



**MONTGOMERY COUNTY PLANNING BOARD**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**JAN 12 2022**

MCPB No. 21-131  
Site Plan No. 820210150  
Seneca Farms  
Date of Hearing: December 23, 2021

**RESOLUTION**

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on July 28, 2021, Seneca Park LLC ("Applicant") filed an application for approval of a site plan for the construction of 27 detached dwelling units on 27 lots on 136.67 acres of Rural Cluster (RC) zoned-land, unrecorded parcel (P550 on Tax Maps DR563 & ER123) located at the West side of Seneca Road (MD Rt. 112), approximately 900 feet north of Springfield Road in Darnestown ("Subject Property"), in the Rural West Policy Area and 2002 *Potomac Subregion Master Plan* ("Master Plan") area; and

WHEREAS the site plan application for the Subject Property was designated Site Plan No. 820210150, Seneca Farms ("Site 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 December 10, 2021, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on December 23, 2021, the Planning Board held a public hearing at which it heard testimony and received evidence on the Application; and

WHEREAS, on December 23, 2021, the Planning Board voted to approve the Application subject to conditions, on the motion of Commissioner Rubin, seconded by Commissioner Verma, with a vote of 5-0; Chair Anderson, Commissioners Cichy, Patterson, Rubin and Verma voting in favor.

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Approved as to  
Legal Sufficiency: /s/ Matthew T. Mills  
M-NCPPC Legal Department

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820210150 for the construction of 27 detached dwelling units on 27 lots, the Subject Property, subject to the following conditions:<sup>1</sup>

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.

### **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 40 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 of rural open space (65% of net lot area) on-site.
- b. Prior to issuance of the 18<sup>th</sup> 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 21<sup>st</sup> 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.

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<sup>1</sup> 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.

5. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to, the natural surface trails (which shall be open to the public), 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 Services ("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, including, but not limited to, a, 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. Access

Prior to release of the 27th building permit, the Applicant must construct the driveways for Lot 4 (Record Plat 4060), Parcel 603 on Tax Map ER13 and Parcel 547 on Tax Map ER13, as shown on the Certified Site Plan.

16. 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.
- j. Provide a driveway apron and new driveway from the new public street to the property line of Lot 4 (Record Plat 4060).

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Seneca Farms, Site Plan No. 820210150, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

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 development 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.

2. *The development satisfies 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.

3. *The development satisfies 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.

4. *The development satisfies applicable use standards, development standards, and general requirements under the Zoning Ordinance.*

a. Use Standards

The Preliminary Plan approved 27 single-family detached living units, a permitted use in the RC Zone.

b. Development Standards

The Subject Property includes approximately 136.96 acres zoned Rural Cluster. The Application satisfies the applicable development standards as shown in the following data table:

**Data Table**

***[insert data table from staff report, including any changes made by the Board and changing the "Proposed" column to "Approved"]***

<b>Data Table</b>	<b>Allowed/Required</b>	<b>Approved</b>
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	125 ft. min.	125 ft. min.



<b>Data Table</b>	<b>Allowed/Required</b>	<b>Approved</b>
line		
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.
Principal Building Height	50 ft. max.	40 ft. max.
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)

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 Homeowners Association (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 an 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 provided by the Application.

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.

c. General Requirements

i. *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, and 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. 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.

#### *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.

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.

#### *ii. 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. *Open Space and Recreation*

The 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 (Summary of Demand, Supply & Adequacy Report), included in the Certified Site Plan, 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.

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.

The main community gathering area 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.

iv. *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.

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. *Screening*

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. Outlots A, C and D will be conveyed to the adjacent property owners, and an HOA use and maintenance agreement will be established.

5. *The development satisfies the applicable requirements of Chapters 19 and 22A of the Montgomery County Code.*

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

A Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services on September 8, 2021. 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 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 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. 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 being 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.

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

The Site Plan 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 layout results in a large, contiguous area of Rural Open Space.

7. *The development substantially conforms to the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan.*

As conditioned, 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 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.

8. *The development 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.*

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.

9. *The development is compatible with the character of the residential neighborhood.*

The Subject Property, and surrounding properties, are zoned RC, a Rural Residential zone. The Subject Property is being developed with single-family detached houses, which by nature of the use will be compatible with the existing single-family residential detached communities surrounding the Property.

The proposed houses have a footprint of 50 feet by 70 feet, with sideloaded two-car garages and an optional frontloaded carriage garage, accessed by single driveways. The houses will be two stories with a maximum height of 35 feet tall. The Applicant is offering a variety of house models, with varying fenestration, roof types, styles and added detail such as corbels. Facade materials include, brick and stone veneer, with siding made of vinyl or cement board, configured horizontally, with shake or board and batten features. Additional architectural features, such as front porches and bay windows are offered, depending on the model.

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, 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.

BE IT FURTHER RESOLVED that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED that this Site Plan shall remain valid as provided in Montgomery County Code § 59-7.3.4.H; 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 JAN 12 2022 (which is the date that this resolution is mailed to all parties of 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 Rubin, with Chair Anderson and Commissioners Cichy, Patterson, Verma, and Rubin voting in favor of the motion at its regular meeting held on Thursday, January 6, 2022, in Wheaton, Maryland.



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Casey Anderson, Chair  
Montgomery County Planning Board