



Freeman Property: Administrative Subdivision Plan No.620190140 – Regulatory Review Extension Request No. 5

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Staff Report Date: 4-19-2021

Description

Request to extend the regulatory review period from May 2, 2021 to August 2, 2021; Application for the creation of two lots.

Location: Located on Sugarland Road, 1,200 feet northeast of Sugarland Lane.

Master Plan: 1980 *Agricultural and Rural Open Space Master Plan*

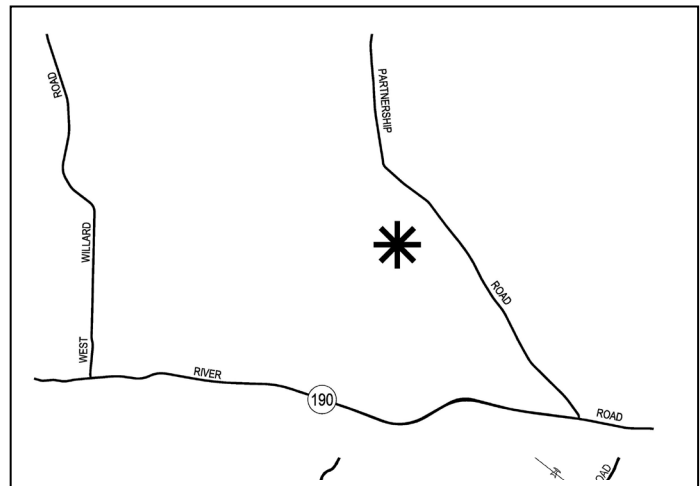
Zone: R-200

Property Size: 7.65 acres

Applicant: Jennifer Freeman

Acceptance date: December 24, 2019

Review Basis: Chapter 50



Summary

Section 50.4.1.E of the Subdivision Regulations generally states that Preliminary Plans must be scheduled for a public hearing within 120 days after the date an application is accepted.

The Freeman Property Administrative Subdivision Plan application was accepted on December 24, 2019, which established an approval date no later than April 2, 2020. This application received opposition, and a Public Hearing was requested. The Planning Director granted the first extension for a total of 30 additional days or until May 2, 2020. The Planning Board granted the second extension for a total of 3 additional months or until August 2, 2020. The Planning Board granted the third extension for a total of another 3 additional months or until November 2, 2020. The Planning Board granted the fourth extension for a total of another 4 additional months or until May 2, 2021. The Applicant was granted the necessary Conditional Use modification for an equestrian facility in September 2020. The Applicant has received recommendations for approval from most of the reviewing agencies; however, the applicant needs additional time to secure approval from DPS Well and Septic. Additionally, a covenant was created to allow an existing septic drain field within the area to be dedicated along Sugarland Road to remain in lieu of constructing a new sand mound system. This covenant, which is currently under review by the different reviewing agencies, addresses the last outstanding issue and

allows the application to be scheduled for a Public Hearing. Therefore, the Applicant requests a 3-month extension or until August 2, 2020.

Staff recommends **approval** of this extension request.

Attachment 1: Applicant's extension request



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REGULATORY REVIEW EXTENSION REQUEST

Request #1 Request #2

M-NCPPC Staff Use Only			
File Number	_____	MCPB Hearing Date	_____
Date Received	_____		

Plan Name: Freeman Property **Plan No.** 620190140

This is a request for extension of: Project Plan Sketch Plan
 Preliminary Plan Site Plan

The Plan is tentatively scheduled for a Planning Board public hearing on: 05/02/2020

The Planning Director may postpone the public hearing for up to 30 days without Planning Board approval. Extensions beyond 30 days require approval from the Planning Board.

Person requesting the extension:

Owner, Owner's Representative, Staff (check applicable.)


David McKee Benning & Associates, Inc.
Name *Affiliation/Organization*
 8933 Shady Grove Court
Street Address
 Gaithersburg MD 20877
City *State* *Zip Code*
 (301) 948-0240 dcmckee@benninglandplan.com
Telephone Number *Fax Number* *E-mail*

We are requesting an extension for 3 months until 08/02/2021

Describe the nature of the extension request. Provide a separate sheet if necessary.

Recommendations for approval from agencies other than MNCPPC are now in-hand including those from MCDOT, RRAC, Fire Code Enforcement, and DPS Water Resources. Well & Septic approval is still pending and an extension is requested so this final approval can be obtained prior to the Planning Board hearing. One final matter is being reviewed. An existing septic drainfield is present in the area to be dedicated to Sugarland Road. RRAC, Well & Septic, and MNCPPC planning staff support keeping this system in use in lieu of constructing a new sand mound system. Per a note from the Well & Septic office received on 4/5/21, "at recommendation of the Planning Department, a covenant has been developed to maintain the septic field in the ROW until it is abandoned at a later date. The covenant is still under review by other agencies." More time is needed so this special circumstance can be reviewed by the appropriate agencies.

Signature of Person Requesting the Extension



 Signature David McKee

4/6/21

 Date

Extension Review

Planning Director Review for Extensions 30 days or less

I, the Planning Director, or Director's designee, have the ability to grant extensions of the Planning Board public hearing date of up to 30 days and approve an extension of the Planning Board public hearing date from _____ until _____.

Signature

Date

Planning Board Review for Extensions greater than 30 days

The Montgomery County Planning Board reviewed the extension request on _____ and approved an extension for more than 30 days of the Planning Board public hearing date from _____ until _____.