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January 25, 2023

By Overnight Delivery

Mr. Christopher Conklin
Director
Montgomery County Department of Transportation
101 Monroe Street, 9th Floor
Rockville Maryland 20850

Re: Petition for Abandonment of a Portion of Northfield Road,
Bethesda, Maryland (the "Petition")

Dear Mr. Conklin:

Petitioner, Bradley and Sophie Buslik, the owners of 8401 Moorland Lane (Lot 2, Block C "Greenwich Forest" Subdivision) and 5423 Northfield Road (Lot 3, Block C "Greenwich Forest" Subdivision) (collectively, the "Property"), requests the abandonment of a portion of the Northfield Road right-of-way encompassing a total 3,405 square feet (see Abandonment Plan and corresponding metes and bounds Exhibit "A") (the "Abandonment Area") pursuant to Section 49-62, *et seq.*, of the Montgomery County Code (the "Abandonment").

In June 2017, the Petitioners purchased the property located at 8401 Moorland Lane. In 2018, the Petitioners purchased 5423 Northfield Road, the lot located at the rear of their 8401 Moorland Lane property, with the intention of demolishing the existing house at 5423 Northfield Road and subdividing the two properties to create one record lot (the "Property"). The subdivision will allow for the construction of a pool in the backyard. Both properties are accessed from Northfield Road. As evidenced by the site photos, the Northfield Road right-of-way is comprised of a gravel roadway located along the northern half of the right-of-way which provides access only to the Property and a paved pedestrian path located on the southern portion of the right-of-way providing a link to Greenwich Neighborhood Park ("Exhibit B"). Petitioner is proposing the abandonment of the northern half of the Northfield Road right-of-way that abuts the Property. There will be no impact to the southern half of the right-of-way containing the pedestrian path.

Section 49-63(c)(1)-(2) of the Montgomery County Code (the "Code") authorizes the County Council to abandon a right-of-way (or a portion thereon) upon a finding that "(1) the right-

of-way is no longer necessary for present public use or anticipated public use in the foreseeable future, or (2) the abandonment or closing is necessary to protect the health, safety and welfare of the residents near the right-of-way to be abandoned or closed.” As described more fully below and in the attached materials, the Abandonment requested by this Petition satisfies Section 49-63(c)(1) of the Code as the Abandonment Area is no longer necessary for present public use or anticipated public use in the foreseeable future.

I. EXISTING CONDITIONS

The Property was created as Lots 2 and 3 in Block C by Plat of Subdivision No. 1064 entitled “Greenwich Forest” (the “Plat”) in 1939 (“Exhibit C”). The Plat shows the Northfield Road right-of-way terminating in a stub aligning with the eastern property line of Lot 3 (the 5423 Northfield Road property). While the right-of-way was anticipated to be for public vehicular use, it has never been used as a public road and instead has functioned as a driveway to the Property. The right-of-way has not been constructed to meet public use standards as indicated by the paving materials shown in the site photo (“Exhibit B”). Additionally, the County has never plowed nor provided leaf removal within the subject portion of the Northfield Road right-of-way.

At the termination of the Northfield Road right-of-way is a neighborhood park. On March 21, 1972, the Maryland-National Capital Park and Planning Commission (“M-NCPPC”) purchased the 3.76 acre parcel. M-NCPPC developed the site as the Greenwich Neighborhood Park. As noted, the southern portion of the right-of-way provides pedestrian access to Greenwich Neighborhood Park and will continue to do so, without interruption following the proposed abandonment.

II. THE PETITION FOR ABANDONMENT

Section 49-63(c)(1) of the County Code permits the County Council to abandon a right-of-way if it finds that the same is no longer necessary for present public use or anticipated public use in the foreseeable future. The Abandonment is appropriate as the Abandonment Area has not been used for public use, and there is no evidence that the Abandonment Area has in any way been needed for public use. As noted above, the County did not construct the right-of-way for public use and has not provided any type of maintenance over the northern portion of the right-of-way proposed to be abandoned. With Greenwich Neighborhood Park located at the road terminus, it is not anticipated that M-NCPPC would redevelop the park to allow for Northfield Road to be extended to Old Georgetown Road and bifurcate the Park. The portion of the right-of-way providing access to the neighborhood park will remain undisturbed.

The only abutting property owners to the Abandonment Area are Bradley and Sophie Buslik, the Petitioners, and M-NCPPC.

The Abandonment Area contains an existing sewer main and an existing gas main. Both mains provide house connections to the Property as well as to the property to south (8213 Moorland Lane). The sewer and gas mains terminate within the Abandonment Area. The Applicant anticipates providing utility easements to the respective utility companies and to the neighboring property owner, as necessary.

III. LIST OF EXHIBITS

The following materials are submitted in support of this Abandonment request:

Exhibit "A" – Abandonment Plan

Exhibit "B" – Site Photos

Exhibit "C" – Plat 1064

Exhibit "D" – Zoning and Local Vicinity Map

Exhibit "E" – Tax Map

IV. CONCLUSION

As discussed herein, the Abandonment is appropriate as the Abandonment Area is no longer necessary for present public use or anticipated public use in the foreseeable future.

Enclosed please find the filing fee of \$2,500. We look forward to your support of this request and would be happy to answer any questions.

Very truly yours,



Patricia A. Harris

Attachments

cc: Bradley and Sophie Buslik
Ms. Katherine Mencarini
Mr. Jeff Robertson

Exhibit A

Exhibit B

View of the Property and the Northfield Right-of-Way



View of the Property and the Northfield Right-of-Way



Aerial View of the Property and Proposed Abandonment Area



Exhibit C

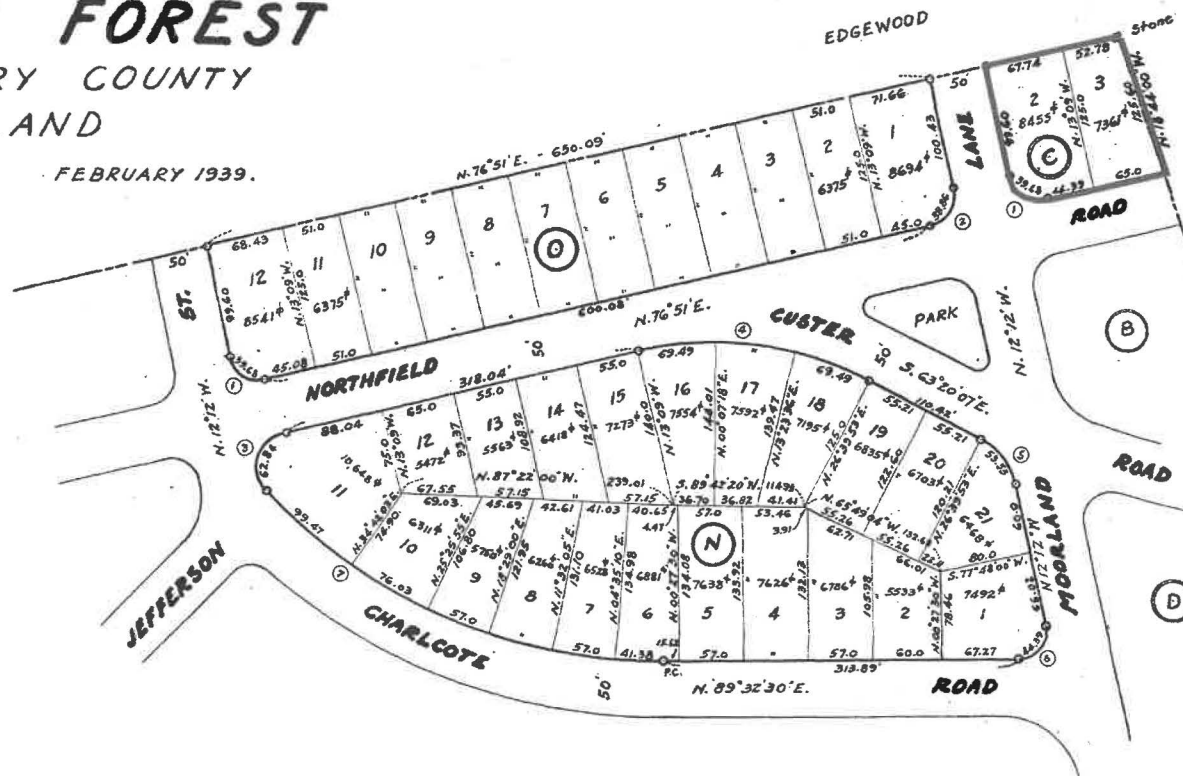


MONTGOMERY COUNTY CIRCUIT COURT (Subdivision Plats, MO) Plat 1064, MSA_S1249_8875. Date available 1939/03/09. Printed 12/04/2022.

A SUBDIVISION OF
BLOCKS C, N, AND O
GREENWICH FOREST
 MONTGOMERY COUNTY
 MARYLAND

SCALE - 1" = 100' FEBRUARY 1939.

PLAT No 1064



ENGINEERS CERTIFICATE

I hereby certify that the plan shown hereon is correct; that it is a subdivision of part of the land conveyed by Shirley R. Kaplan to Greenwich Forest Incorporated by deed dated December 14, 1934 and recorded in the land records of Montgomery County, Maryland in Liber 582, folio 371; and that iron pipes marked thus -o- have been placed as indicated.

February 16, 1939.

Milton M. Price
 MILTON M. PRICE, ENGINEER

Curve Table

No.	Rad.	Arc	Tan.	Chd.	Chd. Bear.	Δ
1	25.0	39.68	25.42	35.65	S. 57° 41' 06" E.	90° 57'
2	25.0	38.86	24.59	35.06	N. 32° 20' 10" E.	89° 03'
3	30.0	62.84	51.98	51.97	N. 16° 56' 04" E.	120° 01' 23"
4	300.0	208.47	108.64	204.30	S. 85° 43' 4" E.	39° 48' 53"
5	60.0	53.55	28.70	51.79	S. 37° 46' 06" E.	51° 08' 07"
6	25.0	44.39	30.73	38.80	S. 38° 46' 56" W.	101° 44' 30"
7	470.0	387.88	205.76	376.97	N. 66° 48' 57" W.	47° 17' 01"

OWNERS DEDICATION

We, Greenwich Forest Incorporated, a Maryland Corporation, by Joseph Carroll, President and Adah May Brady, Secretary, owners of the property shown and described hereon, hereby adopt this plan of subdivision, establish the minimum building restriction lines, and dedicate the streets and park to public use.

Date: February 16, 1939.

Greenwich Forest Incorporated
 By *Joseph Carroll*
 Joseph Carroll, President
 Attest *Adah May Brady*
 Adah May Brady, Secretary

DYER & PRICE
 Civil Engineers
 HYATTSVILLE, MD.

MARYLAND - NATIONAL CAPITAL PARK & PLANNING COMMISSION
 APPROVED: FEB. 17, 1939
George W. Palmer
 CHIEF ENGINEER
John S. Hamilton
 SECRETARY
 M.-N.C.P. & P.C. RECORD FILE No 1007

WASHINGTON SUBURBAN SANITARY DISTRICT
 APPROVED: FEB. 16, 1939
 AS TO SUITABILITY FOR WATER AND SEWER
Harvey C. Hall
 CHIEF ENGINEER

FILED
 MAR 9 1939

Exhibit D

Montgomery County Zoning

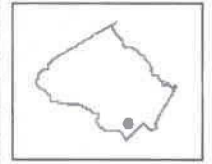
Date: 1/18/2023

Montgomery County
Planning Department
III Division

Attachment A



Account #	00496007	Parking District	N/A	Bike/Ped Priority Area	N/A
Address	8401 MOORLAND LN BETHESDA, 20817	CBD	N/A	Urban Renewal Area	N/A
Zone	R-60	Special Protection Area	N/A	Metro Station Policy Area	N/A
Overlay Zone	N/A	Urban District	N/A	Priority Funding Area	Yes
TDR Overlay Zone	N/A	Enterprise Zone	N/A	Septic Tier	Tier 1: Sewer existing
Landuse	Single Family Detached	Arts & Ent. District	N/A	Municipality	N/A
Parcel, Lot, Block	N/A, 2, C	Special Tax District	N/A	Master Plan	BETHESDA CHEVY CHASE
WSSC Grid	210NW05	Legal Description	GREENWOCH FOREST	Historic Site/District	N/A
				Water/Sewer Categories	W-1/ S-1



1 inch = 1288 feet

Exhibit E

DISCLAIMER:

"This parcel data were derived in part from information provided by the Maryland Department of Planning as the distributor of the data and owner of the digital product."

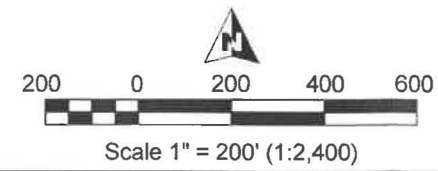
LEGEND:

- Property Line: _____
- Subdivision Boundary: - - - - -
- Town Boundary: - - - - -
- Private Road: _____
- Stream Line: _____
- Continuing Ownership: _____
- Parcel Number = P.###
(Assigned to Identify Ownership, must be preceded by a Map Number)

APN Label Record Layout:

99-999999
District ID Account ID

HP 121
HN 123
HN 122

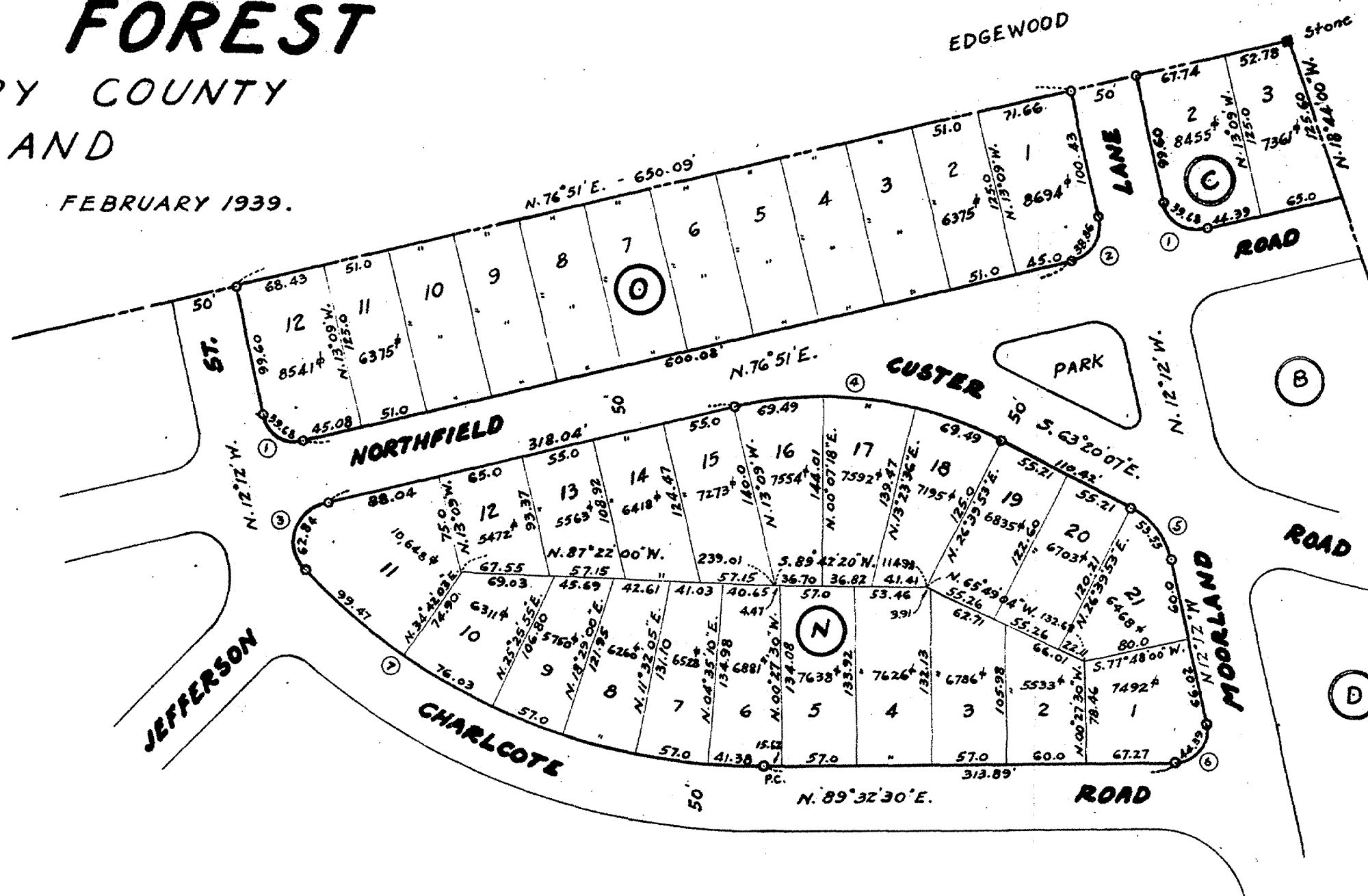


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Date: February 16, 1939.

Greenwich Forest Incorporated
By *Joseph Carroll*
Joseph Carroll, President
Attest *Adah May Brady*
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DYER & PRICE
Civil Engineers
HYATTSVILLE, MD.

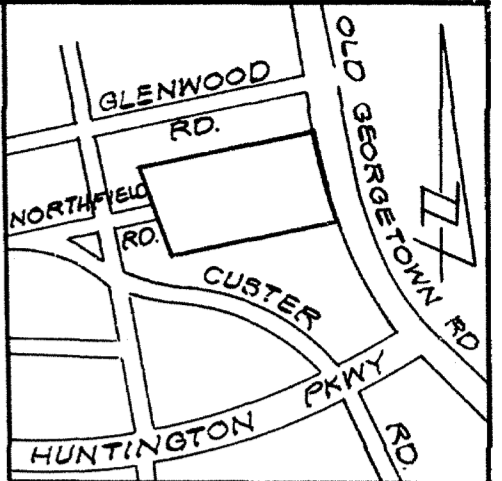
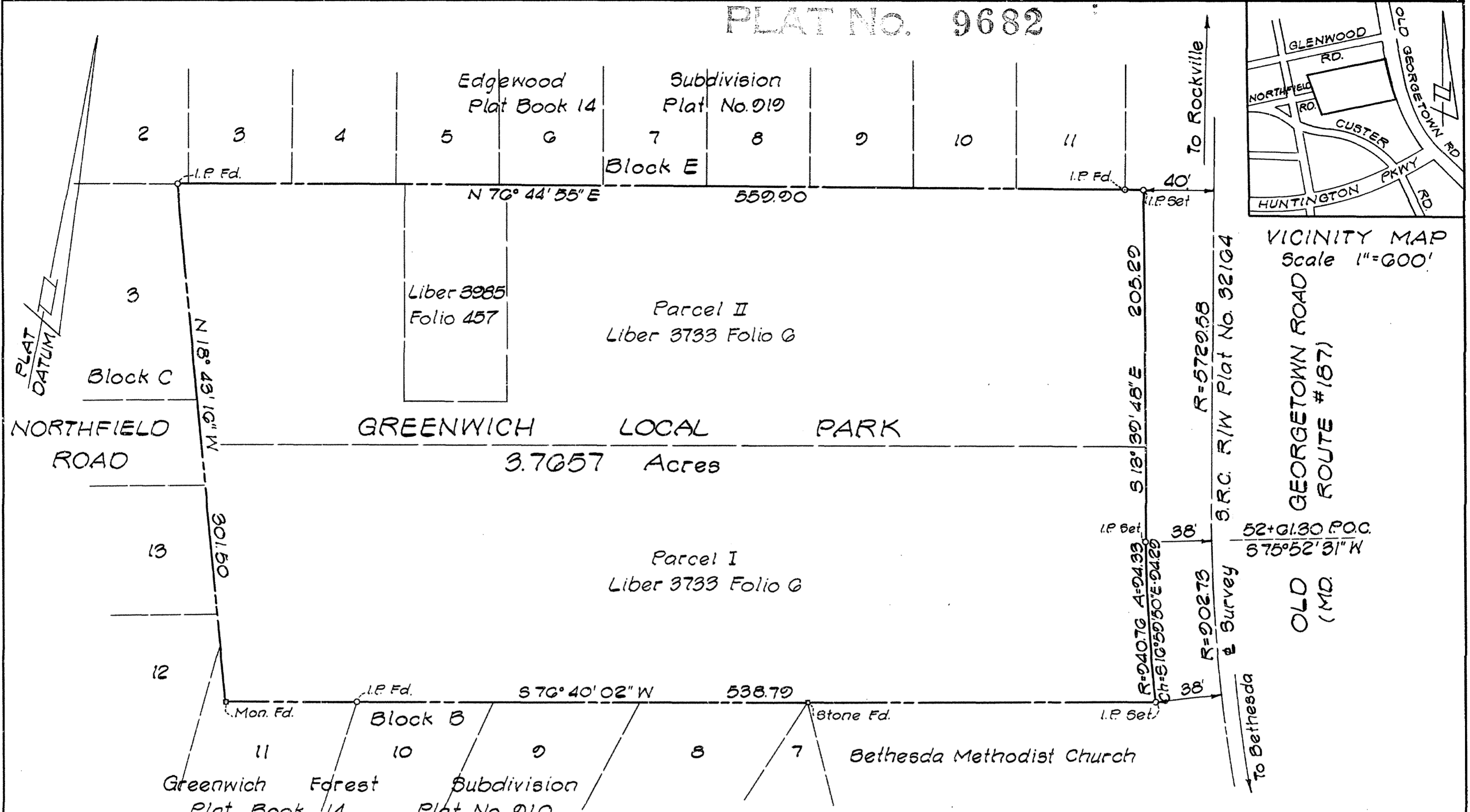
MARYLAND - NATIONAL CAPITAL PARK & PLANNING COMMISSION

APPROVED: FEB. 17, 1939 *See M. P. Ryan*
DATE *CHIEF ENGINEER*
John H. Hamilton
SECRETARY
M.-N.C.P. & P.C. RECORD FILE No 1007

WASHINGTON SUBURBAN SANITARY DISTRICT
APPROVED: FEB. 16, 1939
AS TO SUITABILITY FOR WATER AND SEWER
Henry R. Hall
CHIEF ENGINEER

FILED
MAR 9 1939

PLAT No. 9682



I hereby certify that pursuant to the provisions of Chapter 780, Laws of Maryland, 1959 as amended and the Regulations for the Subdivision of Land for the Maryland-Washington Regional District in Montgomery County, adopted by the County Council for Montgomery County, Maryland October 17, 1961 and by virtue of its authority to administer said regulations the Montgomery County Planning Board by resolution adopted Aug. 20, 1970 has declared the 3.7657 Acre Parcel to be a Reservation of Land for Public Use as deemed necessary for Park purposes for the proposed Greenwich Forest Local Park, said public reservations to continue in full force and effect for one year.

I hereby certify that the plan shown hereon is correct, that it is a reservation of all of the land described in a deed dated April 23, 1968 conveying a one-half interest from Cook Enterprises Inc. to Darius Y. Phillips, recorded among the Land Records of Montgomery County, Maryland, in Liber 3733 at Folio G and all of the land described in a deed dated August 28, 1970 from Virginia Collins to Horace W. Barnitt and Sidney J. Malawar, trustees, recorded among the aforesaid Land Records in Liber 3985 at Folio 457.

August 20, 1970

Thomas A. Barrigan
SECRETARY-TREASURER, M.N.C.P. & P.C.

RESERVATION PLAT OF LAND FOR PUBLIC USE

GREENWICH LOCAL PARK

BETHESDA ELECTION DISTRICT #7
MONTGOMERY COUNTY, MARYLAND
SCALE: 1"=50' AUGUST 1970

FILED
SEP 9 1970

MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION
Montgomery County Planning Board
APPROVED August 20, 1970
Carolus Sheehan CHAIRMAN
Thomas A. Barrigan SECRETARY-TREASURER
M.N.C.P. & P.C. RECORD FILE NO. 508-67

RECORDED: _____
PLAT BOOK: _____
PLAT NO.: _____

SEYBOLT, GORE & NEWQUIST
Civil Engineers & Land Surveyors
1111 Bonifant Street
Silver Spring, Maryland

508-67

MONTGOMERY COUNTY CIRCUIT COURT (Subdivision Plats, MO) Plat 9682, MSA 91-249-025645 Data available 1970/09/01 Printed 05/12/2023