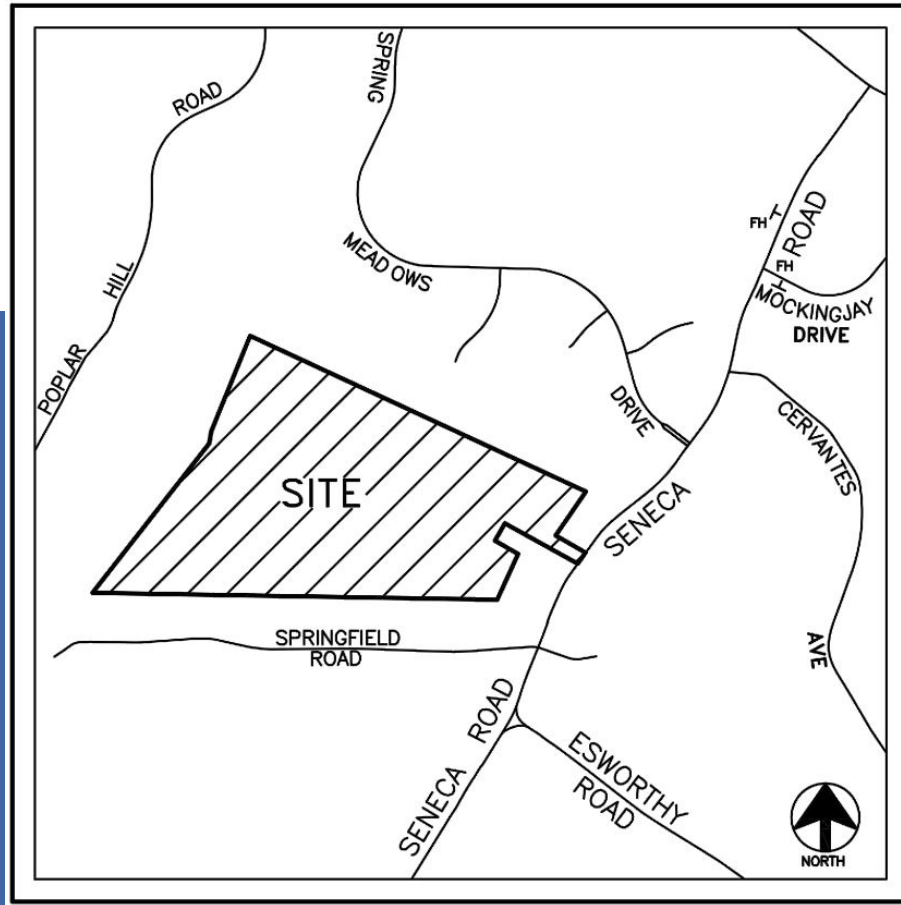


SENECA FARMS: SITE PLAN NO. 820210150



Description

Application to construct 27 single-family detached homes under the Optional Method Cluster Development

PLAN TYPE: SITE PLAN
NO. 820210150
COMPLETED: 12-10-2021

MCPB
Item No. 6
12.23.2021

2425 Reddie Drive
Floor 13
Wheaton, MD 20902

JPC

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LOCATION

West side of Seneca Road (MD Rt. 112), approximately 900 feet north of Springfield Road in Darnestown

MASTER PLAN & ZONE

2002 Potomac Subregion Master Plan

Rural Cluster (RC) Zone

PROPERTY SIZE

136.67 Acres

APPLICANT

Seneca Park LLC

ACCEPTANCE DATE

July 28, 2021

REVIEW BASIS

Chapter 59 & Chapter 22A



Summary

- Staff recommends Approval with conditions.
- The Application is consistent with the associated Preliminary Plan No. 120170240 which was approved for 27 single-family detached lots and dwelling units under the Optional Method Cluster Development.
- The Application provides 5-foot-wide sidewalks on both sides of the public road that connect to an extensive natural surface trail system of approximately 1.2 miles, open space, amenities, and recreation.
- The Site Plan expands the previously approved Rural Open Space to 89.3 acres (65% of net lot area) on-site by reducing individual lots and widening the community gathering area. Proposed conservation easements and infrastructure have also been removed from individual lots and relocated.
- The Application satisfies the requirements of Chapter 22A, Forest Conservation Law, by retaining 54.04 acres of forest onsite and reforesting 11.70 acres, both to be protected in a Category I Conservation Easement.
- Staff received community concerns regarding visibility of the new houses from adjacent properties, management of Rural Open Space, well and septic capacity and safety of the new road location and objection to development of the existing farm fields.

SECTION 1 – RECOMMENDATIONS AND CONDITIONS

SITE PLAN NO. 820210150: Staff recommends approval of Site Plan No.820210150. The development must comply with the conditions of approval for Preliminary Plan No. 120170240 as listed in the MCPB Resolution No.18-097 dated October 25, 2018.

All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions:

Density, Height & Housing

1. Density

The Site Plan is limited to a maximum of 27 single-family detached dwelling units on the Subject Property.

2. Height

The development is limited to a maximum height of 35 feet, as measured from the building height measuring points, as illustrated on the Certified Site Plan.

Open Space, Facilities and Amenities

3. Open Space, Facilities, and Amenities

- a. The Applicant must provide a minimum of 89.33 acres feet of rural open space (65% of net lot area) on-site.
- b. Prior to issuance of the 18th building permit, the Community Gathering Area (as identified on the Certified Site Plan) including fencing, seating, trail head arbors, trail signage and open lawn area must be completed.
- c. Before the issuance of the 21st building permit, all Rural Open Space areas on the Subject Property must be completed.
- d. The Applicant must install all landscaping as shown on the landscape plan sheets of the Certified Site Plan within the latter of six months, or by the next planting season of receiving the Use and Occupancy certificate for the adjacent residential dwelling unit.

4. Recreation

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

5. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to, the natural surface trails, trail signage, open lawn area, seating, and rural open space, including the meadow area.

Environment

6. Forest Conservation & Tree Save

The Applicant must comply with the following conditions of approval for the Final Forest Conservation Plan No. 820210150, approved as part of this Site Plan:

- 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 Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan 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 stream valley buffers, as specified on the approved Final Forest Conservation Plan. The Category I Conservation Easement must be in a form approved by the M-NCPPC Office of the General Counsel and must be recorded among the Montgomery County Land Records by deed. The Book/Page for the easement must be referenced on the record plat(s).
- d. Prior to any demolition, clearing, grading or construction for this development Application, the Applicant must submit financial surety, in a form approved by the M-NCPPC Office of the General Counsel, to the M-NCPPC Planning Department for the new forest planting, mitigation trees, and maintenance, including invasive species management controls, credited toward meeting the requirements of the FCP.
- e. 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 FCP, or as directed by the M-NCPPC Forest Conservation Inspection Staff.
- f. Prior to the initial planting acceptance inspection by the M-NCPPC Forest Conservation Inspection Staff, the Applicant must install the permanent conservation easement fencing along the perimeter of the conservation easements as shown on the FCP, or as directed by the M-NCPPC Forest Conservation Inspection Staff.
- g. Prior to any demolition, clearing, grading or construction for this development Application, the Applicant must execute a five-year Maintenance and Management Agreement (“MMA”) in a form approved by the M-NCPPC Office of General Counsel. The MMA is required for all forest planting areas, mitigation tree plantings, including variance tree mitigation plantings, and landscape plantings credited toward meeting the requirements of the FCP. The MMA includes invasive species management control measures. All proposed measures should be chosen with consideration of the proximity to the on-site stream and wetlands and the sensitive nature of this watershed. The use of herbicides should be avoided where possible.
- h. The Applicant must install the Afforestation/Reforestation plantings as shown on the approved FCP, within the first planting season following the release of the first Sediment and Erosion Control Permit from the Montgomery County Department of Permitting

Services for the Subject Property, or as directed by the M-NCPPC Forest Conservation Inspection Staff.

- i. The Limits of Disturbance (“LOD”) shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.

7. Stormwater Management

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Service (“MCDPS”) Water Resources Section in its stormwater management concept letter dated September 8, 2021 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.

8. Well and Septic

The Planning Board accepts the recommendations of the MCDPS – Well and Septic Section in its letter dated December 8, 2021, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS – Well and Septic Section may amend if the amendments do not conflict with other conditions of Site Plan approval.

9. Transportation

The Planning Board has reviewed and accepts the recommendations of the MCDPS – Right-of-Way Section in its letter dated November 15, 2021 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in their memo, which the MCDPS – Right-of-way Section may amend if the amendments do not conflict with other conditions of Site Plan approval.

Site Plan

10. Site Design

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the submitted architectural drawings, as determined by M-NCPPC Staff.

11. High Visibility Units

For end units that are high visibility, as identified in the Certified Site Plan, all applicable building permit applications must clearly show the following minimum architectural design requirements for side facades:

- a. 1/3, 2/3 or Full brick or stone consistent with the front elevation selected and one of the following options:
 - i. Six (6) windows with similar fenestration to the front elevation selected; OR
 - ii. Four (4) windows with similar fenestration to the front elevation selected AND an architectural highlight, such as, fireplace, bay window, or box window.

12. Lighting

Prior to certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).

- a. All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- b. Deflectors will be installed on all proposed fixtures to prevent excess illumination and glare.
- c. Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by streetlights within the right-of-way.
- d. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

13. Site Plan Surety and Maintenance Agreement

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

- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b. The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, outdoor recreational facilities, site furniture, arbors, trail signage, fences, sidewalks, private utilities, natural surface paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees and street lights. The surety must be posted before issuance of any building permit of development and will be tied to the development program.
- c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

14. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to the approval of the Certified Site Plan.

15. Certified Site Plan

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

- a. Include the stormwater management concept approval letter, development program, and Site Plan resolution (and other applicable resolutions) on the approval or cover sheet(s).
- b. Clearly delineate the Community Gathering Area on the Landscaping Plan.
- c. Clearly identify the meadow portion of the Rural Open Space and provide a bi-annual meadow maintenance program.
- d. Adjust the property lines on Lot 25 to reflect the new well locations.
- e. Add a note to the Site Plan stating that “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
- f. Add a note stating that “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
- g. Modify data table to reflect development standards approved by the Planning Board.
- h. Replace the non-native landscape plants within the Rural Open Space with following native species: Red Oak, Sycamore, Holly, Hornbeam, Serviceberry, Red Maple, River Birch, Sweetbay Magnolia and Tulip Poplar.
- i. Ensure consistency of all details and layout between Site and Landscape plan.

SECTION 2 – SITE LOCATION AND DESCRIPTION

SITE LOCATION

The subject property is located on the west side of Seneca Road (MD 112), approximately 900 feet north of Springfield Road and consists of a 136.67-acre unrecorded parcel (P550 on Tax Maps DR563 & ER123) in the Rural Cluster (RC) Zone (“Property” or “Subject Property”). The Subject Property is approximately $\frac{3}{4}$ of a mile south of Darnestown Road within the Darnestown area identified by the 2002 *Potomac Subregion Master Plan* (“Master Plan”).

The Property is bound on all sides by residential subdivisions in the RC zone developed with single-family detached houses. The area on the east side of Seneca Road is also predominately developed with single-family detached houses in the RC zone.

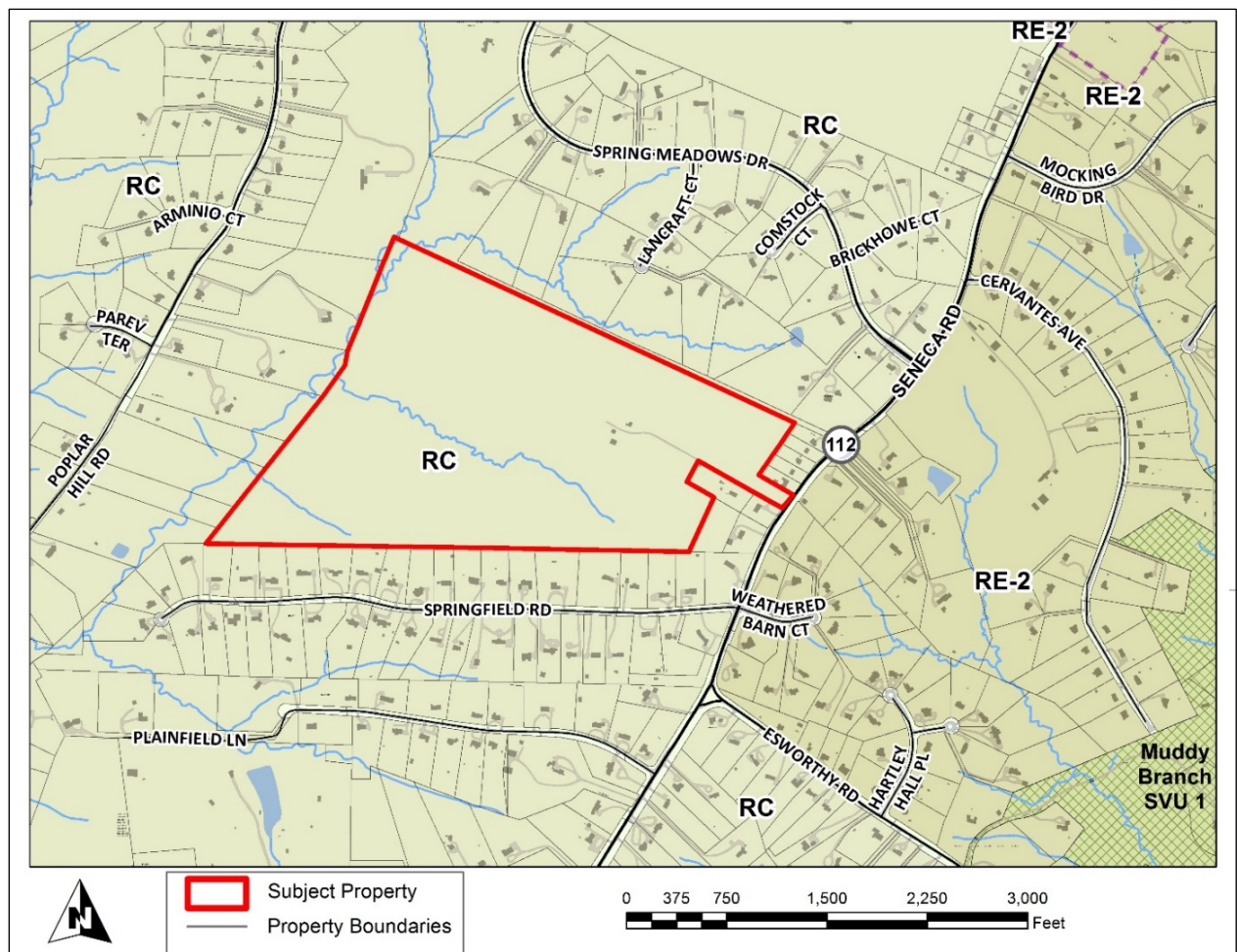


Figure 1 – Zoning Map

SITE DESCRIPTION

The Property has 130 feet of frontage on the west side of Seneca Road and is currently accessed from a single driveway on Seneca Road. The Property is primarily located within the Lower Great Seneca Creek watershed, with approximately 0.42 acres of the Property at its frontage along Seneca Road draining to the Muddy Branch watershed. Both watersheds are classified by the State of Maryland as Use Class I-P waters. There are approximately 60.3 acres of forest on the Property as well as numerous specimen trees. There are three tributary streams that flow through the Property to Seneca Creek (Figure 2). The Property does contain some steep slopes and highly erodible soils, predominately in and around the stream buffer. The remainder of the Property consists of agricultural fields, the remains of a single-family farmhouse, outhouse, barn, and several other agricultural outbuildings. No historic resources or cemeteries are known to exist on the Property.

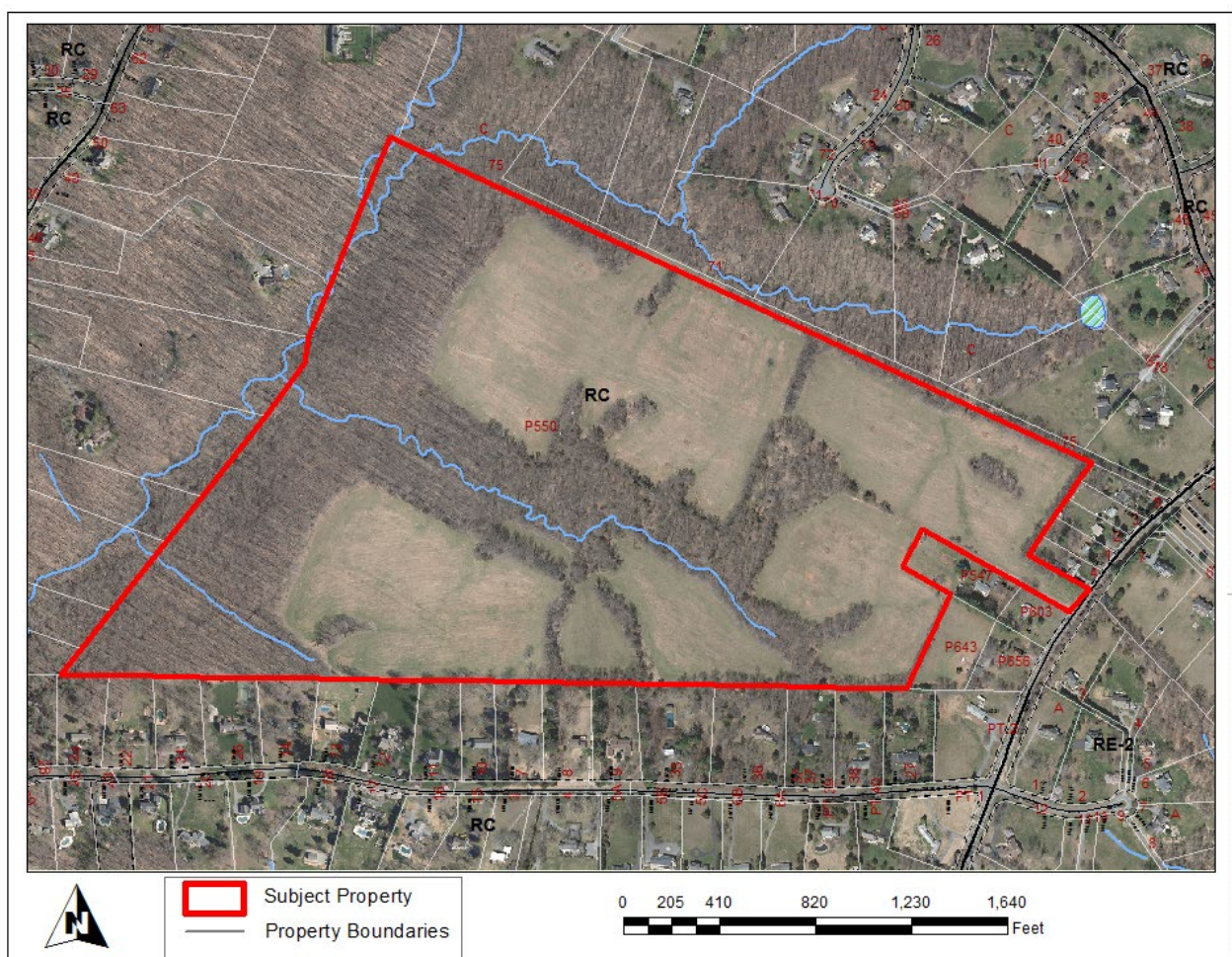


Figure 2 – Aerial Map

SECTION 3 – APPLICATIONS & PROPOSAL

PREVIOUS APPROVALS

Preliminary Plan No. 120170240

Seneca Farms, Preliminary Plan No. 120170240 (“Preliminary Plan”) was approved on October 25, 2018 by Planning Board Resolution No. 18-097 to create 27 lots on 136.67 acres of land in the Rural Cluster Zone (Attachment A).

The Preliminary Plan includes 27 lots ranging from 1.11 – 3.83 acres in size, clustered along the ridge of the Subject Property and accessed from a new open section tertiary public road with 20 feet of pavement terminating in a cul-de-sac (overlength cul-de-sac) on the west side of Seneca Road (See Figure 3). The Preliminary Plan also identifies 64% or 87.7 acres of the Property as a Rural Open Space parcel and three linear Outlots on either side of the new road, parallel to the existing developed properties, which will be conveyed to the individual property owners.

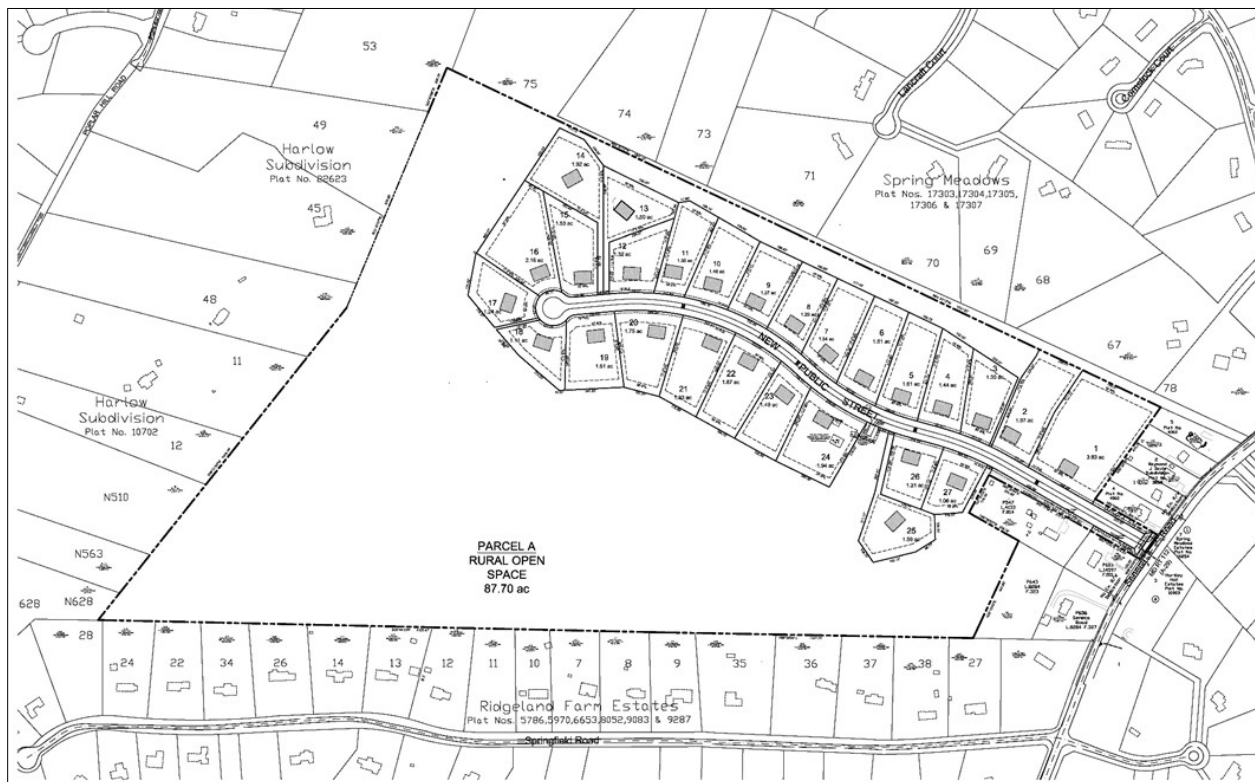


Figure 3 – Approved Preliminary Plan

PROPOSAL

Site Plan No. 820210150 ("Site Plan" or "Application") was submitted on July 28, 2021 by Seneca Park LLC ("Applicant") to allow for the construction of 27 detached dwelling units on lots ranging from 1.00 to 3.73 acres in size, a new public road terminating in a cul-de-sac, an 89.33-acre Rural Open Space parcel, and three Outlots, on 136.67 acres of land in the Rural Cluster (RC) Zone through the Optional Method Cluster Development.

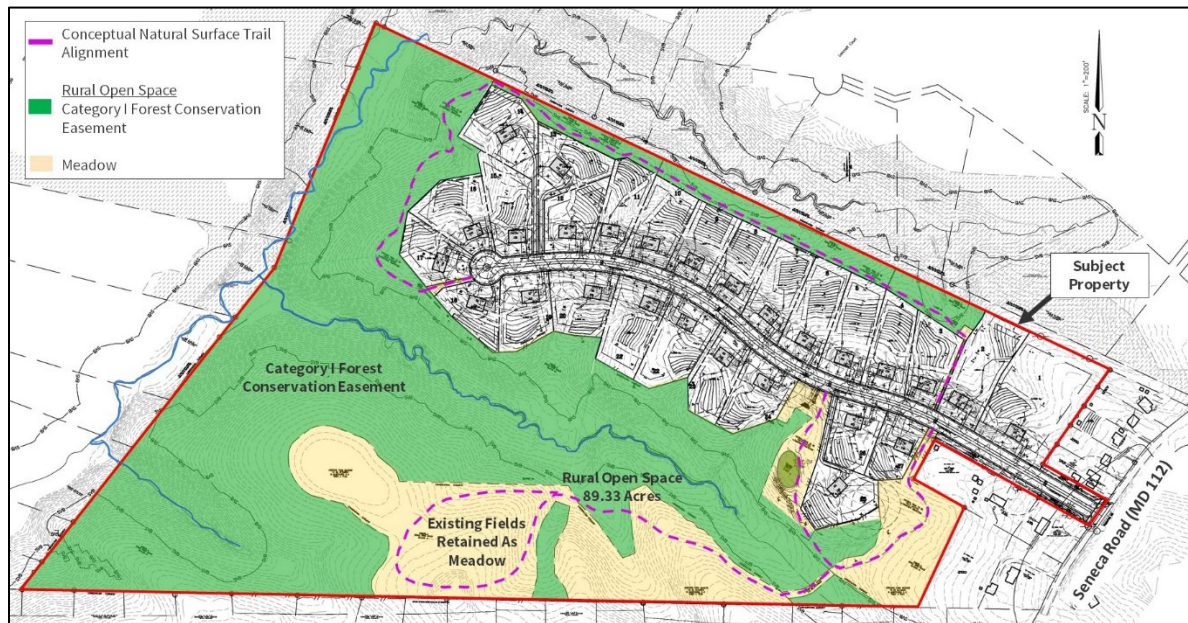


Figure 4 – Site Plan

The Subject Property is accessed from Seneca Road (MD 112) via a single public road, running the length of the site and terminating in a cul-de-sac. Vehicular access will be provided along this road for all proposed dwellings as well as two existing dwellings. The Applicant is dedicating approximately 5.08 acres of land for the new road and an additional 0.6 acres of land is being dedicated for MD 112. The Applicant is constructing sidewalks on both sides of the new road to provide a continuous pedestrian connection between the residences in the subdivision and community amenities, including the 89.33 acres of Rural Open Space and the outdoor Community Gathering Area. The Rural Open Space consists of mature forest, stream valley and open field/meadow which are accessible to residents from three new trailheads that will connect residents to a new natural surface trail network that meanders through the Rural Open Space and Community Gathering Area.

The Site Plan identifies high visibility units that will be subject to minimum façade treatments to enhance the building façade, as defined in Condition 11.

The Site Plan includes minor adjustments to the Preliminary Plan-approved lot design that will improve the site design and pedestrian access to the Rural Open Space. The adjustments also reduce the potential for conservation easement violations. As shown in Figure 4, the Site Plan includes the

following minor modifications to the approved lot configuration, which do not conflict with the Preliminary Plan findings:

- Expand the Community Gathering Area between Lots 24 and 25 to provide a wider opening along the street edge.
- Reduce the size of Lots 15-20 and 22-24 to remove the proposed conservation easement off the lots and onto the Rural Open Space parcel; and
- Relocate stormwater outfalls from private lots onto Rural Open Space (Homeowner Association (“HOA”) maintained property).

Stormwater management goals will be met utilizing environmental site design practices including bioswales to treat the roadway runoff. Drywells and microbio retention areas will be used to manage stormwater on the individual lots. All stormwater management outfalls have been removed from individual lots and placed in separate HOA parcels. Each lot will be served by an on-site private well and septic system. Forest conservation will be met on-site by protecting existing and newly planted forest with a Category I Forest Conservation.

SECTION 4 – ANALYSIS AND FINDINGS - SITE PLAN NO. 820160010

FINDINGS – CHAPTER 59.7.3.4.E

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

The Approval of the Site Plan findings will only apply to the Subject Property being reviewed as part of this Application.

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

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

The Site Plan conforms to all conditions of the Preliminary Plan 120170240, which was approved by MCPB Resolution No. 18-097, dated October 25, 2018 (Attachment A).

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

This section is not applicable since there are no development plans or schematic plans associated with the Subject Property.

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

This section is not applicable since the Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

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

The Site Plan satisfies the use standards, development standards and general requirements for single-unit living in the Rural Cluster (RC) Zone, under the Optional Method Cluster Development in Division 4.3.4.

Use and Development Standards

The Preliminary Plan approved 27 single-family detached living units, a permitted use in the RC Zone. As proposed, the lots substantially conform to the Preliminary Plan, are suitable for the proposed use and conform to the required development standards for the RC Zone.

The following table, Table 1, shows the Application's conformance to the development standards of the zone.

Table 1 – Site Plan Data Table - RC Zone, Optional Method Cluster Development

Data Table	Allowed/Required	Proposed
Gross Tract Area/Usable Area	NA	136.96 acres/136.96 acres
Dedication	NA	5.08 acres (New road)
		0.60 acres (MD 112)
Net Area	NA	131.28 acres
Minimum lot area	40,000 SF min.	43,560 SF min. (1 acre)
Density (units/acre of usable area)	27 du (1 DU/5 acres)	27 du (1 DU/5 acres)
Lot width at front building line	125 ft. min.	125 ft. min.
Lot width at front lot line	25 ft. min.	25 ft. min.
Principal Building Setbacks		
– Front	50 ft. min.	50 ft. min.
– Side (Lot 2-27)	Determined at Site Plan	17 ft. / 35 ft. total min.
– Rear (Lot 3-27)	Determined at Site Plan	30 ft. min.
Lots abutting property not included in Site Plan		
– Side (Lot 1)	17 ft. min./ 35 ft. total min.	17 ft. / 50 ft. (67 ft. total min.)
– Rear (Lot 1 & 2)	35 ft. min.	50 ft. min.
Rural Open Space	60% or 82.17 acres	65% min. or 89.33 acres
MPDUs Required	No (developing on septic)	NA (Per Ch.25A-3 & 25A-5c)

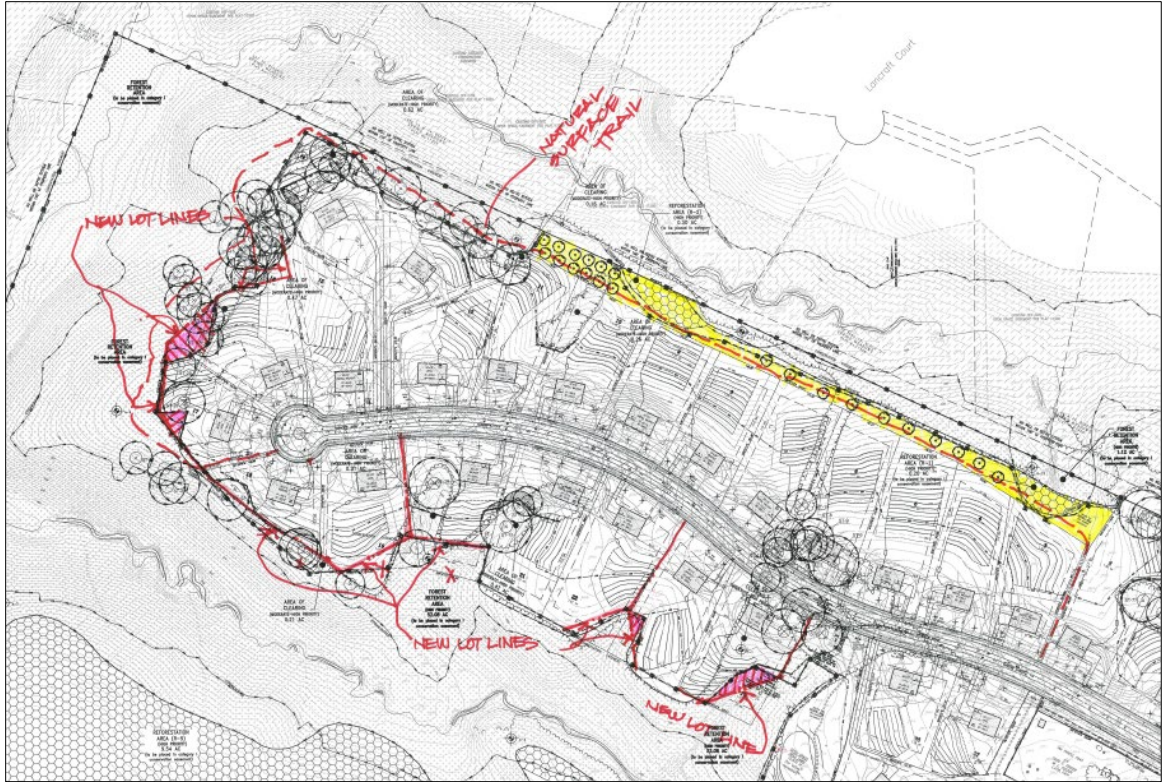


Figure 5 – Preliminary Plan - Redline of lots

The size and configuration of lots 15-20 and 22-24 shown on the Certified Preliminary Plan have been reduced by this Site Plan to widen the access to the Rural Open Space, and shift lot lines so the proposed conservation easements are not on individual lots. In addition, stormwater lines and outfalls were moved from private lots onto HOA property. A new HOA parcel has also been added between lot 22 and 23 to move a stormwater management conveyance line and outfall off of Lot 23, eliminating the need for an easement. All other stormwater drainage pipes have been relocated into HOA parcels. As conditioned, the wells on Lot 25 are being shifted slightly south to provide additional separation from the septic system on Lot 27, which is upgrade from the current well sites. To account for the shift, the southern and western lot line of Lot 25 have been adjusted slightly and a small reforestation area is being shifted to west. The revised configuration does not affect the net lot area, reforestation calculations or amount of ROS provide by the Application.

As proposed, the lot designs remain in substantial conformance to the Preliminary Plan and meet the development standards of the RC Zone under the Optional Method of Development.

Division 6 – General Development Standards

i. Division 6.1. Site Access

Access is adequate to safely and efficiently serve the proposed development.

Existing Facilities

There are no existing bike facilities in the area of the Subject Property, no sidewalks along Seneca Road or other nearby residential streets, and there are no public transit routes that serve Seneca Road or the Subject Property.

Proposed public transportation infrastructure

Access to the 27 single-family dwelling units will be provided by a new public open-section Tertiary Residential Street within a 74-foot-wide dedicated right-of-way.

A single public road will run the length of the Subject Property to be constructed to an open-section Tertiary Residential Street standard with a 74-foot-wide dedicated right-of-way. Vehicular access will be provided along this road for all proposed dwellings as well as two existing dwellings. The road will terminate in a cul-de-sac, and the Preliminary Plan previously approved a waiver for the use of this overlength non-through road. Five-foot-wide sidewalks will be constructed on both sides of the street to provide pedestrian access to all homes in the community. A natural surface trail network will be constructed in two loops around the outside perimeter of the development area to serve as a recreational amenity for residents. Multimodal circulation will be safe and efficient for all users.

Due to the length of this new public road, the Applicant will install traffic calming measures, construct speed humps approximately 500 feet apart, or as determined by MCDOT during permitting. To provide access to the existing homes that abut the proposed road, three outlots will be created and conveyed to the owners of the existing homes (See Figure 6). The house on P547 (14505 Seneca Road) is currently accessed via a driveway within proposed Outlot B and C. As part of this Application, the existing driveway will be removed and new access to the proposed road will be established for P547 and P603 (14511 Seneca Road). While the existing driveway access to 14431 Seneca Road on the north and 14511 Seneca Road to the south are to remain, the alternative driveway access to the new public road will improve safety for these homes should the residents choose to use the new driveways.

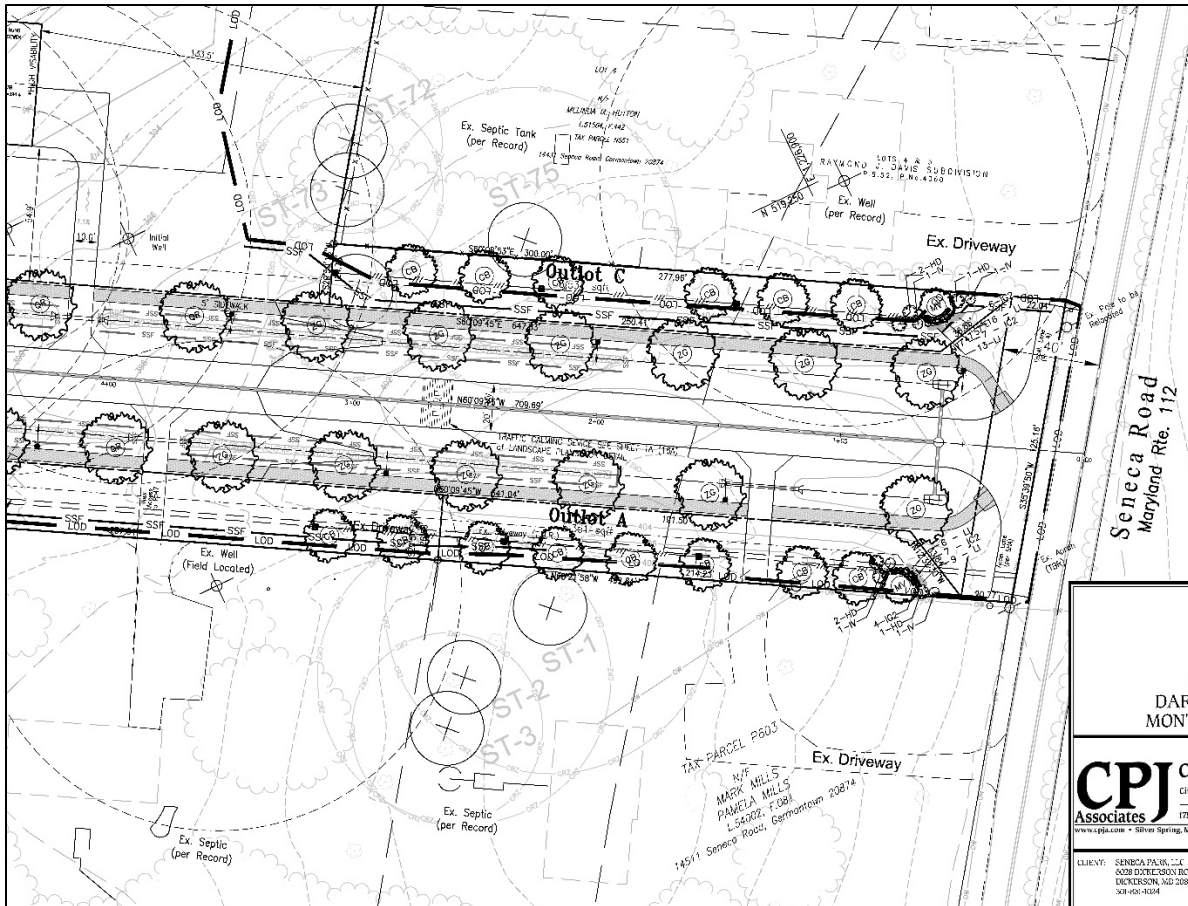


Figure 6 – Screening along Outlots A and C

MDSHA Improvements

Per the approved Preliminary Plan, the Maryland State Highway Administration is requiring the Applicant to construct at least partial acceleration and deceleration lanes along Seneca Road to access the proposed road per their Access Manual guidelines. The Applicant is conforming to the extent that they can given the limited frontage of the Property, which results in shorter length of the accel/decel lanes than typical (approximately 60 feet from centerline on either side, or 45 feet from the start of the curb assuming the MDSHA requested 30-foot public roadway entrance). MDSHA accepted the modified accel/decel lanes at the Preliminary Plan stage and no modifications to the lane configuration are proposed as part of the Site Plan.

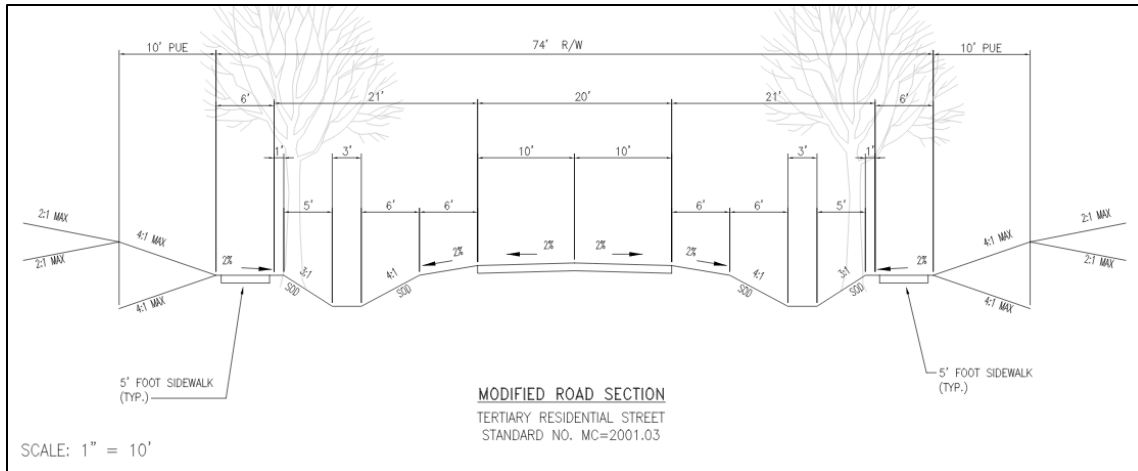


Figure 7 – Pedestrian Access (Sidewalks and trails)

The Applicant is constructing five-foot (5 ft) wide sidewalks on both sides of the entirety of the road, which will improve pedestrian safety and connectivity within the subdivision, and between the units and the pedestrian trail system that is being provided in the Rural Open Space. The network of natural surface pedestrian trails through the Rural Open Space includes a loop trail of approximately 1.2 miles long. The final trail alignment will be established in the field with the Forest Conservation Inspector.

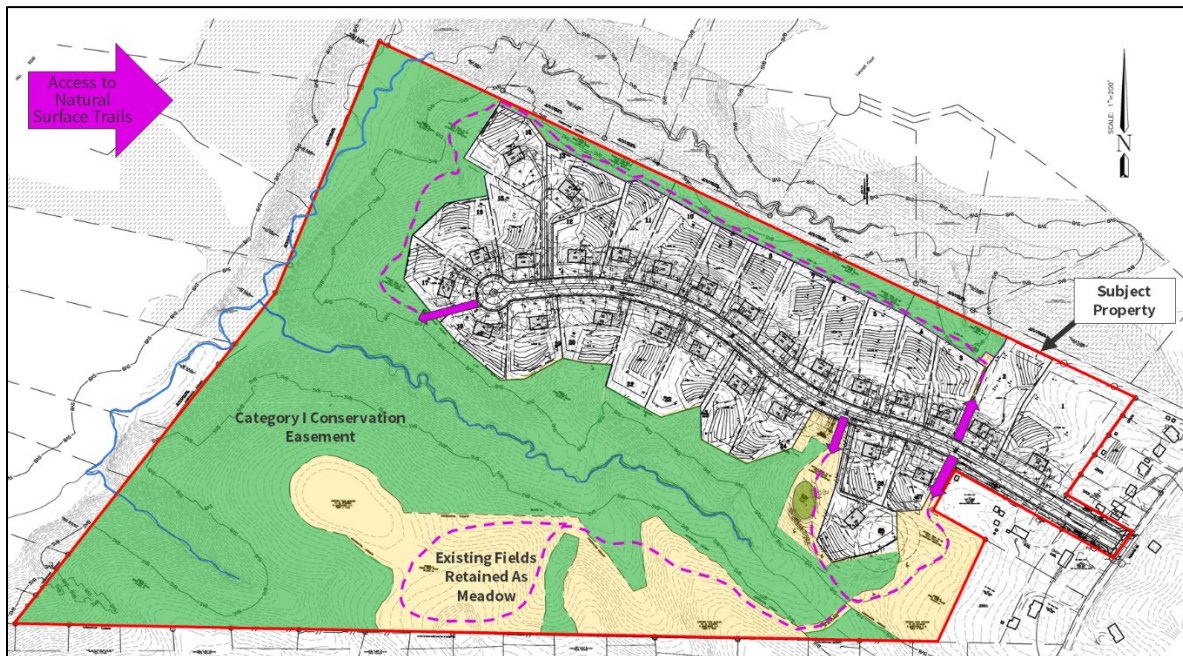


Figure 8 – Trail Access

ii. Division 6.2. Parking, Queuing, and Loading

Two off-street parking spaces are required for each single-unit dwelling. The Application meets the parking requirements on the individual lots. The proposed house models include detached houses with garage parking for 2 to 3 vehicles and additional parking can be accommodated in each driveway.

iii. Division 6.3. Open Space and Recreation

The proposed Seneca Farms community will develop under the standards of the Rural Cluster Zone (Optional Method Cluster), which requires that a minimum of 60 percent of the Application be devoted to Rural Open Space. The Site Plan provides 65 percent Rural Open Space for passive and active recreation which exceeds the required 60 percent. The Applicant has provided a recreation guidelines analysis (Figure 11) demonstrating that adequate recreational amenities are being provided to support the demand generated by the Site Plan. The proposed onsite recreational amenities include a 10,000 square foot open lawn area for active recreation in the Community Gathering Area, an approximately 1.2 mile pedestrian trail system (passive recreation) with signage, and a stream crossing and seating along the edge of the trail at the entrance to the Community Gathering Area. The access to the Rural Open Space, Community Gathering Area and primary entrance to the natural surface trail system is on the south side of the new road, between lots 24 and 25.

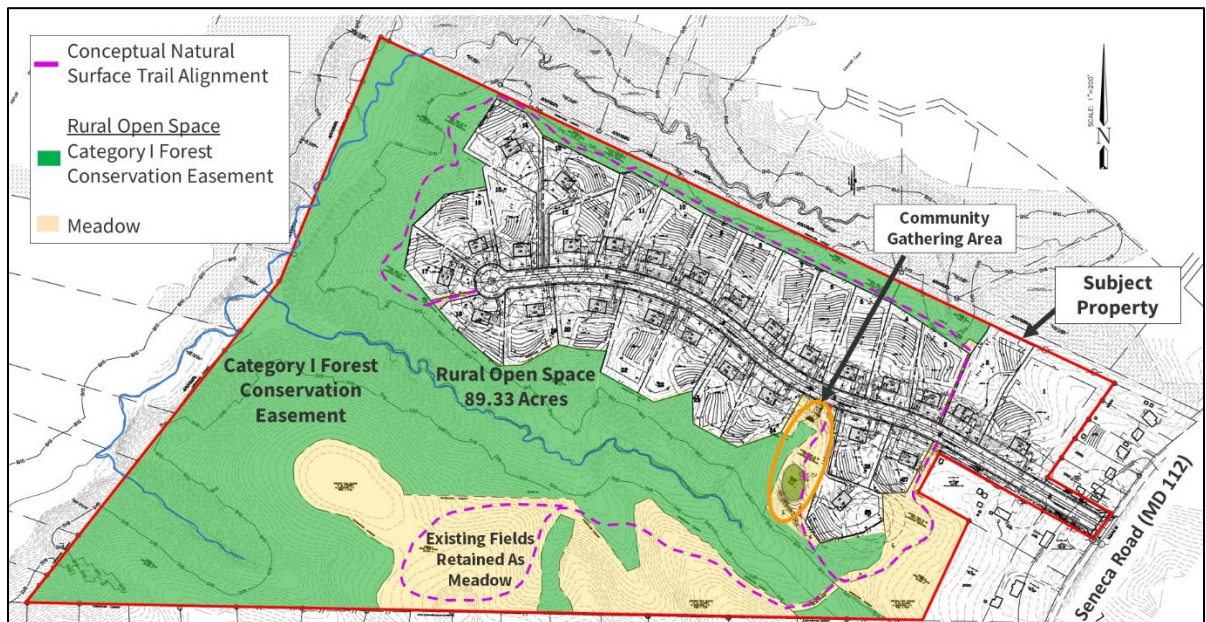


Figure 9 – Rural Open Space Plan

Proposed Residential Project - Units by Type and their Demand Points

Code	Housing Type	Quantity	Tots	Children	Teens	Young Adults	Adults	Seniors
SFD	Single-Family Detached	27	4.05	9.45	9.45	7.29	19.71	3.78
Mid-Rise	Multiple-Family, 4 stories or less	0	0	0	0	0	0	0
TH	Townhouses and Single-Family attached	0	0	0	0	0	0	0
Hi-Rise	Multiple-Family, 5 stories or more	0	0	0	0	0	0	0
Total Demand Points =		27	4.05	9.45	9.45	7.29	19.71	3.78

Existing Offsite Park Facilities and their Supply Points

Park Facility	Quantity	Tots	Children	Teens	Young Adults	Adults	Seniors
Total Offsite Supply Points:		0	0	0	0	0	0
35% of Total Offsite Supply Points:		0	0	0	0	0	0
Max Allowed Pts (35% of Total Demand Pts):		1.42	3.31	3.31	2.55	6.90	1.32
Actual Assigned Offsite Supply Pts:		0	0	0	0	0	0

Proposed Onsite Recreation Facilities and their Supply Points

Recreation Facility	Quantity	% Bonus Points	Tots	Children	Teens	Young Adults	Adults	Seniors
Pedestrian Connection - Trail System	1	0%	0.41	1.89	1.42	1.09	2.96	0.38
Open Grass Area Lawn - Large (10,000 sf)	1	0%	6	9	15	20	15	6
Natural Area	1	0%	0.20	0.47	0.95	0.73	1.97	0.19
Picnic/Seating	2	0%	2	2	3	6	6	6
Total Onsite Supply Points=			8.61	13.36	20.37	27.82	25.93	12.57

Results: Demand, Supply & Adequacy

Age Group	Total Demand Points	Offsite Supply Points	Onsite Supply Points	Total Supply Points	Adequacy
Tots	4.05	0	8.61	8.61	Adequate
Children	9.45	0	13.36	13.36	Adequate
Teens	9.45	0	20.37	20.37	Adequate
Young Adults	7.29	0	27.82	27.82	Adequate
Adults	19.71	0	25.93	25.93	Adequate
Seniors	3.78	0	12.57	12.57	Adequate

Figure 10 – Recreation Guidelines – Summary of Demand, Supply & Adequacy Report

There are three alternative access points to the trail system, the main one is located east of Lot 27, the second is on the northern side of the new road and the third is located off the cul-de-sac. Each trailhead will feature informational signage and a map of the trail system. The trailhead adjacent to Lot 27 and the primary community open space will be clearly delineated with decorative columns and a pergola. Each trailhead will also be defined from the adjacent private properties by a three rail, paddock style vinyl fence. The fences will clearly define the public vs. private realm, while still allowing an integrated feel and the ability to keep eyes on public space from nearby residences, improving the safety and visibility of the spaces.

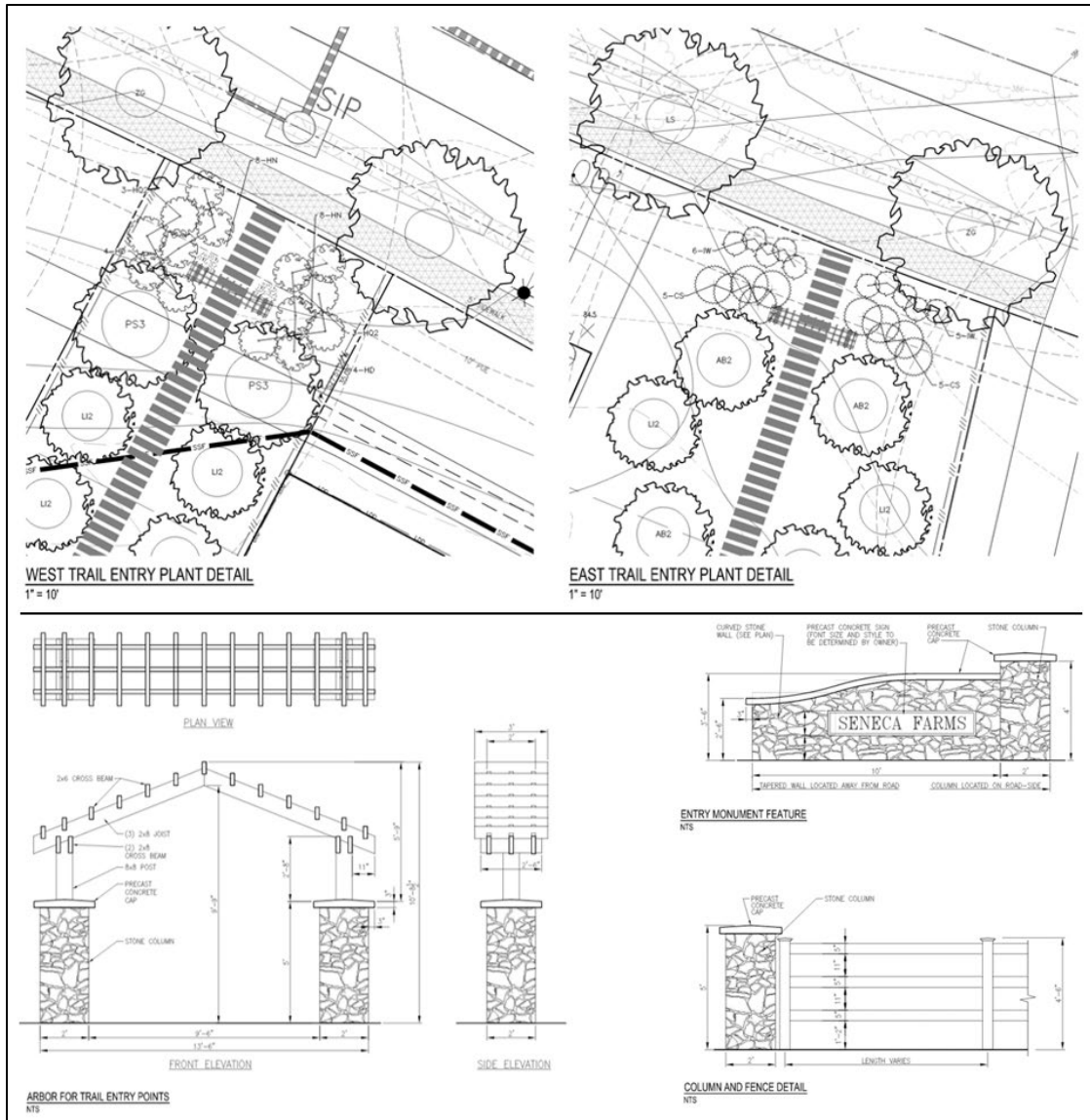


Figure 11 – Open Space Details

The main community gathering area (See Figure 13) features a number of amenities including seating along the natural surface path and a 10,000 square foot open grass area identified for unprogrammed active recreation. Since much of the natural surface trail is being established in what is now farm field, a variety of landscaping is being installed to help define the natural surface path and provide shade for users. From the community area, the trail leads users into a separate biodiversity area, the forested area and meadow. The meadow, which is currently agricultural land will be retained as a naturally occurring meadow, providing habitat for animals and the opportunity for residents to take part in activities like birdwatching. The meadow will be maintained by the HOA according to the meadow management plan identified on the Certified Site Plan.



Figure 12 – Community Gathering Area

iv. Division 6.4. General Landscaping and Outdoor Lighting

The Site Plan meets the standards for the provision of landscaping and outdoor lighting as required by Division 6.4. The Application includes a variety of landscaping and lighting throughout the Property, primarily along the new road and the new primary community access to the Rural Open Space.

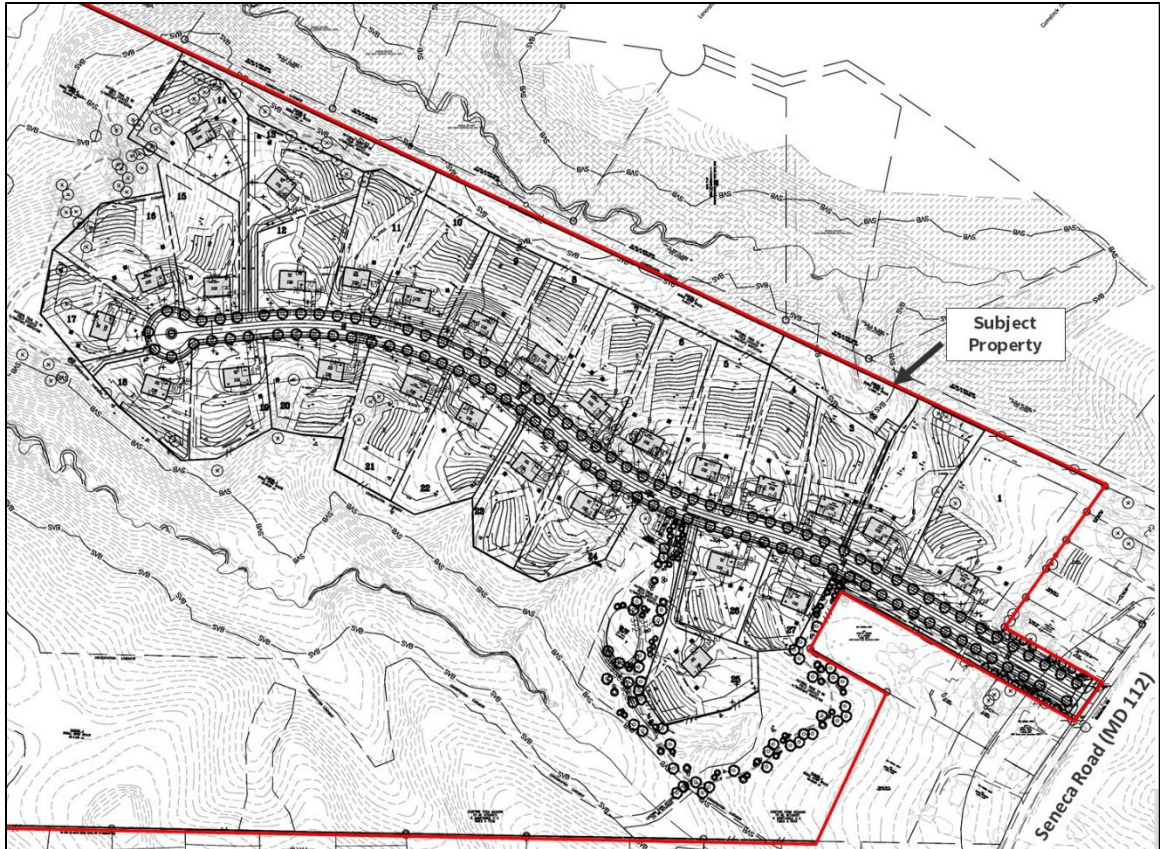


Figure 13 – Overall Landscape Plan

Per Section 6.3.8, the Rural Open Space design requirements require that all landscaping within the Rural Open Space must be native species and impervious surfaces are limited to 10 percent. As conditioned, the Applicant is planting a variety of native trees and shrubs in the Rural Open Space, such as Red Maple, Sycamore, Serviceberry, River Birch, Sweetbay Magnolia, and Holly. The planting will provide shade and visual interest throughout the community area and along the perimeter of the new trail and help identify the trailheads. Red Oaks are being planted along the street which will help shade pedestrians using the sidewalk, soften the street edge and differentiate the spaces. The only impervious elements in the 89.33-acre Rural Open Space are the entryway columns, therefore imperviousness within the Rural Open Space parcel will be well below 10 percent.

Lighting on-site consists of 38 freestanding light emitting diode (LED) streetlights with decorative luminaires mounted on 18-foot-tall poles (14 feet above grade). The light poles will be installed throughout the Property to illuminate the pedestrian and vehicular circulation environment.

The photometric plan submitted by the Applicant shows that the proposed lighting will adequately illuminate the site creating a safe environment without creating light spillage or excessive glare on adjacent properties or the rights-of-way. All site lighting provides adequate, safe and efficient illumination.

v. Division 6.5. Screening Requirements

The Zoning Ordinance does not require screening between the proposed development and adjacent properties; however, on Outlot A and Outlot C the Applicant is providing a visual buffer between the existing houses and the new road by adding a row of hornbeams. Outlot A, C and D will be conveyed to the adjacent property owners, and an HOA use and maintenance agreement will be established (See Figure 6).

3. *satisfies the applicable requirements of:*

a. *Chapter 19, Erosion, Sediment Control, and Stormwater Management; and*

The Site Plan Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a stormwater concept approval from MCDPS Water Resources Section on September 8, 2021 (Attachment B). The Application will meet stormwater management goals using one of the two options approved by MCDPS. Option 1 utilizes a 2-foot wide bioswale to treat the public road and a portion of the fronts of some lots. The balance of each individual lot's requirement is met via on-lot drywells and micro-bioretenment. Option 2 utilizes a three-foot wide bioswale to treat the public road and increases the amount of lot treatment that is provided in the ROW. The number of on-lot facilities, all proposed to be drywells, is reduced with Option 2. Under each option, full environmental site design (ESD) to the maximum extent practicable (MEP) is achieved.

b. *Chapter 22A, Forest Conservation.*

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law. As required by the County Forest Conservation Law (Chapter 22A of the County Code), a Preliminary Forest Conservation Plan was approved with the Preliminary Plan application. The Preliminary Forest Conservation Plan approval included a stream crossing to provide pedestrian access from the proposed development to the proposed Rural Open Space. There is an existing stream crossing at this location that was used to access the agricultural field on the south side of the stream. The Application proposes to maintain this stream crossing to support a proposed natural surface pedestrian trail connection to the proposed Rural Open Space. The Preliminary Forest Conservation Plan approval also included a variance to remove seven (7) trees and impact, but not remove, six (6) trees that are subject to the tree variance provision of the Forest Conservation Law. Details of the stream crossing and tree variance approvals were provided in the staff report for the Preliminary Plan.

As required by the County Forest Conservation Law, a Final Forest Conservation Plan ("FCP") for the Application was submitted with the Site Plan (Attachment C). The FCP is

generally consistent with the approved Preliminary Forest Conservation Plan. During the review of the FCP, minor adjustments were made to the boundaries of the conservation easements. The boundaries of the conservation easements were adjusted to follow the proposed lot lines, so the conservation easements would not be located on the proposed lots thereby reducing the potential for conflicts between the future homeowners and the conservation easements. This resulted in some small areas of forest on the future lots to be considered tree save areas and included in the forest clearing calculations since they will not be protected in conservation easements.

The net tract area for forest conservation is 136.46 acres. The FCP includes 59.89 acres of existing forest located within and adjacent to the stream valley buffers. The Application proposes to retain 54.04 acres and remove 5.85 acres of forest. The retained forest will be protected in a Category I conservation easement. The proposed forest clearing generates a reforestation requirement of 11.70 acres. The Applicant proposes to meet the planting requirement on-site by planting forest in unforested portions of the stream buffer and areas immediately adjacent to stream buffers. All the retained and planted forest will be protected in Category I Conservation Easement.

The development is located in an agricultural and resource area and therefore must comply with Section 22A-12(f) of the Montgomery County Code. This section of the Code states that for developments in an agricultural and resource area, at a minimum, on-site forest retention must equal 25% of the net tract area. The Application proposes to retain 54.04 acres of on-site forest, or approximately 40% of the 136.46-acre net tract area. Therefore, the Application has demonstrated compliance with this section of the Code.

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

The proposed layout provides, safe, well- integrated parking, circulation, building massing and open space. The dwelling units are clustered on the northern half of the Property, along the new road that is aligned with the natural ridge of the Property, taking advantage of the existing topography. The new road alignment and layout takes advantage of the existing conditions, developing predominately on the cleared portion of the Property that was previously used for agriculture. Doing so minimizes disturbance to the existing forested and environmentally sensitive areas. The lot and house layout provides an even distribution of housing units on both sides of the new road, with building separation consistent with the neighboring subdivision. The Site Plan provides well-integrated circulation patterns including sidewalks on both sides of the public road that connect to an extensive natural surface trail system and open space, amenities, and recreation. The proposed layout results in a large, contiguous area of Rural Open Space.

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

As proposed, the Site Plan substantially conforms to the recommendations within the Master Plan. The Subject Property is located in Darnestown, the westernmost portion of the 2002 *Potomac Subregion Master Plan*. It is in the semi-rural lower reach of the Seneca Creek Valley (page 94). The Master Plan makes recommendations for this area that are “designed to preserve, protect and enhance Darnestown’s unique residential and community character and to review major undeveloped sites for their potential to contribute to park land and open space.” The Master Plan calls for development patterns and density that provide a transition between the suburban areas to the east and the prime agriculture area to the west (page 94).

The proposed Rural Open Space meets the recommendations of the Master Plan by protecting environmentally sensitive areas and providing additional open space in this largely rural section of the County. It will also contribute to the pattern of rural residential development interspersed with open space that contributes to the rural character of this part of Darnestown.

The Property is located on Seneca Road approximately 900 feet northeast of Springfield Road in the Darnestown/Potomac Area. The *Master Plan of Highways and Transitways* identifies Seneca Road as an Arterial Road (A-29) with two lanes and a master planned right-of-way of 80 feet. The Applicant proposes to dedicate 40 feet from the centerline of the road to comply with the Master Planned right-of-way width.

The 2018 *Bicycle Master Plan* recommends bikeable shoulders along Seneca Road; currently the road has no shoulders through this section. The Applicant is proposing to comply with these requirements by widening the roadway pavement for a combined shoulder and accel/decel lane along the Property frontage.

6. *will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;*

The Application will be served by adequate public services and facilities including schools, police and fire protection, public roads, storm drainage, and other public facilities, as determined as part of the Preliminary Plan approval process. The finding of APF approved with the Preliminary Plan is valid until October 25, 2025. The Site Plan Application has been reviewed by MCDPS – Well and Septic Section, which in a letter dated December 8, 2021 determined the revised well and septic locations are acceptable (Attachment D).

The Site Plan includes high visibility units that will include façade treatments to enhance the building façade, including additional windows, stone water tables extending from the main façade along the side wall, band boards and variation in siding material.

The 27 lots will line both sides of the public street in a single tier which is very similar to the design of the two subdivisions south of the Subject Property. In accordance with Condition 3 of the Preliminary Plan, a 50-foot side building restriction lines are being provided on the east side of Lot 1 and the north side of Lot 1 and 2 to provide separation between the proposed houses and the rear yards of the existing houses to the north and east. The forested Rural Open Space and conservation easements will provide visual separation between the proposed lots and existing single-family homes abutting the Property. Taking into account the proposed use, required building restriction lines and layout of the Rural Open Space, the Site Plan is compatible with the character of the surrounding developments.

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

This finding does not apply to this Application.

9. *To approve a site plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.*

Not applicable, this Site Plan does not include a restaurant with a drive-thru.

10. *For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.*

Not applicable, the Subject Property is not zoned C-1 or C-2.

SECTION 5 – COMMUNITY CORRESPONDENCE

The Applicant has met all proper signage, noticing and pre-submission meeting requirements for the submitted Applications. A virtual pre-submission meeting for the Site Plan was held on June 24, 2021.

Staff has heard from a representative of the Darnestown Civic Association (DCA) and two individual residents who identified concerns with the Application. The DCA is concerned about (i) long-term management and stewardship of open space; (ii) the loss of farmland; and (iii) wildlife management. Written correspondence from the DCA is expected prior to the Planning Board hearing.

The individual residents are concerned about (i) the impact on wildlife; (ii) views of the new homes from adjacent property; (iii) safety and capacity of the new wells and septic systems; and (iv) safety of the new road. Staff provided these residents and the DCA with applicable information and explained that the Application is providing substantial rural open space and will include requirements to properly maintain the open areas (Attachment E). The size of the lots and placement of houses are compatible with the existing adjacent development, and the Application has been reviewed by MCDPS – Well and Septic Section, which in a letter dated December 8, 2021, deemed the application acceptable (Attachment D). Lastly, the new road is located in a safe location along the limited Property frontage and a driveway to the new road has been provided for the concerned property owner with current access directly to Seneca Road.

SECTION 6 – CONCLUSION

The Site Plan meets all development standards and findings established in the Zoning Ordinance for development of 27 detached dwelling units in the RC Zone as an Optional Cluster Method Development. Access, open space, amenities, recreation, and public facilities will be safe, adequate and efficient to serve the proposed lots and the use conforms with the 2002 *Potomac Subregion Master Plan* and the general requirements of Chapter 59. The Application has been reviewed by other applicable county agencies, all of whom have recommended approval of the Site Plan. Staff recommends approval of the Site Plan, with the conditions as enumerated in the Staff Report.

ATTACHMENTS

- Attachment A – Preliminary Plan MCPB Resolution No.18-097
- Attachment B – MCDPS – Water Resources Section – Stormwater Management Concept
- Attachment C – Final Forest Conservation Plan
- Attachment D – MCDPS – Well and Septic Section letter
- Attachment E – Community Correspondence
- Attachment F – MCDPS – Right-of-Way Section letter



MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 18-097

Preliminary Plan No. 120170240

Seneca Farms

Date of Hearing: September 27, 2018

OCT 25 2018

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on June 9, 2017, Seneca Farms, LLC ("Applicant") filed an application for approval of a preliminary plan of subdivision of property that would create 27 lots on 136.67 acres of land in the Rural Cluster (RC) zone, located on the west side of Seneca Road (MD Rt. 112), approximately 900 feet north of Springfield Road ("Subject Property"), in the Rural West Policy Area and the 2002 Potomac Subregion Master Plan ("Master Plan") area; and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120170240, Seneca Farms ("Preliminary Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated September 16, 2018, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on September 27, 2018, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on September 27, 2018, the Planning Board voted to approve the Application subject to certain conditions, on motion of Commissioner Fani-Gonzalez, seconded by Commissioner Cichy, with a vote of 5-0, Commissioners Anderson, Cichy, Dreyfuss, Fani-Gonzalez, and Patterson voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120170240 to create 27 lots on the Subject Property, subject to

Approved as to
Legal Sufficiency:

8787 Georgia Avenue, Silver Spring, Maryland 20910 Phone: 301.495.4605 Fax: 301.495.1320
M-NCPPC Legal Department
www.montgomeryplanningboard.org E-Mail: mcp-chair@mncppc-mc.org

the following conditions:¹

1. This Preliminary Plan is limited to 27 lots for 27 detached houses.
2. Include the stormwater management concept approval letter and Preliminary Plan Resolution on the certified preliminary plan cover sheet(s).
3. On the Certified Preliminary Plan, the Applicant must replace the 50-foot wide scenic easement shown on Lots 1 and 2 with a 50-foot building restriction line.
4. The Applicant must comply with the following conditions of approval for the Preliminary Forest Conservation Plan No. 120170240, approved as part of this Preliminary Plan:
 - a. Prior to Certification of the Preliminary Plan, the Applicant must revise the Preliminary Forest Conservation Plan to modify the forest conservation data table to be consistent with the forest conservation worksheet.
 - b. Prior to Certification of the Site Plan, the Applicant must obtain M-NCPPC approval of a Final Forest Conservation Plan consistent with the approved Preliminary Forest Conservation Plan.
 - c. Prior to record plat, the Applicant must record a Category I Conservation Easement over all areas of forest retention, forest planting, and stream valley buffers, as specified on the approved Final Forest Conservation Plan. The Category I Conservation Easement must be in a form approved by the M-NCPPC Office of the General Counsel and must be recorded among the Montgomery County Land Records by deed prior to the start of any demolition, clearing or grading on the Subject Property. The Liber Folio of the Category I Conservation Easement must be referenced on the record plat(s).
 - d. Prior to any clearing, grading, or demolition on the Subject Property, the Applicant must provide financial surety to guarantee the forest planting on the Subject Property, as specified on the approved Final Forest Conservation Plan, in a form acceptable to the M-NCPPC Office of the General Counsel.
 - e. Prior to any clearing, grading or demolition on the Subject Property, the Applicant must submit a Maintenance and Management Agreement to Staff for the required forest planting on the Subject Property as shown on the approved Final Forest Conservation Plan. The Agreement must be in a form approved by the M-NCPPC Office of the General Counsel.

¹ For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

- f. The Final Sediment and Erosion Control Plan must be consistent with the final limits of disturbance shown on the approved Final Forest Conservation Plan.
 - g. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the approved Final Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector.
 - h. The Applicant must install permanent conservation easement signage along the perimeter of the Category I Conservation Easement. Signs must be installed a maximum of 100 feet apart with additional signs installed where the easement changes direction, or at the discretion of the M-NCPPC forest conservation inspector. The M-NCPPC forest conservation inspector is authorized to determine the timing of sign installation.
5. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated September 12, 2018, and hereby 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 provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
6. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements as required by MCDOT.
7. The Planning Board accepts the recommendations of the Maryland State Highway Administration ("MDSHA") in its correspondence dated September 13, 2018, and hereby 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 MDSHA provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
8. Prior to issuance of access permits, the Applicant must satisfy the provisions for access and improvements as required by MDSHA.
9. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service ("MCDPS") – Water Resources Section in its stormwater management concept letter dated December 8, 2017, and hereby 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 MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
10. The Planning Board accepts the recommendations of MCDPS – Well and Septic Section in its letter dated August 24, 2018, and hereby 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 MCDPS – Well and Septic Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.

11. The Planning Board accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated February 8, 2018, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Preliminary Plan approval.
12. The Applicant must dedicate and show on the record plat(s) the following dedications:
 - a. Forty feet (40) from the existing pavement centerline on Seneca Road as shown on the Certified Preliminary Plan.
 - b. Seventy-four (74) feet of right of way for the new road as shown on the Certified Preliminary Plan.
13. The Applicant must construct all road improvements within the rights-of-way shown on the approved Preliminary Plan to the full width mandated by the master plan and/or to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the Preliminary Plan, "To Be Constructed By _____" are excluded from this condition.
14. The Applicant must provide a five-foot wide shoulder for a future bike lane along the frontage of Seneca Road.
15. The Applicant must construct a five-foot wide sidewalk on both sides of the proposed new public road.
16. The record plat must show necessary easements.
17. The record plat must reflect all areas under Homeowners Association ownership and specifically identify stormwater management parcels.
18. The record plat must have the following note: "The land contained hereon is within an approved cluster development and subdivision or resubdivision is not permitted after the property is developed."
19. Prior to recordation of the plat, the Applicant must grant to M-NCPPC a rural open space easement over no less than 60% of the net tract area of the Subject Property as shown on the Preliminary Plan and record the easement, in a form approved by the M-NCPPC Office of General Counsel, in the Montgomery County Land Records. Reference to the recorded easement must be noted on the record plat(s).

20. The Adequate Public Facility ("APF") review for the Preliminary Plan will remain valid for sixty-one (61) months from the date of mailing of this Planning Board Resolution.

21. The Certified Preliminary 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 site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.

22. No clearing or grading of the site or recording of plats prior to certified site plan approval.

23. Final approval of the number and location of dwelling units, site circulation, sidewalks, and paths will be determined at site plan.

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

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

a. *The block design is appropriate for the development or use contemplated*

The block design is appropriate for the development of single-family detached dwelling units under the optional method in the RC zone. The 27 lots will line both sides of the public street in a single tier which is very similar to the design of the two subdivisions south of the Subject Property. The block is broken up by several 10-foot-wide access easements and an open lawn area that will allow pedestrians to access the rural open space.

b. *The lot design is appropriate for the development or use contemplated*

As shown on the Preliminary Plan, the lot design is appropriate for the development given the development standards of RC zone under the optional method of development. The layout of the subdivision takes advantage of the

existing topography of the land, with the lots clustered on the northern half of the Subject Property along a ridgeline, away from the existing stream and priority forest. Clustering the lots in this way results in a large contiguous open space parcel and preservation of sensitive environmental features. The average lot size is 1.8 acres, ranging in size from 1.11 acres to 3.83 acres, which is generally consistent with existing development patterns in the surrounding area. Each lot provides enough room to accommodate a well, a septic reserve area, stormwater management and a reasonably sized house. The size, width, shape, orientation and density of the lots are appropriate for the location of the subdivision, considering the recommendations included in the Master Plan.

- c. *The Preliminary Plan provides for required public sites and adequate open areas*

Master Planned Public Sites

There are no master-planned public sites on the Subject Property.

Local Recreation

The Applicant has provided a recreation guidelines analysis as part of the Preliminary Plan review to demonstrate that adequate space has been allotted to accommodate the recreational needs of the community with the lot configuration. The recreational guidelines have been satisfied with the amenities shown, including a 15,000 square foot open lawn area (active recreation), and a 1.2-mile pedestrian trail system (passive recreation) within the natural area. The recreational amenities and open areas will be analyzed further as part of the site plan review.

Area for public roads and associated utilities and storm drainage

In reviewing the Preliminary Plan, the relationship between the approved subdivision and other existing, planned and platted transportation facilities was considered. As conditioned, the Applicant will dedicate an adequate amount of land to accommodate the proposed public road and right-of-way for MD-112. The necessary land required to provide pedestrian trails, stormwater management and utility easement has also been identified on the Preliminary Plan.

- d. *The Lots and Use comply with the basic requirements of Chapter 59*

The lots were reviewed for compliance with the dimensional requirements for the RC zone under the Optional Method - Cluster as specified in the Zoning Ordinance. The lots as approved will accommodate a building area so that a house may meet all the dimensional requirements for area, frontage, width, and setbacks in that zone.

After Preliminary Plan, a Site Plan is required because the Application is Optional Method – Cluster. As part of the Site Plan, the Applicant will be required to demonstrate, in detail, how the design of the subdivision meets the intent of the zone through details such as building materials, façade and landscaping.

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

The Subject Property is located in Darnestown, the westernmost portion of the 2002 Potomac Subregion Master Plan. It is in the semi-rural lower reach of the Seneca Creek Valley. The Master Plan makes recommendations for this area that are “designed to preserve, protect and enhance Darnestown’s unique residential and community character and to review major undeveloped sites for their potential to contribute to park land and open space.” The Master Plan calls for development patterns and density that provide a transition between the suburban areas to the east and the prime agriculture area to the west.

The Seneca Farms community will develop under the standards of the Rural Cluster Zone (Optional Method Cluster), which requires that 60 percent of the subdivision be devoted to rural open space. The Preliminary Plan shows an area that slightly exceeds the 60 percent requirement and largely consists of wooded stream valleys and open pastures. This open space meets the recommendations of the Master Plan by protecting environmentally sensitive areas and providing additional open space in this largely rural section of the county. It will also contribute to the pattern of rural residential development interspersed with open space that contributes to the rural character of this part of Darnestown. As proposed, the Preliminary Plan substantially conforms to the Master Plan recommendations.

The Subject Property is located on Seneca Road approximately 900 feet northeast of Springfield Road in the Darnestown/Potomac Area. Seneca Road is an Arterial Road (A-29) with two lanes and a master planned right-of-way of 80 feet. The Applicant will dedicate 40 feet from the centerline of the road to comply with the Master Planned right-of-way width.

The 2005 Countywide Bikeways Functional Master Plan recommended bike lanes along Seneca Road and the 2018 Draft Bicycle Master Plan recommends bikeable shoulders. The Applicant will comply with these requirements by widening the roadway pavement for a five-foot wide shoulder along their frontage of Seneca Road.

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

Roads and Other Transportation Facilities

As conditioned in this Resolution, the Application provides adequate vehicular and pedestrian access. The Applicant must provide 5-foot wide sidewalks on both sides of the cul-de-sac to provide adequate pedestrian circulation. The sidewalks are essential for safe pedestrian movement along this overlength cul-de-sac.

Existing Facilities

There are no existing bike facilities around the Subject Property, no sidewalks along Seneca Road or other nearby residential streets, and there are no public transit routes that serve Seneca Road or the Subject Property.

Public transportation infrastructure

Access to the 27 single-family dwelling units will be provided by a new public open-section Tertiary Residential Street within a 74-foot wide dedicated right-of-way. As conditioned, sidewalks on both sides of the road will improve pedestrian safety and connectivity within the subdivision along the road, and between the units and the pedestrian trail system that is being provided in the rural open space. In particular, the grant of an overlength cul-de-sac comes with a tradeoff of increased traffic speeds along the extended straight roadway length thereby increasing the need for a safe haven for pedestrians and young bicyclists. A discussion of the overlength cul-de-sac follows:

Chapter 50.4.3.E.2.e in the County Subdivision Code states the following:

The Board must not approve any road that does not connect to another road at its beginning and end, unless a determination is made that:

- i. a through road is infeasible due to a property's unusual shape, size, topography, environmentally sensitive areas, or the characteristics of abutting property;*
- ii. the road provides access to no more than 75 dwelling units;*
- iii. the road is properly terminated in a cul-de-sac or other turnaround; and*
- iv. the road is less than 500 feet in length, measured along its centerline to the nearest through street, unless the Board determines that a longer length is necessary because of the unusual shape, size, topography, or environmentally sensitive areas of the subdivision.*

The configuration of Subject Property with limited frontage makes it infeasible to provide two points of access to adjacent roadways. All of the surrounding properties are developed and platted; none of the adjacent developments' roads were planned to extend or connect to the Subject Property. Road extensions to adjacent properties would require highly improbable acquisition of developed lots. Furthermore, given the unique natural features of the Subject Property, any connection to adjacent property would require crossing environmentally sensitive features including riparian forest, streams and wetlands with considerable cost to construct bridges. The Board finds that a non-through road with a length longer than 500 feet is necessary due to the constrained site frontage on Seneca Road and environmental constraints both on the Subject Property and adjacent properties.

MDSHA Improvements

The Maryland State Highway Administration is requiring the Applicant to construct at least partial acceleration and deceleration lanes to connect Seneca Road to the proposed road per their Access Manual guidelines. In correspondence received on September 13, 2018, MDSHA accepted the modified acceleration/deceleration lanes proposed by the Applicant.

Local Area Transportation Review (LATR)

The Preliminary Plan was reviewed using the 2016-2020 Subdivision Staging Policy and associated 2017 Local Area Transportation Review Guidelines. The Application would generate 45 AM and 49 PM weekday peak hour person trips based on the ITE Trip Generation Manual, 9th Edition and adjusted for the Rural West policy area. Because the Application will generate less than 50-person trips, the LATR test is satisfied and a full traffic study is not required.

Other Public Facilities and Services

Other public facilities and services are available and adequate to serve the subdivision. On-site well and septic systems are proposed to serve each dwelling unit. The use of an on-site well and septic system is consistent with the existing W-6 and S-6 services categories designated for the Property. 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 dated August 24, 2018.

The Application has been reviewed by the MCDPS, Fire Code Enforcement Section, which determined that the Subject Property has adequate access for fire and rescue vehicles as shown on the approved Fire Department Access Plan

dated February 8, 2018. All other public facilities and services are available and will be adequate to serve the development.

Overview and Applicable School Test

The applicable annual school test is the FY19 Annual School Test, approved by the Planning Board on June 21, 2018 and effective July 1, 2018.

Calculation of Student Generation

To calculate the number of students generated by the approved development, the number of dwelling units is multiplied by the applicable regional student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low- to mid-rise multifamily unit, or high-rise multifamily unit. The subject property is in the upcounty region of the County.

Per Unit Student Generation Rates – Upcounty Region

	Elementary School	Middle School	High School
SF Detached	0.214	0.123	0.168
SF Attached	0.251	0.116	0.151
MF Low- to Mid-Rise	0.204	0.074	0.099
MF High-Rise	0.074	0.031	0.037

With a net of 27 single family detached units, the project is estimated to generate the following number of students:

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Detached	27	0.214	5.778	0.123	3.321	0.168	4.536
TOTAL	27		5		3		4

This project is estimated to generate 5 new elementary school students, 3 new middle school students, and 4 new high school students.

Cluster Adequacy Test

The project is in the Northwest High School Cluster. The student enrollment and capacity projections from the FY19 Annual School Test for the Northwest Cluster are noted in the following table:

School Level	Projected Cluster Totals, September 2023			Moratorium Enrollment Threshold	Projected Enrollment + Application Impact
	Enrollment	Program Capacity	% Utilization		
Elementary	3,955	3,894	101.6%	4,673	3,960
Middle	2,143	2,300	93.2%	2,761	2,146
High	2,423 ²	2,241	108.1%	2,690	2,427

The Moratorium Enrollment Threshold identified in the table is the enrollment at which the 120% utilization threshold is exceeded, resulting in a cluster-wide residential development moratorium. As indicated in the last column, the projected enrollment plus the estimated impact of this Application falls below the moratorium thresholds at all three school levels. Therefore, there is sufficient capacity at the elementary, middle and high school cluster levels to accommodate the estimated number of students generated by this Application.

Individual School Adequacy Test

The applicable elementary and middle schools for this project are Darnestown ES and Lakelands Park MS, respectively. Based on the FY19 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

School	Projected School Totals, September 2023				Moratorium Enrollment Thresholds		Projected Enrollment + Application Impact
	Enrollment	Program Capacity	% Utilization	Surplus/Deficit	120% Utilization	Surplus/Deficit	
Darnestown ES	288	471	61.1%	+183	566	581	293
Lakelands Park MS	1,158	1,147	101.0%	-11	1,377	1,327	1,161

Under the individual school adequacy test, a school is deemed inadequate if the projected school utilization rate exceeds 120% and if the school seat deficit meets or exceeds 110 seats for the elementary school or 180 seats for the middle school. If a school's projected enrollment exceeds *both* thresholds, then the school service area is placed in a residential development moratorium.

² The projected cluster high school enrollment of 2,626 has been modified to reflect the estimated impact of a future boundary change that will reassign students from Northwest HS to Seneca Valley HS upon completion of the programmed revitalization/expansion project at Seneca Valley HS in September 2020.

The Moratorium Enrollment Thresholds identified in the table above are the enrollments at which the 120% utilization threshold and the seat deficit threshold are exceeded. As indicated in the last column, the projected enrollment plus the estimated impact of this application falls below both applicable moratorium thresholds for both Darnestown ES and Lakelands Park MS. Therefore, there is sufficient anticipated school capacity to accommodate the estimated number of students generated by this Application.

Analysis Conclusion

Based on the school cluster and individual school capacity analysis performed, using the FY2019 Annual School Test, there is adequate school capacity for the amount and type of development included in this Application.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A.*

A. Forest Conservation

The Board finds that as conditioned, the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law. As required by the County Forest Conservation Law (Chapter 22A of the County Code), a Preliminary Forest Conservation Plan ("FCP") for the project was submitted with the Preliminary Plan. The net tract area for forest conservation is 136.96 acres. The FCP includes 60.32 acres of existing forest located within and adjacent to the stream valley buffers. The Application will retain 54.88 acres and remove 5.44 acres of forest. The retained forest will be protected in a Category I conservation easement. The proposed forest clearing generates a reforestation requirement of 10.88 acres. The Applicant will meet the planting requirement on-site by planting forest in unforested portions of the stream buffer and areas immediately adjacent to stream buffers and existing forest to be retained. All of the retained and planted forest will be protected in Category I Conservation Easement.

The development is in an agricultural and resource area and therefore must comply with Section 22A-12(f) of the Montgomery County Code. This section of the Code states that for developments in an agricultural and resource area, at a minimum, on-site forest retention must equal 25% of the net tract area. The Application will retain 54.88 acres of on-site forest, or 40% of the 136.96-acre net tract area. Therefore, the Application has demonstrated compliance with this section of the Code.

B. Forest Conservation Variance

Section 22A-12(b)(3) of the Forest Conservation Law identifies certain individual trees as high priority for retention and protection ("Protected Trees"). Any impact to these Protected Trees, including removal or any disturbance within a Protected Tree's critical root zone ("CRZ"), requires a variance under Section 22A-12(b)(3) ("Variance"). Otherwise such resources must be left in an undisturbed condition.

This Application will require the removal or CRZ impact to 13 Protected Trees as identified in the Staff Report. In accordance with Section 22A-21(a), the Applicant requested a Variance, and the Board agrees that, as stated in the Staff Report, the Applicant would suffer unwarranted hardship by being denied reasonable and significant use of the Subject Property without the Variance.

The Board makes the following findings necessary to grant the Variance:

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

Granting the variance will not confer a special privilege on the Applicant. Protected Trees are located in the developable area of the Subject Property, including along the narrow frontage along Seneca Road and the unforested areas outside of the stream buffers. In order to access the Subject Property to develop it, a road will be constructed through this narrow frontage, resulting in impacts to Protected Trees. Additional Protected Trees that are located within the open, developable area of the Subject Property will be impacted by the proposed construction. The development is utilizing the cluster method to avoid and minimize impacts to stream buffers and forest. The development requires construction of one road to access the lots, removal of the ruins of an existing homestead, and grading associated with required utilities, stormwater management, and septic fields to serve the development. There is no community sewer service to the Subject Property, resulting in additional grading to provide septic fields for each lot. The requested removal of and impacts to Protected Trees are due to required improvements that would be necessary under any application for development of the Subject Property, and disturbance within the anticipated developable area of the site. Any development considered for this Subject Property would be faced with the same considerations.

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

The need for the variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon existing Subject Property conditions, including the location of the Protected Trees within the developable area.

3. *The need for the Variance is not based on a condition related to land or building use, either permitted or non-conforming, on a neighboring property.*

The need for a variance is a result of the existing conditions and the design and layout of the Subject Property, and not a result of land or building use on a neighboring property.

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

The variance will not violate State water quality standards or cause measurable degradation in water quality. None of the Protected Trees proposed for removal are located within the stream buffer. In addition, the Montgomery County Department of Permitting Services has found the stormwater management concept for the project to be acceptable as stated in a letter dated December 8, 2017. The stormwater management concept incorporates Environmental Site Design standards.

Mitigation for Protected Trees – The seven trees subject to the variance provision and proposed to be removed are located within the existing forest. The removal of these trees is incorporated in the “forest clearing” calculations of the Forest Conservation Plan. No additional mitigation for the loss of these trees is necessary as they are accounted for in the forest conservation worksheet as “forest clearing,” and the reforestation requirement of 10.88 acres will be met on-site, mitigating the functions provided by the loss of these trees. Additionally, no mitigation is required for trees affected but not removed. The root systems of these trees will receive adequate tree protection measures allowing the roots to regenerate and the functions provided restored.

C. Stream Buffer Encroachment

The Application is subject to the *Guidelines for Environmental Management of Development in Montgomery County* (January 2000) ("Environmental Guidelines"), which includes guidance for the protection of streams and their buffers. Section IV-A1 of the Environmental Guidelines allows for some encroachments within the stream buffer under certain circumstances.

The Application will impact the stream buffer to provide a pedestrian access from the development to the proposed Rural Open Space Area. There is an existing stream crossing at this location that was used to access the agricultural field on the south side of the stream. The Application will to maintain this stream crossing to support a natural surface pedestrian trail connection to the Rural Open Space.

Section IV-A1(e) of the Environmental Guidelines includes five factors for consideration when evaluating proposed stream buffer encroachments:

1. *Reasonable alternatives for avoidance of the buffer are not available.*

The disturbance within the stream buffer cannot be reasonably avoided. The development is surrounded on three sides by stream valley. The development has made use of the cluster option to protect the majority of the stream valley. The Rural Open Space is located in the southern portion of the Subject Property, on the south side of the stream valley that crosses through the site. It is important to provide the new community with a stable access point where residents may cross the stream to enjoy the open space.

2. *Encroachment into the buffer has been minimized.*

The Application limits the access across the stream to a pedestrian trail that is located at an existing stream crossing previously used to access agricultural fields. The Application has minimized the impacts to the stream buffer by using this existing stream crossing location and proposing only a pedestrian crossing as part of a trail system.

3. *Existing sensitive areas have been avoided (forest, wetlands and their state designated buffers, floodplain, steep slopes, and habitat for rare, threatened, and endangered species and their associated protection buffers).*

The impacts to existing sensitive areas have been avoided to the greatest extent possible. There are no wetlands, 100-year floodplain, steep slopes, or known habitat for rare, threatened, and endangered species in the location of the encroachment. The majority of the stream buffer will be

protected in a Category I conservation easement, with the exception of this pedestrian stream crossing.

4. *The proposed use is consistent with the preferred use of the buffer (e.g., pervious areas such as tie-outs to existing grades, slope stabilizing BMPs, etc.).*

The area of the stream buffer where the pedestrian crossing is proposed and excluded from the conservation easement is an existing stream crossing. The proposed encroachment is minimal, and this area will likely continue to function in the same manner as it does currently.

5. *The plan design provides compensation for the loss of buffer function.*

The pedestrian crossing will not result in the loss of buffer function because there is an existing crossing in this location utilized to access agricultural fields. Where the Applicant proposes to maintain a stream crossing and exclude 0.09 acres of the buffer from the Category I conservation easement, the current functions provided within the buffer will remain. The natural surface pedestrian trail will minimally impact the stream buffer. The Application will also reforest currently unforested portions of the stream buffer and provide additional protection through conservation easements, which will serve to enhance the overall functions of the stream buffer on the Subject Property.

Therefore, the Board supports the Application's stream buffer encroachment.

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

The Preliminary Plan Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a stormwater concept approval from MCDPS Water Resources Section on December 8, 2017. The Application will meet stormwater management goals through a variety of techniques including drywells, micro-bioretenention facilities, bio-swales, rain gardens and micro-infiltration trenches.

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

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is

OCT 25 2018 (which is the date that this Resolution is mailed to all parties of
~~OCT 25 2018~~
record, and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Cichy, seconded by Commissioner Patterson, with Chair Anderson and Commissioners Fani-González, Cichy, and Patterson voting in favor, and Vice Chair Dreyfuss absent at its regular meeting held on Thursday, October 18, 2018, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board

MR. RICHARD BRUSH, MANAGER
MCDPS-WATER RES. PLAN REVIEW
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ROCKVILLE, MD 20850
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DHCA
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Christopher Collins
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Darnestown, MD 20874

MR. MARK ETHERIDGE, MANAGER
MCDPS-SEDIMENT/STORMWATER
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By email gene.vongunten@montgomerycountymd.gov

Kathy Jamison
Seneca Farms LLC
6028 Dickerson Rd
Dickerson, MD 20842

Daniel Dean
14701 Springfield Road
Darnestown, MD 20874



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

September 8, 2021

Mr. Dan Pino, PE
Charles P. Johnson & Associates, Inc.
1751 Elton Road, Suite 300
Silver Spring, MD 20903

Re: **SITE DEVELOPMENT STORMWATER
MANAGEMENT PLAN** for
Seneca Farms
Preliminary Plan # 120170240
Site Plan # 820210150
SM File #: 282740
Tract Size/Zone: 136.46 acres ac/RC
Total Concept Area: 26.24 ac
Lots/Block: Parcel P550 to be subdivided into
27 lots, public road, one parcel and 2 outlots
Watershed: Seneca Creek, Class I

Dear Mr. Pino:

Based on a review by the Department of Permitting Services Review Staff, the revision to the approved stormwater management concept for the above-mentioned site is **acceptable**. This approval covers two options. Option 1 utilizes a 2-foot wide bioswale to treat the public road and a portion of the fronts of some houses. The balance of each Individual lot's requirement is met via on-lot drywells and micro-bioretenention. Option 2 utilizes a three-foot wide bioswale to treat the public road and increases the amount of lot treatment that is provided in the ROW. The number of on-lot facilities, all proposed to be drywells, is reduced with Option 2. Under each option, full ESD to the MEP is achieved.

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

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. The detailed plan must utilize the latest DPS guidance.
5. Detailed plan must include a Supplemental Lot Plan Table to track each lot's approved versus provided ESD. Maximize on lot management at least to the level of this approval where possible.



2425 Reedy Drive, 7th floor, Wheaton, Maryland 20902 | 240-777-0311
www.montgomerycountymd.gov/permitting-services

Mr. Dan Pino, PE
September 8, 2021
Page 2 of 2

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

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

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

If you have any questions regarding these actions, please feel free to contact Mary Fertig at 240-777-6202 or at mary.fertig@montgomerycountymd.gov.

Sincerely,

Mark Etheridge

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

MCE: mmf

cc: N. Braunstein
SM File # 282740

Option 1

Lots, Parcels and Outlots

ESD: Required/Provided varies cf / varies cf

PE: Target/Achieved 1.0"/1.0"

ROW

ESD: Required/Provided 12, 817 cf / 9,320 cf

PE: Target/Achieved: 1.6"/1.6"

STRUCTURAL: n/a

WAIVED: n/a

Option 2

Lots, Parcels and Outlots

ESD: Required/Provided 12, 817 cf / 9,320 cf

PE: Target/Achieved: 1.0"/0.6"

ROW

ESD: Required/Provided 8,511 cf / 19,433 cf

PE: Target/Achieved: 1.0"/2.3"

STRUCTURAL: n/a

WAIVED: n/a



2425 Reedie Drive, 7th floor, Wheaton, Maryland 20902 | 240-777-0311
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DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

M E M O R A N D U M

December 8th, 2021

TO: Jonathan Casey, Senior Planner
Upcounty Division
Maryland National Capital Park and Planning Commission

FROM: Heidi Benham, Manager *HB*
Well and Septic Section
Department of Permitting Services

SUBJECT: Status of Preliminary Plan: Seneca Farms
820210150

This is to notify you that the Well & Septic Section of MCDPS has conditionally approved the plan received by this office on December 3rd, 2021.

Approved with the following reservations:

1. The record plat must show the proposed well sites and septic reserve areas as they are shown on this plan.

If you have any questions, please contact Heidi Benham at (240) 777-6318.

From: [Casey, Jonathan](#)
To: [psilber829](#)
Subject: RE: Seeking Update
Date: Wednesday, December 8, 2021 9:38:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Hi Ms. Mills,

The Seneca Farms Site Plan is schedule to go to the Planning Board on December 23, 2021. Official notices will be sent out via USPS 10 days prior to the Planning Board hearing. I spoke with Les Powell with CPJ and he said he's been in contact regarding your concerns. Please let me know if you need anything.

Thank you,



Jonathan Casey
 Senior Planner | Upcounty Division

Montgomery County Planning Department
 2425 Reddie Drive, 13th Floor, Wheaton, MD 20902
jonathan.casey@montgomeryplanning.org
 o: 301-495-2162



From: psilber829 <psilber829@aol.com>
Sent: Monday, December 6, 2021 3:10 PM
To: Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>
Subject: Seeking Update

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

Hi Mr. Casey..

I'm writing to check in about any updates regarding the Seneca Farms project. A notice was received in August that another hearing was going to be held and a notice would be sent as to when that hearing would occur. There has been no additional notice since.

I'd like to check in regarding this hearing date/time, as I'd like to attend. I still have concerns about this project, specifically the main road entering into the development from Seneca as being unsafe and too close to our home.

Thank you for any updates you have.

Pamela Mills

Sent from my Galaxy

From: [Les Powell](#)
To: psilber829@aol.com
Cc: [Casey, Jonathan](#)
Subject: Seneca Farms
Date: Wednesday, December 8, 2021 4:02:22 PM
Attachments: [image001.png](#)
[Landscape - Sht 2.pdf](#)
[Landscape - Sht Details.pdf](#)
[Concept Plan \(004\).pdf](#)

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

Pamela,

It was a pleasure talking to you the other day. I have attached the PDF's of the areas adjacent to your lot (landscape sheet 2) and labeled in red where your house is. I've also attached the detail sheet that shows the plant materials and the stone column and estate fencing (outlined in red). I've also attached the original concept plan we developed for the client with the columns and the trees outlined.

Hopefully this helps you understand what is being proposed.

Regards



Les Powell, PLA

Professional Landscape Architect | Division Manager

Planning Department

Charles P. Johnson & Associates, Inc.

1751 Elton Road | Suite 300 | Silver Spring, MD 20903

301-434-7000 x140 | 301-434-9394 (fax) | 240-508-0518 (mobile)

www.cpja.com | LPowell@cpja.com

From: [Casey, Jonathan](#)
To: [psilber829](#)
Cc: [Pereira, Sandra](#)
Subject: RE: Seneca Farms concerns
Date: Wednesday, March 24, 2021 2:17:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[12042018 Ms.Mill RE Significant Concerns about Seneca Farms.pdf](#)

Ms. Mills,

Thank you for contacting the Planning Department about the Seneca Farms development. To my knowledge, a site plan application has not yet been accepted for this property, however, it's not uncommon for developers to mail notifications and schedule community meetings prior to an application being accepted and distributed to staff. As part of any future site plan review, our team will address your comments about noise and water resources as thoroughly as possible. We will share your concerns with the developer and include your email correspondence in the record of any future site plan application so that the Planning Board can take your concerns into consideration.

In your email, you reference a "public meeting." May you please clarify if you are referring to a recent meeting with the developer about the site plan process or the original community meeting that was held on December 20, 2016, associated with the Preliminary Plan No. 120170240? I do recall speaking with you about the Preliminary Plan right before the Planning Board hearing. I believe most of the concerns raised in your email echo your original comments that were addressed in my email dated December 4, 2018 (please see attached). Some of the issues raised, for instance acquiring screening along the edge of your property, are better addressed as part of the site plan review process. So, when a site plan is officially submitted, let's discuss ways that we can limit the visual impacts of the development on your property. We will also address pedestrian and vehicular safety as part of the site plan review. Noise will be addressed to the maximum extent practicable, however, intermittent noise, such as well drilling (typically a single day event), isn't normally included in the scope of our review.

With regard to water resources, the Planning Department does not review permits for new or existing wells. We defer to the Department of Permitting Services (DPS) – Well and Septic Section, since they are the lead agency and have staff with the technical expertise to properly review new well and septic systems. Please contact Heidi Benham (heidi.belham@montgomeryplanning.org) at DPS to discuss your concerns and if your neighbor applied for a permit, they may be able to share additional details regarding the case. If you have any difficulty reaching her, please let me know.

Thank you,



Jonathan Casey
Senior Planner | Upcounty Division

Montgomery County Planning Department
2425 Reedie Drive, 13th Floor, Wheaton, MD 20902
jonathan.casey@montgomeryplanning.org
o: 301-495-2162



From: psilber829 <psilber829@aol.com>

Sent: Wednesday, March 17, 2021 4:31 PM

To: Pereira, Sandra <sandra.pereira@montgomeryplanning.org>;

richard.weaver@montgomeryplanning.org; Casey, Jonathan

<Jonathan.Casey@montgomeryplanning.org>

Subject: Seneca Farms concerns

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

Good day,

As adjacent property owners to the proposed Seneca Farms, we received the plans in the mail today. We are writing to share with you our concerns regarding this project. First, related directly to the water resources, We learned that our neighbor's well is requiring to be redrilled, which perhaps already demonstrates how this land cannot sustain the amount of water which the Seneca Farms project will require. At the public meeting, we raised these concerns and was told that the concern falls to the county and we should bring it up with them. We did and received no response. If our well goes dry next, is the county going to pay for our new well?

In addition to this concern, we are concerned about the safety of how this project will lead to noise, environmental waste and critical safety issues with the domestic animals on our land. Already trucks go speeding past our home and noise from the wells being drilled can be heard from within our home! Our veterinarian recently diagnosed one of our domestic animals with extreme anxiety due to these noises. During the public comments period, I raised these concerns and never received a response from the county.

Were all the conditions from your preliminary plan, met? The document stated that no community correspondence was received, which is untrue, as We brought some of these concerns to Mr. Casey's attention by phone and email. He noted to us that the addition of trees along our property line would be brought to the developer, but we have yet heard a response.

We would appreciate your feedback and thoughts regarding our concerns.

Thank you for your time and attention.

Mark and Pamela Mills
14511 Seneca Road
Germantown

Sent from my Verizon, Samsung Galaxy smartphone

From: [Casey, Jonathan](#)
To: [Pamela Mills](#); [MCP-Chair](#); [Pereira, Sandra](#); [Weaver, Richard](#)
Subject: RE: Significant Concerns about Seneca Farms
Date: Tuesday, December 4, 2018 11:55:12 AM

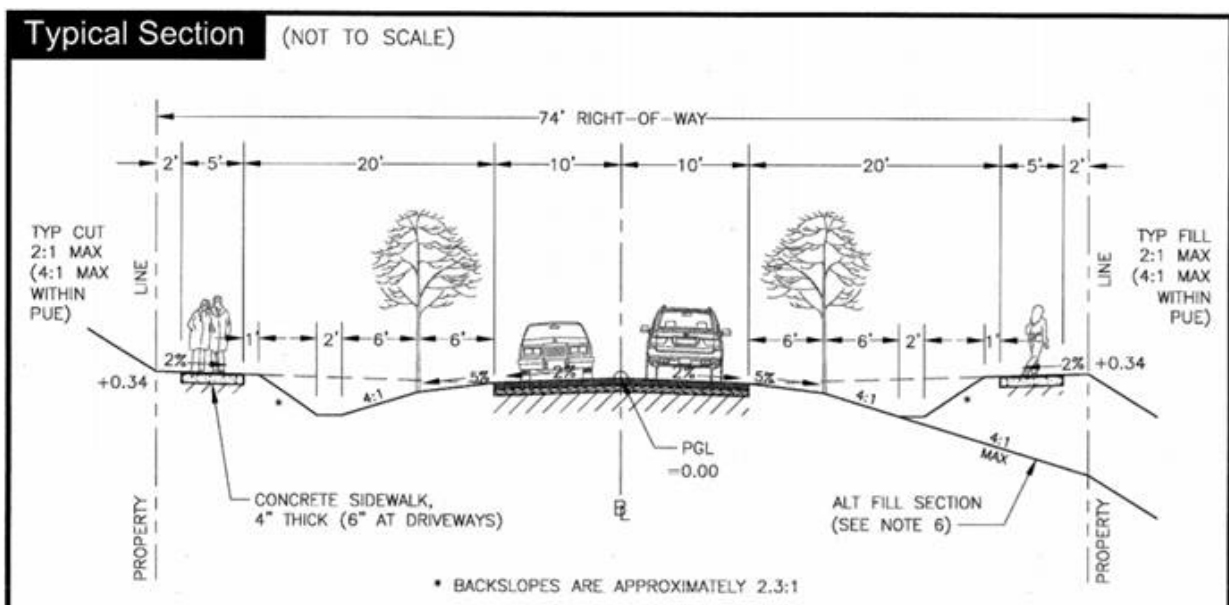
Mrs. Mills,

Thank you for contacting the Planning Department and sharing your comments and concerns with the Seneca Farms development project, located in Darnestown, MD.

As I understand from your letter and previous phone conversation, you are mainly concerned with the new road, water table, the environment, and home values.

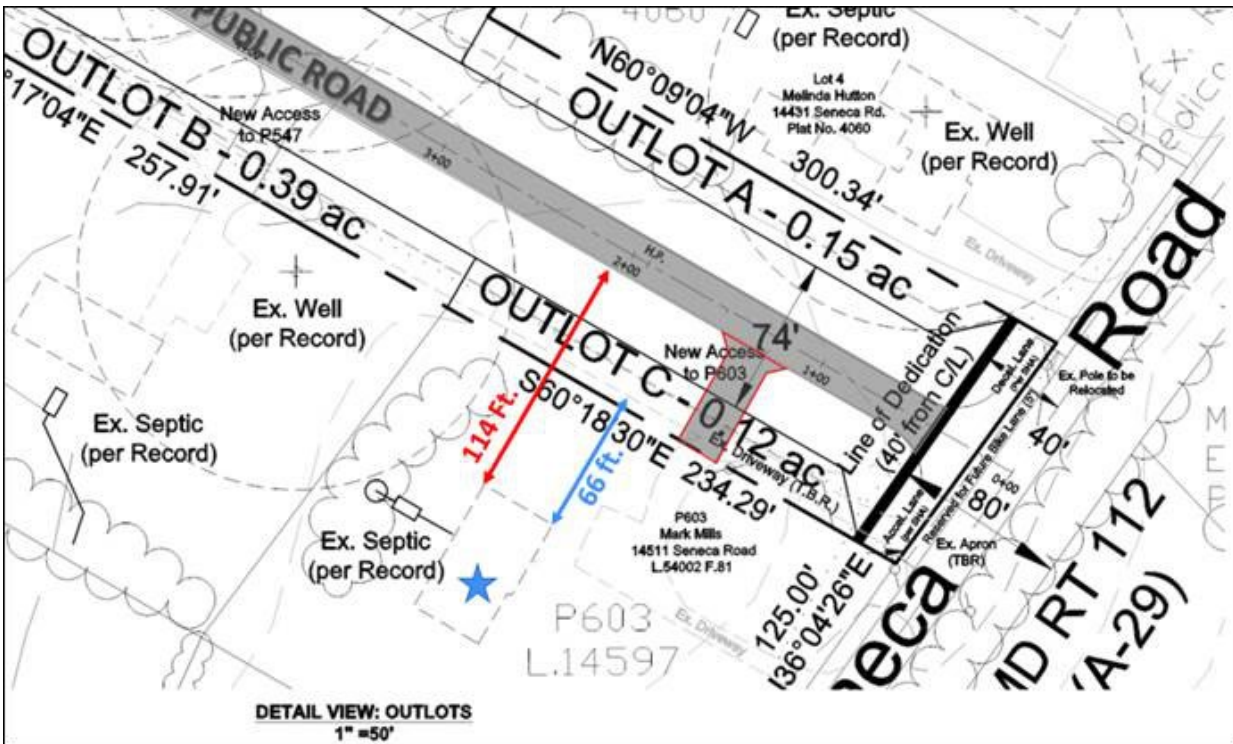
Please know that the Planning Board considered all required findings of the preliminary plan and citizen correspondence received up until October 27 in their action to approve the Seneca Farms development. Since our phone conversation occurred after the staff report was published on our website, a summary of your concerns were conveyed to the Planning Board during the staff presentation (Video link below - slide 13 of the staff presentation).

As part of the required findings, the Planning Board considers site design, traffic, access, road design, and found them to be acceptable. The Seneca Farms property has a very narrow frontage which limits the location of the access road. Because this is a public road to serve 27 new units and existing dwellings (potentially), it must be designed as an open-section Tertiary Residential Street with 74-foot wide right-of-way, as depicted in the cross-section below.



With regard to the new public road, the graphic below illustrates that the new road will be approximately 114 feet from your house. For reference, the distance to the existing driveway has also been delineated. The new driveway (if you choose to accept it) is also shown below. As mentioned on the phone, this is the Preliminary Plan and a detailed Site Plan will follow. The Site Plan will identify in detail the location of the road, new driveways, landscaping and screening. I will add your email to the

record, so your concerns can be revisited and addressed during the Site Plan review process.



A Preliminary Forest Conservation Plan was approved with the application and the development was subject to the Environmental Guidelines, which protect environmentally sensitive areas that provide habitat for wildlife. Open space was greatly protected because the development utilized the optional method of development which requires clustering. In this case, all the units are clustered along the new road which follows the natural ridge of the property. The approved clustered lot pattern preserves 64% (87.7 acres) of the property as Rural Open Space, most of which is also protected in a conservation easement. If the property were developed under the standard method without clustering the units, rural open space would not be required which would reduce the amount of undisturbed land.

In order to complete their entitlements, the Seneca Farms development still needs to obtain Site Plan approval. During the Site Plan review we look at compatibility and landscaping. We also evaluate if and where screening may be needed based on the location of roads, driveways and structures. We have taken note of the request for screening between your house and the new road and will bring it up during Site Plan review.

Water table and percolation tests are reviewed by the technical staff in the Department of Permitting Services – Water Resources Section (Staff report Attachment D). The Planning Board relies on their review and approval with regard to adequacy and design of the proposed water and septic systems. If you would like to discuss the water table test in more detail please contact Heidi Benham (Manager) via email at heidi.belham@montgomeryplanning.org.

Planning Board Video:

http://mncppc.granicus.com/MediaPlayer.php?view_id=7&clip_id=1942

Staff Report and Power Point: <http://eplans.montgomeryplanning.org/daiclinks/pdoxlinks.aspx?apno=120170240>

You will receive a notice when the Site Plan Application is filed. Please feel free to contact me when you receive the notice, or if you have any further questions regarding the Preliminary Plan.

Jonathan Casey

Senior Planner | Area 3

Montgomery County Planning Department

8787 Georgia Avenue | Silver Spring, MD 20910

301-495-2162 | jonathan.casey@montgomeryplanning.org

From: Pamela Mills <pmills@inglesideonline.org>

Sent: Wednesday, November 14, 2018 10:59 AM

To: MCP-Chair <mcp-chair@mncppc-mc.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>; Pereira, Sandra <Sandra.Pereira@montgomeryplanning.org>; Weaver, Richard <Richard.Weaver@montgomeryplanning.org>

Subject: Significant Concerns about Seneca Farms

Importance: High

I'm writing this letter to record my official comments and concerns about the Seneca Farms development project, located in Darnestown, MD. As a neighbor to the proposed project (immediately next to the proposed entry/exit public access road) I have significant concerns about this project. Previously, I spoke by phone to Mr. Casey regarding my concerns, however, it appears my comments were not recorded or included in the hearing.

My concerns are as follows:

1. Public Access Road:

- a. The suggested public access road sits very few feet away from *our living room*. There is no proposed privacy border/buffer from this road to our house. If this road must go forward, I would be mildly satisfied with the addition of trees to block the noise factor, however even this may not eliminate the potential for **constant** disturbance to our living space. This presence / noise / congestion could also lead to our property's sale value plummeting (who wants to sit in a living room next to a public access road?)!

- b. I feel the presence of such a road will cause traffic problems, if not severe accidents. Already, just to pull into my driveway, I hear brakes squealing behind me (even if I have my turn signal on for several feet before my driveway). There is also significant wait time already to enter Seneca road from my driveway during rush hour times. Proof of this can be seen in the required presence of a police officer to direct traffic entering and exiting the Catholic School, less than a mile up from the proposed Seneca Farm project. This already leads to backed up traffic.
- c. Bicyclists are also a known hazard on this road, frequently causing people to pass in the oncoming lane and cause a head-on collision. This has happened to me on numerous occasions as well. With increased traffic and increased people entering/exiting the property, I see a potential life-threatening accident occurring.
- d. Driveway: I saw noted in the hearing record that the lawyers associated with this project received 'permission' for us to utilize the public road instead of our own current driveway. This is not completely true. We were told that with the project going forward it will be better for us to use the public access road and that in exchange we will receive extra land and a free paved driveway to the public road. I now see that the land is part of the currently accessed driveway located on an easement by our neighbor's home (Dave and Mary Foster). This land is not being replaced by grass and trees or any landscaping, and so will remain basically as it is. The "free driveway" is not exactly that, but instead a short paved way off of the public access road and not an actual driveway leading to/from our home. We will still need to add a new paved driveway to meet their presumed 'gift.'

2. Water table

- a. Upon attending one of the earlier meetings about the Seneca Farms project, several neighbors asked if there would be any potential impact on their current wells. The response received was "ask the county, they approve the project." Suffice to say, not the answer we were hoping to hear. It is my understanding that tests are done on how the project will affect the water table. Is there any concern that our well may dry up within the next 25 or 50 years? How far ahead do the test results estimate?
- b. I would like a copy of the test results for well and septic, or at least proof that there is no risk that our well and septic areas will be affected by this project.

3. Home value

- a. I was informed that since these homes are expected to sell in the market of 800k+ our own home's value may increase. However, does this estimate include how our house will be affected by the public access road directly next to our home? Also in comparison to modern homes vs. our 1961 built property, may make our home appear more run down than it is, requiring us to modernize and add more to our home in order to sell.

4. Surrounding nature

- a. WHY DESTROY?? Perhaps you have never walked this property, but I must honestly say it is a RARE gem in our area. The property is quiet, beautiful and inclusive of several of our deer, fox and raccoon. We currently walk our dogs on this property, as do our other neighbors and must say it is quite a gift to have. Aren't there ENOUGH homes being built and struggling to sell in this area (Black Rock, MANY homes for sale in Spring Meadows, Germantown Road has had 2 open unsold lots for over 3 years! Plus more...) Honestly, why do we need MORE homes???
- b. Deer: We rarely have **any** disturbance from the deer to our shrubs and surrounding landscaping because of the land behind our home which meets their needs first. Likewise, with the addition of homes, and **nowhere else** for the deer to now go (who are accustomed to using this land for decades), there is a high chance for increased deer car accidents on the public roads surrounding as well as disturbance and other concerns (ticks) around the new homes. If we take the deer's land away, they will probably not leave, but only utilize what is remaining – as they have no other option.

Overall, as a neighbor whose family has lived on this property for generations (our house belonged to my husband's grandmother) we are significantly concerned with this project disturbing our house, neighboring houses and multiplying the potential for serious harm.

I appreciate your response to these concerns. Thank you.

Pamela and Mark Mills
14511 Seneca Road
Germantown, MD 20874

DPS-ROW CONDITIONS OF APPROVAL

November 15, 2021

***Revision: The conditions hereon supersede previous conditions of approval dated September 8, 2021.

820210150 Seneca Farms

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan file:

We have reviewed site and landscape plans files that were uploaded on/ dated
“11/10/2021”.

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

1. Access points on public roads:
 - a. Label the driveway standard;
 - b. Ensure driveway aprons do not cross the frontage.
2. Provide public sidewalk to ADA standards and label it accordingly.

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

1. Address MCDOT approval letter for preliminary plan 120170240 condition 1 about traffic calming by providing associated details. They need to be approved by MCDOT-Division of Traffic Engineering prior to issuance of any ROW permits.