




**Wilson Delay Lot 1, Administrative Subdivision Plan No. 620210020**

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**Completed: 10-8-2021**

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**Description**

Request to create one lot for one new single-family detached dwelling unit.

**Location:** West Hunter Road, 4,000 feet west of Darnestown Road

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

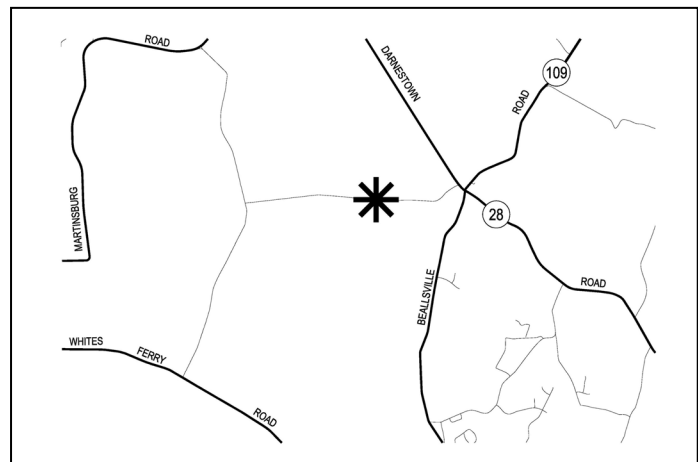
**Zone:** AR

**Property Size:** 12.45 acres

**Applicant:** VanMar Associates, Inc.

**Acceptance date:** September 24, 2020

**Review Basis:** Chapters 22A and 50



**Summary**

- Staff recommends Approval of the Administrative Subdivision Plan, with conditions.
- Although this application is an Administrative Subdivision Plan, typically acted on by the Director, the Application requires Planning Board action because the proposed lot is larger than the 5-acre maximum within the AR zone as per Section 50.6.1.B.5.
- Meets the applicability requirements for an Administrative Subdivision Plan to create a lot for a detached house.
- The Subject Property qualifies for an exemption from the minimum lot area requirements and lot width requirements of the AR zone under Section 59.7.7.1.D.9. of the Zoning Ordinance.
- The Application includes an agricultural exemption from the requirements of Chapter 22A, Forest Conservation Law for the portion of the Property that is remaining in agricultural production.
- The Application substantially conforms to the 1980 *Preservation of Agriculture and Rural Open Space Functional Master Plan* by supporting active agricultural production, retaining prime soils, and maintaining the existing rural character.
- No improvements are requested for West Hunter Road consistent with the rustic road designation of the road.
- Staff has received one community letter expressing concerns about this Application.

## **SECTION 1 - RECOMMENDATION AND CONDITIONS**

**Administrative Subdivision Plan No. 620210020:** Staff recommends approval of the Administrative Subdivision Plan subject to the following conditions:

### **General Approval**

1. This Administrative Subdivision Plan is limited to one (1) lot for one (1) new single-family detached dwelling unit.

### **Adequate Public Facilities and Outside Agencies**

2. The Adequate Public Facility ("APF") review for the Preliminary Plan will remain valid for five (5) years from the date of mailing of this Planning Board Resolution.

### **Plan Validity Period**

3. The Administrative Subdivision Plan will remain valid for 36 months from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and prior to the expiration date of this validity period, a final record plat for all property delineated on the approved Administrative Subdivision Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.

### **Outside Agencies**

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated August 30, 2021, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Administrative Subdivision Plan approval.
5. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT's requirements for access and improvements.
6. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS") – Water Resources Section in its stormwater management concept letter dated June 21, 2021, and incorporates them as conditions of the Administrative Subdivision Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Administrative Subdivision Plan approval.
7. The Planning Board has reviewed and accepts the recommendations of MCDPS – Well and Septic Section in its letter dated September 13, 2021, and incorporates them as conditions of the Administrative Subdivision Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Well and Septic

Section if the amendment does not conflict with any other conditions of the Administrative Subdivision Plan approval.

8. The Planning Board has reviewed and accepts the recommendations of the Rustic Road Advisory Committee ("RRAC") in its letter dated December 13, 2020, and incorporates them as conditions of the Administrative Subdivision Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by RRAC if the amendment does not conflict with any other conditions of the Administrative Subdivision Plan approval.

### **Other Approvals**

9. Before approval of a record plat or any demolition, clearing or grading for the Subject Property, the Applicant must receive Staff certification of this Administrative Subdivision Plan.

### **Environment and Noise**

#### **10. Forest Conservation**

The Applicant must comply with the conditions of approval for the Preliminary/Final Forest Conservation Plan ("FFCP") No. 620210020, approved as part of this Administrative Subdivision Plan, including:

- a) The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
- b) The Applicant must comply with all tree protection and tree save measures shown on the approved Preliminary/Final Forest Conservation Plan ("FFCP"). Tree save measures not specified on the FFCP may be required by the M-NCPPC Forest Conservation Inspection Staff.
- c) Prior to recordation of the plat and the start of any demolition, clearing, grading, or construction for this development Application, the Applicant must record a Category I Conservation Easement over all areas of forest retention, forest planting and environmental buffers as specified on the approved FFCP. The Category I Conservation Easement must be in a form approved by the M-NCPPC Office of the General Counsel and must be recorded in the Montgomery County Land Records by deed. The Book/Page for the easement must be referenced on the record plat.
- d) Prior to the start of any demolition, clearing, grading or construction for this development Application, the Applicant must install permanent conservation easement signage along the perimeter of the conservation easements as shown on the FFCP, or as directed by the M-NCPPC Forest Conservation Inspection Staff.
- e) The Limits of Disturbance ("LOD") shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved FFCP.

## **Transportation**

### **Existing Frontage Improvements**

11. The Applicant must provide the following dedications and show them on the record plat(s) for the following existing roads:
  - a) All land necessary to accommodate thirty-five (35) feet from the existing pavement centerline along the Subject Property frontage for West Hunter Road.

## **Record Plats**

12. There shall be no clearing or grading of the site prior to recordation of plat(s).

## **Easements**

13. The record plat must show all necessary easements.

## **Certified Administrative Subdivision Plan**

14. The Applicant must include the stormwater management concept approval letter and Administrative Subdivision Plan Resolution on the approval or cover sheet(s).
15. The Certified Administrative Subdivision Plan must contain the following note:

*Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of building permit(s). Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.*

16. Prior to submittal of the Certified Administrative Subdivision Plan, the Applicant must make the following changes:
  - a) Modify the data table to reflect the setbacks, lot coverage, and building height for the AR zone.



## SECTION 2 – SITE LOCATION AND DESCRIPTION

### Site Location

Administrative Subdivision Plan No. 620210020 (“Application” or “Administrative Subdivision Plan”) is a request to subdivide one parcel, identified as Parcel P562, Tax Map CU12 and described in Liber 08980 Folio 0656; located at 20303 West Hunter Road, approximately 4,000 feet west of Darnestown Road on the north side of West Hunter Road, and consisting of 12.45 acres, zoned AR (“Property” or “Subject Property”) into one lot. The Property is within the 1980 *Agricultural and Rural Open Space Master Plan* area (“Master Plan”).

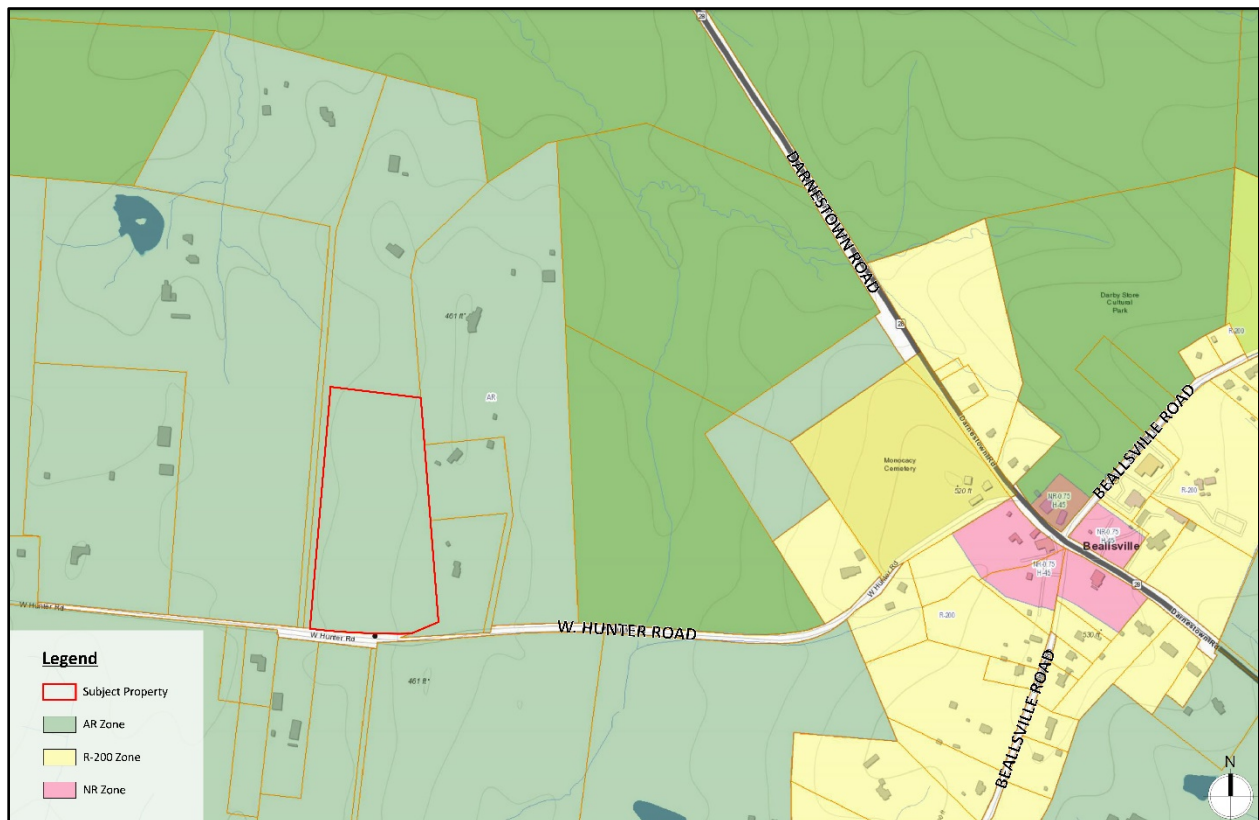


Figure 1 – Zoning Map

### Site Vicinity

Surrounding properties are predominantly agricultural with single-family detached residential homes on large estate lots, farmhouses and farms, and unimproved parcels, all within the AR zone. Surrounding properties range in size and contain single-family detached houses. The Subject Property abuts residential properties to the north, south, east, and west, all of which are zoned AR. Further down West Hunter Road is the Town of Beallsville and the Monocacy Cemetery, which contain a mix of NR zoned and R-200 zoned properties. To the north of the Town of Beallsville is the Darby Store Cultural Park.



Figure 2 – Aerial View of the Subject Property

## Site Description

The Subject Property is a 12.45-acre parcel (542,509 sq. ft.), with roughly half of the parcel actively used for agricultural purposes and the other half forested. The Property, as depicted in Figures 1 and 2 above, is undeveloped with no structures. The Property is located within the Little Monocacy River watershed, which is classified by the State of Maryland as Use Class I-P waters. The Subject Property includes 6.26 acres of forest onsite and three trees  $\geq 30$  inches Diameter at Breast Height (DBH). There are no sensitive environmental features on the property, which is surrounded on the eastern property line by forest. The Property fronts on West Hunter Road, which is designated as a "Rustic Road" under the 1996 *Rustic Roads Functional Master Plan*. No known rare, threatened, or endangered species or habitats exist on the Subject Property. There are no designated historic sites on or near the Property.

## SECTION 3 - APPLICATION AND PROPOSAL

### Current Application

#### Administrative Subdivision Plan 620210020

The Application proposes to create one (1) lot from one (1) unplatted parcel to accommodate one (1) new single-family detached dwelling unit with an access driveway to West Hunter Road. The creation of the single lot will continue to protect the existing environmental features of the Subject Property and the character of West Hunter Road as a rustic road.

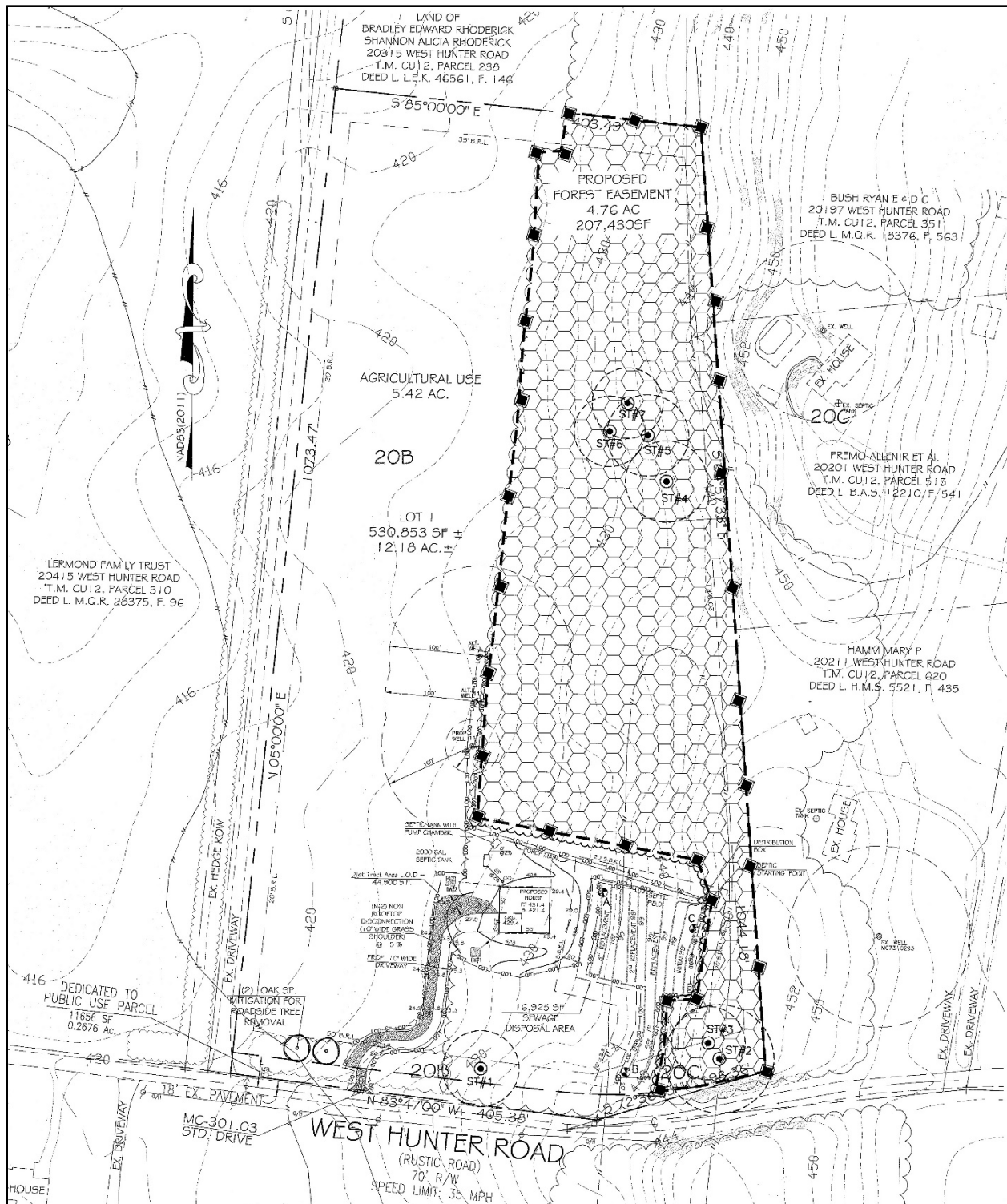


Figure 3 - Proposed Administrative Subdivision Plan

## SECTION 4 - ANALYSIS AND FINDINGS, CHAPTER 50

**Applicability, Section 6.1.B.** *Subdivision for creation of certain residential lots located in the Agricultural Reserve zone.* Up to 5 lots for detached houses are permitted under these procedures in the AR zone if:

1. *Written approval for a proposed well and septic area is received from the Department of Permitting Services before approval of the plat.*

The Subject Property will utilize a new on-site private well and septic system. The Application has been reviewed by MCDPS - Well and Septic Section, which determined the proposed well and septic locations are acceptable as shown on the approved well and septic plan (Attachment 7).

2. *Any required road dedications and public utility easements along the frontage of the proposed lots are shown on the record plat, and the applicant provides any required improvements.*

As conditioned, the Applicant will dedicate thirty-five (35) feet from the existing pavement centerline along the Subject Property frontage on West Hunter Road to accommodate the master planned 70 foot of right-of-way. As discussed further in the Master Plan Conformance section below, the 1996 *Rustic Roads Functional Master Plan* recommends providing limited improvements for access to-and-from the Property and supporting the intent to maintain West Hunter Road as a rustic road. The creation of the single lot will continue to protect the existing environmental features of the Subject Property and the existing character of West Hunter Road. Furthermore, the 2018 *Bicycle Master Plan* does not recommend any bicycle improvements to West Hunter Road and Section 49-33(e) of the Road Code exempts sidewalks along rustic roads.

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

As conditioned and discussed below, the requirements for adequate public facilities have been met.

4. *A covenant is recorded for the unplatted balance of the tract noting that density and development rights have been used for the new lots and noted on the record plat for the lots.*

As conditioned, the Applicant will record a covenant for the unplatted balance of the tract noting that density and development rights have been used for the new lot and include a note on the record plat for the lot.

5. *Lots created in the AR zone through this procedure are 5 acres or less, unless approved by the Board.*

The proposed 12.45-acre lot is greater than 5 acres, which requires Planning Board approval.

Per Section 59.7.7.1.D.9. of the Zoning Ordinance, the Application is exempt from minimum lot area and lot width requirements of the AR zone, but the minimum requirements for the Rural zone apply. The proposed subdivision meets these requirements and demonstrates how the lot can accommodate a future single-family detached dwelling unit.



6. *Forest conservation and environmental protection requirements are satisfied before approval of the plat.*

The Application satisfies all applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines. Additionally, the Application satisfies the stormwater management requirements of Chapter 19.

#### **Technical Review, Section 4.3**

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

The Administrative Subdivision Plan meets all applicable sections of the Subdivision Regulations. The proposed lot size, width, shape, and orientation are appropriate for the location of the subdivision, taking into account the recommendations of the Master Plan, the existing lot pattern of surrounding properties, and the building type (Single-Unit Living) contemplated for the Property.

#### **Exemption, Section 59.7.7.1.D.9.**

The 12.45-acre parcel, proposed as a 12.18-acre lot and 0.27-acre dedication, does not meet the minimum lot size requirement for the AR zone, which is 25 acres. However, the Subject Property qualifies for an exemption under Section 59.7.7.1.D.9. of the Zoning Ordinance, *Exempted Lots and Parcels in the Agricultural Zone*, which states that a parcel in the Agricultural Reserve, created before January 6, 1981, is exempt from the minimum lot area requirements and lot width requirements of the AR zone, but must satisfy the requirements of the applicable zone before its classification in the AR zone, which was Rural for this Property. As reflected in Table 1, the Subject Property conforms to the dimensional standards of the AR zone, except for lot area and lot width, which conforms to the standards of the former Rural zone.

A summary of this review is included below in the Administrative Subdivision Plan Data Table.

**Table 1 - Development Review Table**

<b>AR Zone</b>	<b>Required by the Zone</b>	<b>Proposed for Approval</b>
Minimum Lot Area <sup>1</sup>	5 acres	12.45 acres
Minimum Lot Frontage	25 feet	25 feet or greater
Minimum Lot Width at B.R.L. <sup>1</sup>	300 feet	300 feet or greater
Maximum Lot Coverage	10%	10% or less
Min. Setbacks (for all lots) <sup>2</sup>		
Front	50 feet	50 feet or greater
Side	20 feet	20 feet or greater
Rear	35 feet	35 feet or greater
Max. Building Height	50 feet	50 feet or less
Site Plan Required	No	No

<sup>1</sup> Per Section 59.7.7.1.D.9. of the Zoning Ordinance, the Subject Property is subject to the minimum lot area and width requirements of the Rural zone.

<sup>2</sup> As determined by MCDPS.

2. *The Preliminary Plan substantially conforms to the Master Plan or Urban Renewal Plan*

The Administrative Subdivision Plan substantially conforms to the 1980 *Agricultural and Rural Open Space Master Plan*. The Master Plan designates the area, which includes the Subject Property, as being a part of the "Agricultural Reserve" community of the upper County (p. 38 of Master Plan). The Subject Property is one of several properties clustered together and located along the north side of West Hunter Road. These properties, including those located south of West Hunter Road, are AR-zoned and utilized for some measure of agricultural purposes. The Subject Property contains existing prime soils, which will be retained and continue to be utilized for agriculture. The proposed subdivision of the Subject Property into one single-family lot is consistent with the intent of the Master Plan by continuing to "serve to define and support those working farms" and will maintain the rural character of the area.

West Hunter Road was designated as a "rustic road" by the 1996 *Rustic Roads Functional Master Plan* and identified as having "outstanding farm vistas" (p. 166 of the 1996 *Rustic Roads Master Plan*). While there is not a direct mention of any specific scenic views or vegetation along this stretch of roadway, the Subject Property proposes to maintain the existing character of the rustic road which supports the Master Plan recommendations for this area. Only one new driveway is proposed for the new lot and there are not any improvements anticipated for West Hunter Road. The Application is consistent with the recommendations of the Master Plan and 1996 *Rustic Roads Functional Master Plan* by providing limited improvements for access to-and-from the Property and supporting the intent to maintain West Hunter Road as a rustic road. The creation of the single lot will continue to protect the existing environmental features of the Subject Property and the existing character of West Hunter Road.

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

Roads and Master Plan Transportation Facilities

West Hunter Road is classified as a rustic road with a 70-foot right-of-way per *The Master Plan of Highways and Transitways*. As conditioned, this Application will dedicate the necessary right-of-way across the frontage of the Property on West Hunter Road by providing 35 feet from the centerline of the existing pavement to the Property line (approximately 11,656 sq. ft). Vehicular access to the Subject Property will be via a 10 ft. wide driveway off West Hunter Road.

The 2018 *Bicycle Master Plan* does not recommend any bicycle improvements to West Hunter Road.

The Subject Property is located within the Rural West Policy Area and fronts on West Hunter Road, a rustic road per the 1996 *Rustic Roads Functional Master Plan*, and is located within a Rural Road Code Area. There are no existing sidewalks for potential connectivity in proximity to the Property, and per Section 49-33(e), of Montgomery County Code, the installation of sidewalks is not required on any roadway classified as exceptional rustic, rustic, country arterial, or country road. Thus, staff is not requiring any frontage improvements at this time.

Local Area Transportation Review (LATR)

The estimated impact of the proposed single-family detached residence is one (1) AM and one (1) PM peak-hour person trip for the Rural West policy area. As a result, this Application is exempted from

additional Local Area Transportation Review (LATR) because the proposed land use generates fewer than 50 peak-hour person trips. The Applicant included a Transportation Exemption Statement as part of this Application.

Transportation access is safe and adequate for the proposed use. This Application is consistent with the *2018 Bicycle Master Plan*, the *2002 Potomac Subregion Master Plan*, and satisfies the Adequate Public Facilities (APF) test under the 2020-2024 Growth and Infrastructure Policy.

#### Other Public Facilities and Services

Other public facilities and services are available and adequate to serve the proposed lot. The Subject Property has W-6 and S-6 water and sewer service categories, respectively, and will utilize a private well and septic system. The Application has been reviewed by MCDPS - Well and Septic Section, which determined the proposed well and septic locations are acceptable based on the letter dated September 13, 2021 (Attachment 7).

The Application has been reviewed by the Montgomery County Department of Permitting Services Fire Department Access and Water Supply Section. The Application is exempt from fire department vehicular access review and approval as the Subject Property has not had any alterations and was developable for a single-family residence prior to 2010 (Attachment 6).

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

#### School Adequacy Test

The Application is served by Monocacy ES, John Poole MS, and Poolesville HS. Based on the FY2022 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

**Table 2 - Applicable FY2022 School Adequacy**

School	Projected School Totals, 2025				Adequacy Status	Adequacy Ceilings		
	Program Capacity	Enrollment	% Utilization	Surplus / Deficit		Tier 1	Tier 2	Tier 3
Monocacy ES	219	142	64.8%	+77	No UPP	162	179	192
John Poole MS	468	406	86.8%	+62	No UPP	188	213	232
Poolesville HS	1,508	1,373	91.0%	+135	No UPP	315	437	663

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment ("UPP") based on each school's adequacy status and ceilings, as determined in the Annual School Test. Under the FY2022 Annual School Test, development projects approved within these school service areas are not automatically subject to Utilization Premium Payments as identified in Table 2.

Based on the school capacity analysis performed, using the FY2022 Annual School Test, this Application is not subject to a Utilization Premium Payment.

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

The Subject Property is subject to Chapter 22A of the County code.

Natural Resource Inventory / Forest Stand Delineation

The Natural Resource Inventory/Forest Stand Delineation ("NRI/FSD"), Plan No. 420200580, for this Property was approved on October 29, 2019. The NRI/FSD identifies the environmental constraints and forest resources on the Subject Property. The NRI/FSD calls out the site to be a total of 12.45 acres of which 6.26 acres are existing forest contained in a single forest stand. The remainder of the Property, 6.19 acres, is in active agricultural production.

Preliminary / Final Forest Conservation Plan

The Applicant has submitted a Preliminary/Final Forest Conservation Plan (Attachment 3) with this Application. The Application satisfies the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's *Environmental Guidelines*.

The Total Tract Area of the Subject Property is 12.45 acres located in the AR Zone. The Applicant is agriculturally exempting 5.42 acres which will remain in active commercial agricultural production and is dedicating 0.27 acres as right-of-way for West Hunter Road. The Applicant has submitted an Agricultural Declaration of Intent (Attachment 4) for the 5.42-acre portion of the Subject Property remaining in agricultural production as required under Section 22A.00.01.12 of the Forest Conservation Regulations. The deductions from the Total Tract Area of 12.45 acres result in a Net Tract Area of 6.76 acres. The AR Zone is assigned a Land Use Category of Agricultural Resource Area as defined in Section 22A-3 of the FCL and in the Land Use Table of the *Trees Technical Manual*, which generates an afforestation threshold of 20% and a conservation threshold of 50% of Net Tract Area.

The FFCP shows a total of 6.26 acres of forest on the Net Tract Area of the Subject Property. The FFCP proposes to remove 1.50 acres and retain 4.67 acres of forest. When the numbers of the Net Tract Area, land use category, total amount of existing forest, forest removed, and forest retained are entered into the Forest Conservation Worksheet it results in a total afforestation/reforestation requirement of 0.00 acres. All the retained forest will be protected by a Category I Conservation Easement.

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

The Administrative Subdivision Plan received a stormwater plan approval from the Montgomery County Department of Permitting Services, Water Resources Section on June 21, 2021 (Attachment 5). The Application will meet stormwater management using drywells and non-rooftop disconnect.

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

There is no evidence, actual notice, or constructive notice of a burial site on the Subject Property. The Subject Property is not included in the Montgomery County Inventory.



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

There are no other applicable provisions specific to the Property that are necessary for approval.

## **SECTION 5 - COMMUNITY CORRESPONDENCE**

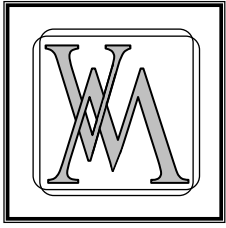
The Applicant has met all proper signage and noticing requirements for the Preliminary Plan Application. As of the date of this report, Staff received community correspondence from one neighboring resident regarding this Application (Attachment 12). The correspondence received included questions and concerns regarding the location of the proposed septic field, the location of the future residence, tree clearance along the eastern property line, and whether any trees would be removed along West Hunter Road. Staff worked closely with the Applicant to relocate the proposed residence to preserve as much existing forest as possible and improve access to the house from West Hunter Road. The Application was reviewed by the Rustic Roads Advisory Committee and received an approval letter (Attachment 9). In reviewing the citizen correspondence, Staff has concluded that the Application as proposed, and the implementation of all applicable code requirements, adequately address the concerns raised in the correspondence.

## **SECTION 6 - CONCLUSION**

The Administrative Subdivision Plan meets the technical requirements of Section 50.4.3 of the Subdivision Regulations, the applicable requirements of Section 50.6.1.C, Forest Conservation Law in Chapter 22A, the Montgomery County Planning Department's *Environmental Guidelines*, and the stormwater requirements of Chapter 19. The lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conforms to the recommendations of the 1980 *Agricultural and Rural Open Space Master Plan*. Access and public facilities will be adequate to serve the proposed lots, and the Application has been reviewed by other applicable County agencies, all of which have recommended approval of the plan.

## **ATTACHMENTS**

Attachment 1 - Statement of Justification  
Attachment 2 - Administrative Subdivision Plan Composite  
Attachment 3 - Preliminary/Final Forest Conservation Plan Composite  
Attachment 4 - Agricultural Declaration of Intent  
Attachment 5 - MCDPS Stormwater Management Approval Letter, June 21, 2021  
Attachment 6 - MCDPS Fire Department Access and Water Supply Correspondence  
Attachment 7 - MCDPS Well and Septic Approval Letter, September 13, 2021  
Attachment 8 - MCDOT Approval Letter, August 30, 2021  
Attachment 9 - RRAC Approval Letter, December 13, 2020  
Attachment 10 - Deed History  
Attachment 11 - Verification of Metes and Bounds Description and Land Area  
Attachment 12 - Citizen Correspondence



# VANMAR ASSOCIATES, INC.

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## PROPOSED LOT 1 WILSON DELAY

AUGUST 14, 2020  
REVISED- OCTOBER 21, 2020

### ADMINISTRATIVE SUBDIVISION PLAN APPLICATION M-NCPPC FILE No. 620210020

#### 1. INTRODUCTION

Applicant, Nancy Cawley, hereby submits this administrative Subdivision Plan application for approval of one lot subdivision from an existing parcel.

The Subject property consists of approximately 12.4544 acres, located 4000 ft west of Darnestown road and MD route 28 intersection and is more particularly known as parcel P562, as recorded in deed book 8980/ page 656. The property is currently zoned AR.

#### 2. EXISTING CONDITIONS AND SURROUNDING AREA

The property is currently vacant lot. The property is divided in two portions; one half is well maintained with a manicure lawn area while another half is wooded. The property is bound by residential properties of larger areas to north, west, and east and bound by West Hunter Road Right of Way to the South.

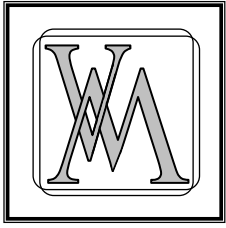
#### 3. PROPOSED PRELIMINARY PLAN

The applicant proposes the construction of one detached single-family house (Residence) and Driveway on the property. Access to the lot will be provided from West Hunter Road (Rustic Road). The Proposed lot size will be 580,853 sf/ 12.18 ac. and 11656 sf/0.2676 ac land dedicated to public use parcel.

#### 4. COMPLIANCE WITH ADMINISTRATIVE SUBDIISION REGULATIONS

**§50.6.1. B** Subdivision for creation of certain residential lots located in the Agricultural Reserve zone. Up to 5 lots for detached houses are permitted under these procedures in the AR zone if:

1. *written approval for a proposed well and septic area is received from the Department of Permitting Services before approval of the plat.*



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The project area is located within the W-6/ S-6 water and sewer category, and therefore will be served by private well and septic system.

*2. any required road dedications and public utility easements along the frontage of the proposed lots are shown on the record plat, and the applicant provides any required improvements.*

35' from center line of West Hunter road (Rustic Road (R-44)- 70' R/W) will be provided as dedication parcel along the frontage of proposed lot.

*3. the requirements for adequate public facilities under Section 4.3.J are satisfied before approval of the plat.*

The traffic study is not required as the project produces less than 50 peak hour person trips.

As per *Montgomery County Stormwater Management Code 19.00.01.03*, Proposed lot impervious area will be treated by (N-2) Non-Rooftop Disconnection and (M-3) Landscape Infiltration facility. The Stormwater Management analysis and facility has been designed as per the 2000 Maryland Stormwater Management Design Manual and Montgomery County Stormwater Management code 19.00.01. Concept Stormwater Management number is 286331.

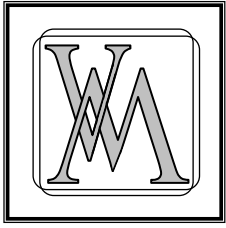
*4. a covenant is recorded for the unplotted balance of the tract noting that density and development rights have been used for the new lots and noted on the record plat for the lots.*

Lot 1 is being created from the existing parcel through the Administrative Subdivision process. The purpose of the lot 1 creation is to build a single-family residential house on the lot. No unplotted balance of the parcel is being created.

*5. lots created in the AR zone through this procedure are 5 acres or less, unless approved by the Board; and*

The existing parcel is 12.4544 ac from. Multiple lots are not being created. Rather the existing parcel is being administration converted to a single lot.

The proposed lot size will be 12.18 ac and there will be 0.27 ac parcel dedicated for the public use along the frontage of the lot.



# VANMAR ASSOCIATES, INC.

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Engineers • Surveyors • Planners

310 South Main Street, P.O. Box 328, Mount Airy, Maryland 21771

(301) 829-2890

(301) 831-5015

(410) 549-2751

(301) 695-0600

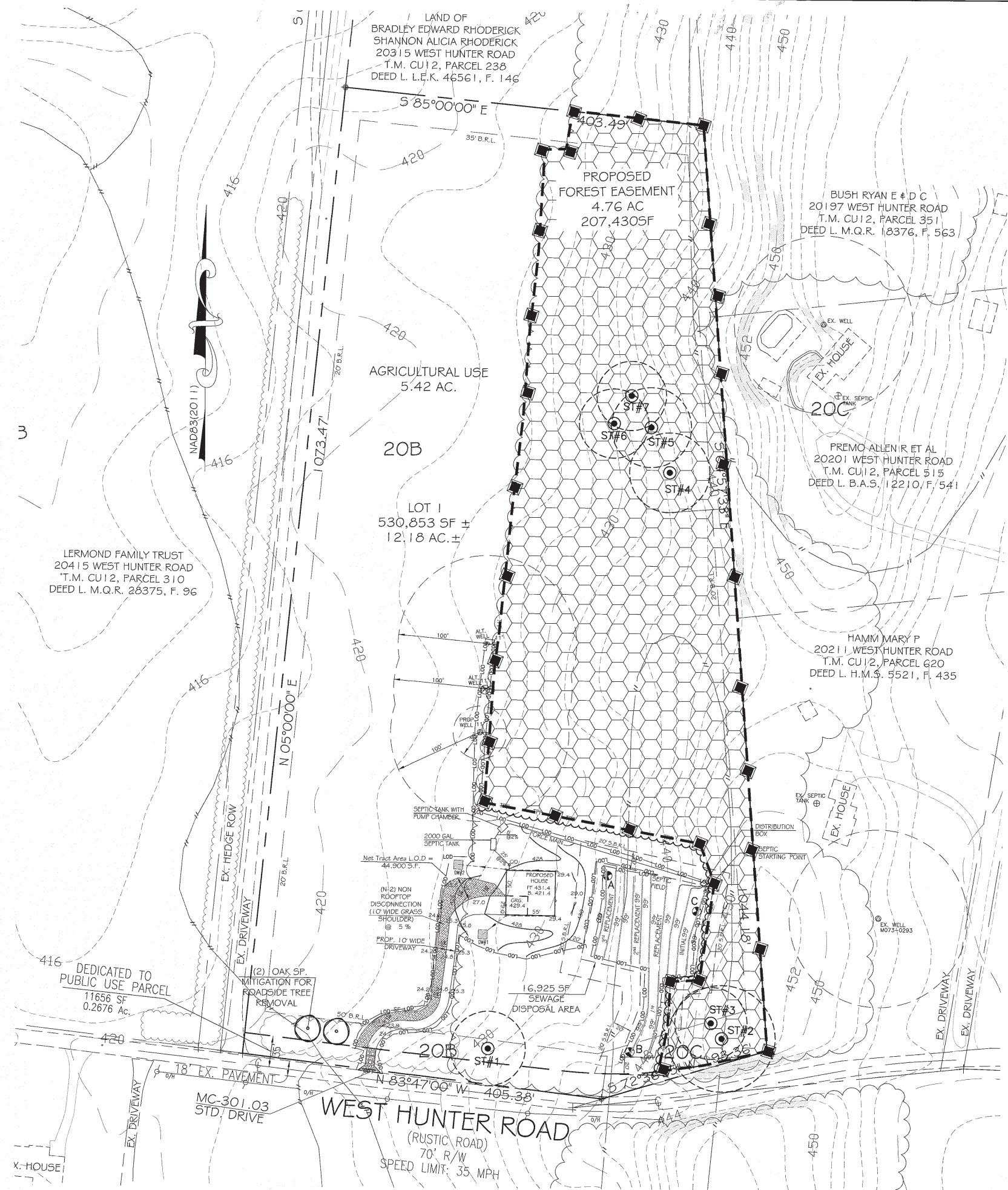
Fax (301) 831-5603

*6. forest conservation and environmental protection requirements are satisfied before approval of the plat.*

Forest conservation plan has been submitted along with the approved NRI/FSD (420200580) plan.

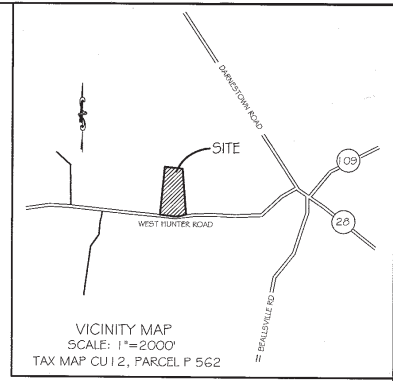
## 5. CONCLUSION

Based on the forgoing, the applicant respectfully requests that the Director and the Development Review Committee recommend and grant approval of this Administrative Subdivision Plan. As explained in more detail above and in the plans submitted with the Application, the application satisfies the findings that the Director must make in approving an Administrative Subdivision Plan application under Montgomery County Code Section 50.0 and the manual of Development Review Procedures for Montgomery County, MD.



**LEGEND**

- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPERTY LINES
- PROPOSED SPOT GRADE
- GRASS SHOULDER
- EXISTING WELL
- EXISTING SOIL TEST SITE
- LIMIT OF DISTURBANCE
- DISTURBANCE LIMIT OF FOREST
- SILT FENCE
- SOIL LINE
- STABILIZED
- CONSTRUCTION ENTRANCE
- PROPOSED DRIVEWAY
- ROOF DOWNSPOT
- EX. FOREST LINE
- PROPOSED FOREST LINE
- PROPOSED FOREST CONSERVATION AREA
- PERMANENT FOREST CONSERVATION SIGN
- SOIL TEST LOCATION



**DATA SHEET:**

EXISTING USE: VACANT  
 PROPOSED USE: SINGLE FAMILY HOUSE  
 LOT AREA: 12.18 AC / 530,853 SF  
 DEDICATED TO PUBLIC: 0.2676 AC / 11,656 SF  
 TOTAL SUBDIVISION LOT AREA: 12.45 AC / 542,509 SF  
 LIMIT OF DISTURBANCE: 44,900 SF  
 PROPOSED IMPERVIOUS AREA: 5,960 SF

**ZONING STANDARDS: AR**

LOT I	REQUIRED	PROVIDED
LOT SIZE	40,000 SF	530,853 SF
FRONTYARD	50'	50' OR MORE
SIDEYARDS	20' MIN	20' OR MORE
REARYARD	35'	35' OR MORE
BLDG. HEIGHT	50' MAX.	50' MAX.
LOT COVERAGE	10% MAX.	1.7%
LOT WIDTH@ BUILDING LINE	125'	548'
FRONTAGE	50'	421'

- GENERAL NOTES:**
1. APPLICANT: CAWLEY, NANCY PR EVELYN MATTHEWS 20303 W HUNTER RD, DICKERSON 20842 703-625-9101
  2. DEED REFERENCE: LIBER 8980 AT FOLIO 656
  3. TAX MAP: CU GRID:12 PARCEL: 562
  4. GROSS LAND AREA: 542,509 SF OR 12.4544 AC.
  5. EXISTING ZONING: AR
  6. WATERSHED: LITTLE MONOCACY RIVER
  7. WASTEWATER CLASSIFICATION: W6/S6
  8. PROPOSED UTILITIES: INDIVIDUAL PRIVATE WELL AND SEPTIC
  9. TOPOGRAPHY: MONTGOMERY COUNTY GIS DATA FIELD EDITED AND SUPPLEMENTED BY VANMAR ASSOC. INC. BASED ON NAVD 83
  10. SOIL TYPES: (20B) BRENTSVILLE SANDY LOAM, (20C) BRENTSVILLE SANDY LOAM, (21B) PENN SILT LOAM.
  11. MONTGOMERY COUNTY WETLAND DATA SHOWS NO WETLANDS. FLOODPLAIN MAPPING SHOWN ON FEMA MAP 24031C0141D, DATED SEPTEMBER 29, 2006.
  12. NR/FSD 420200580, APPROVED 10/29/19.

**NOTE:**  
 "UNLESS SPECIFICALLY NOTED ON THIS PLAN DRAWING OR IN THE PLANNING BOARD CONDITIONS OF APPROVAL, THE BUILDING FOOTPRINTS, BUILDING HEIGHTS, ON-SITE PARKING, SITE CIRCULATION, AND SIDEWALKS SHOWN ON THE PRELIMINARY PLAN ARE ILLUSTRATIVE. THE FINAL LOCATIONS OF BUILDINGS, STRUCTURES AND HARDSCAPE WILL BE DETERMINED AT THE TIME OF APPROVAL OF A BUILDING PERMIT. PLEASE REFER TO THE ZONING DATA TABLE FOR DEVELOPMENT STANDARDS SUCH AS SETBACKS, BUILDING RESTRICTION LINES, BUILDING HEIGHT, AND LOT COVERAGE FOR EACH LOT. OTHER LIMITATIONS FOR SITE DEVELOPMENT MAY ALSO BE INCLUDED IN THE CONDITIONS OF THE PLANNING BOARD'S APPROVAL."

**SOIL TYPE**

MAP UNIT	NAME	HYDROLOGIC SOIL GROUP
20B	BRENTSVILLE SANDY LOAM, 3 TO 8 PERCENT SLOPES	C
20C	BRENTSVILLE SANDY LOAM, 8 TO 15 PERCENT SLOPES	C
21B	PENN SILT LOAM, 3 TO 8 PERCENT SLOPES	B

**SEPTIC SYSTEM DESIGN CHART**

LOT I	TEST SITE	AVE. TIME MIN.	DEPTH TEST FEET	TEST SITE	AVE. TIME MIN.	DEPTH TEST IN FEET	TEST SITE	AVE. TIME MIN.	DEPTH TEST IN FEET	SEPTIC TANK		INCHES OF TOTAL SYSTEM IN FEET	LENGTH OF TOTAL SYSTEM IN FEET	DEPTH OF STONE	NO. OF BODICIOUS	INCH. LOWEST TUBE	INCH. STARTING POINT
										INV. IN	INV. OUT						
EX.	A	30	5/15	B	21	4.5/14.5	C	21	2.5/15	423.3	423.0	297	1108	4	5	423.8	442.0

24 MPI AVERAGE PERC RATE @ 5' ± 14.5' WITH 4' OF STONE.

NOTE: DEPTH OF STONE IN DEEP UNBRACED TRENCHES MUST BE NO MORE THAN FOUR FEET FROM FINISHED GRADE BEFORE PLACEMENT OF PIPE. ABSORPTION SYSTEM WITH APPROVED PERCOLATION BELOW FOUR FEET CAN BE CREDITED ONLY FOR SIDEWALL AREA WITHIN THE AREA ESTABLISHED BY PERCOLATION TESTS.

**OWNER:**  
 NANCY CAWLEY  
 6723 PINE CREEK CT.  
 MCLEAN VA, 22101  
 PH: 703-625-9101

**CONTACT:**  
 RONALD E. THOMPSON, P.E.  
 VANMAR ASSOCIATES  
 310 SOUTH MAIN STREET  
 P.O. BOX 328  
 MOUNT AIRY, MD. 21771  
 301 831-5015

**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. 18417, Expiration Date: 9-18-21.

**PROFESSIONAL CERTIFICATION:**  
 I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21266, EXPIRATION DATE - SEPTEMBER 1, 2021.

*T. Michael Vansant* 6/29/2021  
 T. MICHAEL VANSANT, PROF. LAND SURVEYOR  
 MARYLAND REGISTRATION NO. 21266



**ADMINISTRATIVE SUBDIVISION PLAN**  
 620210020  
**LOT 1**  
**WILSON DELAY**  
 LIBER 8980 FOLIO 656  
 20303 WEST HUNTER ROAD  
 ELECTION DISTRICT NO. 3  
 MONTGOMERY COUNTY, MARYLAND  
 SCALE: 1"=60' MARCH, 2020  
 TAX MAP: CU GRID:12 PARCEL: 562  
 WSSC GRID: 227NW20

ADSUB SHEET #1 OF #1

**VANMAR ASSOCIATES, INC.**  
 Engineers Surveyors Planners  
 310 South Main Street P.O. Box 328 Mount Airy, Maryland 21771  
 (301) 829 2880 (301) 831 5015 (410) 549 2751



Attachment 3

NET TRACT AREA:	
A. Total tract area ...	12.45
B. Additions to tract area (Off-Site Work, etc.; construction required by this plan)...	0.00
C. Land dedication acres (parks, county facility, etc.) ...	0.00
D. Land dedication for roads or utilities (construction not required by this plan) ...	0.27
E. Area to remain in commercial agricultural production/use ...	5.42
F. Other deductions (specify) .....	0.00
G. Net Tract Area .....	6.76

LAND USE CATEGORY: (from Chapter 22A-3. Definitions)	
Input the number "1" under the appropriate land use, limit to only one entry.	
ARA	MDR
1	0
IDA	HDR
0	0
MPD	CIA
0	0

G. Afforestation Threshold ...	20%	x G =	1.35
H. Conservation Threshold ...	50%	x G =	3.38

EXISTING FOREST COVER:	
I. Existing forest cover .....	6.26
J. Area of forest above afforestation threshold .....	4.91
K. Area of forest above conservation threshold .....	2.88

BREAK EVEN POINT:	
L. Forest retention above threshold with no mitigation ....	3.96
M. Clearing permitted without mitigation .....	2.30

PROPOSED FOREST CLEARING:	
N. Total area of forest to be cleared .....	1.50
O. Total area of forest to be retained .....	4.76

PLANTING REQUIREMENTS:	
P. Reforestation for clearing above conservation threshold ....	0.38
Q. Reforestation for clearing below conservation threshold ....	0.00
R. Credit for retention above conservation threshold .....	1.38
S. Total reforestation required .....	0.00
T. Total afforestation required .....	0.00
U. Credit for landscaping (may not exceed 20% of "S") .....	0.00
V. Total reforestation and afforestation required .....	0.00

Worksheet date	5/13/2019
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Forest Conservation Data Table	
Number of Acres	12.45
Remaining in Agricultural Use	5.42
Road & Utility ROWs <sup>1</sup>	0.27
Total Existing Forest	6.26
Forest Retention	4.76
Forest Cleared	1.50

Land Use & Thresholds <sup>2</sup>	
Land Use Category	ARA, MDR, IDA, HDR, MPD, or CIA
Conservation Threshold	25% percent
Afforestation Threshold	50% percent

Total Channel Length (ft.) <sup>3</sup>	Average Buffer Width (ft.) <sup>3</sup>
Stream(s)	0.00
0.00	0.00

Acres of Forest in	
Wetlands	0.00
100 Year Floodplain	0.00
Stream Buffers	0.00
Priority Areas	0.00

Retained	Cleared	Planted
0.00	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00

Stream(s)	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00

Retained	Cleared	Planted
0.00	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00

Stream(s)	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00

Retained	Cleared	Planted
0.00	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00

Stream(s)	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00

Retained	Cleared	Planted
0.00	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00

Stream(s)	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00

Retained	Cleared	Planted
0.00	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00

Stream(s)	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00

Retained	Cleared	Planted
0.00	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00

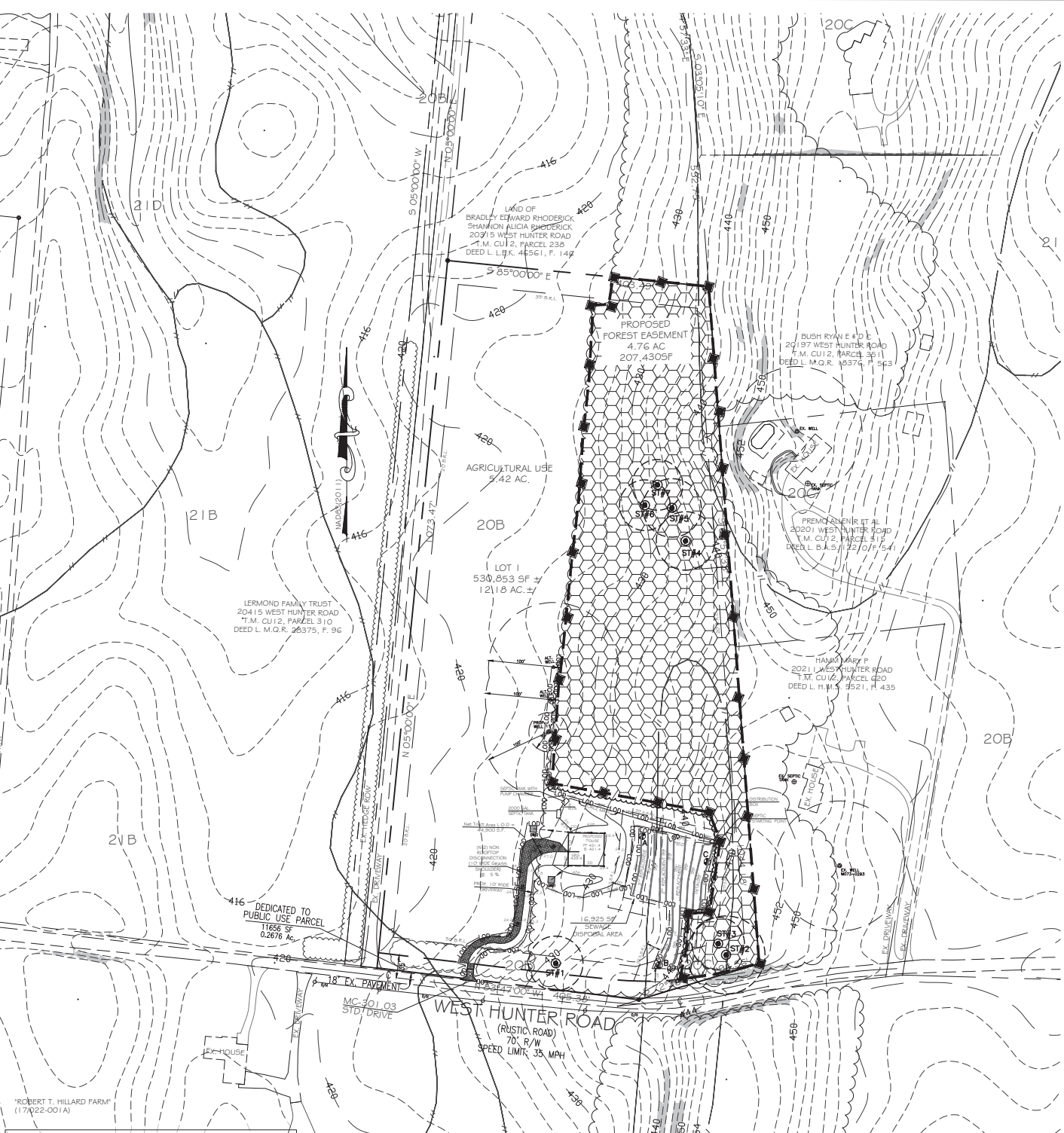
Stream(s)	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00

Retained	Cleared	Planted
0.00	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00

Stream(s)	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00

Retained	Cleared	Planted
0.00	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00

Stream(s)	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00
0.00	0.00	0.00



LEGEND

SPECIMEN TREES W/ CRITICAL ROOT ZONE

EX. FOREST

FOREST STAND W/IN STUDY BOUNDARY

SOIL LINE & SYMBOL

PROPERTY LINE

CONTOUR

SLOPES GREATER THAN 25%

PROPOSED TREE LINE

PROPOSED FOREST EASEMENT AREA

PERMANENT FOREST CONSERVATION SIGN

ROOT PRUNE LINE AND TREE PROTECTION FENCE

LIMIT OF DISTURBANCE

FOREST REMOVAL AREA

VICINITY MAP  
SCALE: 1"=2000'  
TAX MAP CU 12, PARCEL P 562

- GENERAL NOTES: FOREST
- DATE OF FIELD WORK: 07/09/2019 BY DAVID A. ADAMS, MD RL #569
  - TOTAL TRACT AREA: 542,509 SF OR 12.45 AC.±
  - PROPERTY ADDRESS: WEST HUNTER ROAD, BEALLSVILLE, MD 20839
  - APPLICANT: NANCY CRAWLEY
  - 723 PINE CREEK COURT, MCLEAN, VA 22101
  - TAX ACCOUNT NUMBER: 0003662
  - WSSC GRID: 227NW20
  - CURRENT ZONING: AR, AGRICULTURE
  - WATERSHED: POTOMAC RIVER DIRECT
  - USE CLASS: 1-P
  - NOT A SPECIAL PROTECTION OR PRIMARY MANAGEMENT AREA
  - MONTGOMERY COUNTY WETLAND DATA SHOWS NO WETLANDS.
  - FLOODPLAIN MAPPING SHOWN ON FEMA MAP 24031C0141D, DATED SEPTEMBER 29, 2006.
  - SOIL TYPES: (20B) BRENTSVILLE SANDY LOAM, (20C) BRENTSVILLE SANDY LOAM, (21B) PENN SILT LOAM.
  - M-NCPPC GIS DATA SHEET: 227NW20
  - NO RARE, ENDANGERED OR THREATENING SPECIES WERE OBSERVED ON-SITE.
  - NO NATIONAL, STATE, OR COUNTY CHAMPION TREES OR TREES THAT ARE AT LEAST 75% OF THE CURRENT STATE CHAMPION.
  - PROPERTY IS NOT LOCATED ON ATLAS AND INDEX OF HISTORICAL SITES. HISTORIC SITE "ROBERT T. HILLARD FARM" (17022-001A) LOCATED TO THE SOUTH, ADJACENT FROM THE SITE.
  - METHOD USED TO MEASURE DIAMETER OF TREES: METAL DIAMETER TAPE
  - FOREST DESCRIPTION:
    - STAND 1: 6.255 AC (ON-SITE) MATURE UPLAND HARDWOODS DOMINANT OAK SPECIES 20-28" DBH, CO DOMINANT TULIP POPLAR 8-16" DBH. NO SIGNIFICANT INVASIVES OBSERVED, DENSE LEAF COVER ON FLOOR WITH NUMEROUS HARDWOOD SEEDLINGS AND SAPLINGS 1-4" DBH. CANOPY CLOSURE OBSERVED DURING 100% LEAF DROP ESTIMATED TO BE 90%.
  - NR/USD 420200580, APPROVED 10/29/19

NUMBER	SIZE	SPECIES	CONDITION
*ST1	28"	CHESTNUT OAK	GOOD
*ST2	40"	CHESTNUT OAK	GOOD
*ST3	27"	WHITE OAK	GOOD
*ST4	30"	TULIP POPLAR	GOOD
*ST5	30"	RED OAK	GOOD
*ST6	26"	WHITE OAK	GOOD
*ST7	26"	CHESTNUT OAK	GOOD

MAP UNIT	NAME	HYDROLOGIC SOIL GROUP
20B	BRENTSVILLE SANDY LOAM, 3 TO 8 PERCENT SLOPES	C
20C	BRENTSVILLE SANDY LOAM, 8 TO 15 PERCENT SLOPES	C
21B	PENN SILT LOAM 3 TO 8 PERCENT SLOPES	B

DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 620210020 including, financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: NANCY CRAWLEY  
printed company name

Contact Person or Owner: NANCY CRAWLEY  
printed name

Address: 6723 PINE CREEK CT, MCLEAN, VA 22101

Phone and Email: 703-625-9101, ncrawley@outlook.com

Signature: \_\_\_\_\_

PRELIMINARY/FINAL FOREST CONSERVATION PLAN

620210020

WILSON DELAY, LOT 1

LIBER 8980 FOLIO 656

20033 WEST HUNTER ROAD

ELECTION DISTRICT NO. 3

MONTGOMERY COUNTY, MARYLAND

SCALE: 1"=100' MARCH, 2020

TAX MAP-CU GRID-12 PARCEL: 562

WSSC GRID: 227NW20

FCP SHEET #1 OF #1

VANMAR ASSOCIATES, INC.  
Engineers Surveyors Planners  
310 South Main Street P.O. Box 328 Mount Airy, Maryland 21771  
(301) 829-2880 (301)831-5015 (410) 549-2751

Tree Protection Fence Detail

NOT TO SCALE

PERMANENT FOREST CONSERVATION EASEMENT SIGNAGE

NOTES:

- RETENTION AREAS WILL BE SET AS PART OF THE REVIEW PROCESS AND PRECONSTRUCTION MEETING.
- BOUNDARIES OF RETENTION AREAS MUST BE STAKED AT THE PRECONSTRUCTION MEETING AND FLAGGED PRIOR TO TRENCING.
- EXACT LOCATION OF TRENCH SHALL BE DETERMINED IN THE FIELD IN COORDINATION WITH THE FOREST CONSERVATION (FC) INSPECTOR.
- TRENCH SHOULD BE IMMEDIATELY BACKFILLED WITH EXCAVATED SOIL OR OTHER ORGANIC SOIL, AS SPECIFIED PER PLAN OR BY THE FC INSPECTOR.
- PROTECTION SIGNAGE IS REQUIRED.
- FENCING SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.

OWNER: NANCY CRAWLEY  
6723 PINE CREEK CT.  
MCLEAN VA, 22101  
PH: 703-625-9101

CONTACT: CAROLINE LATIMER  
VANMAR ASSOCIATES  
310 SOUTH MAIN STREET  
P.O. BOX 328  
MOUNT AIRY, MD. 21771  
301 831 5015

**Agricultural Declaration of Intent**  
**Affirming Exemption from Article II of the**  
**Montgomery County Forest Conservation Law**

I (we), NANCY CAWLEY ("Owner") of real property located at 20303 WEST HUNTER ROAD, DICKERSON, MD 20842 and as described as WILSON DELAY, LOT 1 hereby declare my (our) intention to continue and/or place into commercial agricultural use the above property, in accordance with the provisions of Section 22A-5(b) of the Montgomery County Forest Conservation Law for a period of at least five (5) consecutive full taxable years following this date.

This declaration affirms that this property meets the requirements to be exempt from Article II of the Montgomery County Forest Conservation Law, in that:

- (a) The agricultural activity is not required to obtain a sediment control permit under Section 19-2 of the Montgomery County code.
- (b) The Agricultural support buildings and related activities are built using best management practices.

If the land does not remain in commercial agricultural use, the Owner must notify the Montgomery County Planning Department, a part of the Maryland-National Capital Park and Planning Commission. If the Owner makes application for or performs an activity regulated under the Montgomery County Forest Conservation Law, on all or part of the parcel within the five (5) year period, the Planning Department may require the Owner to meet the forest conservation threshold established in the county law, and may also assess a noncompliance fee for forested areas cut as part of the agricultural exemption.



I (we) declare, under the penalties of law, that this declaration, including any accompanying forms or statements, has been examined by me (us) and the information contained herein, to the best of my (our) knowledge, information, and belief, is true, correct and complete.

Signature of owner(s):

Nancy Cawley

Printed name of owner:

NANCY CAWLEY

Date:

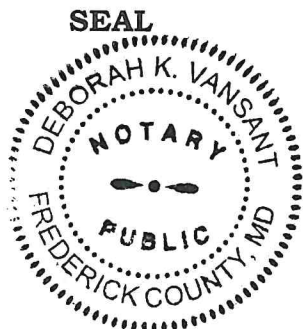
AC  
07/08/2021 7/8/2021

NOTARY STATEMENT

State of Maryland

County of Carroll

On this 8th day of July, 2021, before me, the undersigned individual, personally appeared Nancy Cawley, who acknowledged to be the owner and that as such being authorized to do so, executed the foregoing instrument for the purposes therein contained.



Deborah K. Vansant

Signature of notary public

My commission expires 2/21/2023





## DEPARTMENT OF PERMITTING SERVICES

Marc Elrich  
County Executive

Mitra Pedoeem  
Director

June 21, 2021

Mr. Dhaval Patel, PE  
VanMar Associates, Inc.  
310 South Main Street  
P.O. Box 328  
Mount Airy, Maryland 21771

Re: **COMBINED STORMWATER MANAGEMENT  
CONCEPT/SITE DEVELOPMENT  
STORMWATER MANAGEMENT PLAN** for  
20303 West Hunter Road  
Administrative Subdivision #: 620210020  
SM File #: 286331  
Tract Size/Zone: 12.45 ac/AR  
Total Concept Area: 12.18 ac  
Legal Description: Wilson Delay, Lot 1  
Watershed/Class: Little Monocacy / I  
Type of Development: New Development

Dear Mr. Patel:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals via drywells and non-rooftop disconnect.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

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

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

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



2425 Reedy Drive, 7th Floor, Wheaton, Maryland 20902 | 240-777-0311  
[www.montgomerycountymd.gov/permitting-services](http://www.montgomerycountymd.gov/permitting-services)

Mr. Dhaval Patel, PE  
June 21, 2021  
Page 2 of 2

reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Mary Fertig at 240-777-6202.

Sincerely,



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

MCE: mmf

cc: N. Braunstein  
SM File # 286331

ESD: Required/Provided 634 cf / 638 cf  
PE: Target/Achieved: 1.0"/1.0"  
STRUCTURAL: n/a  
WAIVED: n/a

**Server, Jeffrey**

---

**From:** LaBaw, Marie <Marie.LaBaw@montgomerycountymd.gov>  
**Sent:** Monday, September 27, 2021 5:21 PM  
**To:** Dhaval Patel  
**Cc:** Server, Jeffrey  
**Subject:** Re: Wilson Delay Lot 1 620210020

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Ah, I remember this one now. Jeff, I can't issue an approval letter because technically there is nothing to review. Is my email string enough for your report?

Sent from my iPhone

> On Sep 27, 2021, at 5:18 PM, Dhaval Patel <dhaval@vanmar.com> wrote:

>

> [EXTERNAL EMAIL]

> Marie,

>

> I think we have gone through this project. As per your email below " Lot is exempt from FD vehicular access review if applicant can show that the property, with no alterations since, was either legally occupied as, or developable as, a single family residence prior to 2010". I guess this applied to this proposed lot based on MNCPPC allowing as a grandfathering ( Email from Jeff on September 24, 2021).

>

> Please see the attached Plan and documents supporting the proposed project.

> Let me know if you have any question on it.

>

> Thank you,

>

>

>

> From: LaBaw, Marie <Marie.LaBaw@montgomerycountymd.gov>

> Sent: Sunday, October 11, 2020 6:22 PM

> To: Dhaval Patel <dhaval@vanmar.com>

> Subject: Wilson Delay Lot 1 620210020

>

> Just want you to be aware that I made the following comment on your DRC submission for this project. Just reiterating what we've already discussed. If you have any questions, let me know.

>

> 620210020 WILSON DELAY, LOT 1

> Lot is exempt from FD vehicular access review if applicant can show that the property, with no alterations since, was either legally occupied as, or developable as, a single family residence prior to 2010.

>

> S Marie LaBaw PhD, PE

> Fire Department Access and Water Supply Department of Permitting

> Services

>

>

> 2425 Reddie Drive, 7th Floor

## Server, Jeffrey

---

**From:** Dhaval Patel <dhaval@vanmar.com>  
**Sent:** Monday, September 27, 2021 5:18 PM  
**To:** LaBaw, Marie  
**Cc:** Server, Jeffrey  
**Subject:** FW: Wilson Delay Lot 1 620210020  
**Attachments:** 13-FDA-620210020.pdf; DEED History.pdf; 32-ADDITIONAL-620210020-003.pdf

**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Marie,

I think we have gone through this project. As per your email below “ **Lot is exempt from FD vehicular access review if applicant can show that the property, with no alterations since, was either legally occupied as, or developable as, a single family residence prior to 2010**”. I guess this applied to this proposed lot based on MNCPPC allowing as a grandfathering ( Email from Jeff on September 24, 2021).

Please see the attached Plan and documents supporting the proposed project.  
Let me know if you have any question on it.

Thank you,

---

**From:** LaBaw, Marie <Marie.LaBaw@montgomerycountymd.gov>  
**Sent:** Sunday, October 11, 2020 6:22 PM  
**To:** Dhaval Patel <dhaval@vanmar.com>  
**Subject:** Wilson Delay Lot 1 620210020

Just want you to be aware that I made the following comment on your DRC submission for this project. Just reiterating what we've already discussed. If you have any questions, let me know.

620210020 WILSON DELAY, LOT 1

Lot is exempt from FD vehicular access review if applicant can show that the property, with no alterations since, was either legally occupied as, or developable as, a single family residence prior to 2010.

S Marie LaBaw PhD, PE  
Fire Department Access and Water Supply  
Department of Permitting Services

2425 Reedie Drive, 7th Floor

Wheaton, Maryland 20902

(240) 773-8917 Office  
[Marie.LaBaw@montgomerycountymd.gov](mailto:Marie.LaBaw@montgomerycountymd.gov)

## Server, Jeffrey

---

**From:** Server, Jeffrey  
**Sent:** Monday, September 27, 2021 3:25 PM  
**To:** LaBaw, Marie  
**Cc:** Campbell, Lauren  
**Subject:** FW: Wilson Delay, Lot 1- 620210020

Hi Marie,

Thanks for the reply back on my email from last week. Lauren looked at the current set of drawings within ePlans and noted the following from the FDA plan (please see below). Is this something that can help move this forward? I don't recall any discussions about this, however I would like to get your take on it. I also went back through my emails and checked to see if the Applicant had been in touch with you. From what I can see it looks like he reached out to you back in October 2020 to pursue approval – please see the emails at the end of this chain. I will continue to urge the Applicant to reach out to you to pursue an approval. Please let me know your thoughts and what needs to happen in order to move this item forward.

Cheers,  
Jeff

---

**From:** Campbell, Lauren <lauren.campbell@montgomeryplanning.org>  
**Sent:** Friday, September 24, 2021 1:51 PM  
**To:** Server, Jeffrey <Jeffrey.Server@montgomeryplanning.org>  
**Subject:** RE: Wilson Delay, Lot 1- 620210020

Hi Jeff – There is a note on the FDA sheet that says “The existing parcel 562/Lot 1 is recorded on August 8, 1978 and the most current deed is on August 22, 1989. Therefore exempt from Fire Department Access Code”. I do not see a water supply easement nor an operational area but again – based on the note they are looking for an exemption to FDA requirements.

Lauren



### Lauren Campbell

**Senior Transportation Planner**  
Montgomery County Planning Department  
2425 Reddie Drive, Wheaton, MD 20902  
[Lauren.Campbell@montgomeryplanning.org](mailto:Lauren.Campbell@montgomeryplanning.org)  
o: 301.495.2198



### WE'VE MOVED!

THE NEW PARK AND PLANNING HEADQUARTERS IS NOW LOCATED AT  
2425 REEDIE DRIVE, WHEATON, MD 20902

---

**From:** Server, Jeffrey <[Jeffrey.Server@montgomeryplanning.org](mailto:Jeffrey.Server@montgomeryplanning.org)>  
**Sent:** Friday, September 24, 2021 12:21 PM

**To:** Campbell, Lauren <[lauren.campbell@montgomeryplanning.org](mailto:lauren.campbell@montgomeryplanning.org)>

**Subject:** FW: Wilson Delay, Lot 1- 620210020

Hi Lauren,

Do you mind taking a look at this to see whether the current plan addresses this or not? I have just forwarded the staff report to Sandra for review and comment, however Fire and Rescue has been very challenging in regards to getting an approval. Let me know of any questions, etc. Thanks!

Cheers,

Jeff

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**From:** LaBaw, Marie <[Marie.LaBaw@montgomerycountymd.gov](mailto:Marie.LaBaw@montgomerycountymd.gov)>

**Sent:** Friday, September 24, 2021 10:50 AM

**To:** Server, Jeffrey <[Jeffrey.Server@montgomeryplanning.org](mailto:Jeffrey.Server@montgomeryplanning.org)>

**Cc:** Dhaval Patel <[dhaval@vanmar.com](mailto:dhaval@vanmar.com)>

**Subject:** Re: Wilson Delay, Lot 1- 620210020

**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

I don't have a record of the applicant contacting for review or approval. Because West Hunter is less than 20ft wide, I should be getting a water supply easement and an operational area at the driveway apron not unlike the attached.

S Marie LaBaw PhD, PE  
Fire Department Access and Water Supply  
Department of Permitting Services

2425 Reedie Drive, 7th Floor

Wheaton, Maryland 20902

(240) 773-8917 Office  
[Marie.LaBaw@montgomerycountymd.gov](mailto:Marie.LaBaw@montgomerycountymd.gov)

---

**From:** Server, Jeffrey <[Jeffrey.Server@montgomeryplanning.org](mailto:Jeffrey.Server@montgomeryplanning.org)>

**Sent:** Friday, September 24, 2021 9:46 AM

**To:** LaBaw, Marie <[Marie.LaBaw@montgomerycountymd.gov](mailto:Marie.LaBaw@montgomerycountymd.gov)>

**Cc:** Dhaval Patel <[dhaval@vanmar.com](mailto:dhaval@vanmar.com)>

**Subject:** RE: Wilson Delay, Lot 1- 620210020

**[EXTERNAL EMAIL]**

Good morning Marie,

I wanted to follow up on this issue related to the grandfathering provision for the Wilson Delay, Lot 1 admin. sub. application. We have been working with the Applicant and have accepted the 'grandfathering' for this proposed lot

within the AR zone. In short, the lot minimum lot size and width are acceptable by applying the Rural zone standards as per Section 59.7.7.1.D.9.

Does this provide you with what you need? The Fire and Rescue approval is the last remaining item for this application before we can take it to the Planning Board. Please let me know if there is anything further that you need in order to move this one forward. Thanks and talk soon.

Best regards,  
Jeff



**Jeffrey M. Server**, ASLA, Assoc. AIA, LEED AP BD+C

**Planner Coordinator**, Upcounty Planning  
Montgomery County Planning Department  
2425 Reedie Drive, 13<sup>th</sup> floor, Wheaton, MD 20902  
[Jeffrey.Server@montgomeryplanning.org](mailto:Jeffrey.Server@montgomeryplanning.org)

o: 301.495.4513



**WE'VE MOVED!**

THE NEW PARK AND PLANNING HEADQUARTERS IS NOW LOCATED AT  
2425 REEDIE DRIVE, WHEATON, MD 20902

---

**From:** LaBaw, Marie <[Marie.LaBaw@montgomerycountymd.gov](mailto:Marie.LaBaw@montgomerycountymd.gov)>  
**Sent:** Friday, October 23, 2020 1:45 PM  
**To:** Dhaval Patel <[dhaval@vanmar.com](mailto:dhaval@vanmar.com)>  
**Cc:** Server, Jeffrey <[Jeffrey.Server@montgomeryplanning.org](mailto:Jeffrey.Server@montgomeryplanning.org)>  
**Subject:** Re: Wilson Delay, Lot 1- 620210020

Thank you very much. Has MNCPPC accepted this as sufficient proof to allow grandfathering?

S Marie LaBaw PhD, PE  
Fire Department Access and Water Supply  
Department of Permitting Services

2425 Reedie Drive, 7th Floor

Wheaton, Maryland 20902

(240) 773-8917 Office  
[Marie.LaBaw@montgomerycountymd.gov](mailto:Marie.LaBaw@montgomerycountymd.gov)

---

**From:** Dhaval Patel <[dhaval@vanmar.com](mailto:dhaval@vanmar.com)>  
**Sent:** Friday, October 23, 2020 12:06 PM  
**To:** LaBaw, Marie <[Marie.LaBaw@montgomerycountymd.gov](mailto:Marie.LaBaw@montgomerycountymd.gov)>  
**Cc:** Server, Jeffrey <[Jeffrey.Server@montgomeryplanning.org](mailto:Jeffrey.Server@montgomeryplanning.org)>  
**Subject:** Wilson Delay, Lot 1- 620210020

**[EXTERNAL EMAIL]**

Marie,

Please find the attached file, resubmission for Wilson Delay, lot 1, Administrative Subdivision Plan with Deed reference letter from Maryland registered professional Land Surveyors.

Let me know if you have any questions.

I am also going to upload on ProjectDox.

Going on vacation so can reply via email only.

Thank you,

Dhaval B. Patel, E.I.T, CFM

VANMAR ASSOCIATES

310 South Main Street

PO Box 328

Mount Airy, Maryland 21771

301-829-2890 (O)

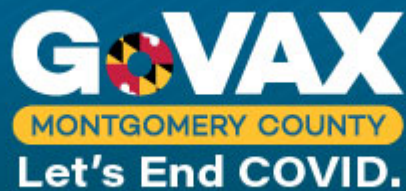
216-804-6777 (C)

301-831-5603 (F)

**Building for Better Tomorrow**

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*Please consider the environment before printing this email*



For COVID-19 Information and resources, visit: [www.montgomerycountymd.gov/COVID19](http://www.montgomerycountymd.gov/COVID19)





## DEPARTMENT OF PERMITTING SERVICES


Marc Elrich  
County Executive

Mitra Pedoeem  
Director

## M E M O R A N D U M

September 13, 2021

TO: Jeffrey Server  
Development Review  
Maryland National Capital Park and Planning Commission

FROM: Megan C. Wilhelm   
Well and Septic Section  
Department of Permitting Services

SUBJECT: Status of Administrative Subdivision: Wilson Delay  
20303 West Hunter Road (lot 1)  
620210020

This is to notify you that the Well & Septic Section of MCDPS approved the plan received in this office on June 24, 2021.

Approved with the following reservations:

1. The record plat must be at the same scale as the preliminary plan, or submit an enlargement of the plat to match the preliminary plan.
2. The record plat must show the septic reserve area as it is shown on this plan.

If you have any questions, please contact Megan Wilhelm at (240) 777-6271.

Cc: VanMar





VICINITY MAP  
SCALE: 1"=2000'  
TAX MAP CU 12, PARCEL P 562

1. APPLICANT: CRAWLEY, NANCY PR EVELYN MATTHEWS  
20303 W HUNTER RD, DICKERSON 20842  
703-625-9101
2. DEED REFERENCE: LIEB 8380 AT FOLIO 656
3. TAX MAP: CU GRID: 12 PANEL: 562
4. GROSS LAND AREA: 542,509.57 OR 1.4544 AC.
5. EXISTING ZONING: R
6. SETBACKS:
  - a. FRONT: 50' b. REAR: 35' c. SIDE: 20'
7. EXISTING USE: VACANT
8. PROPOSED USE: RESIDENTIAL
9. TOPOGRAPHY: MONTGOMERY COUNTY GCS DATA FIELD EDITED AND  
SUPPLEMENTED BY MONTGOMERY A555C; INC. BASED ON NAVD 88.
10. FLOODPLAIN SOURCE: PANEL 2403(C) 0141D
11. WATERSHED: LITTLE MONOCACY RIVER
12. WATERSSEWER CLASSIFICATION: W6G6
13. PROPOSED UTILITIES: INDIVIDUAL PRIVATE WELL AND SEPTIC  
TANKING AREA; AGRICULTURAL USE; AGRICULTURAL OPEN SPACE
14. ADJOINING LAND USE: RESIDENTIAL
15. M-NCPPCS GIS DATA SHEET: 227N2W02
16. SOIL TYPES: (20B) BRENTSVILLE SANDY LOAM, (20C) BRENTSVILLE  
SANDY LOAM, (2) SANDY SILT LOAM
17. PROPERTY NOT LOCATED WITHIN SPECIAL PROTECTION AREA
18. ALL WELLS AND SEPTIC SYSTEMS WITHIN 100' OF PROPERTY LINES  
HAVE BEEN SHOWN.
20. NR150 42020020, APPROVED 1023919
21. THE PURPOSE OF THIS PLAN IS TO ESTABLISH AN APPROVED  
SEWAGE DISPOSAL AREA AND SEPTIC SYSTEM DESIGN FOR PERMITS

SEPTIC SYSTEM DESIGN CHART

NOTE: DEPTH OF STONE IN DEEP UNBRACED TRENCHES MUST BE NO MORE THAN FOUR FEET FROM FINISHED GRADE BEFORE PLACEMENT OF PIPE. ABSORPTION SYSTEM WITH APPROVED PERCOLATION BELOW FOUR FEET CAN BE CREDITED ONLY FOR SIDEWALL AREA WITHIN THE AREA ESTABLISHED BY PERCOLATION TESTS.

\*Approved for 5 bedrooms max

2000 GAL. SEPTIC TANK: EX. GRADE: 426.0  
TOP TANK: 423.3  
DISTRIBUTION BOX: INVERT IN: 442.2  
INVERT OUT: 442.1  
STARTING POINT: EX. GRADE: 446.0  
INVERT: 442.0

**WELL AND SEPTIC PLAN**  
**620210020**  
**LOT 1**  
**WILSON DELAY**  
 LIBER 8980 FOLIO 656  
 20303 WEST HUNTER ROAD  
 ELECTION DISTRICT NO. 3  
 MOUNTAINERY COUNTY, MARYLAND  
 SCALE: 1"=60' MARCH, 2020  
 TAX MAP-CU GRID:12 PARCEL: 562  
 WSSC GRID: 227NW20

**VANMAR ASSOCIATES, INC.**  
 Engineers Surveyors Planners  
 2110 South Main Street P.O. Box 328 Mount Airy Maryland 21771  
 (301) 829 2890 (301)831 5551 Fax 254 2751

ADSUB SHEET #1 OF #1

JOB NO. B9-5849



## DEPARTMENT OF TRANSPORTATION

Marc Elrich  
County Executive

Christopher R Conklin  
Director

August 30, 2021

Mr. Jeffrey M. Server, Planner Coordinator  
Upcounty Planning Division  
The Maryland-National Capital  
Park & Planning Commission (M-NCPPC)  
2425 Reedy Drive, 13<sup>th</sup> Floor  
Wheaton, Maryland 20902

RE: Administrative Subdivision Plan No. 620210020  
Wilson Delay Lot 1

Dear Mr. Server:

We have completed our review of the Administrative Subdivision Plan uploaded on eplans dated June 29, 2021. This plan was reviewed by the Development Review Committee at its meeting on October 13, 2020. We recommend approval for the plan based on the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services (DPS) in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

**Significant Plan Review Comment**

1. Since West Hunter Road is classified as Rustic Road (R-44) with a minimum right-of-way is 70-ft per the Master Plan. We recommend that the proposed access be combined with the existing driveway on the adjacent property on the west side instead of a new curb cut on West Hunter Road.
2. **Storm Drain Study:** The storm drain study is accepted. No improvements are needed to the storm drain system.
3. **Sight Distance:** A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
4. Posting of the ROW permit bond is a prerequisite to DPS approval of the record plat. The right-of-way permit will include, but not necessarily be limited to, the following improvements:

**Office of the Director**

101 Monroe Street 10<sup>th</sup> Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX

[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)

*Located one block west of the Rockville Metro Station*

- a. Enclosed storm drainage and/or engineered channel (in accordance with the MCDOT Storm Drain Design Criteria) within the County rights-of-way and all drainage easements.
- b. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
- c. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the DPS and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) if deemed necessary by the DPS.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Deepak Somarajan, our Development Review Team Engineer for this project at [deepak.somarajan@montgomerycountymd.gov](mailto:deepak.somarajan@montgomerycountymd.gov) or (240) 777-2194.

Sincerely,

*Deepak Somarajan*

Deepak Somarajan, Engineer III  
Development Review  
Office of Transportation Policy

SharePoint\teams\DOT\Director's Office\Development Review\Deepak\Administrative Subdivision Review\ 620210020-Wilson Delay, Lot 1\Letter\ 620210020-Wilson Delay, Lot 1 Letter

Enclosure: Sight Distance Form

cc: Sharepoint Correspondence Folder FY' 21

cc-e: Dhaval Patel	Vanmar Associates, Inc.
Atiq Panjshiri	MCDPS RWPR
Sam Farhadi	MCDPS RWPR
Rebecca Torma	MCDOT OTP





**MONTGOMERY COUNTY, MARYLAND**  
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION  
DEPARTMENT OF PERMITTING SERVICES

**SIGHT DISTANCE EVALUATION**

ADMINISTRATIVE SUBDIVISION PLAN-620210020

Facility/Subdivision Name: WILSON DELAY, LOT 1

~~Preliminary Plan Number: 4~~

Street Name: WEST HUNTER ROAD

Master Plan Road

Classification: RUSTIC ROAD (R-44)

Posted Speed Limit: 35 mph

Street/Driveway #1 ( LOT 1/PARCEL 562 )

Street/Driveway #2 ( \_\_\_\_\_ )

Sight Distance (feet)      OK?  
Right 580'+      OK  
Left 280'      OK

Sight Distance (feet)      OK?  
Right \_\_\_\_\_  
Left \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**GUIDELINES**

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
<b>Primary - 35</b>	<b>250'</b>
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

\*Source: AASHTO

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

**ENGINEER/ SURVEYOR CERTIFICATE**

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Ronald E. Thompson  
Signature      Date: 10/21/2020

18417

PLS/P.E. MD Reg. No.



10/23/2020

**Montgomery County Review:**

☒ Approved

☐ Disapproved:

By: Deepak Somarajan

Date: 8/30/2021



## RUSTIC ROADS ADVISORY COMMITTEE



December 13, 2020

Dhaval Patel, Vanmar Associates  
310 South Main St  
P.O. Box 328  
Mount Airy, MD 21771

Re: Wilson Delay Lot 1, Admin. Subdivision 620210020, West Hunter Road, rustic

Dear Mr. Patel:

Thank you and your associate, Lorri Latimer, for meeting with members of the Rustic Roads Advisory Committee on Wednesday, November 18, 2020 at the site of the project above. The subdivision submission proposes one lot (12.18 acres) for one house and one driveway on the north side of West Hunter Road. As previously discussed, West Hunter Road is designated as a rustic road, and one of the road's Significant Features is the hedgerow along its edge. Under county code, Chapter 49, Article 8, Significant Features must be preserved when the road is maintained or improved.

The purpose of the site meeting was to review the location of the proposed driveway, its impact on the hedgerow trees, and possible mitigation (replanting) that is likely to be appropriate. During initial discussions at the site, maximizing preservation of prime farmland and providing safe sight lines emerged as additional considerations bearing on the driveway's location.

After discussing the issues, including an alternate location for the new driveway, the parties present arrived at a tentative plan. Subsequently, you joined the Committee at its regular meeting on December 3, 2020, at which time the issues were considered once again with the following mutually agreeable plan resulting:

1. Locate the driveway as proposed by Mr. Patel in the plan forwarded to the Committee on December 2, 2020.
2. Correct the sightline problem by either trimming or removing one and possibly two of the cedar trees immediately to the east of the proposed driveway as needed to achieve safe sightlines.
3. The Committee strongly prefers trimming rather than removing the trees.
4. If it is necessary to remove the trees, they should be replaced by replanting two native hardwood trees in line with the existing hedgerow at the space west of the proposed driveway where the existing hedgerow is sparse.

After discussion, the committee voted to support the plan as described above.

Thank you for submitting this project to the Committee for review. If there are revisions to this project that are likely to result in new or different impacts to this rustic road, please submit them to the Committee through our staff coordinator, Darcy Buckley, at [Darcy.Buckley@montgomerycountymd.gov](mailto:Darcy.Buckley@montgomerycountymd.gov). We wish to thank you and Ms. Latimer for being responsive to our information requests and for taking time to join with the Committee at its regularly scheduled meetings and at the site.

Sincerely,



Robert J. Tworowski, Chair  
Rustic Roads Advisory Committee

Committee Members: Dan Seamans, Laura Van Etten,  
Robert Wilbur, Lonnie Luther, Kamran Sadeghi, N. Anne  
Davies, Leslie Saville (M-NCPPC)



cc: Jeffrey Server, Lauren Campbell, Douglas Johnsen, Joshua Penn (M-NCPPC)  
Atiq Panjshiri, Megan Wilhelm (Department of Permitting Services)  
Mary Pat Wilson (resident)



1989 9 8 0 10 06 5 6

THIS DEED, made this 22ND day of August, 1989, by Hubert Matthews a.k.a Hubert W. Matthews, Sr.

WITNESSETH: That for and in consideration of these presents and the benefits to be derived and without monetary consideration of any kind, I, the said Hubert W. Matthews hereby grant and convey unto my wife, Evelyn D. Matthews, in fee simple, all my right title and interest in the following described land and premises, with the improvements, easements and appurtenances thereunto belonging, situate, lying and being in Montgomery County, State of Maryland, namely:

All that parcel being in the Third Election District of Montgomery County, Maryland, and being more particularly described as follows:

Beginning at a pipe found at the southeast corner of recorded Liber 3195 at folio 488, then with the south property line (1) South 72° 36' 55" West 193.36 feet to a pipe found on the North Right of Way line of West Hunter Road, approximately 15' off the center of the existing paving, then with said road (2) North 83° 47' 00" West 405.38 feet, then leaving said road (3) North 05° 00' 00" East 20.00 feet to a pipe set, then continuing with said line (4) North 05° 00' 00" East 1073.47 feet to a pipe set, then (5) South 85° 00' 00" East 403.49 feet to a pipe set on the east property line of Liber 3195 at folio 488, then with said line (6) South 04° 57' 33" East 1044.18 feet to the beginning point containing a computed area of 12.4544 acres. *ECC=0.004*

Together with an interest, if any, in the Right of Way of West Hunter Road.

All as shown on a boundary survey dated May, 1978, by John H. McGovern, Civil Engineer and Land Surveyor.

BEING all that same land described in a Deed dated May 1980, 1981 by William M. Canby, et al unto Hubert Matthews and Evelyn D. Matthews, husband and wife, recorded among the Land Records of Montgomery County, Maryland, in Liber 5712 at folio 602.

TO HAVE AND TO HOLD the above described real estate unto the aforesaid Evelyn D. Matthews, her heirs and assigns in fee simple forever.

AND THE GRANTOR herein hereby covenants that he will warrant specially the property granted and that he will execute such further assurances of the same as may be requisite.

WITNESS my hand and seal the day and year first above written

Hubert Matthews (SEAL)  
Hubert Matthews

STATE OF MARYLAND, COUNTY OF MONTGOMERY, TO WIT:

I HEREBY CERTIFY that on this 22ND day of August, 1989, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Hubert Matthews a.k.a Hubert W. Matthews, Sr., the Grantor herein, and acknowledged the foregoing Deed to be his act and deed.

WITNESS my hand and Notarial Seal.

Frederick M. [Signature]  
Notary Public

My commission expires July 1, 1990.

Parcel Identification: 3-1-38662

No Title Insurance Involved herein.

Grantee: Evelyn D. Matthews, 22001 Dickerson Rd., Dickerson, Md. 20842

Property address: 20415 Hunter Road, Beallsville, Md. 20839

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) BAS 8980, p. 0656, MSA CE63\_8938. Date available 06/22/2005. Printed 05/31/2019 08:59 SEP -6 AM 10:01

RECEIVED FOR TRANSFER  
State Department of  
Assessments & Taxation  
for Montgomery County  
AMOUNT OF \$ N/A  
SIGNATURE [Signature]



m  
3  
-  
p

BH



LIBER 8980 FOLIO 657

I hereby certify that this instrument was  
prepared under the supervision of  
S. M. Hackett Member of the  
Court of Appeals

SHERWOOD M. HACKETT

David O. King

TRANSFER WITHOUT CONSIDERATION

ALL Taxes on easements certified to the  
Collector of Taxes for Montgomery County  
Md. by David O. King have been paid Dept. of  
Finance/Montgomery County, Md. This  
statement is for the purpose of permit  
recording and is not assurance against  
further taxation even for prior periods.  
I do not guarantee satisfaction of any other  
taxes but will

31-30662

SP. 6

ASSIGNMENT OF INTEREST

SHERWOOD M. HACKETT hereby assigns to  
the parties of the first part the entire interest in and to the  
land described in the foregoing instrument and to the  
profit or benefit thereof and to the proceeds of the sale of the same  
of NONE

WITNESS

SHERWOOD M. HACKETT

Witness

LIBER 5712 FOLIO 602

D E E D

MMC 2972

1981 JUN 10 PM 2:40

RECORDED  
MONTGOMERY COUNTY, MD

This Deed made this 30<sup>th</sup> day of May, 1981, by and among WILLIAM M. CANBY and ROBERT L. BURCHETT, TRUSTEES, Parties of the First Part, HUBERT MATTHEWS, Party of the Second Part, and HUBERT MATTHEWS and EVELYN D. MATTHEWS, his wife, Parties of the Third Part:

W I T N E S S E T H

Whereas, Michael J. Fers and Carol J. Fers executed a certain Deed of Trust dated July 18, 1979 and recorded July 23, 1979 in Liber 5363 at folio 324 to William M. Canby and Robert L. Burchett, Trustees, to secure a loan from Edwin Matthews, et al, and

Whereas, default having occurred under the terms of that certain Deed of Trust from Michael J. Fers and Carol J. Fers, dated July 18, 1979 and recorded in Liber 5363 at folio 324 among the Land Records for Montgomery County, Maryland, said Trustees, first having posted bond for the faithful performance of their trust and having complied with other prerequisites of law, and after having given previous notice of the time, place, manner and terms of sale by advertisement placed once a week for three successive weeks before the sale in the Montgomery County Sentinel, a newspaper published in Montgomery County, Maryland; did, at public sale held in front of the Court House door in the City of Rockville, Maryland, on January 13, 1981 at 10:30 A.M. sell the property described in said Deed of Trust to Hubert Matthews, he being the highest and best bidder thereof, and, whereas, said sale has been duly reported to the Circuit Court for Montgomery County, Maryland, and finally ratified by a Decree thereof passed on March 16, 1981, in Equity No. 73834, and, whereas, the purchase money having been fully paid, said purchaser is now entitled to this Deed, and

Whereas, the said Hubert Matthews desires that title to the within property be conveyed in the names of Hubert Matthews and Evelyn Matthews, his wife, and does join herein to so direct said conveyance

Now, therefore, in consideration of the sum of Fifty Six Thousand and no/100 Dollars (\$56,000.00), the said Parties of the First/Parts do grant

RTX 346.40  
STT 280.00  
DEED 17.00  
SUBTOTAL 543.40  
CHECK 543.40  
444068 C213 R01 T14:41  
JUN 10 81

LAW OFFICES  
MILLER, MILLER & CANBY  
CHARTERED  
200-B MONROE STREET  
ROCKVILLE, MARYLAND  
301-782-5212



## LIBER 5712 FOLIO 603

and convey unto the said Parties of the Third Part, in fee simple, as tenants by the entirety, the following described land and premises, with the improvements, easements and appurtenances thereunto belonging, situate, lying and being in Montgomery County, State of Maryland, namely:

All of that parcel being in the Third Election District of Montgomery County, Maryland, being part of Parcel Two of the land conveyed by Charles W. Woodward, Jr., Trustee, to Walter K. Matthews and Eleanor L. Matthews, his wife, by Deed dated March 10, 1964 and recorded in Liber 3195 at folio 488 in the Land Records of Montgomery County, Maryland, and being more particularly described as follows:

- Beginning at a pipe found at the southeast corner of said Liber 3195 at folio 488, then with the south property line
1. South  $72^{\circ} 36' 55''$  West 193.36 feet to a pipe found on the North Right of Way line of West Hunter Road, approximately 15' off the center of the existing paving, then with said road.
  2. North  $83^{\circ} 47' 00''$  West 405.38 feet, then leaving said road
  3. North  $05^{\circ} 00' 00''$  East 20.00 feet to a pipe set, then continuing with said line
  4. North  $05^{\circ} 00' 00''$  East 1073.47 feet to a pipe set, then
  5. South  $85^{\circ} 00' 00''$  East 403.49 feet to a pipe set on the east property line of Liber 3195 at folio 488, then with said line
  6. South  $04^{\circ} 57' 33''$  East 1044.18 feet to the beginning point containing a computed area of 12.4544 acres.

Together with an interest, if any, in the Right of Way of West Hunter Road.

All as shown on a boundary survey dated May, 1978 by John H. McGovern, Civil Engineer and Land Surveyor.

BEING all that same land described in Liber 5363 at folio 321.

TO HAVE AND TO HOLD the same unto and to the use of the said Parties hereto of the Second Part, in fee simple.

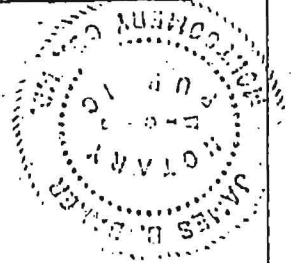
LIBER 5712 FOLIO 604

SUBSCRIBED AND SEALED on the day and year first hereinbefore written.

William M. Canby (SEAL)  
William M. Canby, Trustee

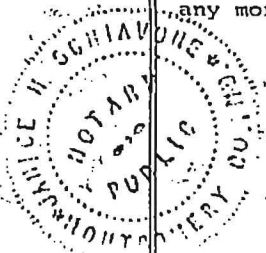
Robert L. Burchett (SEAL)  
Robert L. Burchett, Trustee

Hubert Matthews (SEAL)  
Hubert Matthews



STATE OF MARYLAND  
MONTGOMERY COUNTY, to wit:

I hereby certify that on this 9th day of June, 1981, before the undersigned, a notary public of the state and county aforesaid personally appeared William M. Canby, Trustee, and Robert L. Burchett, Trustee, known to me to be the persons whose names are subscribed to the within Deed and did each acknowledge the foregoing Deed to be his act and deed for the purposes therein contained, and did further acknowledge under penalty of perjury that the consideration as set forth herein is correct, including the amount of any mortgage or deed of trust assumed by the Parties of the Third Part.



Janice H. Schiavone  
Janice H. Schiavone Notary Public

My commission expires: July 1, 1982

LAW OFFICES  
MILLER, MILLER & CANBY  
CHARTERED  
200-B MONROE STREET  
ROCKVILLE, MARYLAND  
301-762-5212



LIBER 5712 FOLIO 605

STATE OF MARYLAND  
MONTGOMERY COUNTY, to wit:

I hereby certify that on this 30<sup>th</sup> day of May, 1981, before the undersigned, a notary public of the state and county aforesaid, personally appeared Hubert Matthews known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Deed and did acknowledge the foregoing Deed to be his act and deed for the purposes therein contained, and did further acknowledge under penalty of perjury that the consideration as set forth herein is correct, including the amount of any mortgage or deed of trust assumed by the Parties of the Third Part.

James B. Baker  
James B. Baker Notary Public

My commission expires: July 1, 1982



I hereby certify that I am an attorney duly admitted to practice before the Court of Appeals of Maryland and that this instrument was prepared under my supervision.

Carson L. Mills  
Carson L. Mills

LAW OFFICES  
MILLER, MILLER & CANDY  
CHARTERED  
200-B MONROE STREET  
ROCKVILLE, MARYLAND  
301-762-5212

LIBER 5712 FOLIO 606

JUN 10 1981

3-1-38662

All taxes on assessments certified to the  
Collector of Taxes for Montgomery County,  
Md. by 3-1-38662 have been paid Dept. of  
Finance, Montgomery County, Md. This  
statement is for the purpose of permitting  
recording and is not assurance of payment  
further taxation even for "old" periods, nor  
does it guarantee satisfaction of outstanding  
tax sales.

\$1400.00 TRANSFER TAX PAID  
MONTGOMERY COUNTY, MARYLAND

BY

JUN 10 1981

FAIR TAX END

HEREBY CERTIFY THIS PROPERTY HAS BEEN DULY  
TRANSFERRED ON THE MONTGOMERY COUNTY  
ASSESSMENT BOOKS  
SM 1400 30229  
TRANSFER CLERK, ASSESSMENT DEPARTMENT

3-1-38662



LIBER 5363 FOLIO 321

1979 JUL 23 PM 4: 12

DEED

CLERK'S OFFICE  
MONTGOMERY COUNTY, MD

Made this 18th day of July, 1979, by and between

Vivian M. Orme, Doris M. Lewis, Hubert Matthews,  
Edwin R. Matthews and Corinne S. Matthews, as  
Tenants in Common,

Party (ies) of the first part, and

Michael J. Fers and Carol J. Fers, his wife,

Party (ies) of the second part:

JUL-23-79 PAID 6364 CLK.CT.M.C. — RTX DCK 290.40

WITNESSETH, that in consideration of the sum of \$66,000.00 and other good and valuable considerations, receipt of which is hereby acknowledged, the parties of the first part do grant and convey unto the parties of the second part in fee simple, all that property situated in Montgomery County, State of Maryland, described as:

JUL-23-79 PAID 6365 CLK.CT.M.C. — STDCK 330.00

All of that parcel being in the Third Election District of Montgomery County, Maryland, being part of Parcel Two of the land conveyed by Charles W. Woodward, Jr., Trustee to Walter K. Matthews and Eleanor L. Matthews, his wife, by Deed dated March 10, 1964 and recorded in Liber 3195 at Folio 488 in the Lane Records of Montgomery County, Maryland, and being more particularly described as follows:

JUL-23-79 PAID 6366 CLK.CT.M.C. DEED — DCK 13.00

Beginning at a pipe found at the southeast corner of said Liber 3195 at Folio 488, then with the south property line

1. South 72 ° 36'55" West 193.36 feet to a pipe found on the North Right of Way Line of West Hunter Road, approximately 15' off the center of the existing paving, then with said road
  2. North 83 ° 47'00" West 405.38 feet, then leaving said road
  3. North 05 ° 00'00" East 20.00 feet to a pipe set, then continuing with said line
  4. North 05 ° 00'00" East 1073.47 feet to a pipe set, then
  5. South 85 ° 00'00" East 403.49 feet to a pipe set on the east property line of Liber 3195 at Folio 488, then with said line
  6. South 04 ° 57'33" East 1044.18 feet to the Beginning Point containing a computed area of 12.4544 acres.
- Together with an interest, if any, in the Right of Way of West Hunter Road.
  - All as shown on a Boundary Survey dated May, 1978 by John H. McGovern, Civil Engineer and Land Surveyor.

*Jerrold B. Pinski*  
ATTORNEY AT LAW  
SUITE 410  
416 HUNTER ROAD DRIVE  
ROCKVILLE, MARYLAND 20850  
(301) 278-7418

Being the same property described in Liber 5209 folio 631, among the said Land Records.

Subject to covenants and restrictions of record.

290.40  
330.00  
13.00



LIBER 5363 FOLIO 322

I HEREBY CERTIFY that I am an attorney admitted to practice before the Court of Appeals of Maryland, and that I have prepared this instrument.

*Jerry B. Pinsker (cw)*  
Jerrold B. Pinsker, Esquire

TO HAVE AND TO HOLD said land and premises above described or mentioned and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereunto belonging or appertaining, unto and to the only proper use, benefit and behoof forever of said party of the second part in fee simple.

TOGETHER with the building and improvements thereupon erected, made or being; and all and every, the rights, alleys, ways, water, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

AND the said parties of the first part covenants that they will warrant specially the property hereby conveyed; and that they will execute such further assurances of said land as may be requisite.

WITNESS their hands and seals.

TEST:

*Vivian M. Orme*  
Vivian M. Orme

*Doris M. Lewis*  
Doris M. Lewis

*Hubert Matthews*  
Hubert Matthews

*Edwin R. Matthews*  
Edwin R. Matthews

*Corinne S. Matthews*  
Corinne S. Matthews

STATE OF MARYLAND  
COUNTY OF MONTGOMERY

On this 18th day of July, 1979, before me, the undersigned officer, personally appeared: Vivian M. Orme, Doris M. Lewis, Hubert Matthews, Edwin R. Matthews and Corinne S. Matthews known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they have executed the same for the purposes therein contained.

In witness whereof I have hereunto set my hand and official seal

*James B. Baker*  
Notary Public

AFFIDAVIT OF CONSIDERATION

I, Jerrold B. Pinsker, hereby certify under the penalties of perjury that the actual consideration paid or to be paid for the foregoing conveyance, including the amount of any mortgage or deed of trust assumed by the grantee, is in the sum total of \$ 66,000.00

WITNESS:

*Jerrold B. Pinsker*  
ATTORNEY AT LAW  
SUITE 414  
416 HUNTERFORD DRIVE  
ROCKVILLE, MARYLAND 20850  
709/11 976 1618

*Jerrold B. Pinsker (cw)*  
Jerrold B. Pinsker, Affiant



LIBER 5363 FOLIO 323

JUL 20 1979

out 8-

3-1-38662  
All Taxes on assessments certified to the  
Collector of Taxes for Montgomery County  
Md. & 30-76 have been paid Dept. of  
Finance Montgomery County, Md. This  
statement is for the purpose of permitting  
recording and is not assurance against  
further taxation even for prior periods, nor  
does it guarantee satisfaction of outstanding  
tax sales.

\$340.00 TRANSFER TAX PAID  
MONTGOMERY COUNTY, MARYLAND  
BY Kay Tonline

- EXEMPT FROM RECAPTURE TAX -

PAYED JUL 20 1979

HEREBY CERTIFY THIS PROPERTY HAS BEEN DULY  
TRANSFERRED ON THE MONTGOMERY COUNTY  
ASSESSMENT BOOKS.

P. R. Hargood 23700  
TRANSFER CLERK DIVISION OF ASSESSMENT

3-1-38662  
12.45 A



mailed to -  
Grantee Rt. #2 Buchanan md. 4-9-64

LIBER 3195 FOLIO 488

Recorded March 11th, 1964-at-2:33 P. M.

DEED

THIS DEED, made this 10<sup>th</sup> day of March, 1964, by and between CHARLES W. WOODWARD, JR., Trustee for the sole purpose of reconveying the hereinafter described property to Walter K. Matthews and Eleanor L. Matthews, his wife, as Tenants by the Entirety, party of the first part, and WALTER K. MATTHEWS and ELEANOR L. MATTHEWS, his wife, parties of the second part.

WITNESSETH, that for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, the said party of the first part, in compliance with the trust in him reposed, does hereby grant and convey unto the said parties of the second part, as Tenants by the Entirety, their heirs and assigns, in fee simple, all those pieces or parcels of land situate, lying and being in Montgomery County, Maryland, as follows:

1. All those pieces or parcels of land described in a deed dated November 25, 1932, from Leslie N. Coblentz, Assignee, to Walter K. Matthews, and recorded among the Land Records for Montgomery County, Maryland, in Liber 544 at folio 309, containing 158.59 acres of land, more or less, and 91.4 acres of land, more or less, together with a strip of land fifteen (15) feet wide as described in said deed.
2. All that piece or parcel of land as described in a deed dated December 29, 1937, from Florence Young Robertson and husband, et al, to Walter K. Matthews, recorded among the Land Records for Montgomery County, Maryland, in Liber 690 at folio 95, containing 171 acres, 2 roods and 4 square perches, more or less, located in the Third Election District for Montgomery County, Maryland.
3. All that piece or parcel of land described in a deed dated February 21, 1914 from David H. Mullinix and wife to Walter K. Matthews, recorded among the Land Records for Montgomery County, Maryland, in Liber 248 at folio 99, containing 0.61 of an acre of land, more or less.
4. All those pieces or parcels of land as described in a deed dated October 30, 1917 from Arthur P. Nicholson and wife, et al, to Walter K. Matthews, recorded among the Land Records for Montgomery County, Maryland, in Liber 464 at folio 172, containing 0.098 of an acre of land, more or less, and 0.198 of an acre of land, more or less.

5. All that piece or parcel of land situate, lying and being in the Village of Dickerson, Barnesville Election District, Montgomery County, Maryland, as described in a deed dated August 19, 1948, from Joseph T. Griffin and Charles Garrett Cooley, Executors of the estate of George A. Pearre, Jr., to Walter K. Matthews, recorded among the Land Records for Montgomery County, Maryland, in Liber 1236 at folio 93.

BEING all of the same land which the said parties of the second part conveyed to the said party of the first part by deed intended to be recorded immediately prior hereto.

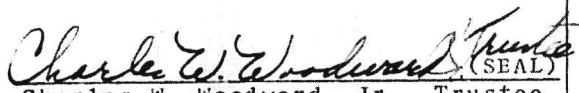
TOGETHER WITH the building and improvements thereupon, erected, made, or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances, and advantages, to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the aforesaid pieces or parcels of ground and premises above described or mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances, and advantages thereto belonging or appertaining unto and to the only proper use, benefit and behoof forever of the said parties of the second part, as Tenants by the Entirety, their heirs and assigns, in fee simple.

WITNESS his hand and seal.

Witness:

  
CHARLES E. ORME

  
Charles W. Woodward, Jr., Trustee  
for the sole purpose of reconveying  
the above described property to  
Walter K. Matthews and Eleanor L.  
Matthews, his wife, as Tenants by  
the entirety.

STATE OF MARYLAND

COUNTY OF MONTGOMERY, to wit:

I HEREBY CERTIFY that on this 10<sup>th</sup> day of March, 1964,  
before the subscriber, a Notary Public in and for the State and  
County aforesaid, personally appeared Charles W. Woodward, Jr.,



Trustee for the sole purpose of reconveying the above described property to Walter K. Matthews and Eleanor L. Matthews, his wife, as Tenants by the Entirety, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

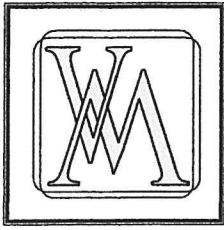


WITNESS my hand and Notarial seal.

*Charles E. Orme*  
Notary Public CHARLES E. ORME

My commission expires: *May 3, 1965.*





**VANMAR  
ASSOCIATES, INC.**

**Engineers • Surveyors • Planners**

310 South Main Street, P.O. Box 328, Mount Airy, Maryland 21771

(301) 829-2890  
(301) 695-0600

(301) 831-5015

(410) 549-2751  
Fax (301) 831-5603

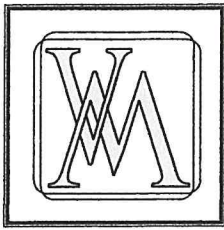
**Verification of  
Metes and Bounds Description  
and Land Area**

**Lands Conveyed to  
Evelyn D. Matthews  
lying Northerly of West Hunter Road  
Liber B.A.S. 8980, Folio 656  
Tax Map CU12, Parcel P562  
Third Election District  
Montgomery County, Maryland**

**This letter is to verify that a certain parcel of land, lying on the northerly side of West Hunter Road, shown and designated on Tax Map CU12 as Parcel P562, in the Third Election District of Montgomery County, Maryland, which by the most current Deed dated August 22, 1989, and recorded among the Land Records of Montgomery County, Maryland, in Liber B.A.S. 8980, Folio 656, was granted and conveyed by Hubert W. Matthews, to Evelyn D. Matthews, his wife; said parcel of land being described in the aforementioned Deed recorded in Liber B.A.S. 8980, Folio 656, with metes and bounds, and having an area of land containing 12.4544 acres, more or less; is the exact same parcel of land, perpetuated and unchanged, as described in all previous conveyances of the same land, dating to the origination of the aforesaid parcel of land, as herein verified and documented in the Land Records of Montgomery County, Maryland, as follows:**

**Being all of that certain parcel of land, described with metes and bounds, and having an area of land containing 12.4544 acres, more or less; which by Deed dated August 22, 1989, and recorded among the Land Records of Montgomery County, Maryland, in Liber B.A.S. 8980, Folio 656, was granted and conveyed by Hubert W. Matthews, to Evelyn D. Matthews, his wife.**

**Also being all of that certain parcel of land, described with metes and bounds, and having an area of land containing 12.4544 acres, more or less; which by Deed dated May 30, 1981, and recorded among the Land Records of Montgomery County,**



**VANMAR  
ASSOCIATES, INC.**

**Engineers • Surveyors • Planners**

310 South Main Street, P.O. Box 328, Mount Airy, Maryland 21771

(301) 829-2890  
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(301) 831-5015

(410) 549-2751  
Fax (301) 831-5603

Maryland, in Liber H.M.S. 5712, Folio 602, was granted and conveyed by William M. Canby and Robert L. Burchett, Trustees, and Hubert Matthews, to Hubert Matthews and Evelyn D. Matthews, his wife.

Also being all of that certain parcel of land, described with metes and bounds, and having an area of land containing 12.4544 acres, more or less; which by Deed dated July 18, 1979, and recorded among the Land Records of Montgomery County, Maryland, in Liber H.M.S. 5363, Folio 321, was granted and conveyed by Vivian M. Orme, Doris M. Lewis, Hubert Matthews, Edwin R. Matthews, and Corinne S. Matthews, as Tenants in Common, to Michael J. Fers and Carol J. Fers, his wife.

Also being a part of that firstly described parcel of land, a part of Parcel One; which by Deed dated August 7, 1978, and recorded among the Land Records of Montgomery County, Maryland, in Liber H.M.S. 5209, Folio 631, was granted and conveyed by Vivian M. Orme, Personal Representative of the Estate of Eleanor L. Matthews, deceased, to Vivian M. Orme, Doris M. Lewis, Hubert Matthews, Edwin R. Matthews, and Corinne S. Matthews, as Tenants in Common.

The Undersigned personally prepared this Letter of Verification, its preparation and the work reflected in it. This Letter of Verification is in compliance with COMAR Section 09.13.06.12 of the Minimum Standards of Practice as now adopted by the Maryland Board for Professional Land Surveyors.

**Jeffery W. Elkins**  
**Professional Land Surveyor**  
**Maryland License No. 21512**  
**Expiration Date: August 4, 2021**

OCTOBER 21, 2020

**Date:**



**Server, Jeffrey**

---

**From:** Mary Pat Wilson <mrptwilson315@gmail.com>  
**Sent:** Friday, October 9, 2020 9:41 AM  
**To:** Server, Jeffrey  
**Subject:** Re: Plan # 620210020 - Wilson Delay, Lot 1

**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Jeff,  
 Thanks for the update.

Enjoy the weekend,

Mary Pat Wilson

Sent from my iPhone

On Oct 9, 2020, at 9:00 AM, Server, Jeffrey <Jeffrey.Server@montgomeryplanning.org> wrote:

Good morning,

Thank you for taking the time to share your questions. I have posted these questions within ePlans and they will be shared with the applicant team prior to DRC. I'm glad to see that Doug was able to answer a couple of your questions. I will forward the invite to you for DRC for this upcoming Tuesday once I receive. Please do not hesitate to let me know if you have any further questions or concerns. Thanks and have a great weekend.

Cheers,  
 Jeff

**Jeff Server**

Planner Coordinator, Upcounty Planning  
 Montgomery County Planning Department  
 o: 301.495.4513

---

**From:** Johnsen, Douglas <douglas.johnsen@montgomeryplanning.org>  
**Sent:** Wednesday, October 7, 2020 10:47 AM  
**To:** Mary Pat Wilson <mrptwilson315@gmail.com>; Server, Jeffrey <Jeffrey.Server@montgomeryplanning.org>  
**Subject:** RE: Plan # 620210020 - Wilson Delay, Lot 1

Mary Pat,

As you know, I review the plans for compliance to Chapter 22A (Forest Conservation) and our approved Environmental Guidelines. So, I think I can address questions #1 and #3:

1. For question #1 I have asked the applicant to move the house, septic fields and wells out of the forested area in order to address requirements under Section 22A-12 of the Forest Conservation Law. If they cannot move those elements, they must provide the reasoning as to why they can't

move them. In this case, they will need to show that there are no other reasonable locations for the septic fields and wells. Knowing that your wells are in close proximity to the currently proposed septic fields may provide additional rationale for moving the septic fields.

2. For question #3, under the Forest Conservation Law, any forest shown to be retained must be placed into a Category I Conservation Easement. The current Forest Conservation Plan does not show this and they must revise the plan to protect all forest not shown to be removed.

I hope this addresses at least some of your concerns.

*Doug Johnson*, PLA, ISA

Landscape Architect | ISA Certified Arborist

M-NCPPC  
2425 Reddie Drive, Floor 13  
Wheaton, MD 20902  
Senior Planner, Upcounty Planning Division  
301-495-4559

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**From:** Mary Pat Wilson <[mrptwilson315@gmail.com](mailto:mrptwilson315@gmail.com)>  
**Sent:** Wednesday, October 7, 2020 10:27 AM  
**To:** Server, Jeffrey <[Jeffrey.Server@montgomeryplanning.org](mailto:Jeffrey.Server@montgomeryplanning.org)>  
**Cc:** Johnson, Douglas <[douglas.johnsen@montgomeryplanning.org](mailto:douglas.johnsen@montgomeryplanning.org)>  
**Subject:** Plan # 620210020 - Wilson Delay, Lot 1

**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Dear Mr. Server,

Thank you for answering my questions during our telephone conversation on Monday, October 5th. As a follow-up, I would like to offer the following comments to the referenced plan. I am an adjacent property owner located at 20211 W. Hunter RD.

1. I am most concerned with the location of the septic field. My well is located in the wooded area close to the applicant's proposed septic field. I am requesting that the applicant show locations of both my well and septic on the plans.
2. I would like clarification on the proposed number of bedrooms/baths of the proposed house. It is my understanding that in general, a septic plan is designed in consideration of this number.
3. Once the plan is approved and the property owner begins construction, would he/she be allowed to remove trees that are not in the proposed Forest Easement Area or the limits of disturbance as shown on the plan? If so, at what ratio or square footage?
4. Why was the confronting property owner (across W. Hunter RD) not identified? There are driveway locations noted on the platted portion of the property as well as an existing access to an agricultural building.
5. W. Hunter RD is identified as a rural rustic road. Will the applicant need to replace trees along the road that are removed during construction?

As we discussed, I would like to be able to listen in on the comments at the DRC meeting scheduled for October 13th. Please provide me with the link for calling in.



Thank you for the opportunity to comment.

Mary Pat Wilson  
301-943-0100