedestrian, and bicycle circulation. Vehicular access to the Property will be via two new streets off MD 355: 1) Proposed Street A will align with Snowden Farm Parkway across MD 355 into the site; 2) Proposed Street B will align with Florence Street across MD 355 into the Property. The Applicant has agreed to the installation of a signal at Street A and MD 355 which will be coordinated with SHA. This agreement is based on the understanding that the installation of the signal eliminates the need for an acceleration/deceleration lane as previously proposed between Street A and Street B. The access road for the existing catering facility and its associated acceleration/deceleration lane will be removed. All internal streets and alleys are proposed as modified public streets and alleys as detailed in the Design Exception submitted as part of the Preliminary Plan (“Design Exception”). Modifications to the road sections, including narrower lanes and sidewalks on one side, are proposed in order reduce impervious area and meet rural open



space requirements consistent with the Limited Amendment. Limited Amendment at 21. The Applicant has worked with Staff to establish the appropriate amount of sidewalks in the development to provide for pedestrian safety while taking the SPA and impervious limits into consideration. Sidewalks have been removed where frontloaded units occur. This layout reduces the conflict of vehicles and pedestrians on this side of the street. The Limited Amendment specifically calls for the provision of limited sidewalks due to environmentally sensitive area and reduced impervious requirements. It is Applicant's belief that this issue has been fully vetted and supported by staff at Park and Planning. There are no explicit action items in the 2020 Vision Zero Action Plan that recommend constructing sidewalks on both sides of the street. The current action plan contains specific action items that mostly target the addressing of safety issues in the High Injury Network, which does not include any location in Clarksburg. All action items related to pedestrian safety are specific, proposed pedestrian improvements on existing roads, none of which would apply to Ashford Woods or any other new development.

As shown on the Preliminary Plan and detailed in the updated Design Exception, the proposed internal road network of streets and alleys allows for safe and efficient vehicular circulation. The access streets, Street A and Street B, will form a loop road around a grid pattern of streets and alleyways. As previously stated, the units will mostly be rear-loaded via alleyways, except for some front-loaded units incorporated at the edges of the development to reduce impervious area. Additionally, the Applicant has submitted a Chapter 50 Statement of Justification to the Planning Board requesting narrower than standard road rights-of-way, smaller intersection truncations, and reduced centerline radii. This Statement is contained in Applicant's resubmission.

Pedestrian access to the site will be provided via new streets identified as Street A and Street B on the Preliminary Plan, as well as the existing natural surface trail located in the Rural

Open Space. Safe and efficient internal pedestrian circulation will be provided via a system of sidewalks and common open space linkages. Pursuant to the Limited Amendment, sidewalks will be on only one side of each street to limit imperviousness. *Id.* at 21. Recreation and amenity areas and mews are arranged such that pedestrians will be able to traverse the Project by walking through green areas without having to use sidewalks. Additionally, as noted above, rear-loaded units served by alleys will limit conflicts between pedestrians and vehicles.

With respect to bicycle access, the Applicant has agreed to pay a fee in lieu of construction for the construction by others of the planned bikeway along MD 355 and bikeable shoulders also within the MD 355 right-of-way. The existing natural surface trail through the Rural Open Space will provide a connection to these future improvements.

Applicant proposes that the existing transit easement be abandoned and a new easement be recorded with the appropriate plat. Exhibits illustrating the existing transit easement and proposed transit easement are contained in the Support Materials submitted with this second revision. The revised easement is warranted by further evaluations of potential transit needs. These evaluations were made with Transportation Staff, who concurred with the revisions. Please note that the denied access areas shown along MD 355 on Plat 22882 will be removed or relocated at time of plat recordation.

C. Environmental Elements and Stormwater Management

The Applicant has taken steps to minimize impervious area on the Property. Overall, the Application proposes up to 702,062, which is approximately 62,130 square feet less than the total impervious allowed on the Property. All impervious surfaces will be on the Eastern Parcel. No impervious area is proposed on the Western Parcel. As noted earlier, all impervious constraints

are met as shown on the revised Ashford Woods Impervious Analysis included with the updated submission and discussed above.

The Preliminary Plan anticipates the inclusion of significant environmental site design (“ESD”) facilities implemented to the maximum extent practicable pursuant to State and County law. ESD utilizes small scale stormwater management practices, nonstructural techniques, and better site planning to optimize conservation of natural features, mimic natural hydrologic runoff characteristics, and minimize the impact of development on water resources. The Project proposes to incorporate state-of-the-art ESD techniques such as micro-bioretenion areas, planter boxes, and drywells into the developed area to achieve these goals as more fully described in the resubmission. These ESDs will incorporate natural systems, vegetation, and soils to create a more natural drainage system, promote runoff reduction and water quality treatment, and allow for recharge at the source. Where possible, plantings will also be provided in ESDs. Plants selected for these areas will be low maintenance to tolerate wet and dry conditions, as well as properly spaced to provide room to grow while ensuring a full appearance. All ESD facilities will filter and retain stormwater on-site and are acceptable management practices at both the State and County levels.

In addition to ESD measures, the Applicant proposes to enhance the protection of environmentally sensitive features by including them within the Rural Open Space, as is required by the Overlay Zones. Additionally, on the Eastern Parcel, the Applicant will augment, widen, and afforest stream valley buffers, as required. Accordingly, existing Category 1 Conservation Easements will be amended or released and new or modified easements established in order to reflect the proposed changes. Furthermore, in addition to required planting, the Applicant proposes to establish forest banking as shown on the Preliminary Forest Conservation Plan (the “PFCP”). On the Western Parcel, conservation easements neither exist, nor are any proposed, as

Applicant proposes to donate the entire approximately 39.9324 acres of Rural Open Space on the Western Parcel to M-NCPPC for parkland. This donation provides for the preservation of the forest and streams on the Western Parcel.

D. Phasing and Validity Period

With regard to phasing and validity period for the Preliminary Plan for a multi-phase project, Section 50-4.2.G.2.b of the Subdivision Regulations requires that: 1) the Applicant propose a phasing schedule and the duration of the validity period for each phase; and 2) the Planning Board assign each phase a validity period considering the size, type, and location of the Project. The time allocated to any phase must be 36 months after the initiation date for that particular phase and the cumulative validity period of all phases must be no longer than the adequate public facilities (“APF”) validity period. As detailed below, the Applicant is requesting a 10-year APF validity period. With respect to phasing, the Applicant requests the following Preliminary Plan validity periods for each phase of the Project:

Phase 1: 48 months (4 years) for Preliminary Plan validity period

Phase 2: 72 months (6 years) for Preliminary Plan validity period

Phase 3: 108 months (9 years) for Preliminary Plan validity period

Phase 4: 120 months (10 years) for Preliminary Plan validity period

For the first phase, the Applicant is requesting an additional 12 months beyond the maximum 36-month phase length under 50-4.2.G.2.b.iii, or a total first phase of 48 months, as the Applicant is required to construct a WSSC pump station on the Property. Pursuant to Division 50-9 of the Subdivision Regulations, the Applicant has submitted a Subdivision Regulation Waiver Request simultaneously with the Application to request a waiver from the requirements of Section 50-4.2.G.2.b.iii. In summary, the purpose of the Subdivision Regulation Waiver Request is to

allow adequate time for the preparation of design plans and review and approval of the proposed pump station prior to the recordation of final plats. With respect to each of the identified phases, Applicant anticipates the following number of lots to be recorded: Phase 1 – 4 lots; Phase 2 – 60 lots; Phase 3 – 90 lots; and the remainder in Phase 4.

Pursuant to Subdivision Regulations Section 50-4.3.J.5.a.iv, the Applicant is requesting a ten-year APF validity period. A validity period longer than the five-year minimum under Subdivision Regulations Section 50-4.3.J.5.a.iv would not be adverse to the public interest and is necessary due to the size and complexity of the Project and anticipated absorption period for the sale of units. Specifically, the Project includes approximately 364 units. The Applicant anticipates that the construction of this large number of units in the emerging Clarksburg market will take many years, and an APF validity period of ten years is necessary and reasonable. Under Subdivision Regulations Section 50-4.3.J.5.b, a phasing plan or development schedule is required where the Applicant requests a validity period longer than the 5 year minimum. Accordingly, the Applicant proposes that the Project be developed in two 60-month phases:

Phase 1: 60 Months (5 years) for APF validity period

Phase 3: 120 Months (10 years) for APF validity period

With respect to each of the identified phases, the Applicant anticipates the following number of building permits: Phase 1 – 25 building permits and Phase 2 – the remainder.

**§ 50.4.2.D Required Findings.**

*To approve a preliminary plan, the Board must find that:*

- (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;*

As noted above, the Applicant seeks to subdivide the Property into 322 lots, 4 condominium building parcels and approximately 37 HOA parcels for the development of 322 townhomes and 42 2-over-2 condominiums. The size, width, shape, orientation, and density of the proposed lots are all appropriate for the subdivision given the recommendations of the limited amendment, zoning of the Property and its location within the SPA. The Limited Amendment specifically calls for development on the Eastern Parcel to utilize “[d]esign techniques, that reduce lot sizes, cluster development; or flexibility in unit types” to “reduce land disturbance.” Limited Amendment at 36. The Preliminary Plan concentrates a mix of various townhome widths and 2-over-2 condominiums, and 25% MPDUs on approximately 26.37 acres of the Eastern Parcel. This location avoids disturbance of the environmentally sensitive features on site, including streams, and allows expansive areas to be in Rural Open Space. Units will be arranged in a walkable design, and rear-loaded via alleyways, except the front-loaded units shown on the Preliminary Plan that aid in reducing the impervious area.

Additionally, the size, width, shape, orientation, and density of the proposed lots are all appropriate for the subdivision given the requirements of Chapter 59. The Western Parcel is zoned Rural and is subject to CWE Overlay. In compliance with this zoning, no development is proposed on the Western Parcel and it is proposed to be Rural Open Space dedicated to M-NCPPC for parkland. The Eastern Parcel is zoned R-90 and is subject to the CEE Overlay. As shown on the data table on the Preliminary Plan, development proposed in this area is in compliance with all requirements of the R-90 zone and the CEE Overlay. Under the R-90 Zone and the CEE Overlay, a density of 3.66 units per acre is allowed under the MPDU Optional Method of development.

Zoning Ordinance, Section 59.4.9.5.D.5. The Applicant is proceeding under the MPDU Optional Method and proposes approximately 3.59 units per acre.

The CEE Overlay also requires that all environmentally sensitive areas be included in the Rural Open Space. Zoning Ordinance, Sections 59.4.9.5.D.3, 59.4.9.5.D.4. The Application meets all Rural Open Space requirements as detailed earlier, including development occurring on only approximately 26.37 acres (20%) of the total area under the Application (approximately 131.8510 acres), retaining 80% of the Property as Rural Open Space. All environmentally sensitive areas are located in this Rural Open Space.

The proposed internal road network is appropriate for the subdivision given its location in Clarksburg and the proposed residential development. Access to the Project will be via two new roads off MD 355. The Applicant has agreed to the installation of a signal at Street A and MD 355 which will be coordinated with SHA. This agreement is based on the understanding that the installation of the signal eliminates the need for an acceleration/deceleration lane as previously proposed between Street A and Street B. The internal road network of the Property forms a grid with the two access roads forming a loop around that grid, allowing for safe and efficient vehicular circulation onsite. All streets within the internal road network are proposed as modified public streets. As addressed above, the updated Design Exception has been submitted with this resubmission and provides justification for these modified public streets. Additionally, a Chapter 50 Statement of Justification requesting certain modifications as discussed above has been submitted with this revised submission. In short, the updated Design Exceptions and Chapter 50 request implement the recommendations of the Limited Amendment to create narrower streets with other design elements to minimize impervious areas. Limited Amendment at p. 21.

2. *The Preliminary Plan substantially conforms to the Master Plan.*

The Preliminary Plan substantially conforms to the Limited Amendment's specific guidance for the Property, as well as area-wide planning goals as detailed below. The Preliminary Plan also achieves many of the Limited Amendment's general recommendations for the planning area with respect to transit and enhanced environmental protection for Ten Mile Creek.

a. *Summary of Compliance with the Recommendations and Requirements of the Master Plan*

Staff has requested that Applicant revise the Statement of Justification to provide a summary of the specific recommendations of the Limited Amendment along with a response of how the Project conforms to these recommendations. Further, the summary should include a discussion of the visions and recommendations of the Limited Amendment, including the area-wide (east of I-270) vision and recommendations and the Property-specific vision and recommendations. Therefore, in addition to detailed narrative regarding compliance with these elements contained in the original Statement of Justification and set forth below, Applicant offers the following additional summary.

The Property is referred to in the Limited Amendment as the "Egan/Mattlyn Property." The Limited Amendment retains the overall vision of the 1994 Clarksburg Master Plan ("1994 Plan") to allow Clarksburg to evolve from a rural crossroads to a vibrant corridor town surrounded by open space (page 7). However, the Limited Amendment refined the 1994 plan to recognize that additional environmental protection was needed in the Plan area, emphasizing such protections west of I-270 while providing more flexibility to achieve community building goals east of I-270 (page 12). The Project supports these visions.

***East of I-270***

- Encouraging joint development of residential and employment uses, including residential development at two to four units on the Egan property (page 8).

The Project density is 3.59 units per acre.

***West of I-270***

- Incorporating significant amounts of parkland and open space to preserve resources (page 10).

The Project proposes to donate the entire 39.932-acre Western Parcel for public parkland use.

- Limit Impervious Area

**One of the overall goals of the Limited Amendment is to limit impervious levels within the entire watershed to slightly more than 6% (about 6.7%). The Plan does this by emphasizing community building on the east side of I-270 and environmental protection on the west side of I-270 (page 18). The Limited Amendment acknowledges the higher levels of environmental sensitivity necessary on the west side of I-270 by limiting impervious levels to 6% on the west side and 15% on the east side. Applicant's property is unique in that although originally a single parcel as discussed above, it was bisected by the State's acquisition of land for what is now I-270. As a result, approximately 101 acres of the original parcel are located on the east side and approximately 40 acres on the west side. This gives the Applicant the opportunity to pursue a development strategy that meets and exceeds the intent of the Limited Amendment by concentrating the total impervious levels on the east side and donating the property on the west side to be preserved as parkland.**

***Area Wide Vision and Recommendations - Environment***

***East of I-270***

- Limit imperviousness levels to 15 percent for new development on properties that are recommended for the proposed Clarksburg East Environmental Overlay Zone (page 18).

**See response below.**

***West of I-270***

- Limit imperviousness to six percent of new development on properties that are recommended for the RNC Zone (page 19).

**Total requested imperviousness for the entire Project shown on the Preliminary Plan is 702,062 square feet. This amount is well under the 764,192 square feet that is allowed on the Property. The Applicant has reworked the Preliminary Plan several times since the Concept Plan was presented to accommodate several staff comments and requests related to sidewalks, street widths, MPDU units, etc., that increased impervious area. The final plan addresses those comments while striving to limit the amount of impervious area. The Applicant believes the Preliminary Plan provides a greater benefit to the Ten Mile Creek Watershed since protection of the area west of I-270 is of higher priority due to presence of some of the highest quality tributaries in the County as emphasized in the recommendations of the Limited Amendment. Additionally, the Water Quality Analysis of Impervious Surface Alternatives, prepared by The Low Impact Development Design Group, Inc., and previously submitted demonstrates these greater benefits.**

- Reduce the development footprint and impervious cover, emphasizing reduced impacts to upland forested areas and steep slopes (page 18).

**The Project does not propose any new development or removal of trees on the Western Parcel.**

- Throughout Ten Mile Creek, environmental buffers must be consistent with all regulations and guidelines. In addition, in all areas in Ten Mile Creek other than the Historic District, on both sides of perennial and intermittent streams, and adjacent to streams and seeps, buffers must be a minimum of 200 feet, and must be expanded to include:
  - All erodible soils (listed in the Planning Board's Environmental Guidelines for Development, as amended);
  - Wetlands that extend beyond the buffer must have a minimum 50-foot wetland buffer;
  - All ephemeral streams, not including roadside drainage ditches, plus a 50-foot buffer;
  - All slopes 15 percent or greater that begin within the buffers described above (page 19).

**All required buffers are being met or exceeded.**

- Amend the Clarksburg Special Protection Area to include an additional area east of I-270 (page 19).
- Establish environmental overlay zones to apply the Plan's limits on imperviousness for new development and reduce development footprints to protect sensitive resources (page 19).



**The Eastern Parcel of the Project has been included within the Ten Mile Creek Special Protection Area. The Western and Eastern Parcels of the Property are within the Clarksburg CWE Overlay and the CEE Overlay, respectively, and together comply with the limits on imperviousness of the Limited Amendment, reduce the footprint of development on the Eastern Parcel, and eliminate any development on the Western Parcel to protect sensitive resources.**

- Minimize disturbance of natural resources throughout the Ten Mile Creek Watershed, especially forests and headwater areas.

**Development is being concentrated on only approximately 26.37 acres of the total area of the Property. The area being developed is currently largely open field and is used today for a commercial operation. The natural resources, including existing streams and forested woodlands, are largely being avoided altogether, to the extent reasonably possible while meeting the overall objectives of the Plan.**

- Water Quality Plans for development in the Ten Mile Creek Watershed must comply with the most current water quality regulations that include ESD outfall and overflow management strategies, such as:
  - Avoiding overflow discharges onto steep slopes.
  - Ensuring that any overflow occurs as sheet flow to the floodplain and/or receiving streams.
  - Managing discharges from stormwater outfalls using step-pool storm drainage conveyance systems or comparable designs, as appropriate.
  - Minimizing environmental buffer impacts associated with ESD overflow outfalls.
  - Minimizing the need to convey stormwater across steep slopes and forested areas, and ensuring such conveyance is done in a non-erosive manner.

**Water Quality management strategies being used for the site include ESD measures and managing discharges to meet the most current water quality regulations.**

- In addition to current SPA requirements, Water Quality Plans for development in the Ten Mile Creek Watershed must demonstrate the application of the following principles and strategies:
  - Minimize disturbance of natural resources throughout the Ten Mile Creek Watershed, especially forest cover and headwater areas.
  - Minimize direct impacts associated with new infrastructure, such as the MD 355 bypass and the sanitary sewer extension on natural resources.

- Minimize grading the thin and rocky soils in Ten Mile Creek which helps sustain groundwater flows to the many springs and seeps
- Indicate the importance of limiting grading and soil compaction as much as possible through creative site design and development staging.

**Disturbance is being limited to only approximately 26.37 acres of the Property. Impacts to natural resources are being largely avoided. Stream buffers are being respected. Forest disturbance is being limited to less than 6.61 acres of the Property. Reforestation to furthest extent practicable of buffer areas is proposed.**

- New development must employ planning and zoning options and design techniques that minimize impervious cover, including:
  - Cluster development with smaller building footprints on smaller lots with shorter driveways;
  - Place houses near the front of a building envelope to reduce driveway length, and provide shared driveways, where feasible;
  - Design narrower streets with limited sidewalks;
  - Use vegetated swales to guide runoff toward ESD facilities or pervious areas instead of curbs and gutters on secondary streets unless they conflict with other requirements;
  - Limit impervious cover for cul-de-sacs by reducing curve radii and having a green space in the turn-around area; (N/A)
  - Preserve land with a high infiltration capacity to be used for storm water infiltration or natural recharge area (page 21).

**The community layout has been designed to minimize impervious cover to the extent reasonably possible. Streets and sidewalks have been narrowed to the full extent possible. Homes have been placed near the front of the building envelope to minimize driveways to the full extent possible. Curve radii have been reduced to the full extent possible. Over 112 acres is being preserved for recharge.**

- Maintain natural drainage patterns, especially around zero order streams by:
  - Preserving and designing around ephemeral streams within the limits of disturbance, as much as possible;
  - Maintaining existing natural topography and vegetation within 50 feet of ephemeral streams;
  - De-compacting and amending soils within the limits of disturbance (LODs) with organic matter to a greater depth than currently required (page 22).

**The community has been designed to avoid impacts to ephemeral streams within the limits of disturbance while maintaining existing natural topography and vegetation within 50 feet of ephemeral streams to the extent reasonably possible.**

- Environmental Site Design (ESD)
  - As a first step, apply appropriate ESD site planning techniques within proposed development areas to maximize environmental benefits;
  - Site planning and design must be guided by and integrated with the selection and appropriate location of ESD practices to achieve the greatest watershed benefits based on an evaluation of specific site and sub-watershed considerations;
  - To the extent feasible, ESD practices should minimize the concentration of flows through sheet flow and dispersion and must ensure any such conveyance is done in a non-erosive manner (page 22).

**The most current ESD and water quality measures and practices are being employed to achieve Environmental Site Design.**

- Require restoration of streams and wetlands adversely affected by existing uses after all development is completed in the drainage area so as to allow the hydrology to adjust to the new landscape (page 22).

**Streams and wetlands will be evaluated to determine if any have been adversely affected by existing uses. Any streams adversely affected by existing uses will be restored.**

- *Area-Wide Vision and Recommendations – Transportation*

**Required road dedications and other road improvements are proposed and the Preliminary Plan complies with all adequate public facilities requirements for transportation.**

- *Area-Wide Vision and Recommendations – Land Use*

*West of I-270*

Limiting the development footprint while reducing development densities recommended by the 1994 Plan (page 31).

**The Project proposes no development on the Western Parcel.**

*East of I-270 (Property-Specific Vision and Recommendations for the Egan/Mattlyn Property)*

- Include this property in proposed Clarksburg East Environmental Overlay Zone with a 15 percent imperviousness limit and an 80 percent open space requirement (page 36).

**The Eastern Parcel of the Property is within the CEE Overlay. The development plan for the entire Property allows 764,192 square feet of impervious area. The Project proposes 659,825 square feet. Locating the development on the Eastern Parcel is more than compensated by the absence of any impervious area on the Western Parcel. The plan retains 80% of the Eastern Parcel in open space.**

- Rezone properties to R-90, with a maximum density of three units per acre (approximately 297-unit limit), or up to 3.66 units per acre with a moderately priced dwelling unit (MPDU) bonus and flexibility regarding unit types and building heights via the overlay zone (page 36).

**The Property is zoned R-90. The proposed density of the Project is 3.59 acres with an MPDU bonus. The Preliminary Plan proposes 25% of the total units as MPDUs.**

- Use the overlay zone to permit varied unit types, including single family attached, single family detached, and multi-family. This Plan recommends that maximum development yields may only be realized with units that achieve higher densities within the smaller developable area established by the imperviousness limit and open space requirement (page 36).

**The compact layout of the Project includes a mix of 16', 20', and 24' townhomes, as well as 2-over-2 condominiums within the smaller developable area established by the imperviousness limit and open space requirement.**

#### *Area Wide Vision and Recommendations - Water and Sewer Service*

- Locate sewer main alignments and pumping station sites to minimize, as feasible, disturbance of environmental buffers and forested areas (page 47).

**The pump station has been located outside of environmental buffers and forested areas to minimize the limits of disturbance to the extent possible. The force main proposes to follow the alignment of existing MD 355 to minimize impacts to buffers and forested areas.**

#### *Area Wide Vision and Recommendations - Parks*

- Protect the designated Natural Resource on an individual property basis using a variety of tools, which may include easements, dedication through the development review process, and fee simple acquisition. (page 48)
- Provide five trailheads, designed to M-NCPPC Montgomery Parks standards, to access the Ten Mile Creek natural surface trail and nearby natural areas for park users and operations staff (page 49).

**The Applicant proposes to donate the Western Parcel to the County for public parkland use. This approximately 40-acre parcel is a critical piece for the provision of public access to the Ten Mile Creek Watershed area. Overall, 80% of the site will be Rural Open Space.**

*b. Compliance to Master Plan Recommendations Specific to the Property (Updated)*

*i. Eastern Parcel*

As noted, the Eastern Parcel is identified as the Egan/Mattlyn Property. Limited Amendment, p. 34. The Limited Amendment explains that the Eastern Parcel is “largely open, with sparsely wooded areas in the stream valleys and most of the property is in turf or meadow.” Limited Amendment at p. 34. It recommends R-90 zoning and the application of the CEE Overlay to the Eastern Parcel. *Id.* at 36. The R-90 zone and CEE Overlay allow 3 units per acre or 3.66 units per acre with an MPDU bonus. *Id.* The Project is proposed within the parameters of the R-90 zone and CEE Overlay and includes the MPDU bonus to achieve approximately 3.59 units per acre.

The Limited Amendment also recommends reducing land disturbance by utilizing “[d]esign techniques that reduce lot sizes, cluster development; or flexibility in unit types.” *Id.* To this end, the Project will be developed in a compact pattern of approximately 26.37 acres on the Eastern Parcel – representing 20% of the total land area. The area in which the Applicant has elected to develop the Project is the most developed area of the Property and does not contain environmentally sensitive features. Applicant is proposing a mix of 16’, 20’, and 24’ townhomes, as well as 2-over-2 condominiums “within the smaller developable area established by the imperviousness limit and open space requirement.” *Id.* In accordance with the Limited Amendment, this higher density mix of units “permits a broader array of housing types, while protecting sensitive resources and maintaining fair stream conditions.” *Id.* Additionally, the impervious area constraints and rural open space requirements of the CEE Overlay are met.



*ii. Western Parcel*

The Western Parcel is included in the Limited Amendment's discussion of "Rural Properties" west of I-270. For these properties, the Limited Amendment recommends "up to one unit per five acres." Limited Amendment at 45. It also calls for the application of the CWE Overlay [. . .] to limit imperviousness" and "incentive programs to encourage voluntary forest planting." *Id.* The CWE Overlay limits imperviousness to 6% and requires 80% rural open space with all environmentally sensitive areas included within that open space. Zoning Ordinance, Section 59.4.6.D. In keeping with these recommendations, the Applicant is proposing no development or impervious areas on the Western Parcel.

The Western Parcel, containing approximately 39.932 acres, is shown as parkland on Map 12 of the Limited Amendment. *Id.* at 50. The Limited Amendment recommends a "county wide natural surface trail, designed to M-NCPPC standards, in the Ten Mile Creek Area linking Little Bennett Regional Park and Black Hill Regional Park." *Id.* at 49. The Western Parcel forms an important piece of this linkage and is proposed by the Preliminary Plan to be Rural Open Space in its entirety. The Applicant proposes to donate this Rural Open Space to M-NCPPC for parkland. If this donation is not acceptable to M-NCPPC, Applicant will consider placing a conservation easement on this portion of the Property or donating it to the Land Preservation Trust. Such a donation or easement would implement the park recommendation of the Limited Amendment and provide the important linkages described. It will also ensure the conservation of existing forest and protection of other environmentally sensitive features on the Western Parcel.

*c. Conformity to Planning Area-Wide Goals*

The principal focus of the Limited Amendment is protecting of the environment while allowing compatible development to advance. Specifically, the Limited Amendment

“recognizes that additional environmental protection is needed to allow development to move ahead. It emphasizes environmental protection west of I-270 and provides more flexibility in achieving the community building goals east of I-270.” Limited Amendment at 12. More specifically, west of I-270, the Master Plan focuses on “environmental protection” including preservation of natural resources, maximization of undeveloped open space, minimization of imperviousness, and retention of existing housing resources. *Id.* at 13. East of I-270, the Master Plan emphasizes “community building.” *Id.* In keeping with these recommendations, the Project proposes development of a new residential community on the Eastern Parcel, located east of I-270, and no new development or impervious area on the Western Parcel, located west of I-270, which will be dedicated to M-NCPPC for parkland.

*i. Environment*

As explained above, environmental protection, particularly water quality protection, is a major goal of the Limited Amendment. In order to protect water quality, the Limited Amendment “provides a combination of imperviousness limits and required open space protection that would keep the overall watershed imperviousness level at slightly more than six percent, if all planned development occurs.” Limited Amendment p. 17. To that end, the Limited Amendment allows the highest levels of imperviousness in the “Town Center District” – where the Eastern Parcel is located. *Id.* at 17, 18. “The lowest levels of impervious cover for new development are allowed in the sub-watersheds west of I-270, because the tributaries to Ten Mile Creek in this area are unique and among the highest quality streams in the County.” *Id.* at 17. Consistent with the above recommendations, the Project proposes no impervious areas on the Western Parcel. Impervious levels on the Eastern Parcel comply with the CEE Overlay. The overall impervious area on the Property is proposed to be approximately 702,062 square feet, consistent with the Overlay Zones.

The Limited Amendment also highlights the need for forest conservation, explaining that “[m]aintaining and expanding forest cover is essential to protection of water quality and habitat.” *Id.* at 17. It further states that “Forest Conservation Plans for properties in the Ten Mile Creek Watershed should protect [. . .] forest required by the Forest Conservation Law and Regulations [. . .] [and] [a]ll interior forest.” *Id.* at 19. Consistent with this recommendation, the Project does not propose any new development or removal of trees on the Western Parcel. As shown on the PFCP, development on the Eastern Parcel fully complies with the applicable Forest Conservation laws. Overall, approximately 88.7% of the forest on the Property will remain.<sup>7</sup> The Applicant will also augment, widen, and afforest stream valley buffers, as required. In addition to required planting, the Applicant proposes to establish forest banking areas as shown on the PFCP.

The Limited Amendment further recommends “a significant increase in required open space to protect sensitive resources, and limits on impervious cover to ensure, in combination with Environmental Site Design, that environmental impacts are minimized in Ten Mile Creek and its particularly sensitive tributaries.” *Id.* at 18. The Preliminary Plan not only proposes 80% Rural Open Space and an additional approximately 3.438 acres of recreation and amenity space, but also proposes to donate the entirety of the Rural Open Space on the Western Parcel, approximately 39.9324 acres, for parkland. All environmentally sensitive features on the Property will be contained within the Rural Open Space.

The Plan also calls for special attention to stream buffers. “Environmental buffers must be consistent with all regulation and guidelines.” *Id.* at 19. “Buffers must be a minimum of 200 feet.”

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<sup>7</sup> The Applicant has submitted an updated tree variance request for the removal of 10 trees 30 inches or greater on the Property. As stated in this request, the removal of trees will be mitigated by afforestation.

*Id.* The Project has been located such that it avoids all existing environmental buffers on the Property. To the extent that the existing stream valley buffers do not meet the current more proscriptive regulations and guidelines, the Applicant will increase buffers to bring them into compliance. Additionally, the Applicant will afforest the stream valley buffers on the Eastern Parcel thereby providing additional protection for the streams and wetlands in those areas.

The Limited Amendment explains that “[b]ecause of the unusual quality and sensitivity of Ten Mile Creek, a higher level of protection than that already provided under SPA regulation is required to help achieve this goal.” *Id.* at 21. To that end, it recommends that “Water Quality Plans for development in the Ten Mile Creek Watershed must comply with the most current water quality regulations that include ESD outfall and overflow management strategies.” *Id.* Furthermore, at pages 21-22, the Limited Amendment provides additional requirements, beyond the SPA requirements, for Water Quality Plans. *Id.* at 21–22. As shown on the Combined Preliminary and Final Water Quality Plan, submitted simultaneously with this Application, the Project has followed the Limited Amendment’s additional requirements for the Ten Mile Creek Watershed.

*ii. Transportation*

The Project accommodates applicable transportation improvements recommended in the Limited Amendment as explained below. The Project provides necessary dedications towards the master planned widths of the roads on which it fronts – Comus Road, MD 355, and I-270. The master planned widths of these roads are as follows: 1) I-270 is proposed to be 6 lanes and have a 250-foot right-of-way; 2) MD 355 is proposed to be two lanes divided with a transitway and a 130-foot right-of-way; and 3) Comus Road is proposed to be two lanes with an 80-foot right-of-way. *Id.* Applicant will dedicate the portion of land necessary from its abutting property measured

from the centerline of these roads approximately as follows: 1) 0.02 acres for Comus Road; 2) 0.41 acres for MD 355; and 3) 2.757 acres for I-270. Limited Amendment p. 29.

Further, the Applicant has agreed to contribute to the cost of construction by others of the bike path and bikeable shoulders within the MD 355 right-of-way. The Applicant is currently working with the State Highway Administration to finalize improvements along the Property's MD 355 frontage.

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

The Project will be served by adequate public facilities. The Property is located in the Clarksburg school cluster, which has adequate capacity at Clarksburg Elementary and Rocky Hill Middle Schools to serve the future residents of the Project pursuant to the FY2021 Annual School Test. Further, Clarksburg High School has capacity for a portion of the proposed development. Pursuant to the 2016 Subdivision Staging Policy, “[t]he Planning Board and staff must consider the programmed services to be adequate for facilities such as police stations, firehouses, and health clinics unless there is evidence that a local area problem will be generated.” There is no evidence of a local area problem, and thus the Property will be adequately served by police and fire protection.<sup>8</sup> The Eastern Parcel is classified in the W-3 and S-3 categories and, therefore, adequate public water and sewer facilities exist to serve the Project. As noted above, following subdivision and recordation, the lots will to be developed will remain W-3 and S-3, while the Rural Open Space parcels on the Eastern Parcel will be placed in W-6 and S-6.

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<sup>8</sup> The nearest fire station is approximately 1.4 miles from the Property. Montgomery County Police serve the Property and the nearest police station is approximately 5.9 miles from the Property.



As discussed in detail in the Traffic Impact Study (the “TIS”), prepared by The Traffic Group and dated November 5, 2019 and subsequently revised, adequate public road and transportation facilities exist to serve the Project with only one intersection modification. Specifically, the TIS concludes that “all study area intersections are operating at acceptable levels of service and will continue to operate with an acceptable level of service during each of the peak periods using HCM Methodologies.”

The Property is presently served by RideOn Bus routes 73, 74, 75, 79, and 100, all of which stop approximately one mile from the Project. The Limited Amendment also recommends that the future CCT and BRT will stop near the Project. Limited Amendment at p. 35.

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

As shown on the PFCP, included with the Application, the Project meets all applicable requirements of Chapter 22A. An updated Tree Variance Request has been submitted and requests the removal of 10 trees greater than 30 inches in diameter. As explained in the Tree Variance Request, the removal of these trees will be mitigated by on-site afforestation. Furthermore, approximately 88.7% of the forest on the Property will be retained. The Applicant further proposes to afforest stream valley buffers as required and provide forest banking as shown on the PFCP.

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

As shown on the Sediment and Erosion Control and Stormwater Management Plans included with the Application, the Project meets all applicable requirements of Chapter 19.

Because the Property is located in the SPA, a Water Quality Plan is required under Chapter 19 of the County Code. Pursuant to County Code Section 19-65(b)(1), the Applicant has submitted a Preliminary Water Quality Plan simultaneously with the Application. The Applicant will submit

a Final Water Quality Plan at the time of Site Plan, as is required under County Code Section 19-65(b)(2). The Preliminary Water Quality Plan is in accordance with all requirements of Chapter 19 of the County Code as well as the additional recommendations listed at pages 21 through 22 of the Limited Amendment.

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

The Applicant has no actual or constructive knowledge of any burial site included in the Montgomery County Cemetery Inventory located within the subdivision boundary.

7. *any other applicable provision specific to the property and necessary for approval of the subdivision is satisfied.*

All applicable provisions specific to the Property and necessary for approval of the subdivision have been addressed and satisfied by the Application.

## **V. CONCLUSION**

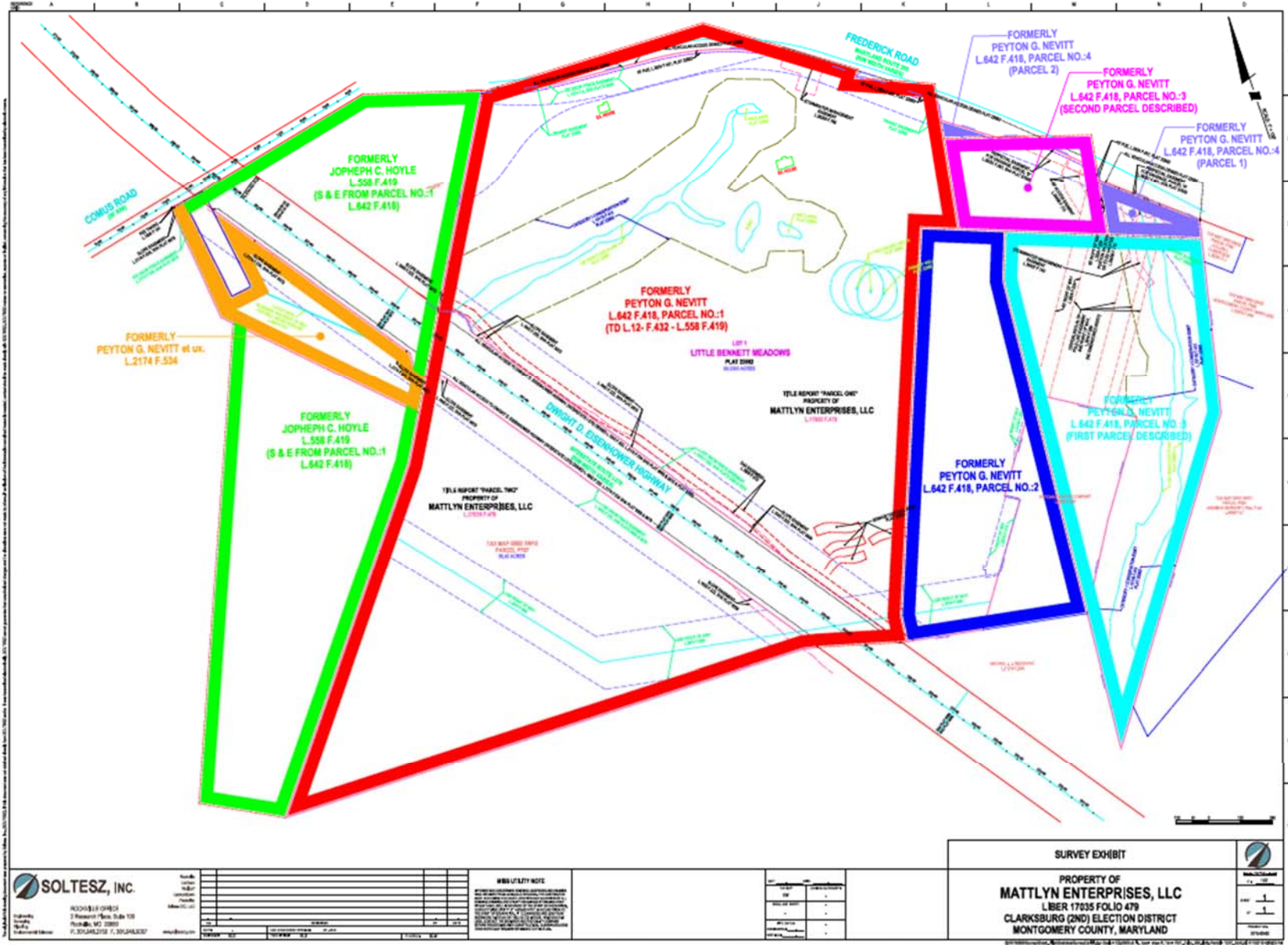
Based on the foregoing, Applicant respectfully requests that the Planning Board approve the Preliminary Plan.

Respectfully submitted,

MILES & STOCKBRIDGE P.C.

Barbara A. Sears  
11 N. Washington Street, Suite 700  
Rockville, MD 20850  
(301) 517-4812  
*Attorney for Applicant*

## Survey





November 17, 2020

Mr. Chris Van Alstyne  
Transportation Planner Coordinator  
Montgomery Planning  
2425 Reedie Drive  
Wheaton, MD 20902

Re: Ashford Woods (Egan Property) Preliminary Plan #120200110  
Request for Waiver of Off Street Parking for Community Building per 59.6.2.4.B

Dear Mr. Van Alstyne,

On behalf of our client, Ashford Woods, LLC ("Applicant"), Soltesz is requesting a waiver of the off-street vehicle parking requirement for the Community Building. The Community Building is centrally located within the development, accessible by either a brief bike ride or walk from adjacent homes. Off-street parking required for the Community Building is 2.5 spaces per 1,000 sf of GFA. The Community Building is approximately 2,300 GFA, generating (6) required parking spaces. Please see the Preliminary Plan for on-street parking spaces provided on Street D to include a total of (16) parallel parking spaces. These spaces shall be available for both community residents and visitors. The adjacent on-street parking spaces provide a safe, direct route to the clubhouse, while also decreasing potential impervious cover by eliminating the addition of a surface parking lot. Additionally, the Community Building will also provide short term bicycle parking spaces.

If you should have any questions or require additional information, please do not hesitate to contact me.  
Sincerely,  
Soltesz, Inc.

Kyle Walker, PE  
Project Manager

cc: Tom Natelli  
Michael Natelli  
Krista Davisson  
Barbara Sears

**12/31/2020****Chapter 50 Statement of Justification  
for Private Roads****ASHFORD WOODS  
Preliminary Plan No. 120200110**

On behalf of Ashford Woods, LLC (the "Applicant") and in accordance with Chapter 50 of the Montgomery County Code ("Subdivision Regulations"), this statement is submitted to justify the approval of private roads as part of Preliminary Plan No. 120200110 for Ashford Woods. The Applicant proposes that all of the planned internal roads on the Property be classified as private roads. These roads, currently identified as: 1) Street "A" 2) Street "B" 3) Street "C" 4) Street "D" 5) Street "E" and 6) Street "F", are set forth in the Preliminary plan drawings attached hereto for reference (Exhibit A). Relevant to this Justification, the subject property ("Property") is located within the 10-mile Creek Special Protection Area ("SPA") and is subject to the 10-Mile Creek Limited Amendment (Limited Amendment) and the Clarksburg Environmental East and Clarksburg Environmental West overlay zones ("Overlay Zones"). All proposed development is on the portion of the Property that is located east of I-270 and is subject to the Clarksburg Environmental East Overlay Zone.

- A. In accordance with Section 50.4.3.E.4 of the Subdivision Regulations (Additional Standards for Private Roads), the Planning Board may approve the designation of private roads if the private roads effectively function as public roads. The Property's location justifies the use of private roads which will allow deviation from public road standards in order to meet the recommended Environmental Guidelines within the SPA, Overlay Zones and Limited Amendment area. Specific design elements that do not meet public road standards are outlined in the following section.
- B. Per Section 50.4.3.E.4.b. (Justification for a Private Road) the Applicant must provide a list of proposed design elements that do not meet public road standards and justify why those design elements are necessary for the proposed development. The Applicant seeks a narrower than standard road right-of-way for each of the roads, less than standard truncations at intersections, and less than standard horizontal radii on two streets. Those specific deviations from public road standards and justifications for environmental preference, and better use of the tract under consideration are listed below.
  - 1. Modification to Secondary Residential Street, 2 lanes with parking on one side, 60' right-of-way Standard MC-2002.02 for Private Street "A", from MD 355 to Private Street "F" (STA. 0+00 to STA. 2+00), Private Street "B", from MD 355 to Private Street "F" (STA. 0+00 to STA. 2+15.54), and Private Street "E" (STA. 5+31.88 to STA. 12+18.88, to a 44' right-of-way modified MC-2002.02. (*MOD. #1 on Exhibit B, color coded Green*)

Environmentally Preferable:

A narrower than standard road right-of-way complies with the requirements of the SPA, the Limited Amendment, Chapter 49-Urban Road Code, and the Overlay Zones by reducing the impervious area within the development. The reduced right-of-way reflects the removal of a 5' sidewalk and the adjacent maintenance strip on one side of the cross section, the decrease in lane width, and the limited use of parking in this cross section as requested by the Limited Amendment to reduce impervious area. Reducing the widths of tree panels and maintenance strips also allows for reduced lengths in driveways. Using these methods to reduce the overall right-of-way width allows for an increase in the square footage available around the perimeter of the development for rural open space, and within the interior of the development for open space and SWM.

Allows Better Use of Tract Under Consideration:

Providing the standard 60' road right-of-way would maintain a wider street cross section than necessary or recommended by the Environmental Guidelines, the Limited Amendment, Chapter 49-Urban Road Code, and the Overlay Zones. By reducing the right-of-way width the development is able to fit within the necessary buildable envelope, provide the required 80% rural opens space and provide space within the development for recreational open space and SWM. An increase to the right-of-way and thereby the buildable envelope could also increase the amount of forest impacted during development.

2. Modification to Secondary Residential Street, 2 lanes with parking on one side, 60' right-of-way Standard MC-2002.02 for Private Street "A", from Private Street "F" to Private Street "B" (STA.2+00 to STA.30+35.56), to a 50' right-of-way modified MC-2002.02. *(MOD. #2 on Exhibit B, color coded Blue)*

Environmentally Preferable:

A narrower than standard road right-of-way for Private Street "A" complies with the requirements of the SPA, the Limited Amendment, Chapter 49-Urban Road Code, and the Overlay Zones. The Overlay Zones limit the impervious area allowed in the development and require 80% of the area under preliminary plan application to be provided as rural open space. The reduced right-of-way reflects the removal of a sidewalk and the adjacent maintenance strip on one side where front loaded units have driveways. The removal of this sidewalk is environmentally preferred as this reduces both the impervious area in the right-of-way and any additional impervious area necessary for driveways adjacent to the right-of-way. The reduced right-of-way width also allows for a more compact development envelope which facilitates the 80% rural open space that surrounds this development.

Allows Better Use of Tract Under Consideration:

Providing the standard 60' road right-of-way would maintain a wider street cross section than necessary or recommended by the Environmental Guidelines, the Limited Amendment, Chapter 49-Urban Road Code, and the Overlay Zones. By reducing the



right-of-way width the development is able to fit within the necessary buildable envelope, provide the required 80% rural opens space and provide space within the development for recreational open space and SWM. An increase to the right-of-way and thereby the buildable envelope could also increase the amount of forest impacted during development.

3. Modification to Secondary Residential Street, 2 lanes with parking on one side, 60' right-of-way Standard MC-2002.02 for Private Street "A", from Private Street "B" to Private Street "A" (STA. 30+35.56 to STA. 34+14.00), to a 54' right-of-way modified MC-2002.02. *(MOD. #3 on Exhibit B, color coded Red)*

Environmentally Preferable:

A narrower than standard road right-of-way for Private Street "A" complies with the requirements of the SPA, the Limited Amendment, Chapter 49-Urban Road Code, and the Overlay Zones by reducing the impervious area within the development. The reduced right-of-way reflects the removal of the 8' parking lane, the reduction in travel lane width and an increase in overall tree panel width for this cross section. Removing the parking lane and reducing the travel lane reduces the amount of impervious area within the right-of-way and increases the square footage available for open space in the Central Community Green. Increasing the area within the tree panels will enhance the street trees in this area.

Allows Better Use of Tract Under Consideration:

Providing the standard 60' road right-of-way would maintain a wider street cross section than necessary or recommended by the Environmental Guidelines, the Limited Amendment, Chapter 49-Urban Road Code, and the Overlay Zones. By reducing the right-of-way width the development is able to provide recreational open space and SWM in the center of the development.

4. Modification to Secondary Residential Street, 2 lanes with parking on one side, 60' right-of-way Standard MC-2002.02 for Private Street "B", from Private Street "F" to Private Street "A" (STA. 2+15.54 to STA. 8+25.0), Private Street "C" (Entire Length), and Private Street "D" (Entire Length), to a 53' right-of-way modified MC-2002.02. *(MOD. #4 on Exhibit B, color coded Pink)*

Environmentally Preferable:

A narrower than standard road right-of-way for Private Street "B" complies with the requirements of the SPA, the Limited Amendment, Chapter 49-Urban Road Code, and the Overlay Zones by providing a narrower street cross section and reducing the impervious area within the development. The reduced right-of-way reflects the removal of a sidewalk and the adjacent maintenance strip, a 1' increase to the remaining sidewalk, and an increase to the overall space provided for tree panels. The reduction in right-of-way width along Private Street "B" allows for utility easements adjacent to the right-of-way on both sides of the roadway while still providing space for street trees.

Allows Better Use of Tract Under Consideration:

Providing the standard 60' road right-of-way would maintain a wider street cross section than necessary or recommended by the Environmental Guidelines, the Limited Amendment, Chapter 49-Urban Road Code, and the Overlay Zones. A standard 60' right-of-way would also increase the developments buildable envelope and impact the rural open space that surrounds the development.

5. Modification to Secondary Residential Street, 2 lanes with parking on one side, 60' right-of-way Standard MC-2002.02 for Private Street "F", from Private Street "B" (STA. 5+31.88) to Sta. 1+37.80, to a 37' right-of-way modified MC-2002.02. (*MOD #5 on Exhibit B, color coded Purple*)

Environmentally Preferable:

A narrower than standard road right-of-way for Private Street "F" complies with the requirements of the SPA, the Limited Amendment, Chapter-49-Urban Road Code, and the Overlay Zones. The reduced right-of-way reflects the reduction of the travel lane width and the removal of sidewalk and the adjacent maintenance strip on one side of the street, it also includes the relocation of the tree panel from the right-of-way cross section. The street trees will be provided, however, they will be provided on HOA maintained property adjacent to the right-of-way. The reduction of the travel lane width and the removal of the sidewalk on one side is environmentally preferred as this reduces both the impervious area in the right-of-way and the impervious area necessary for driveways adjacent to the right-of-way as well as allowing for an increase in area to the open space adjacent to these units.

Allows Better Use of Tract Under Consideration:

Providing the standard 60' road right-of-way would maintain a wider street cross section than necessary or recommended by the Environmental Guidelines, the Limited Amendment, Chapter 49-Urban Road Code, and the Overlay Zones. It would increase the overall buildable envelope and decrease area available for SWM or open space adjacent to the right-of-way.

6. Modification to Secondary Residential Street, 2 lanes with parking on one side, 60' right-of-way Standard MC-2002.02 for Street "F", from Sta. 1+37.80 to Sta. 1+00, to a 34' right-of-way modified MC-2002.02. (*MOD. #6 on Exhibit B, color coded Yellow*)

Environmentally Preferable:

A narrower than standard road right-of-way for Private Street "F" complies with the requirements of the SPA, the Limited Amendment, Chapter 49-Urban Road Code, and the Overlay Zones. This 125-foot section of Private Street "F" has rear loaded units on both sides, these units front on open space. The reduced right-of-way reflects the reduction of the travel lane width, the removal of parking on one side, the removal of



sidewalk and the adjacent maintenance strip on one side, it also includes the relocation of the tree panel from the right-of-way cross section. Street trees will be provided on HOA maintained land along Private Street "F" and adjacent to the right-of-way. The reduction of the travel lane width and the removal of the sidewalk on one side is environmentally preferred as this reduces both the impervious area in the right-of-way and the impervious area necessary for driveways adjacent to the right-of-way. This reduction also allows for larger recreational open space adjacent to these units.

Allows Better Use of Tract Under Consideration:

Providing the standard 60' road right-of-way would maintain a wider street cross section than necessary or recommended by the Environmental Guidelines, the Limited Amendment, Chapter 49-Urban Road Code, and the Overlay Zones. It would increase the overall buildable envelope and decrease area available for SWM or open space adjacent to the right-of-way.

7. Applicant is proposing to use 15' straight line truncations at the following intersections:
  1. Private Street "A" and Private Street "F"
  2. Private Street "A" and Private Street "C"
  3. Private Street "A" and Private Street "A"
  4. Private Street "A" and Private Street "D", both intersections
  5. Private Street "A" and Private Street "B"
  6. Private Street "B" and Private Street "C"
  7. Private Street "B" and Private Street "E"

*Rationale for the request.*

The standard 25' straight truncation on corner lot intersections are not needed for sight distance (See Exhibit C) or fire access in this development. There is room within the 15' straight line truncations for all necessary street and traffic signage or equipment. Many of the intersections recently constructed at the nearby Cabin Branch development have reduced truncations. The Limited Amendment encourages using design techniques to cluster development and reduce lot sizes to achieve a smaller development footprint and provide the recommended density. Reducing the truncations is one of those techniques. Reducing truncations will extend the frontage of the buildings on the block and create the urban grid requested by the Clarksburg Master Plan. Reducing the truncations also increases area available for SWM and PUE's within the development envelope. In accordance with Subdivision Regulations, all proposed reductions in truncation will allow for safe, adequate, and efficient vehicular turning.

8. Modification to Secondary Residential Street, 150' minimum centerline radius to 100' minimum centerline radius on Private Street "A" and Private Street "E". (See Exhibit D, Horizontal Roadway Design Exhibit for locations of reduced radii.)

*Rationale for request.*

Where the centerline radius is reduced to 100' on Private Streets A and E the density on these roads meet the requirements of a tertiary street due to the number of units accessing the street in these areas. However, to keep continuity of street width and provide parking throughout the design, all roads in the development use the secondary street standard. The portions of Private Streets A and E that are proposed with a 100' centerline radius meet the minimum tertiary street standards and provide traffic calming along a street where vehicles will be backing out of driveways. As designed with the reduced centerline radius this development provides adequate safety and sight distance on the curves, see Exhibit E. Most streets in this development cannot and will not in the future connect to other streets and neighborhoods due to the proximity of I-270 and the environmental restrictions placed on this property. The proposed streets with the reduced centerline radius meet the minimum requirements for fire access.

- C. In accordance with Section 50.4.3.E.4.c. (Standards), all proposed Private Roads will be built to construction specifications of the corresponding public road concerning paving detail and design data, including surface depth and structural design. Any modifications, as detailed in the previous section, have been designed in accordance to sound engineering principals for safe use.

In conclusion, the designation of private roads allows the Applicant to meet the recommended Environmental Guidelines within the SPA, Overlay Zones and Limited Amendment Area for the proposed development. The justifications for providing narrower than standard road right-of-way for the roads identified above have established that the Applicant's proposed designs meet minimum fire access requirements, are environmentally preferable, and allows for better use of the tract area being developed. Furthermore, the reduction of intersection truncations is sufficient for safe vehicular turning, fire access and reduced truncations can be found in approved developments around Clarksburg including Cabin Branch area. Lastly, this development is able to provide adequate sight distances and comply with all fire access requirements with the reduced centerline radius on Private Streets A and E. As such, the Applicant requests that the Planning Board approve the Applicant's proposed private roadway establishment.

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

Sincerely,  
Soltesz, Inc.

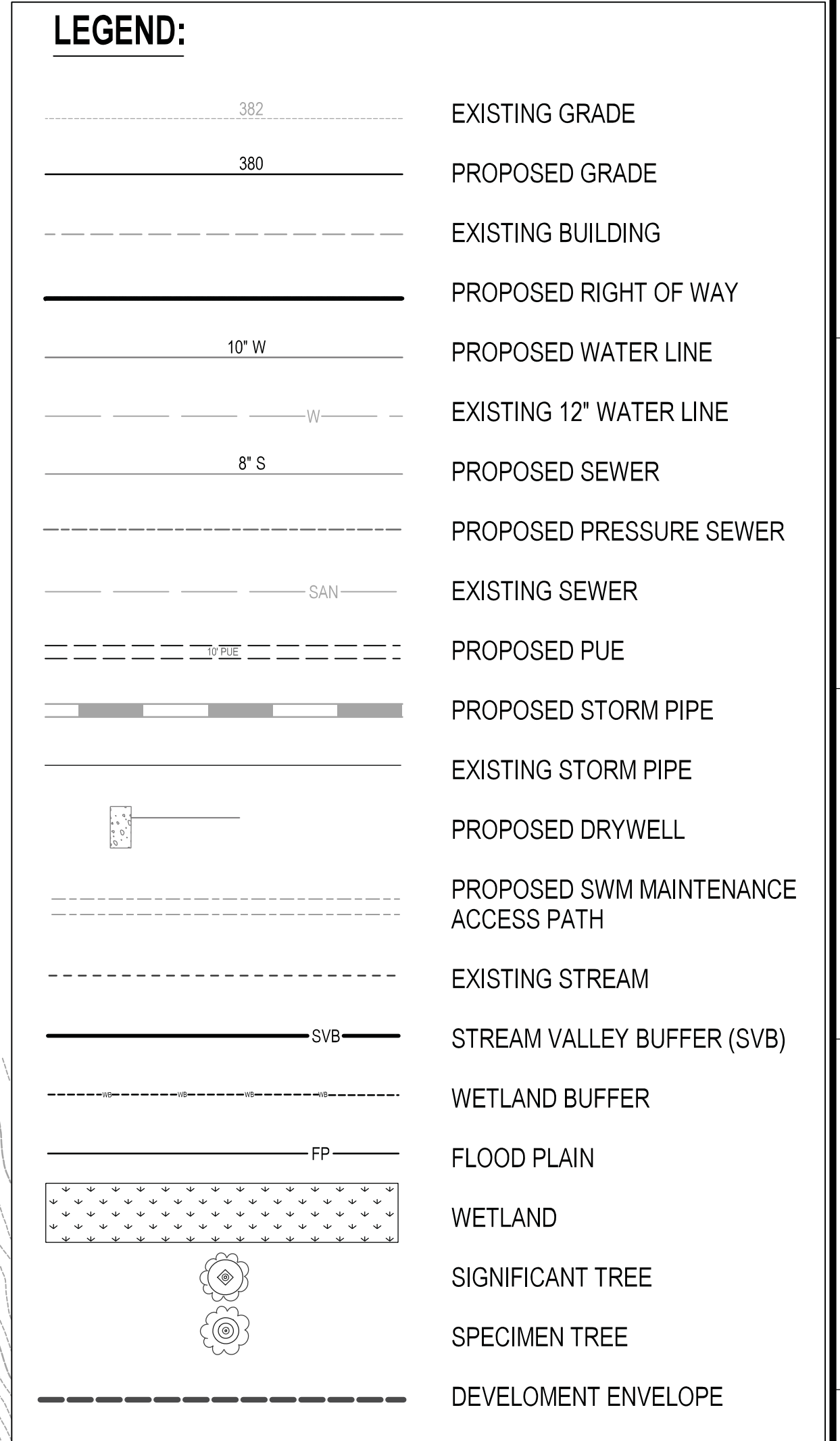
Kyle Walker, PE  
Project Manager

# Exhibit A

## Preliminary Plan Drawings and Roadway Typical Cross-sections

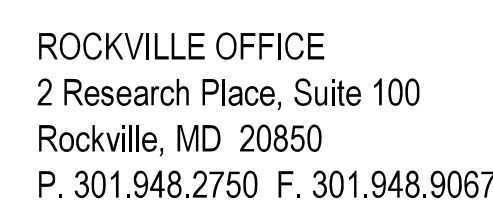


\_\_\_\_\_



1. THE DENIED ACCESS AREAS SHOWN ALONG MD 355 ON PLAT 22882 ARE TO BE REMOVED OR RELOCATED AT TIME OF PLAT RECORDATION.
2. THE APPLICANT WILL PROVIDE FUNDING AS FEE IN LIEU PAYMENTS AS THESE IMPROVEMENTS ARE PART OF THE MASTER PLAN FOR PUBLIC INFRASTRUCTURE IMPROVEMENTS ALONG MD 355

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 PRINTED NAME: MAHMUT AGBA, PE TITLE: PROJECT MANAGER  
 MD. REG. NO. 44048

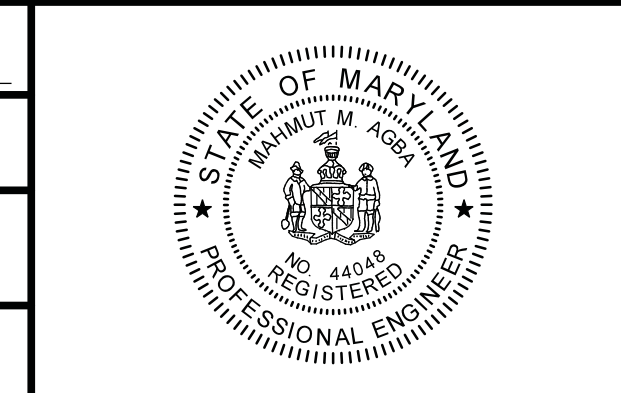
[illegible]

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY DIGGING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF EXCAVATION, IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS. CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

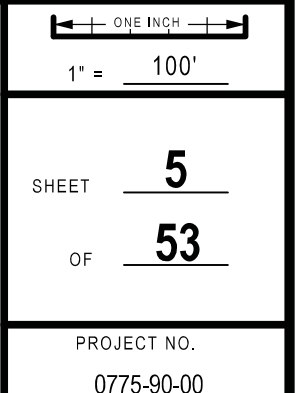
MATTLYN ENTERPRISES LLC  
PO BOX 178  
CLARKSBURG MD 20871-0178  
240-375-7279  
BOB EGAN

ASHFORD WOODS, LLC  
506 MAIN ST, SUITE 300  
GAITHERSBURG, MD 20878  
301-670-4020  
MICHAEL NATELLI

MAP <u>9</u> GRID <u>B-3</u>	
TAX MAP EW122	ZONING CATEGORY: R-90
WSSC 200' SHEET 233NW14	
SITE DATUM HORIZONTAL: <u>NAD 83/91</u> VERTICAL: <u>NGVD/89</u>	



PRELIMINARY PLAN  
**ASHFORD WOODS**  
FORMERLY KNOWN AS EGAN PROPERTY  
#120200110





PLANNING DEPARTMENT USE ONLY (E-PLANS)



LEGEND:

- EXISTING GRADE
- PROPOSED GRADE
- EXISTING BUILDING
- PROPOSED RIGHT OF WAY
- PROPOSED WATER LINE
- EXISTING 12" WATER LINE
- PROPOSED SEWER
- PROPOSED PRESSURE SEWER
- EXISTING SEWER
- PROPOSED PUE
- PROPOSED STORM PIPE
- EXISTING STORM PIPE
- PROPOSED DRYWELL
- PROPOSED SWM MAINTENANCE ACCESS PATH
- EXISTING STREAM
- STREAM VALLEY BUFFER (SVB)
- WETLAND BUFFER
- FLOOD PLAIN
- WETLAND
- SIGNIFICANT TREE
- SPECIMEN TREE

ENGINEER'S CERTIFICATE

I HEREBY CERTIFY, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THAT THE PLAN SHOWN HEREON CONFORMS WITH THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS AS ADOPTED OCTOBER 1961 AND AS AMENDED THEREAFTER.

SIGNATURE: MAHMUT AGBA, PE DATE: PROJECT MANAGER  
PRINTED NAME: MAHMUT AGBA, PE TITLE: PROJECT MANAGER  
MD. REG. NO. 44048



Engineering  
Surveying  
Planning  
Environmental Sciences

ROCKVILLE OFFICE  
2 Research Place, Suite 100  
Rockville, MD 20850  
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Rockville  
Lanham  
Waldorf  
Leonardtown  
Frederick  
Soltesz DC, LLC

www.solteszco.com

NO.	REVISIONS	DATE
3	REVISED PRELIMINARY PLAN SUBMITTAL	KDL 10-06-2020
2	REVISED PRELIMINARY PLAN SUBMITTAL	KDL 09-04-2020
1	PRELIMINARY PLAN SUBMITTAL	KDL 12-19-2019
NO.	REVISIONS	DATE
DESIGNED: S.C.	CAO STANDARDS VERSION: V8 - RCS	DATE: OCTOBER 2020
TECHNICIAN: G.M.M.		
CHECKED: K.D.L.		

MISS UTILITY NOTE

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY DRIVING TEST RITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-261-7777. 48 HOURS PRIOR TO THE START OF EXCAVATION, IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

OWNER

MATLYN ENTERPRISES LLC  
PO BOX 178  
CLARKSBURG MD 20871-0178  
240-375-7279  
BOB EGAN

DEVELOPER/APPLICANT

ASHFORD WOODS, LLC  
506 MAIN ST, SUITE 300  
GAITHERSBURG, MD 20878  
301-970-4020  
MICHAEL NATELLI

TAX MAP

GRID: B-3  
TAX MAP: EW122  
ZONING CATEGORY: R-90  
WESC 200: SHEET: 233NW14  
SITE DATUM: HORIZONTAL: NAD 83/91  
VERTICAL: NGVD25

PROFESSIONAL CERTIFICATION  
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.  
LICENSE NO. 44048 EXPIRATION DATE: 06/12/2021



OVERALL PRELIMINARY PLAN - WEST

PRELIMINARY PLAN  
ASHFORD WOODS  
FORMERLY KNOWN AS EGAN PROPERTY  
#120200110  
CLARKSBURG (2ND) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

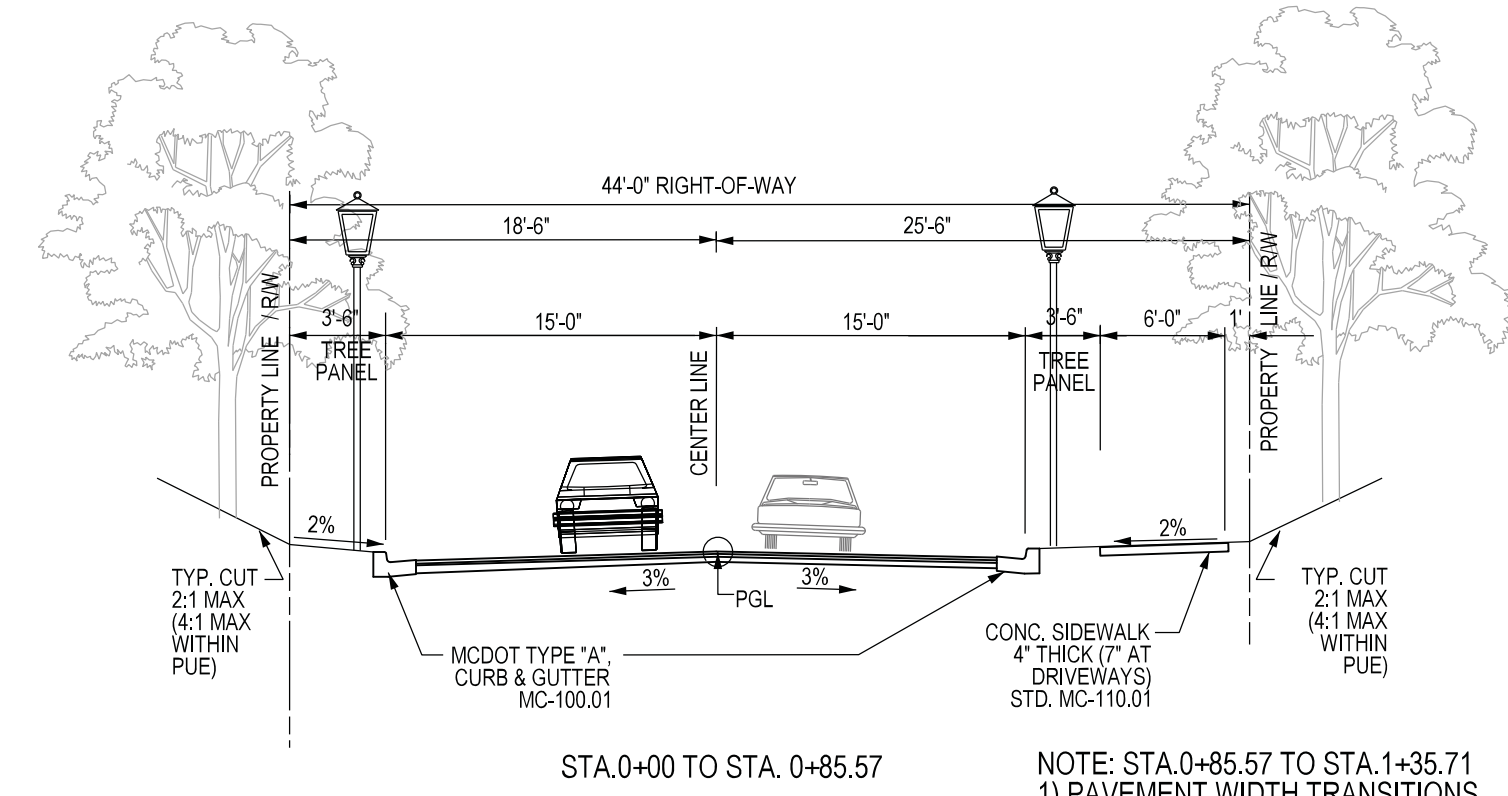


SHEET 6 OF 53  
PROJECT NO. 0775-90-00



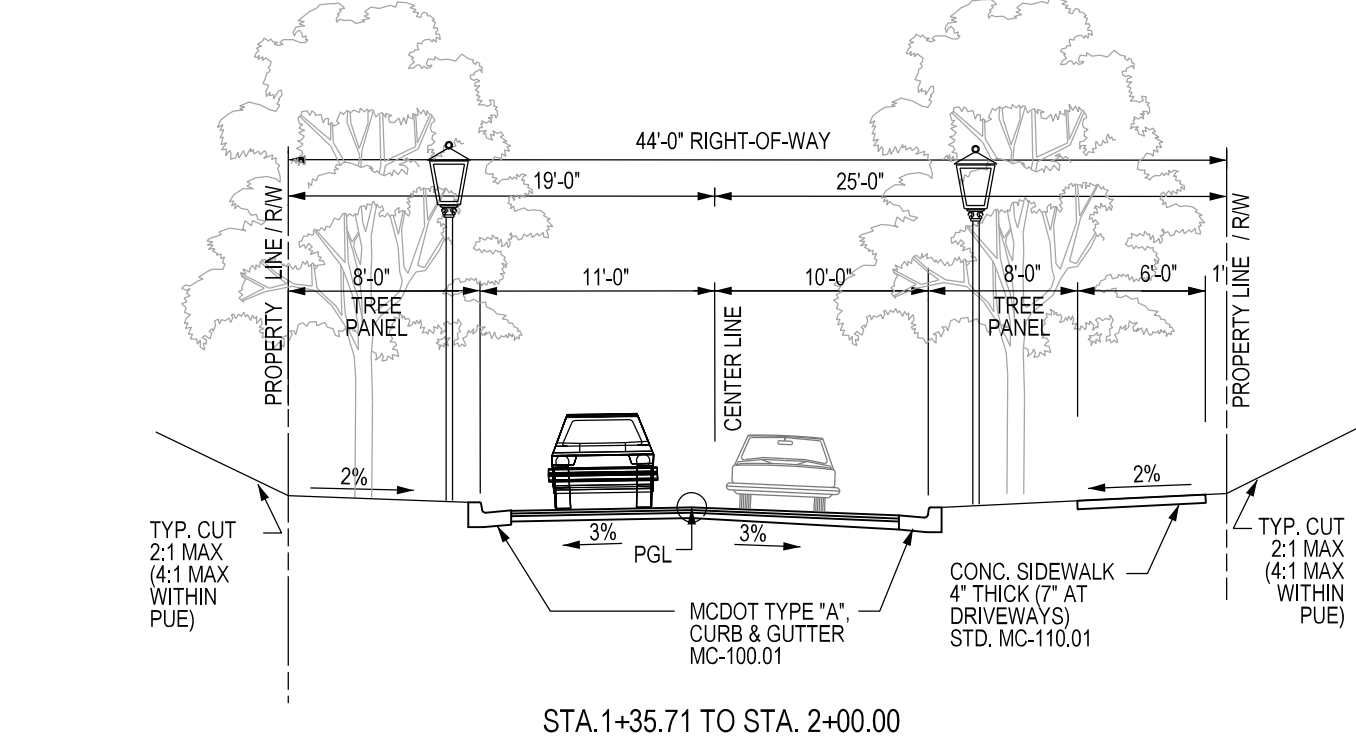
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PLANNING DEPARTMENT USE ONLY (E-PLANS)



STA. 0+00.00 TO STA. 0+85.57

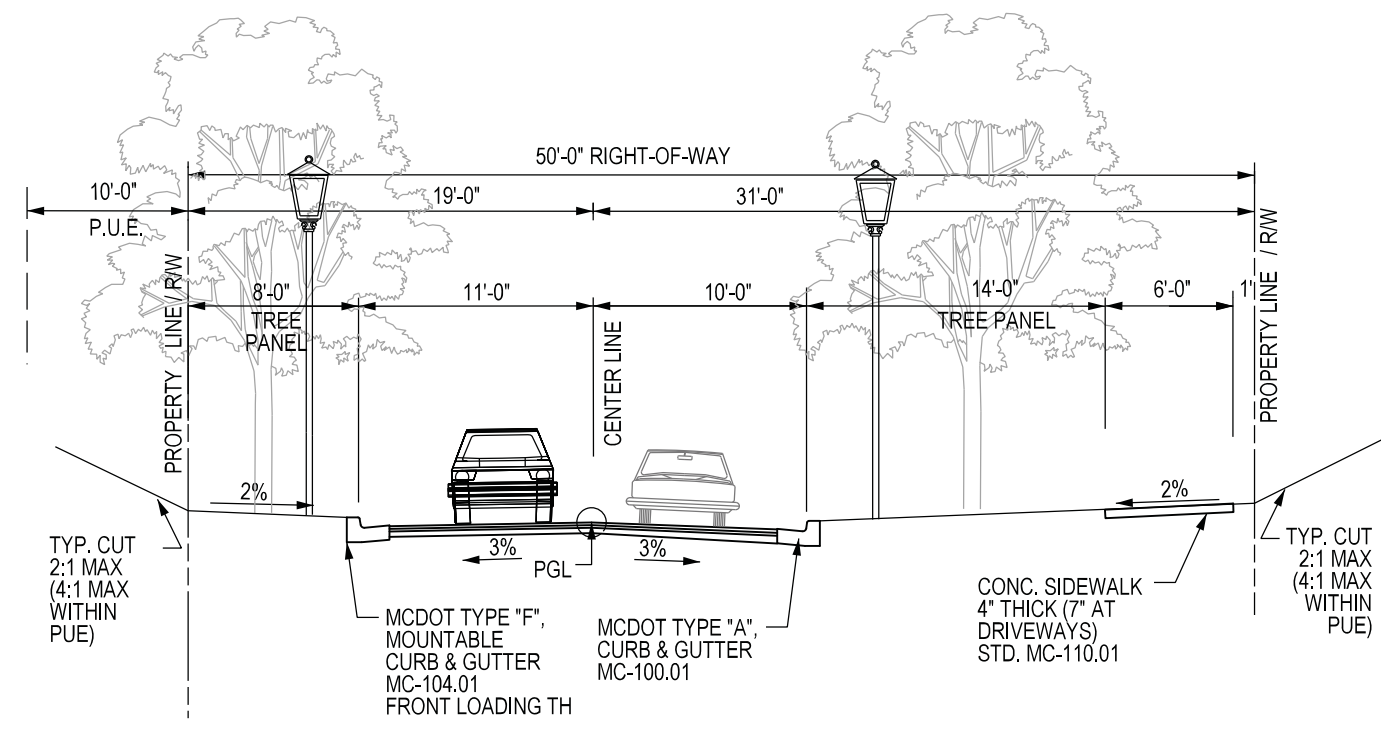
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1) PAVEMENT WIDTH TRANSITIONS FROM 30' WIDE TO 21' WIDE  
2) TREE PANEL WIDTH TRANSITIONS FROM 3.5' WIDE TO 6' WIDE



STA. 1+35.71 TO STA. 2+00.00

MOD. SECONDARY RESIDENTIAL ROAD  
PRIVATE 44'-0" RIGHT-OF-WAY  
MOD. MC-2002.02  
(SIDEWALK ON ONE SIDE)  
MODIFICATION 1  
STREET A  
NOT TO SCALE

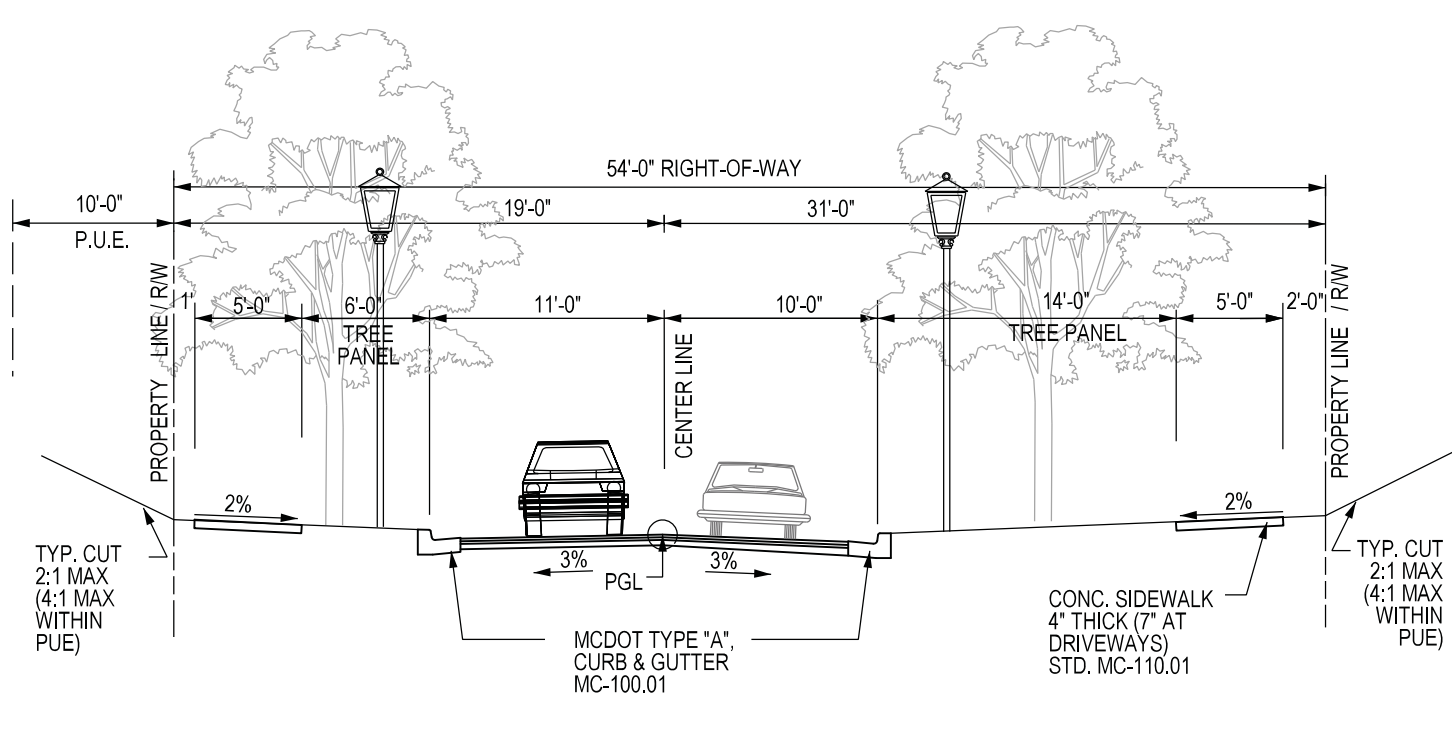
STA. 0+00.00 TO STA. 2+00.00



MOD. SECONDARY RESIDENTIAL ROAD  
PRIVATE 50'-0" RIGHT-OF-WAY  
MOD. MC-2002.02  
(SIDEWALK ON ONE SIDE, PARKING ON ONE SIDE)  
MODIFICATION 2  
STREET A  
NOT TO SCALE

STA. 2+00.00 TO STA. 30+35.56

STREET F TO STREET B

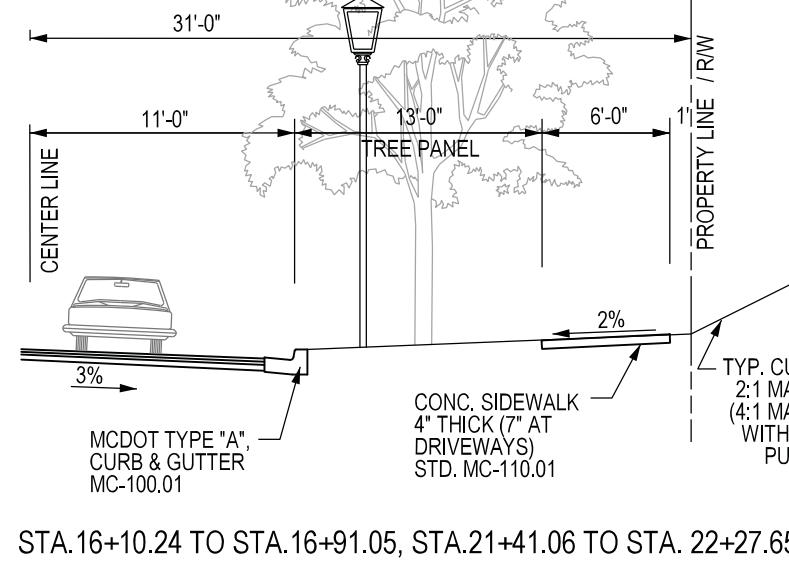


MOD. SECONDARY RESIDENTIAL ROAD  
PRIVATE 54'-0" RIGHT-OF-WAY  
MOD. MC-2002.02  
(SIDEWALK ON ONE SIDE)  
MODIFICATION 3  
STREET A  
NOT TO SCALE

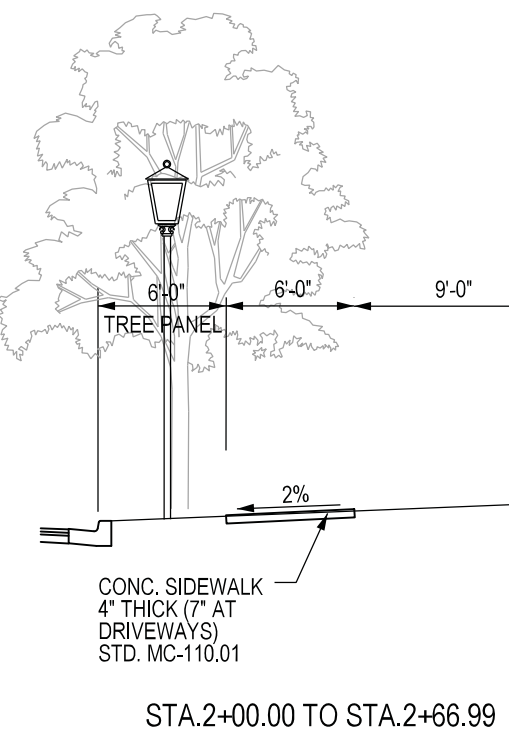
STA. 30+35.56 TO STA. 34+13.83

STREET B TO STREET A

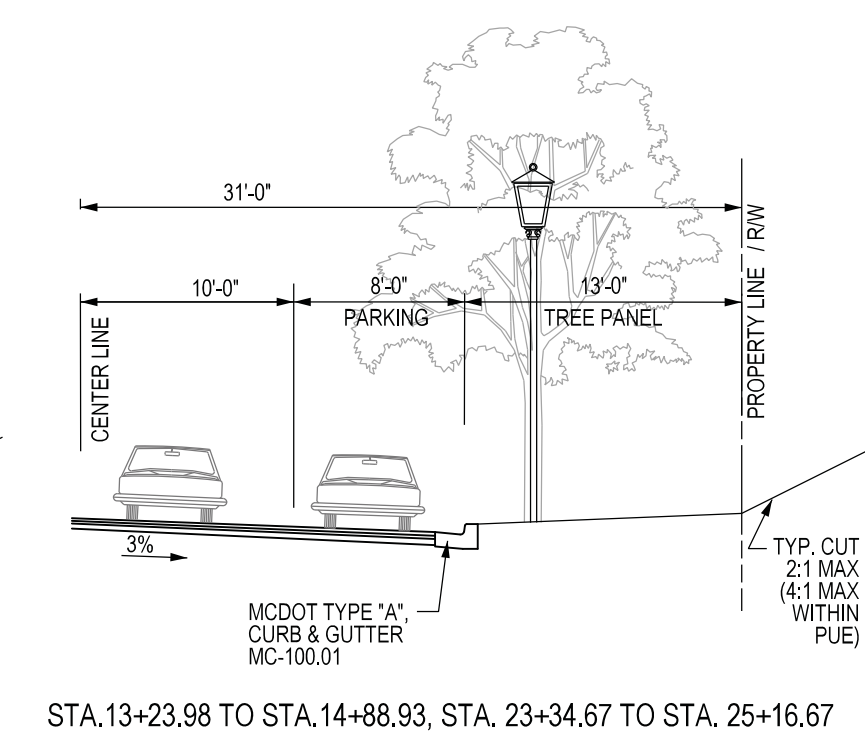
STA. 2+86.99 TO STA. 4+15.26, STA. 5+60.82 TO STA. 7+67.47  
STA. 34+31.10 TO STA. 11+1.31, STA. 17+42.75 TO STA. 17+80.86  
STA. 18+36.84 TO STA. 18+74.95, STA. 19+62.64 TO STA. 20+0.75  
STA. 20+42.41 TO STA. 20+80.52



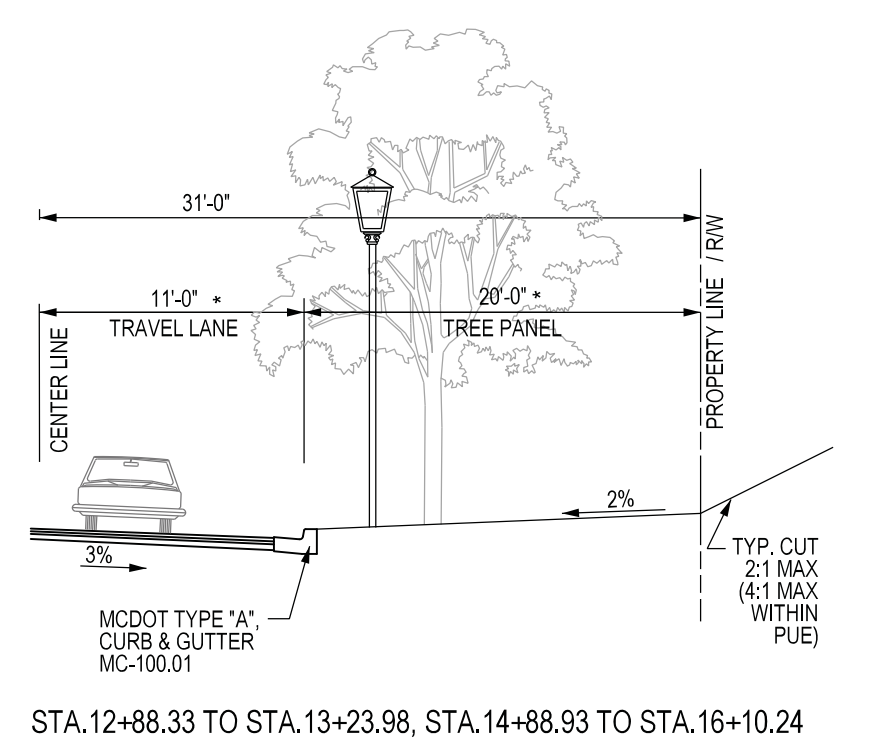
STA. 16+10.24 TO STA. 16+91.05, STA. 21+41.06 TO STA. 22+27.65



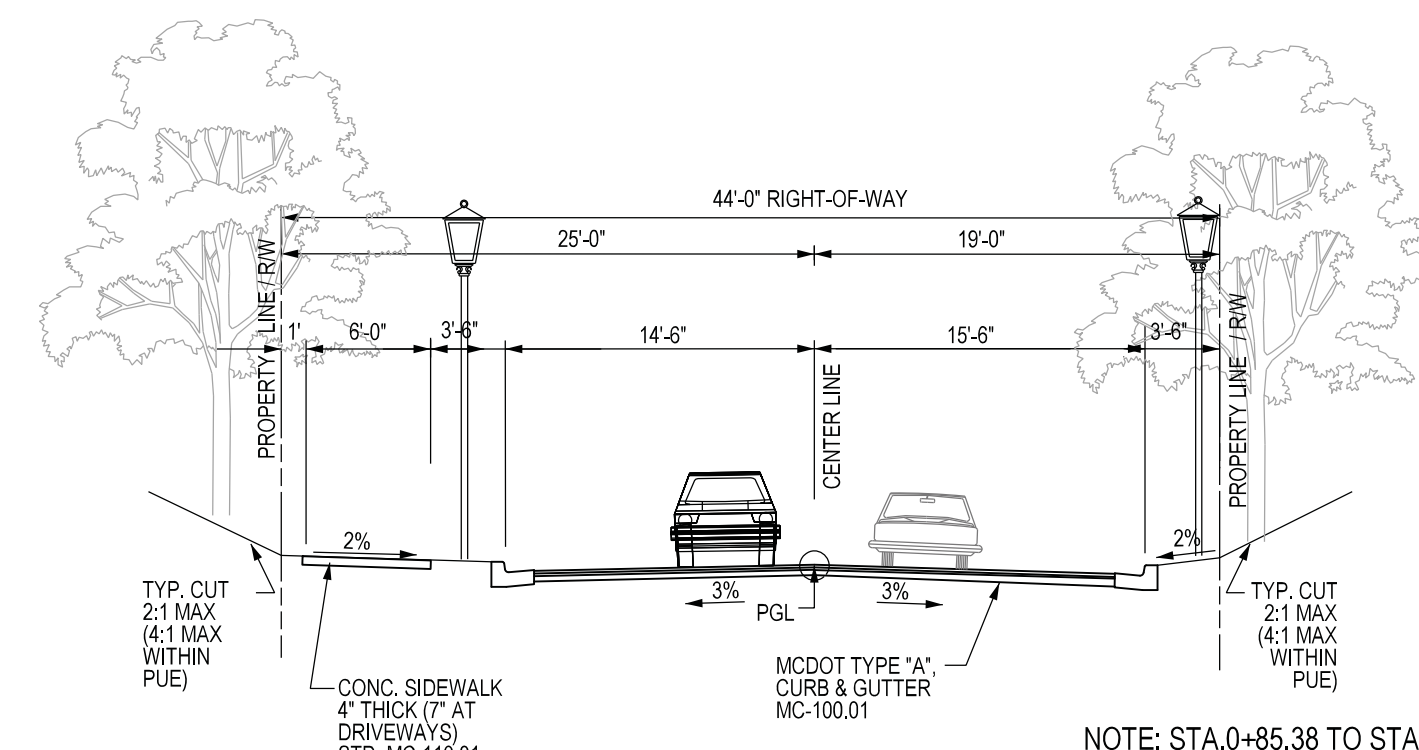
STA. 2+00.00 TO STA. 2+66.99



STA. 13+23.98 TO STA. 14+88.93, STA. 23+34.67 TO STA. 25+16.87

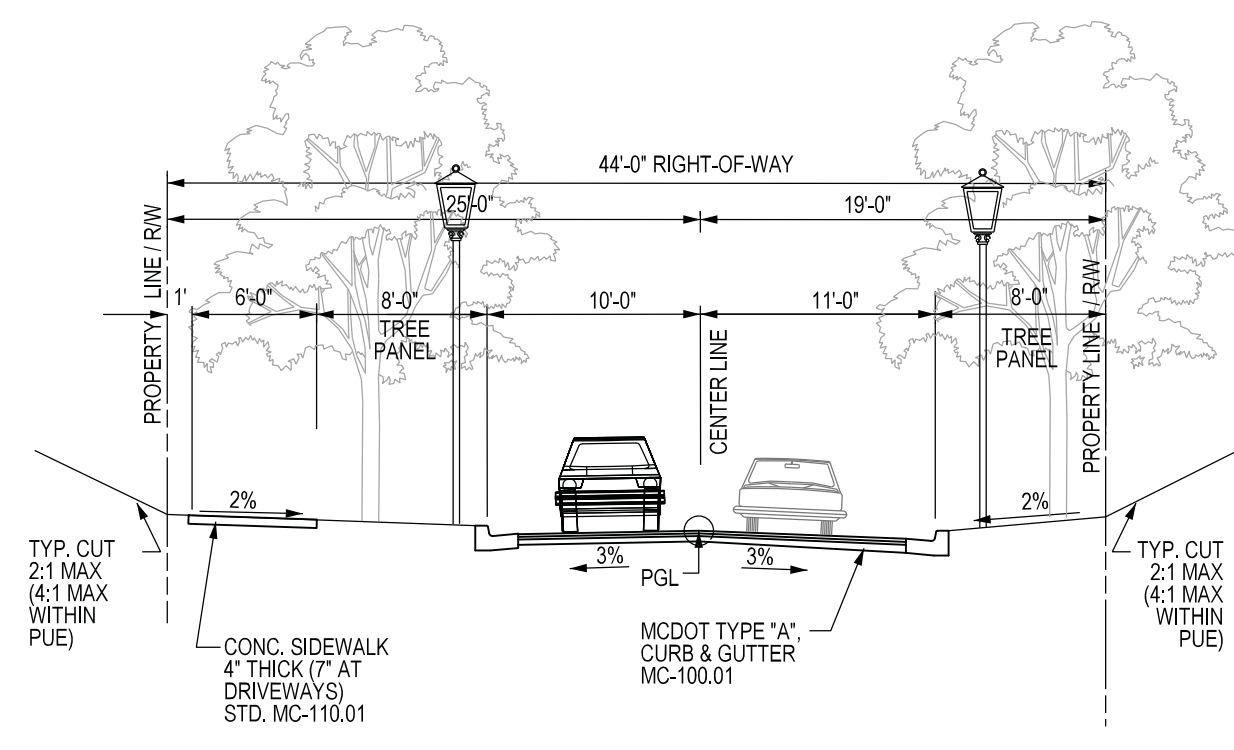


STA. 12+88.33 TO STA. 13+23.98, STA. 14+88.93 TO STA. 16+10.24  
STA. 22+27.65 TO STA. 23+34.67  
STA. 25+16.87 TO STA. 26+41.62 (10'-0" TRAVEL LANE AND 21'-0" TREE PANEL)



STA. 0+00 TO STA. 0+85.38

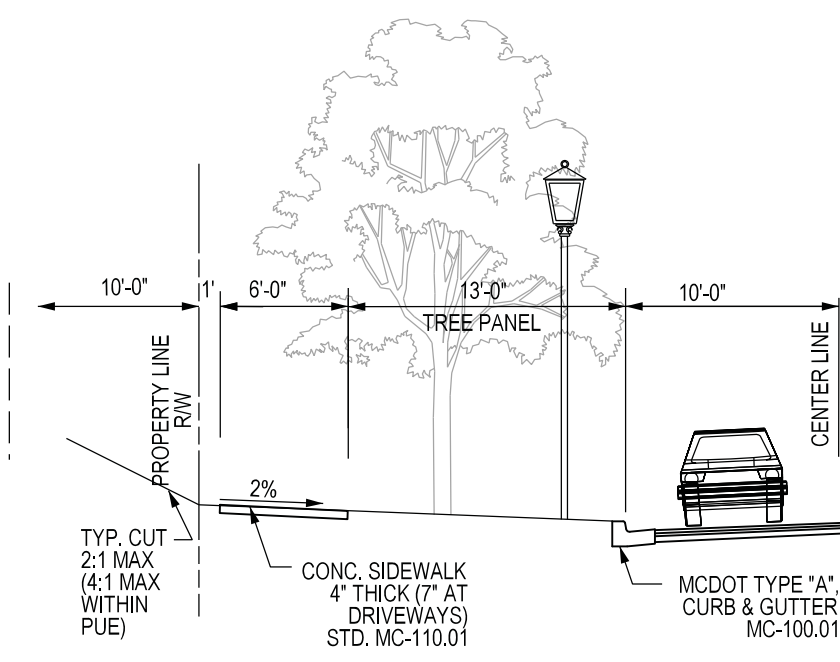
NOTE: STA. 0+85.38 TO STA. 1+35.37  
1) PAVEMENT WIDTH TRANSITIONS FROM 30' WIDE TO 21' WIDE  
2) TREE PANEL WIDTH TRANSITIONS FROM 3.5' WIDE TO 6' WIDE



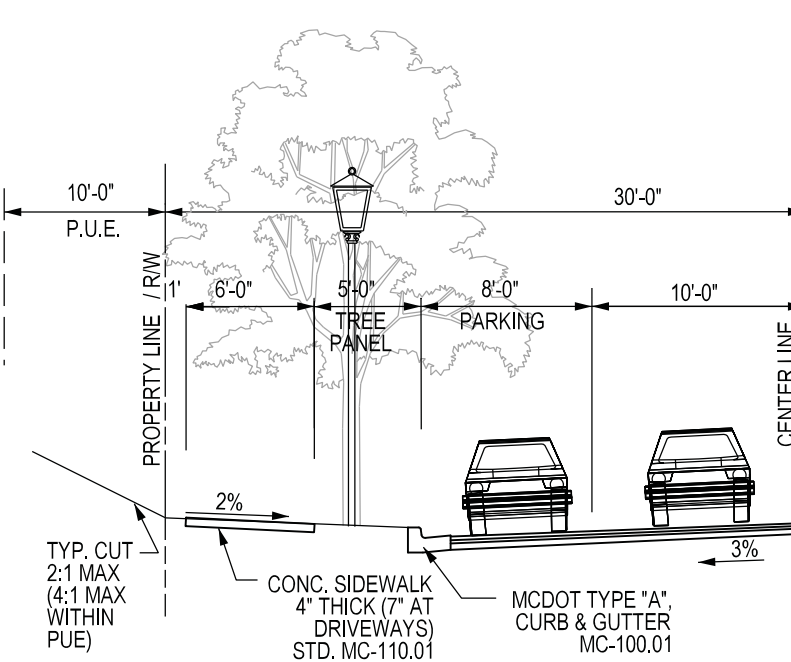
STA. 1+35.37 TO STA. 2+15.54

MOD. SECONDARY RESIDENTIAL ROAD  
PRIVATE 44'-0" RIGHT-OF-WAY  
MOD. MC-2002.02  
(SIDEWALK ON ONE SIDE)  
MODIFICATION 1  
STREET B  
NOT TO SCALE

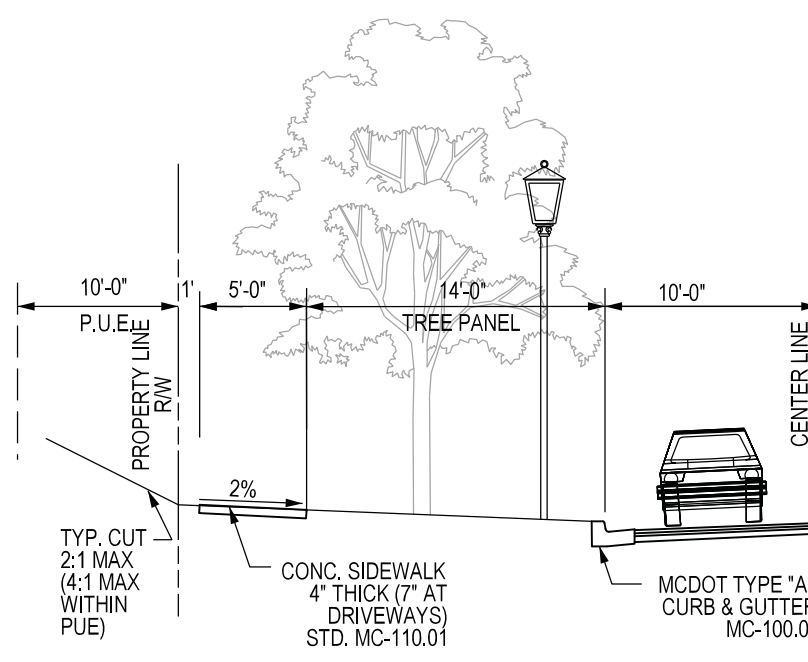
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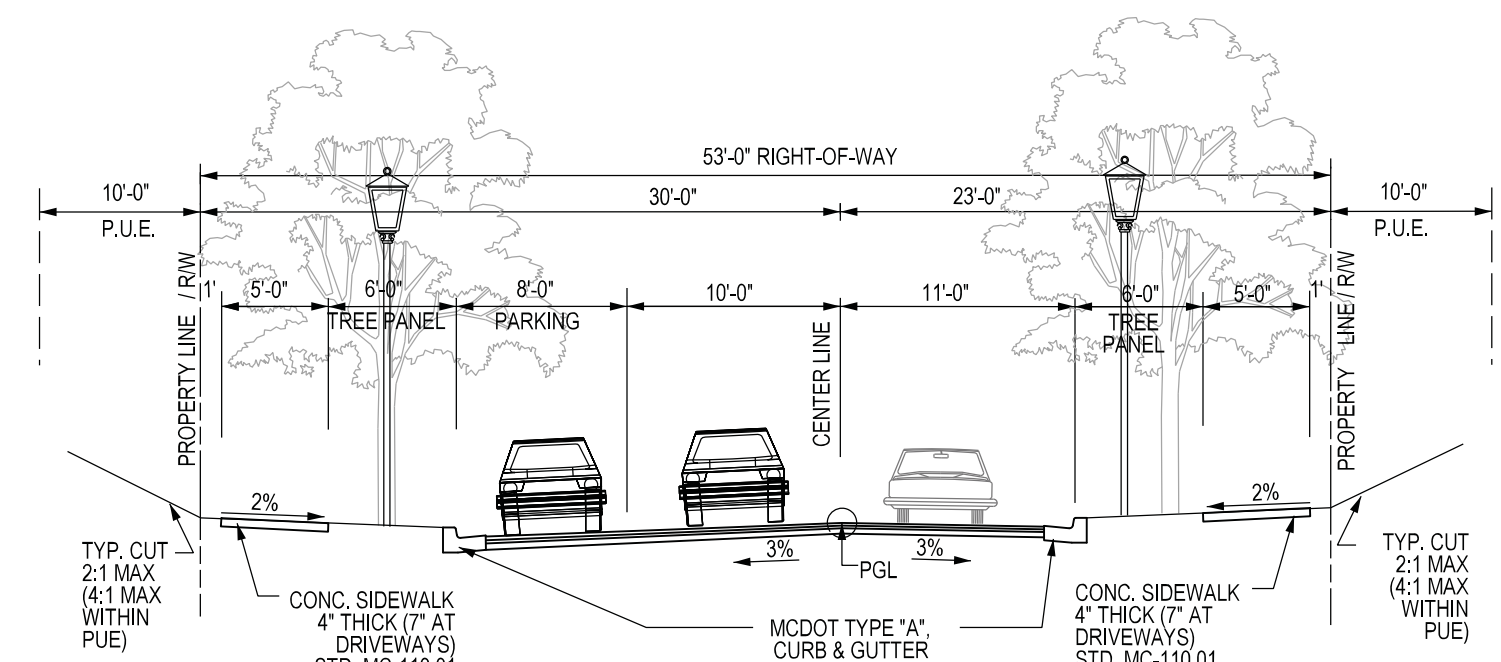
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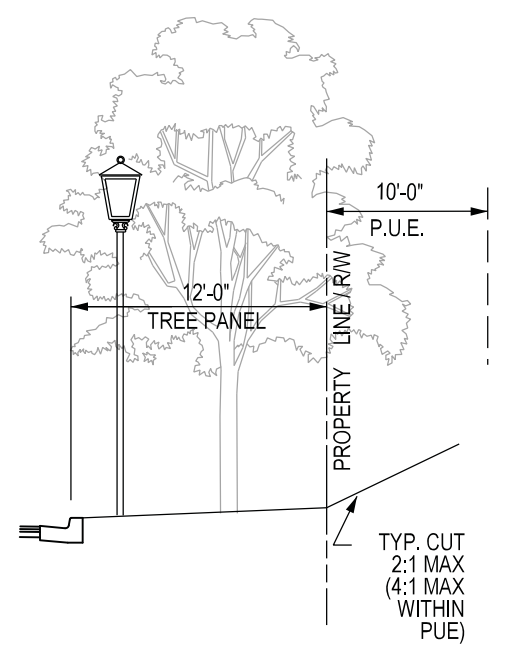
STA. 5+64.26 TO STA. 7+78.29



STA. 2+15.54 TO STA. 2+55.54, STA. 4+69.54 TO STA. 5+18.54



STA. 2+55.54 TO STA. 4+69.54



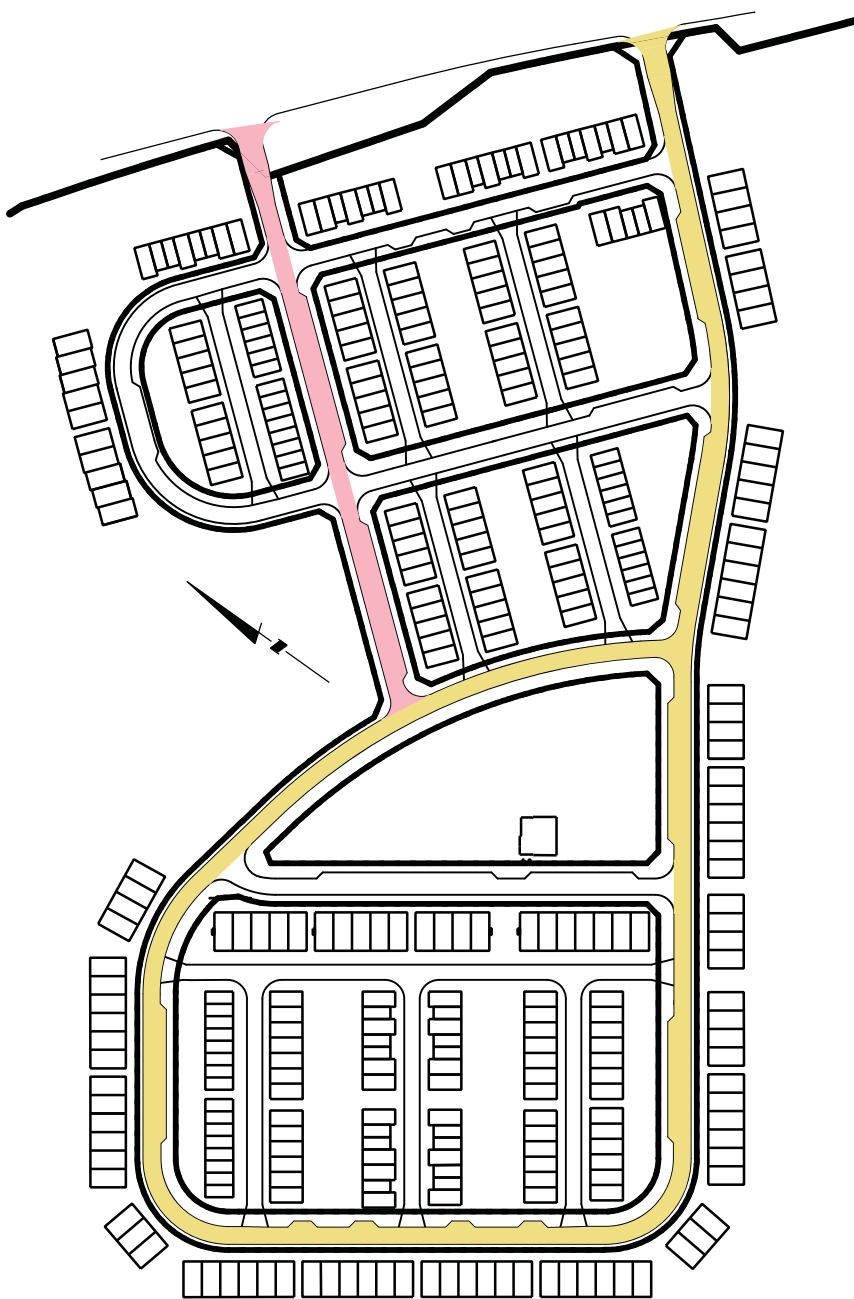
STA. 5+18.54 TO 8+25.43  
STREET E TO STREET A

MOD. SECONDARY RESIDENTIAL ROAD  
PRIVATE 53'-0" RIGHT-OF-WAY  
MOD. MC-2002.02  
(PARKING ON ONE SIDE)  
MODIFICATION 4  
STREET B  
NOT TO SCALE

STA. 2+15.54 TO STA. 8+25.43

STREET F TO STREET A

KEY MAP



PRIVATE STREET A  
PRIVATE STREET B

ENGINEER'S CERTIFICATE

I HEREBY CERTIFY, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THAT THE PLAN SHOWN HEREON CONFORMS WITH THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS AS ADOPTED OCTOBER 1981 AND AS AMENDED THEREAFTER.

SIGNATURE: MAHMUT AGBA, PE  
PRINTED NAME: MAHMUT AGBA, PE  
TITLE: PROJECT MANAGER  
MD. REG. NO. 44048



ROCKVILLE OFFICE  
2 Research Place, Suite 100  
Rockville, MD 20850  
P. 301.948.2750 F. 301.948.9067

Rockville  
Lanham  
Waldorf  
Leonardtown  
Frederick  
Soltesz DC, LLC

NO. 3  
REVISED PRELIMINARY PLAN SUBMITTAL  
2  
REVISED PRELIMINARY PLAN SUBMITTAL  
1  
PRELIMINARY PLAN SUBMITTAL

DATE: OCTOBER 2020  
DESIGNED: S.C.

CAO STANDARDS VERSION: 18 - NCS  
TECHNICIAN: G.M.M.

REVISIONS  
BY DATE

10-06-2020  
09-04-2020  
12-15-2019

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12-15-2019

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09-04-2020  
12-15-2019

10-06-2020  
09-04-2020  
12-15-2019

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09-04-2020  
12-15-2019

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09-04-2020  
12-15-2019

10-06-2020  
09-04-2020  
12-15-2019

PROFESSIONAL CERTIFICATION  
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.  
LICENSE NO. 44048 EXPIRATION DATE: 06/12/2021



PROPOSED STREET SECTIONS

PRELIMINARY PLAN  
ASHFORD WOODS  
FORMERLY KNOWN AS EGAN PROPERTY  
#120200110  
CLARKSBURG (2ND) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND



1" = AS SHOWN

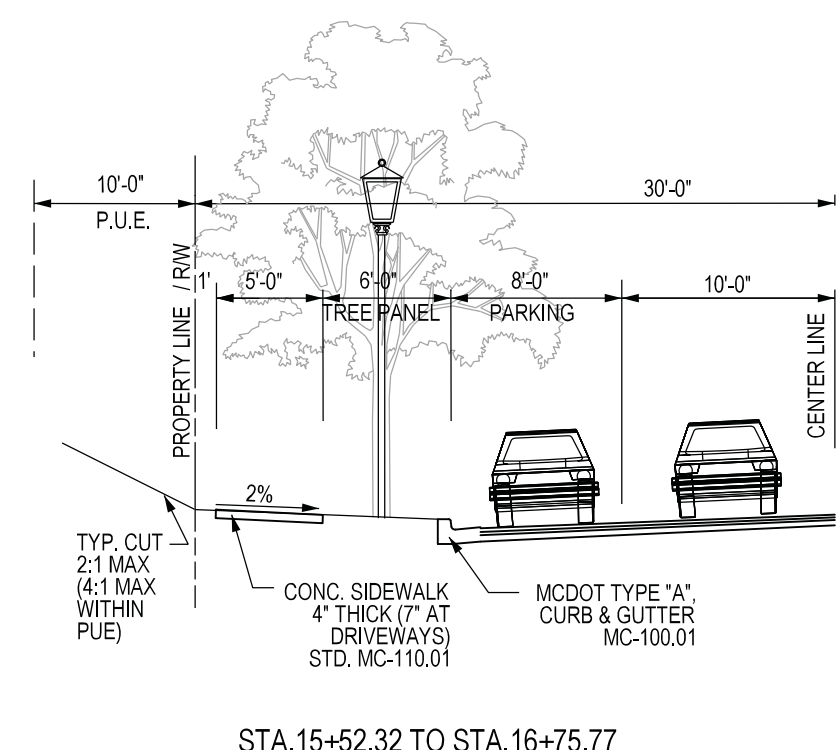
SHEET 4A  
OF 53

PROJECT NO.  
0775-90-00

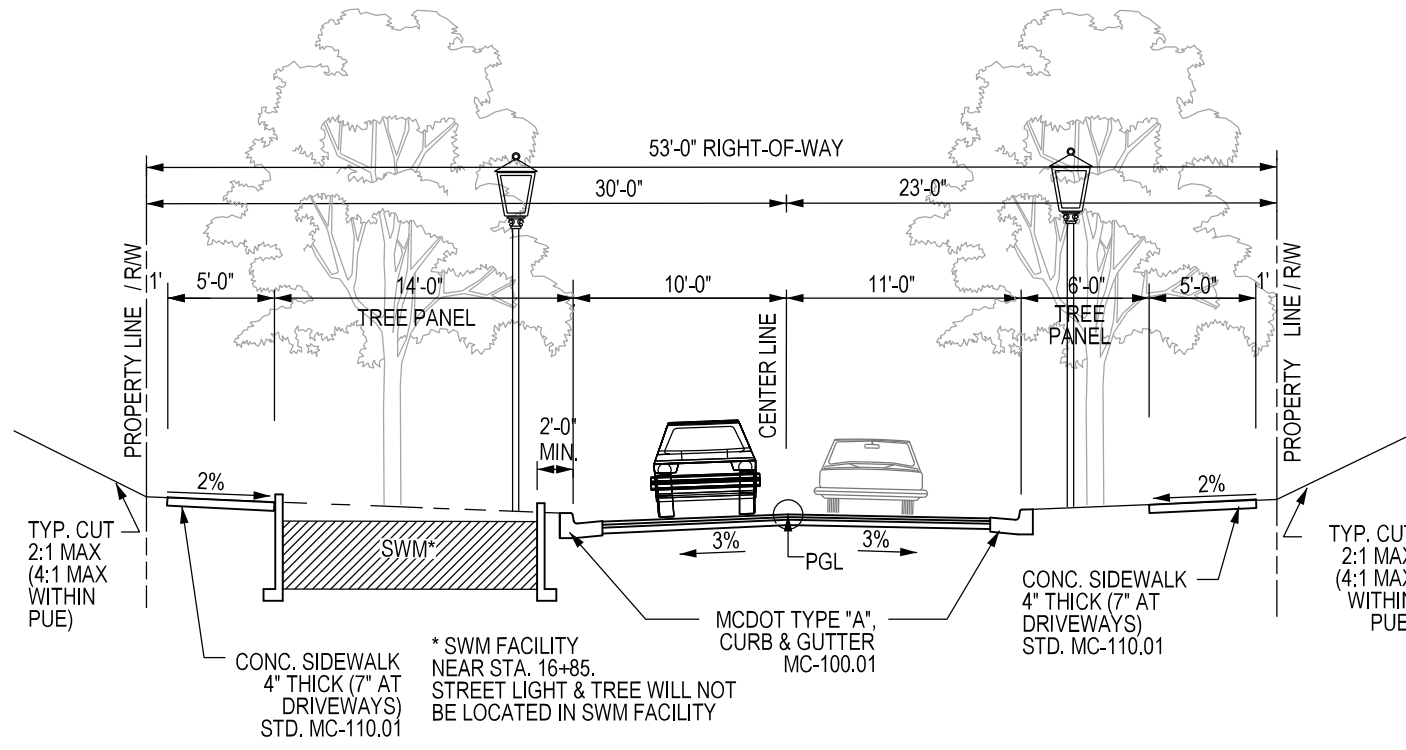


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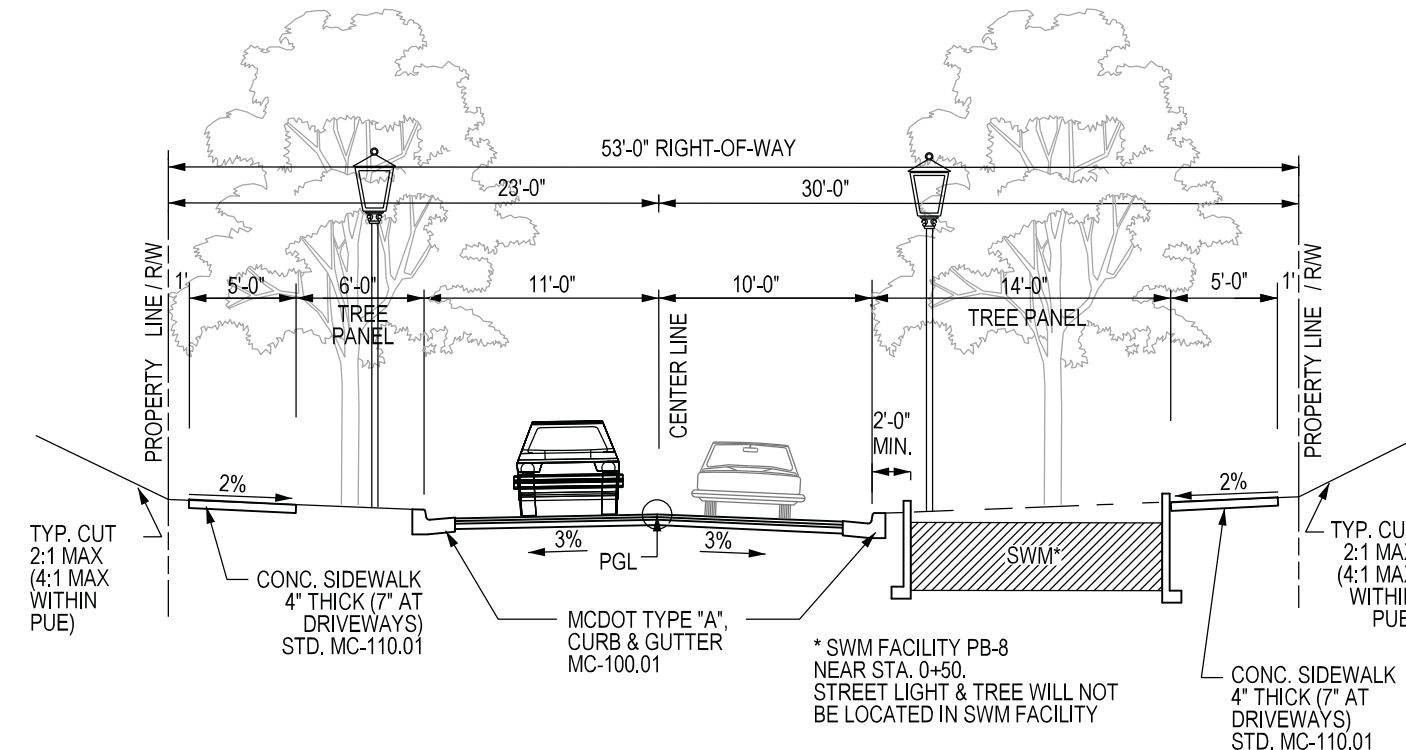
PLANNING DEPARTMENT USE ONLY (E-PLANS)



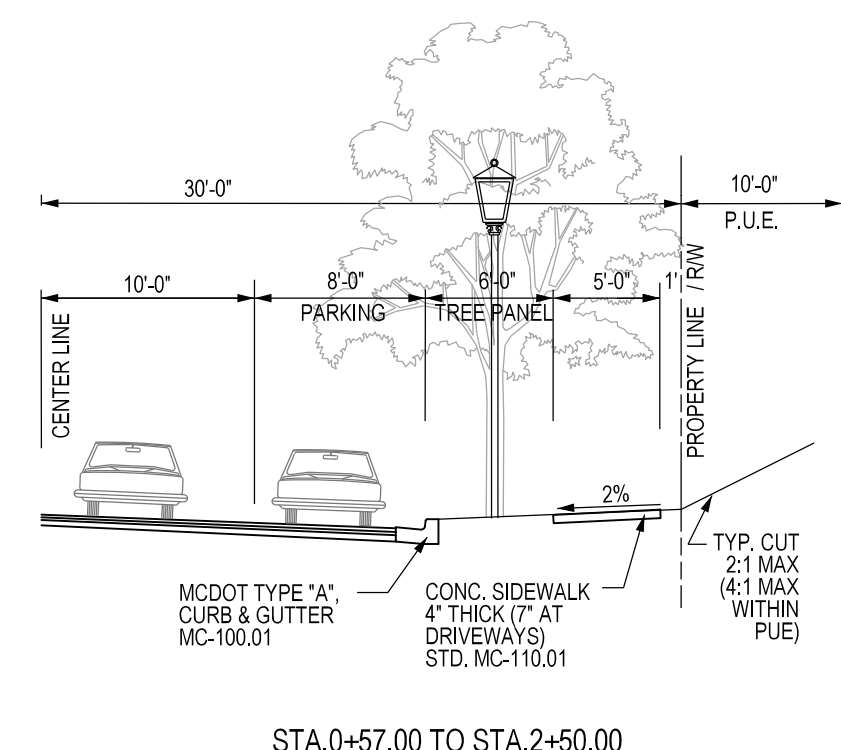
STA.15+52.32 TO STA.16+75.77



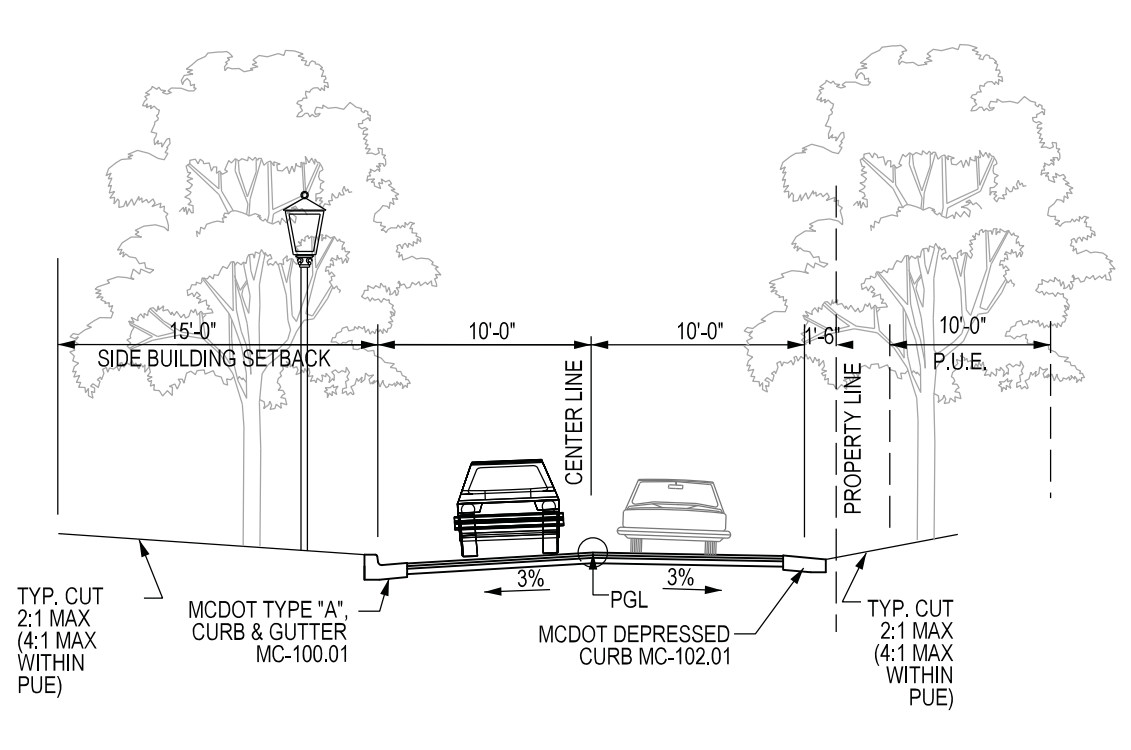
MOD. SECONDARY RESIDENTIAL ROAD  
PRIVATE 53'-0" RIGHT-OF-WAY  
MOD. MC-2002.02  
(PARKING ON ONE SIDE)  
MODIFICATION 4  
STREET C  
NOT TO SCALE  
STA.12+18.88 TO STA.17+26.40  
STREET B TO STREET A



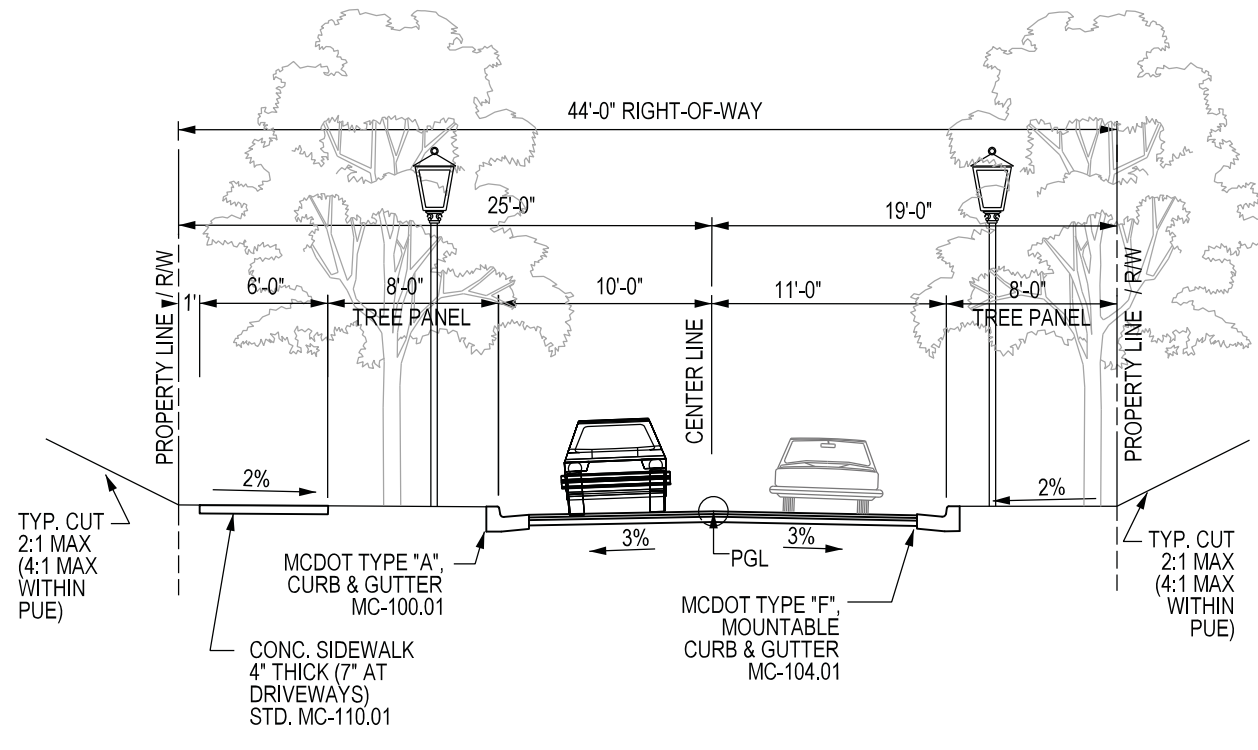
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PRIVATE 53'-0" RIGHT-OF-WAY  
MOD. MC-2002.02  
(PARKING ON ONE SIDE)  
MODIFICATION 4  
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NOT TO SCALE  
STA.0+00 TO STA.6+10.01  
STREET A TO STREET A



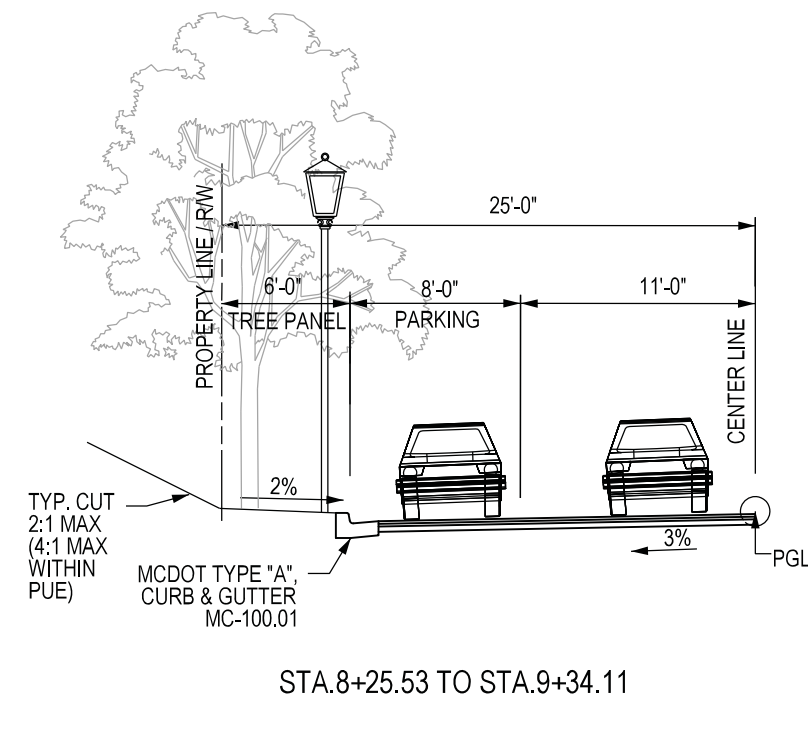
STA.0+57.00 TO STA.2+50.00  
STA.2+40.22 TO STA.4+78.22



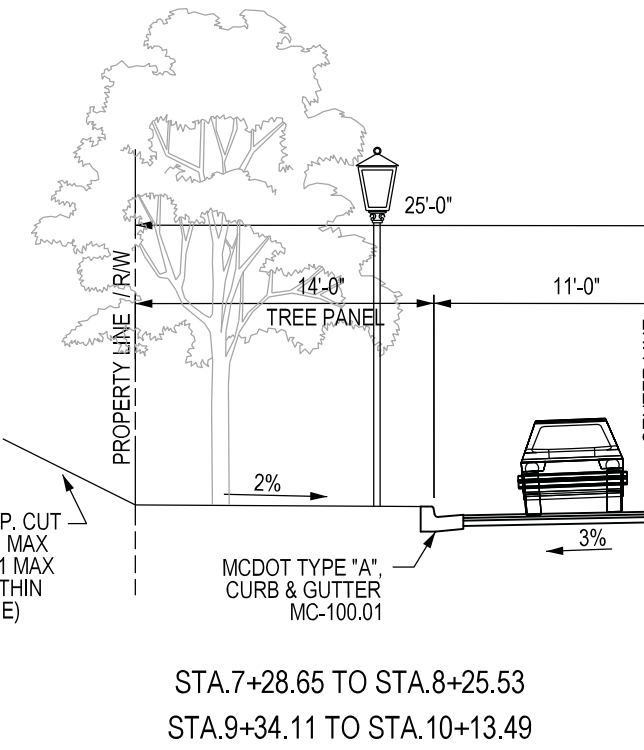
MOD. RESIDENTIAL ALLEY - PRIVATE  
20'-0" PAVEMENT WIDTH  
MOD. MC-200.01  
ALLEY 6  
NOT TO SCALE  
STA.0+00.00 TO STA.6+88.00



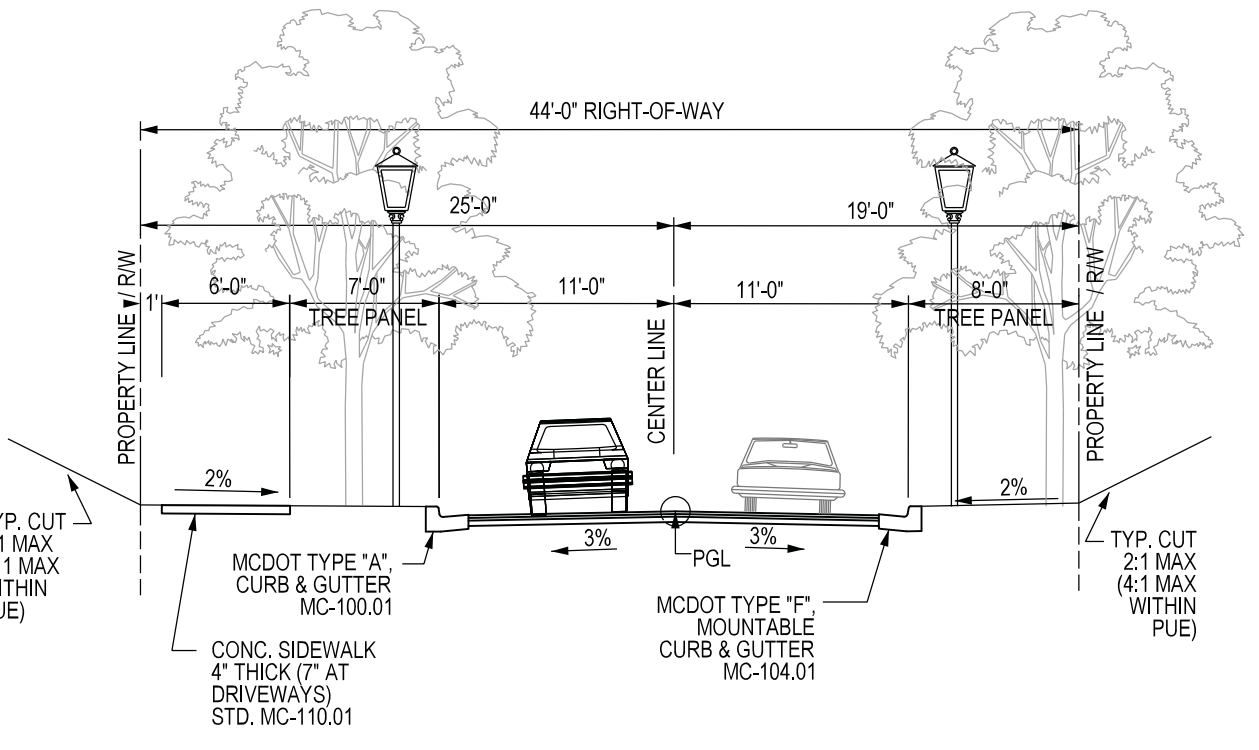
MOD. SECONDARY RESIDENTIAL ROAD  
PRIVATE 44'-0" RIGHT-OF-WAY  
MOD. MC-2002.02  
(SIDEWALK ON ONE SIDE)  
MODIFICATION 1  
STREET E  
NOT TO SCALE  
STA.5+31.77 TO STA.6+53.20  
STA.10+97.38 TO STA.12+17.77



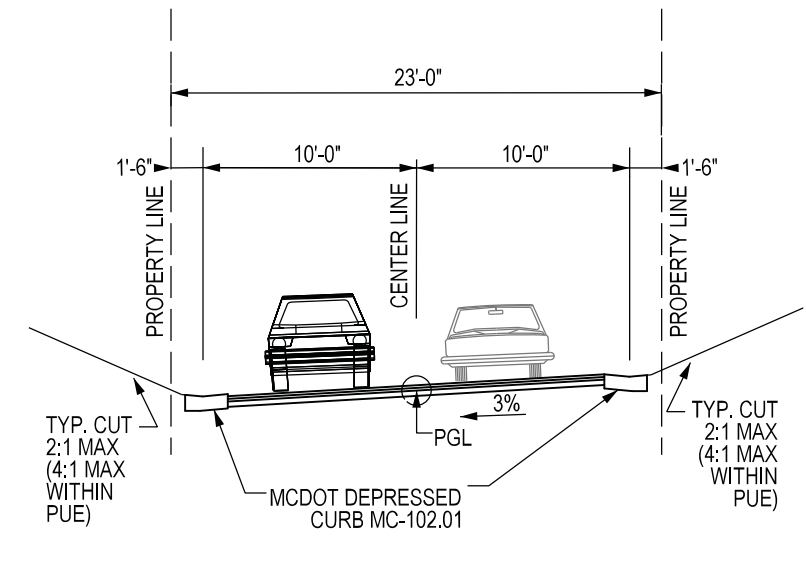
STA.8+25.53 TO STA.9+34.11



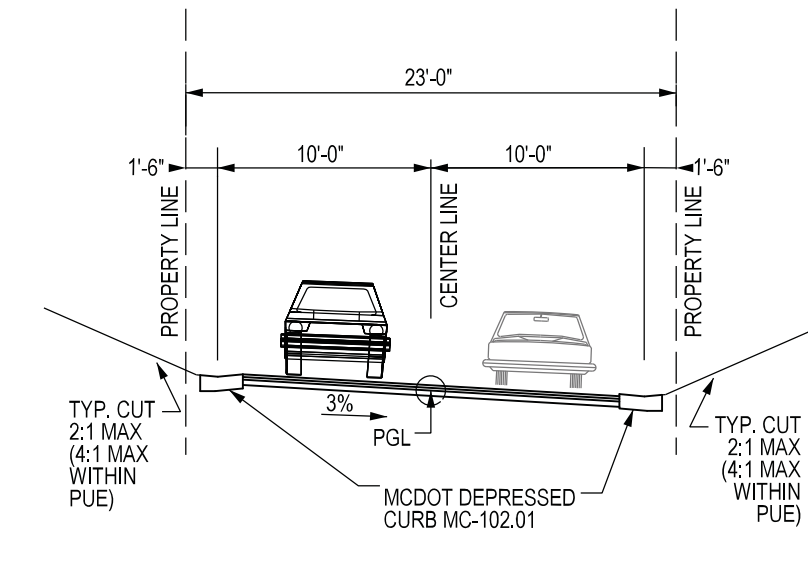
STA.7+28.65 TO STA.8+25.53  
STA.9+34.11 TO STA.10+13.49



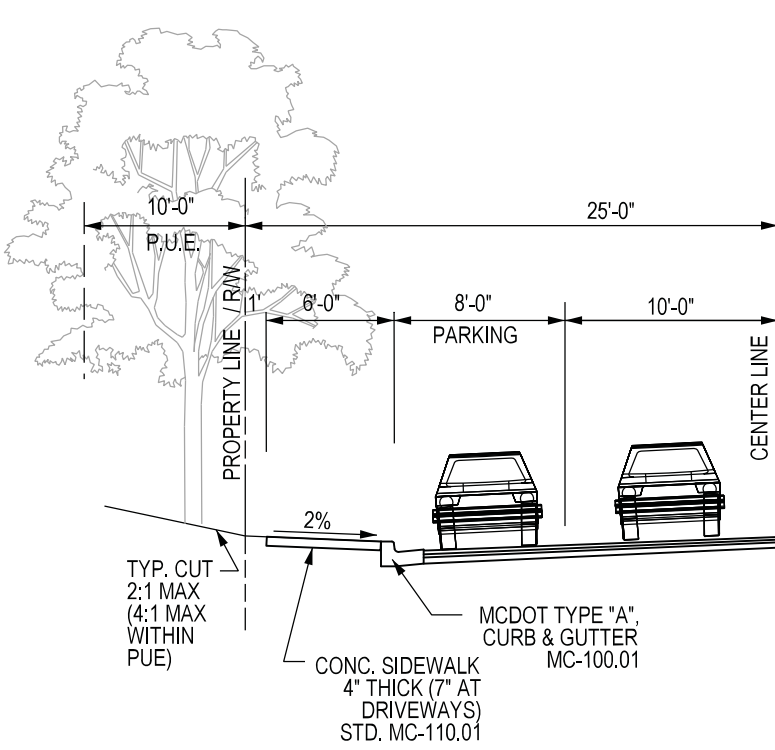
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PRIVATE 44'-0" RIGHT-OF-WAY  
MOD. MC-2002.02  
(PARKING ON ONE SIDE)  
MODIFICATION 1  
STREET E  
NOT TO SCALE  
STA.6+53.20 TO STA.10+97.38



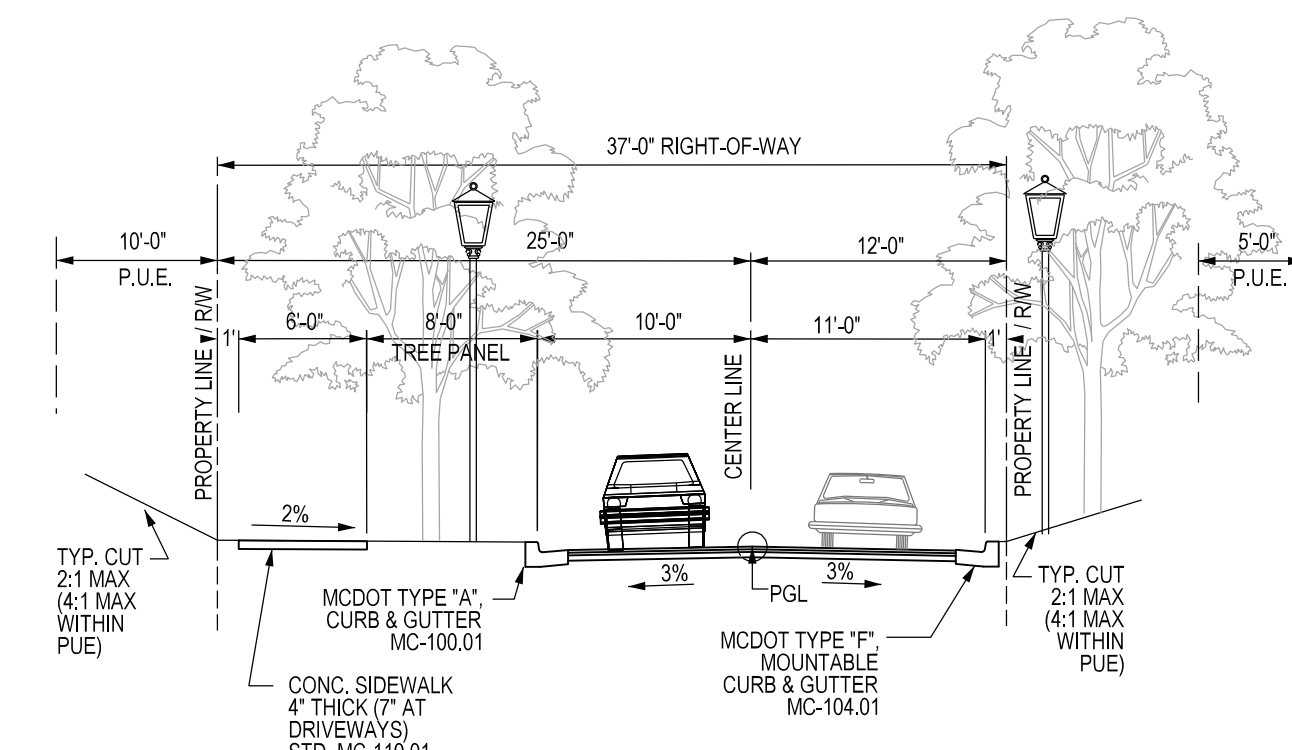
MOD. RESIDENTIAL ALLEY - PRIVATE  
20'-0" PAVEMENT WIDTH  
MOD. MC-200.01  
ALLEY 1, 4, 8, 9  
NOT TO SCALE



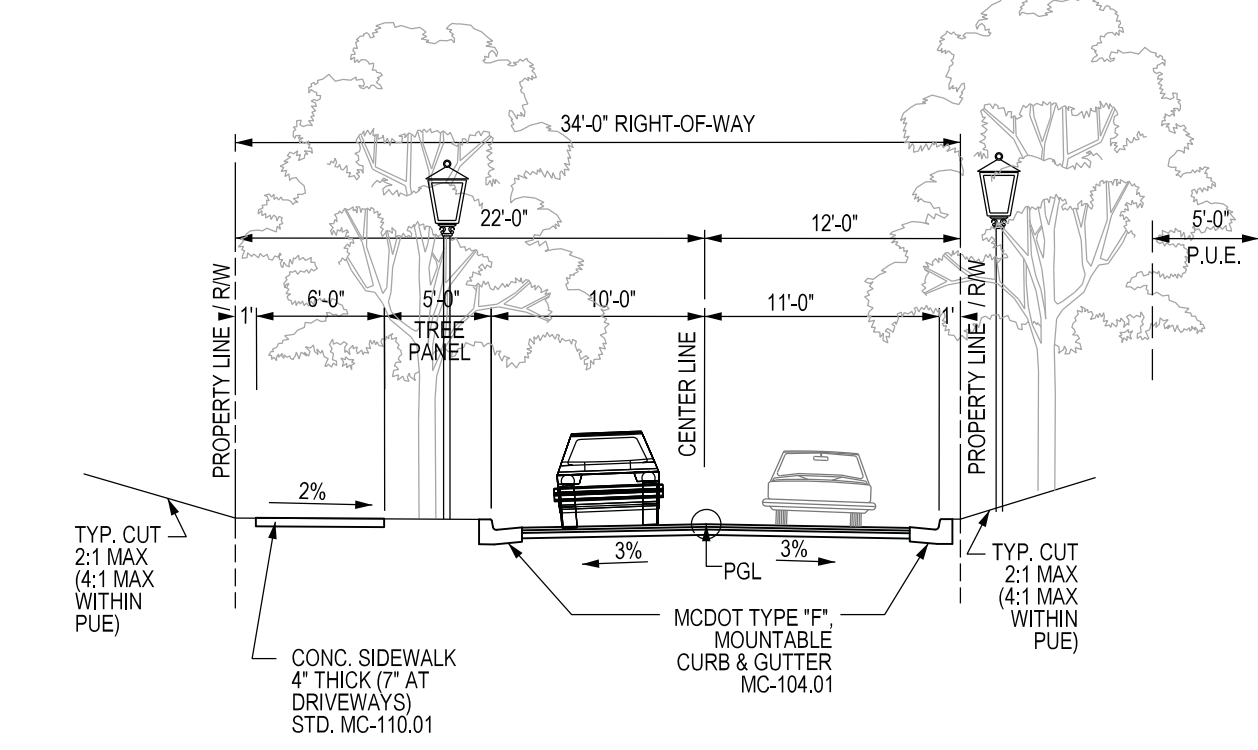
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20'-0" PAVEMENT WIDTH  
MOD. MC-200.01  
ALLEY 2, 3, 5, 7  
NOT TO SCALE



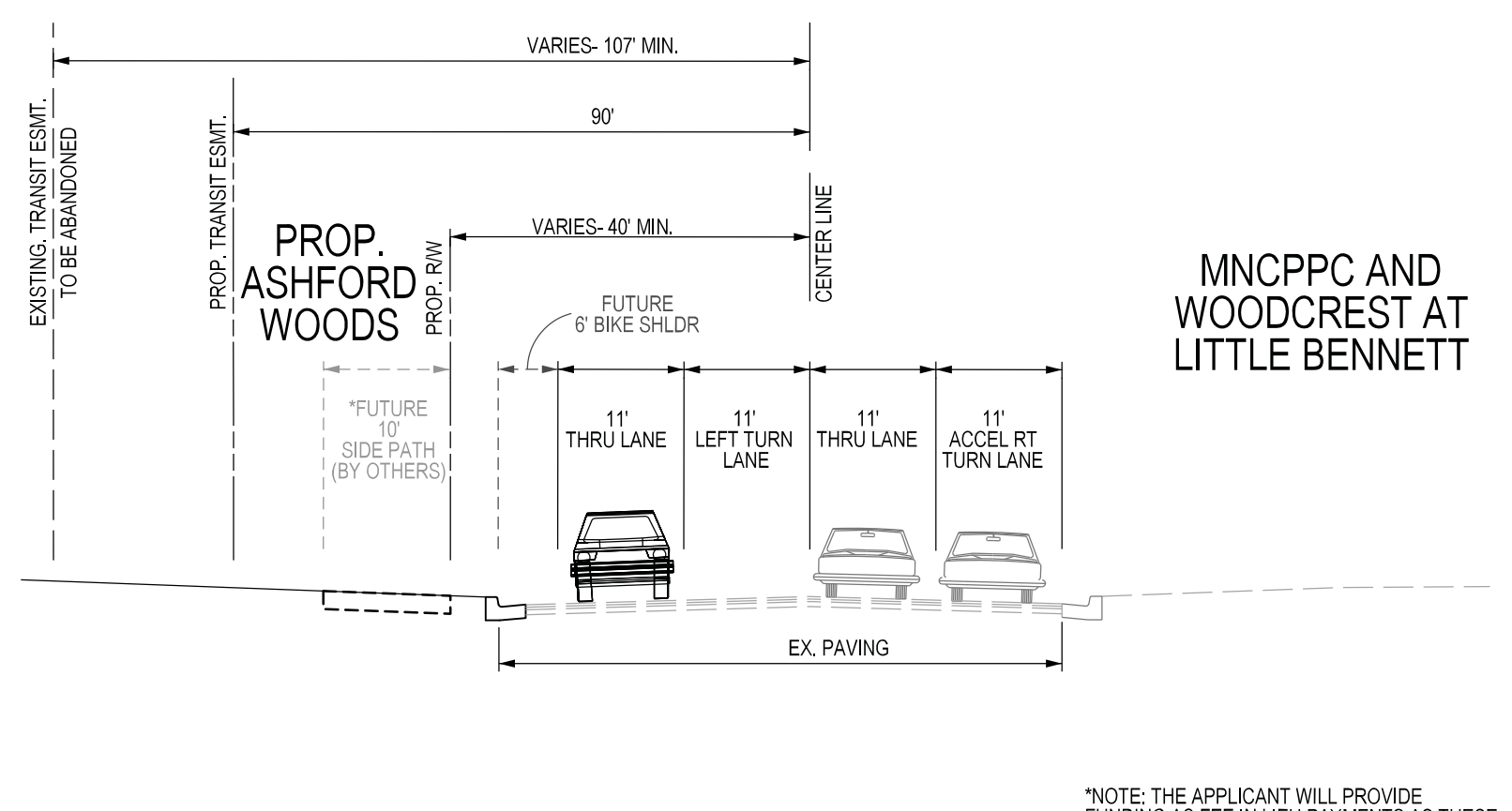
STA.1+43.72 TO STA.2+3.72, STA.2+76.83 TO STA.3+14.83  
STA.3+55.39 TO STA.3+93.39



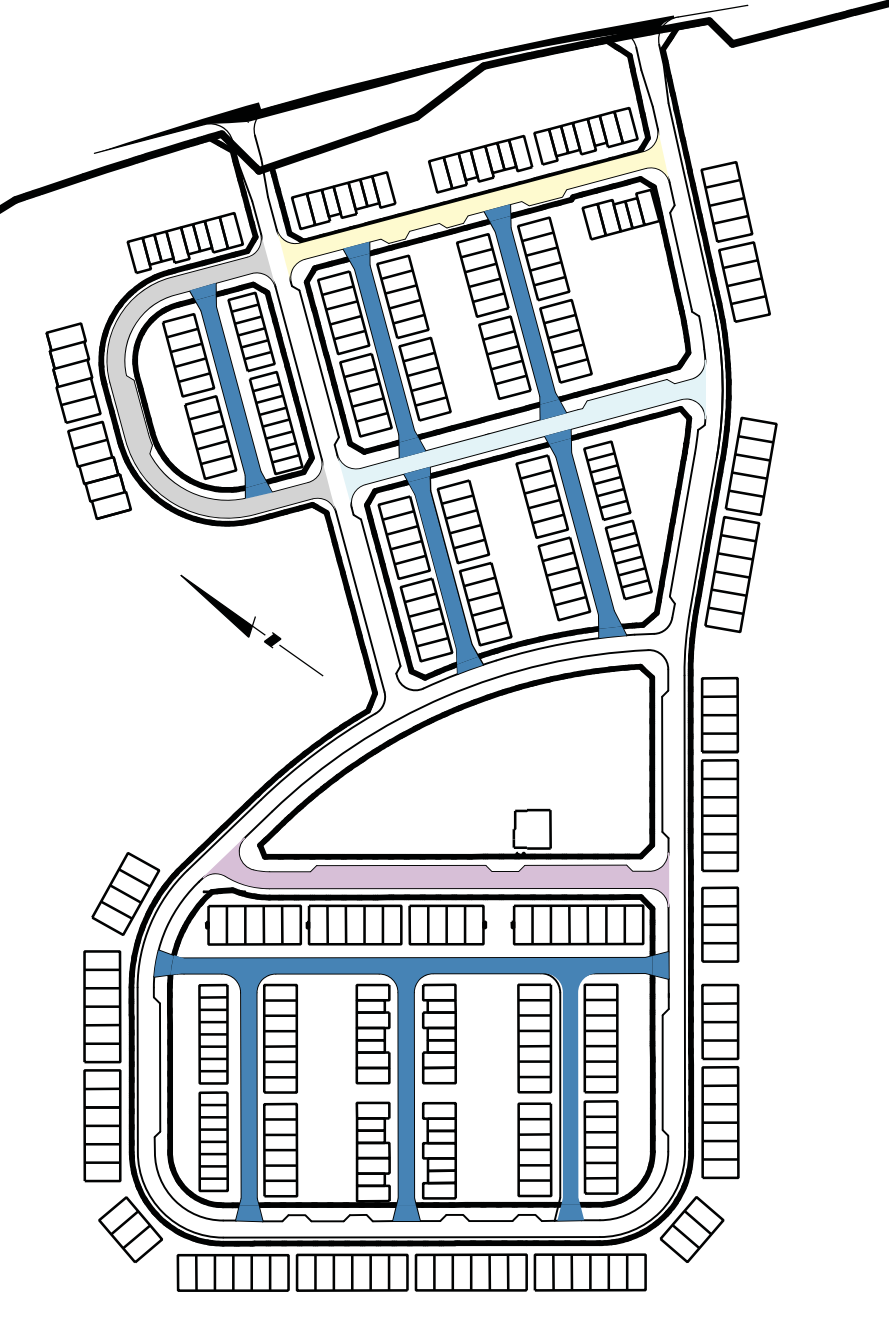
MOD. SECONDARY RESIDENTIAL ROAD  
PRIVATE 37'-0" RIGHT-OF-WAY  
MOD. MC-2002.02  
(PARKING AND SIDEWALK ON ONE SIDE)  
MODIFICATION 5  
STREET F  
NOT TO SCALE  
STA.1+37.80 TO STA.5+31.77



MOD. SECONDARY RESIDENTIAL ROAD  
PRIVATE 34'-0" RIGHT-OF-WAY  
MOD. MC-2002.02  
(SIDEWALK ON ONE SIDE)  
MODIFICATION 6  
STREET F  
NOT TO SCALE  
STA.0+0.00 TO STA.1+37.80



FREDERICK ROAD (MD 355)  
PUBLIC 130' MIN. RIGHT-OF-WAY  
ARTERIAL  
MD 355  
NOT TO SCALE  
STA.8+06.25 TO STA.13+49.68



- KEY
- PRIVATE STREET C
  - PRIVATE STREET D
  - PRIVATE STREET E
  - PRIVATE STREET F
  - PRIVATE ALLEY
  - MD 355

ENGINEER'S CERTIFICATE  
I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THAT THE PLAN SHOWN HEREON CONFORMS WITH THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS AS ADOPTED OCTOBER 1961 AND AS AMENDED THEREAFTER.  
SIGNATURE: MAHMUT AGBA, PE DATE: TITLE: PROJECT MANAGER  
MD. REG. NO. 44048

SOLTESZ, INC.  
Rockville Office  
2 Research Place, Suite 100  
Rockville, MD 20850  
P. 301.948.2750 F. 301.948.9067  
www.solteszco.com

NO.	REVISIONS	DATE	DESIGNED	CAD STANDARDS VERSION	18 - NCS	CHECKED	K.D.L.
3	REVISED PRELIMINARY PLAN SUBMITTAL	KDL	10-06-2020				
2	REVISED PRELIMINARY PLAN SUBMITTAL	KDL	09-04-2020				
1	PRELIMINARY PLAN SUBMITTAL	KDL	12-15-2019				
NO.	BY	DATE					

MISS UTILITY NOTE  
INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY DIGGING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-251-7777, 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

OWNER  
MATLYN ENTERPRISES LLC  
PO BOX 178  
CLARKSBURG MD 20871-0178  
240-375-7279  
BOB EGAN

DEVELOPER/APPLICANT  
ASHFORD WOODS, LLC  
505 MAIN ST, SUITE 300  
GAITHERSBURG, MD 20878  
301-670-4020  
MICHAEL NATELLI

MAP	9	GRID	B-3
TAX MAP	EW122	ZONING CATEGORY	R-90
WISC 200' SHEET	233NW14		
SITE DATUM	HORIZONTAL: NAD 83/95		
VERTICAL:	NGVD25		

PROFESSIONAL CERTIFICATION  
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LICENSE NO. 44048 EXPIRATION DATE: 06/12/2021



PROPOSED STREET SECTIONS

PRELIMINARY PLAN  
ASHFORD WOODS  
FORMERLY KNOWN AS EGAN PROPERTY  
#120200110  
CLARKSBURG (2ND) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

KEY  
PRIVATE STREET C  
PRIVATE STREET D  
PRIVATE STREET E  
PRIVATE STREET F  
PRIVATE ALLEY  
MD 355

PROJECT NO.  
0775-90-00



# Exhibit B

## Modification Request Exhibit



m  
 n  
 o  
 p  
 q  
 r  
 s  
 t  
 u  
 v  
 w  
 x  
 y  
 z



# Exhibit C

## Sight Distance/ ROW Truncation Exhibit



The original of this drawing document was prepared by Soltesz, Inc. (SOLTESZ). This document was not obtained directly from SOLTESZ and/or it was transmitted electronically. SOLTESZ cannot guarantee that unauthorized changes and/or alterations were not made by others. If verification of the information contained herein is needed, contact should be made directly with SOLTESZ. SOLTESZ makes no warranties, express or implied, concerning the accuracy of any information that has been transmitted by electronic means.



ROCKVILLE OFFICE  
2 Research Place, Suite 100  
Rockville, MD 20850  
P. 301.946.2750 F. 301.948.9067

Rockville  
Lanham  
Waldorf  
Frederick  
Soltesz DC, LLC

NO.	DATE	REVISIONS	BY	DATE
1	AUGUST 2020	DESIGNED: E.P.N.	TECHNICIAN: D.C.G.	CHECKED: B.J.F.

**MISS UTILITY NOTE**  
INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITIES CROSSINGS BY EXCAVATION TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-251-7777 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

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**DEVELOPER/APPLICANT**  
ASHFORD WOODS, LLC  
505 MAIN ST, SUITE 300  
GAITHERSBURG, MD 20878  
301-570-4020  
MICHAEL NATELLI

MAP 9	GRID B-3
TAX MAP EW122	ZONING CATEGORY: R-90
WBC 200' SHEET 233N14	
SITE DATUM HORIZONTAL: NAD 83/91	VERTICAL: NGVD29

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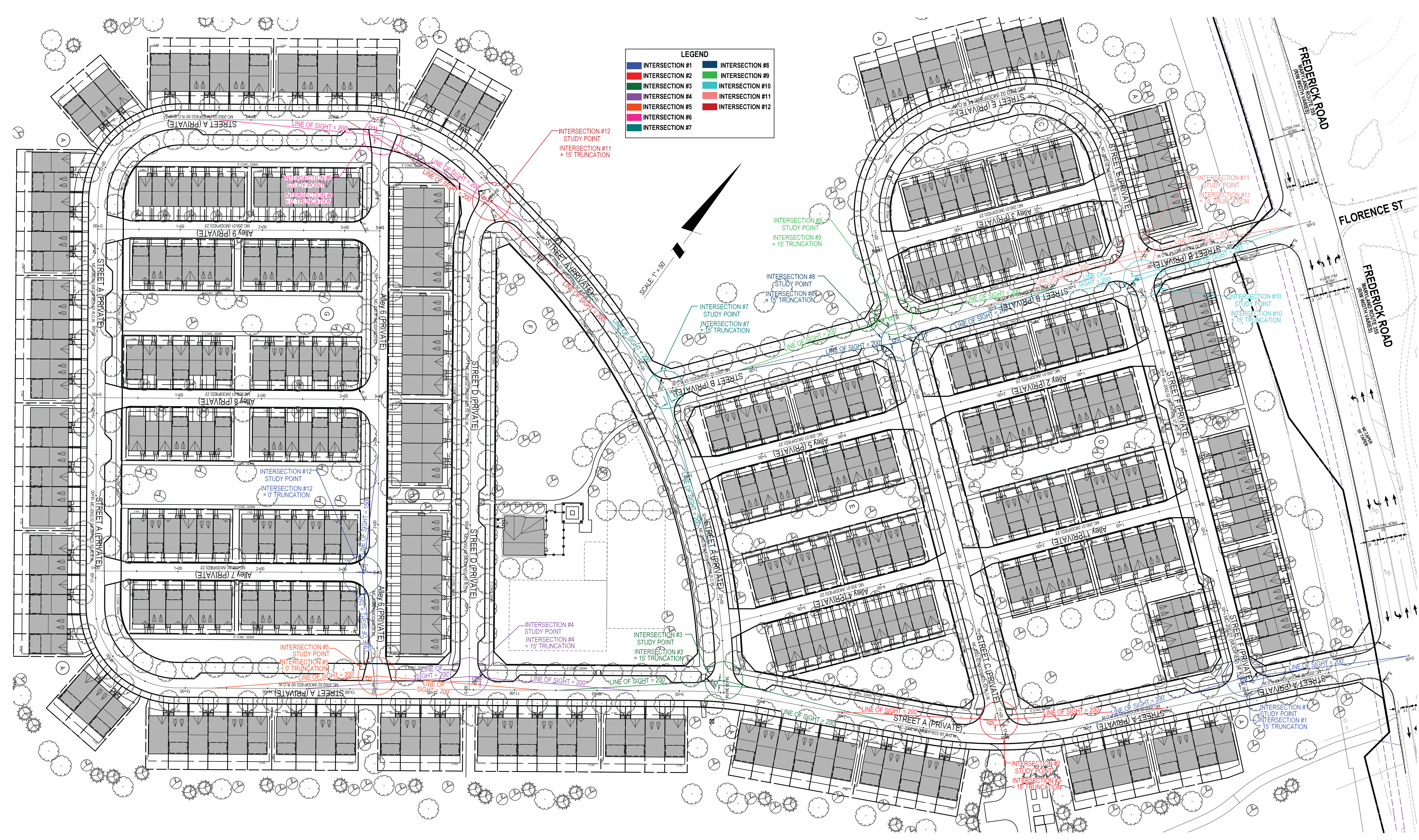


**SIGHT DISTANCE / ROW TRUNCATION EXHIBIT**

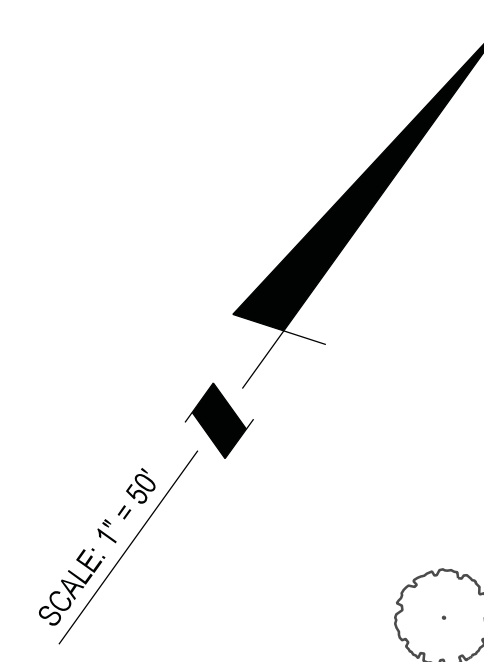
**EXHIBIT**  
**ASHFORD WOODS**

CLARKSBURG (2ND) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

SHEET	1
OF	2
PROJECT NO.	0775-80-00



- LEGEND**
- INTERSECTION #1
  - INTERSECTION #2
  - INTERSECTION #3
  - INTERSECTION #4
  - INTERSECTION #5
  - INTERSECTION #6
  - INTERSECTION #7
  - INTERSECTION #8
  - INTERSECTION #9
  - INTERSECTION #10
  - INTERSECTION #11
  - INTERSECTION #12



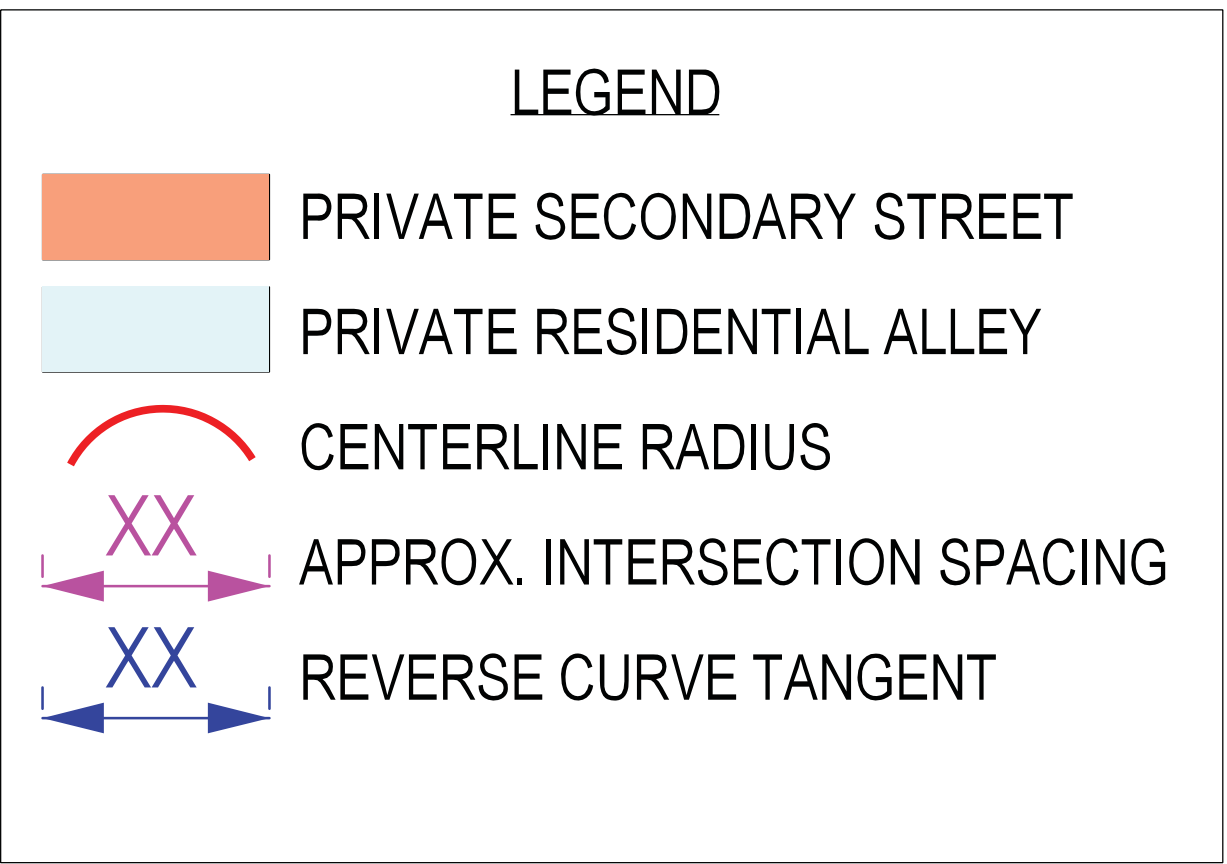
SCALE 1" = 50'



# Exhibit D

## Horizontal Roadway Design



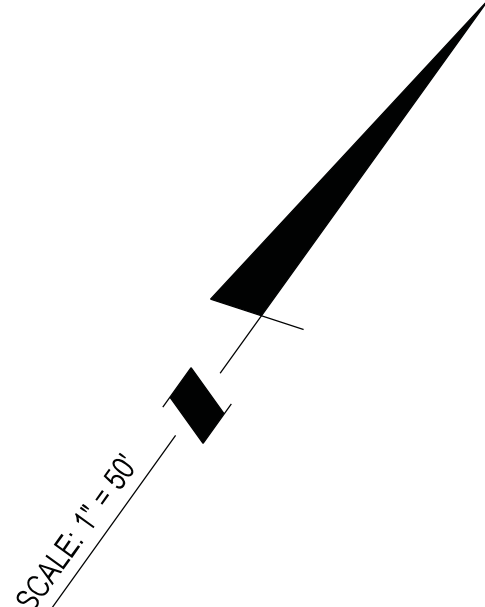
[illegible]



# Exhibit E

## Sight Distance – Units on Horizontal Curves






[www.solteszco.com](http://www.solteszco.com)

## MISS UTILITY NOTE

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 1" = 50'  
 SHEET 1  
 OF 2  
 PROJECT NO.  
 0775-90-00