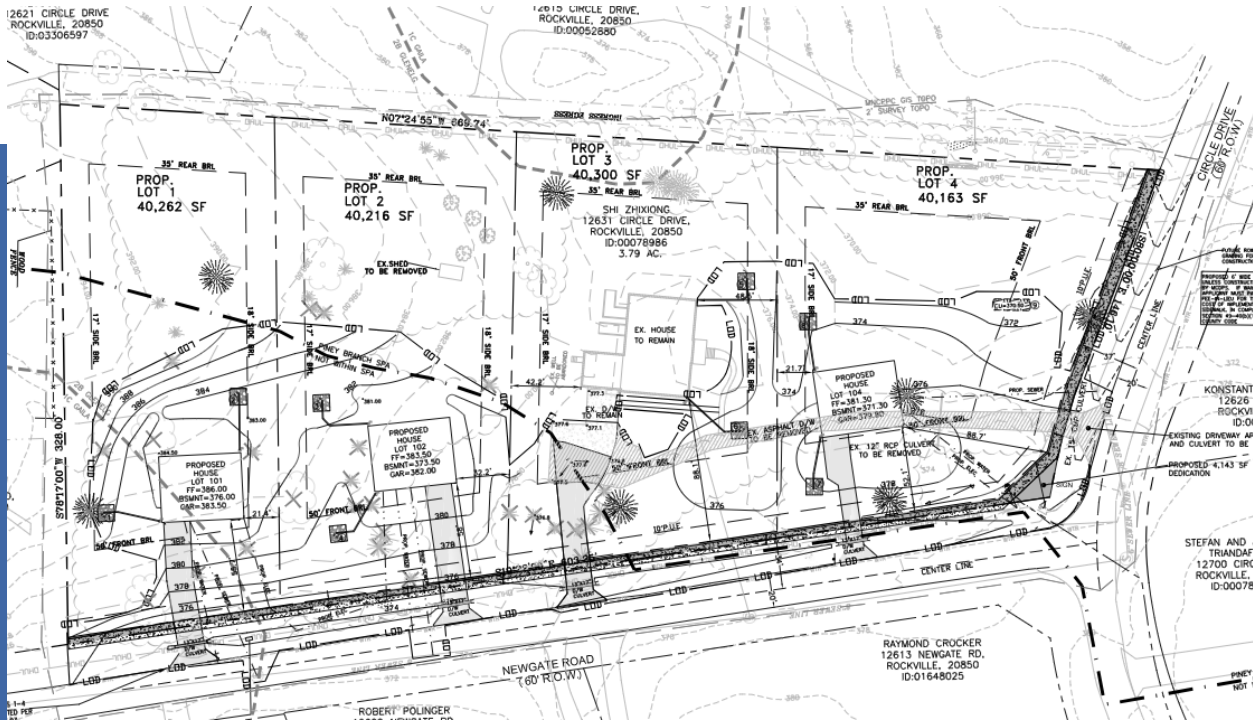


ADDITION TO GLEN HILLS SECTION 3

PRELIMINARY PLAN NO. 120240150 AND

FINAL FOREST CONSERVATION PLAN NO. F20240220



Description

Application to create four (4) lots for three (3) new single-family detached units and the retention of one (1) existing single-family detached unit.

COMPLETED: 3/17/2025

PLANNING BOARD HEARING DATE: 3/27/2025

MCPB ITEM NO. 8

# Planning Staff



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## LOCATION/ADDRESS

12631 Circle Drive, Rockville, MD 20850

## MASTER PLAN

2002 *Potomac Subregion Master Plan*

## ZONE

RE-1

## PROPERTY SIZE

3.79 Acres

## APPLICANT

Norton Land Design, LLC

## ACCEPTANCE DATE

June 26, 2024

## REVIEW BASIS

Chapters 50, 59, 22A

## Summary:

- Staff recommends approval with conditions of the Preliminary Plan and Final Forest Conservation Plan.
- The Application will create four (4) lots for the construction of three (3) new single-family detached units and the retention of one (1) existing single-family detached unit.
- A portion of the Property is located in the Piney Branch Special Protection Area, and as such, the Applicant minimized impervious areas proposed.
- The Applicant will construct a six-foot wide sidewalk along the Property frontages on Circle Drive and Newgate Road.
- Community correspondence has been received with concerns on possible violation of the sewer service policies within the Glen Hills Study Area and Piney Branch Special Protection Area. Staff has responded to all inquiries, and a summary is included in Section 4 of this staff report.

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## SECTION 1: PRELIMINARY PLAN

### PRELIMINARY PLAN 120240150

Staff recommends approval with conditions of the Preliminary Plan to create four (4) lots for three (3) new single-family detached units and the retention of one (1) existing single-family detached unit. All site development elements shown on the latest electronic version of the Preliminary Plan No. 120240150 as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.

#### GENERAL APPROVAL

1. This Preliminary Plan is limited to four (4) lots for three (3) new single-family units and one (1) existing single-family detached unit.

#### ADEQUATE PUBLIC FACILITIES

2. The Adequate Public Facilities (“APF”) review for the Preliminary Plan will remain valid for five (5) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).

#### PLAN VALIDITY PERIOD

3. The Preliminary Plan will remain valid for three (3) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and before the expiration date 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 filed.

#### OUTSIDE AGENCIES

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated January 28, 2025, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
5. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
6. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Water Resources Section in its combined Preliminary and Final Water Quality Plan/Site Development Stormwater Management concept letter dated May 22, 2024, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDPS, Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.

7. The Planning Board has reviewed and accepts the recommendations of the MCDPS, Well and Septic Section in its letter dated July 11, 2024, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDPS, Well and Septic Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
8. The Planning Board has reviewed and accepts the recommendations of the MCDPS, Fire Department Access, and Water Supply Section in its letter dated December 2, 2024, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

#### OTHER APPROVALS

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

#### TRANSPORTATION

##### Frontage Improvements on Existing Roads

10. The Applicant must provide the following dedications and show them on the record plat(s) for the following existing roads:
  - a. All land necessary to accommodate thirty-seven (37) feet from the existing pavement centerline along the Subject Property frontage for Circle Drive.
  - b. All land necessary to accommodate thirty-four (34) feet from the existing pavement centerline along the Subject Property frontage for Newgate Road.
11. Before the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDPS to ensure construction of a six-foot (6 ft) wide sidewalk with a fifteen-foot (15 ft) street buffer along the Property frontages on Circle Drive and Newgate Road.
12. Before final inspection for each lot, the Applicant must construct the public sidewalk along the respective frontage.

#### RECORD PLATS

13. There shall be no clearing or grading of the site before recordation of plats.
14. Before record plat approval, the Applicant must abandon the existing well and septic system in accordance with MCDPS standards.
15. The record plat must show necessary easements.

#### CERTIFIED PRELIMINARY PLAN

16. The certified Preliminary Plan must contain the following notes:
  - a) *Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and*

*sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures, and hardscape will be determined at the time of issuance of building permits. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.*

- b) *The Applicant must schedule an on-site preconstruction meeting with M-NCPPC inspection staff before any demolition, clearing, or grading occurs on-site. The Applicant, along with their representatives, must attend the pre-construction meeting with the M-NCPPC inspector. A copy of the approved Certified Preliminary Plan is required to be on-site at all times.*

17. Before submittal of the Certified Preliminary Plan, the Applicant must make the following changes:

- a) Show resolutions and approval letters on the certified set
- a) Include the approved Fire Department Access Plan on the certified set.
- b) Show water and sewer house connections on the certified set.
- c) Update the lot numbers and square footage calculations in the data table on the certified set.

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#### FINAL FOREST CONSERVATION PLAN F20240220

Staff recommends approval of Final Forest Conservation Plan No. F20240220 (“FFCP”). All site development elements shown on the latest electronic version of the Final Forest Conservation Plan No. F20240220, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions<sup>i</sup>:

1. 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.
2. 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.
3. 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.
4. Before the start of any demolition, clearing, grading, or construction, whichever comes first, for this development Application, the Applicant must:
  - a) Execute a five-year Maintenance and Management Agreement (“MMA”) in a form approved by the M-NCPPC Office of the General Counsel. The MMA is required for the variance tree mitigation plantings credited toward meeting the requirements of the FFCP. The MMA includes invasive species management control measures as deemed necessary by the M-NCPPC Forest Conservation Inspection Staff.

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<sup>i</sup> For the purpose of these conditions, the term “Applicant” shall also mean the developer, the owner, or any successor in interest to the terms of this approval.

- b) Submit a cost estimate for variance mitigation trees, five years of maintenance including invasive species management controls, staking, tree protection, and tree protection removal credited toward meeting the requirements as shown on the FFCP. This cost estimate must be reviewed and approved by the M-NCPPC Planning Department Inspection Staff prior to the submission of financial surety to determine the amount of the financial surety.
  - c) Submit financial surety, in a form approved by the M-NCPPC Office of the General Counsel, to the M-NCPPC Planning Department Inspection Supervisor for the variance mitigation trees and maintenance, including invasive species management controls, credited toward meeting the requirements of the FFCP.
5. 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, the Applicant must install the variance tree mitigation plantings on the Subject Property as shown on the approved FFCP. The variance tree mitigation plantings must be a minimum size of 3 caliper inches, totaling 24.5 caliper inches, as shown on the approved FCP. Adjustments to the planting locations of these trees are permitted with the approval of the M-NCPPC Forest Conservation Inspection Staff.

## SECTION 2: SITE DESCRIPTION

### VICINITY

The Subject Property (“Property”) is located at 12631 Circle Drive in Rockville and is within the 2002 *Potomac Subregion Master Plan* area. The Subject Property is south of Circle Drive, west of Newgate Road, and east of Celtic Court (Figure 1). The Property lies within the Watts Branch and Lower Potomac watersheds. Surrounding properties consist of single-family residences within the RE-1 and R-200 zone.

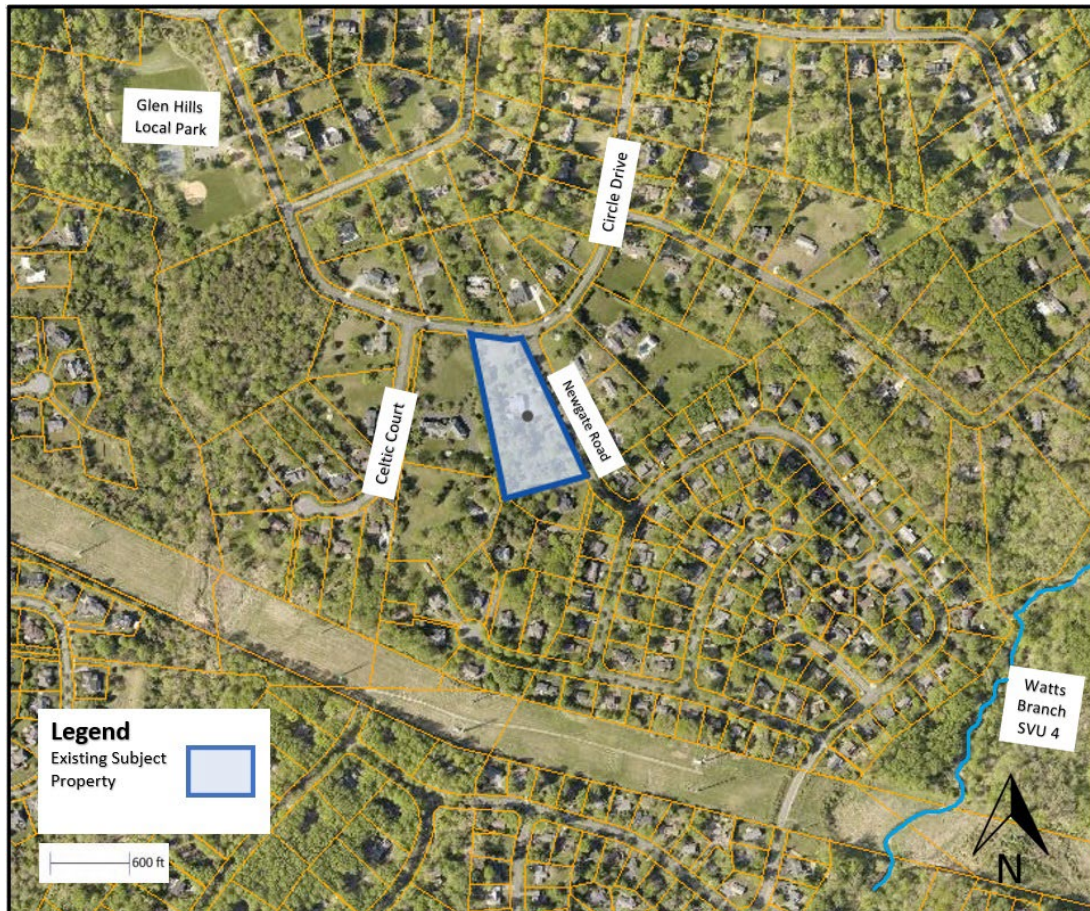


Figure 1 – Vicinity Map

### PROPERTY DESCRIPTION

The Subject Property (“Site” or “Property”) consists of Lot 8, which is 3.79 acres in the RE-1 zone with frontage on Circle Drive and Newgate Road (Figure 2). The Property is currently developed with a single-family detached residence. Access to the Property is from Circle Drive. The Site contains a



sizeable portion of tree cover, six (6) specimen trees, and other significant trees along the front and rear of the Property. There are no rare, threatened, or endangered species or habitats on the Property.

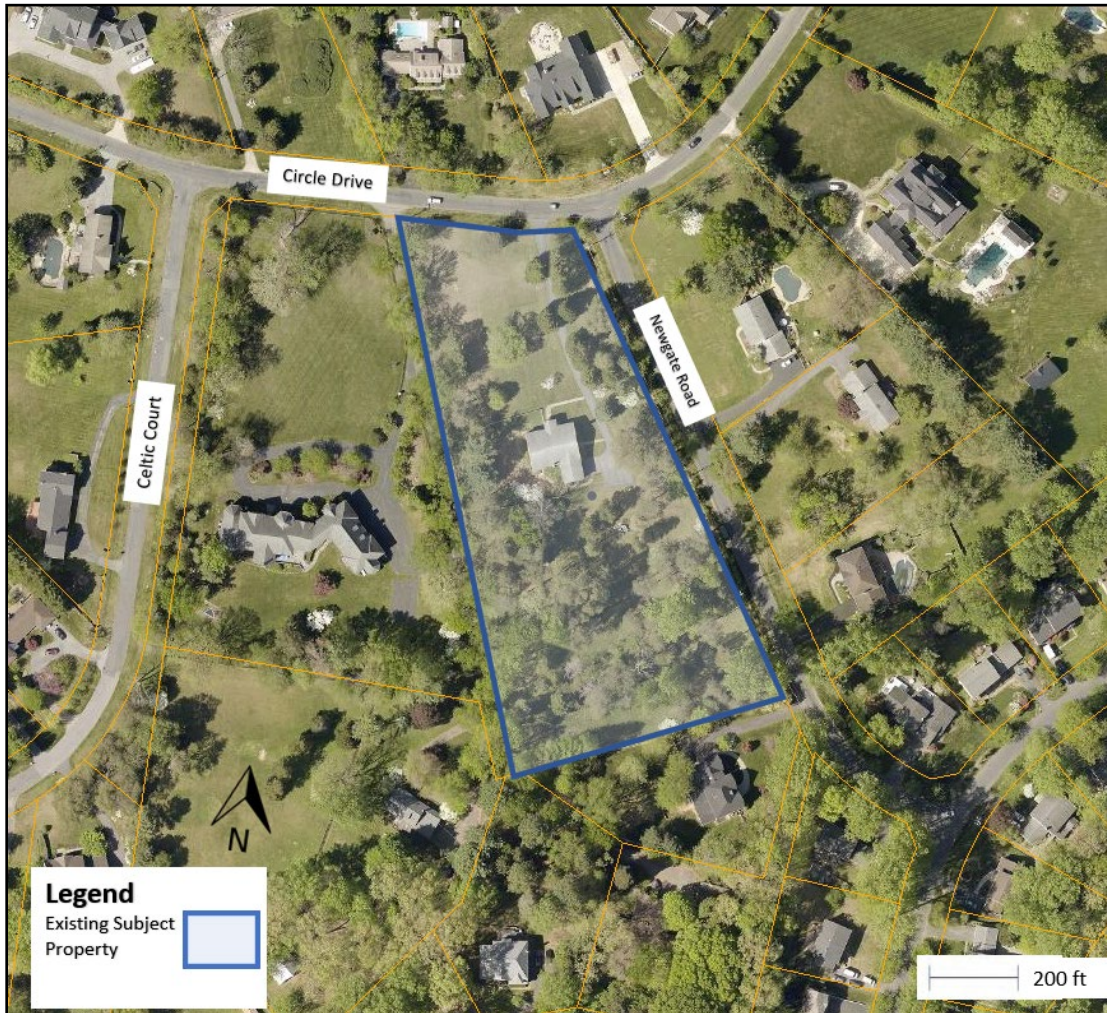


Figure 2 – Subject Property outlined in blue

## SECTION 3: PROJECT DESCRIPTION

### PROPOSAL

The Application proposes to create four (4) lots for three (3) new single-family detached units and the retention of one (1) existing single-family detached unit (Figure 3).

### TRANSPORTATION

The Subject Property has frontage on both Circle Drive and Newgate Road. The Applicant will construct a six-foot (6 ft) sidewalk with a fifteen-foot (15 ft) buffer along the Property frontages on Circle Drive and Newgate Road.

The existing house currently has access from Circle Drive, but the existing driveway will be removed as a new driveway is proposed with access from Newgate Road along with the three (3) new driveways to serve each of the proposed new units.

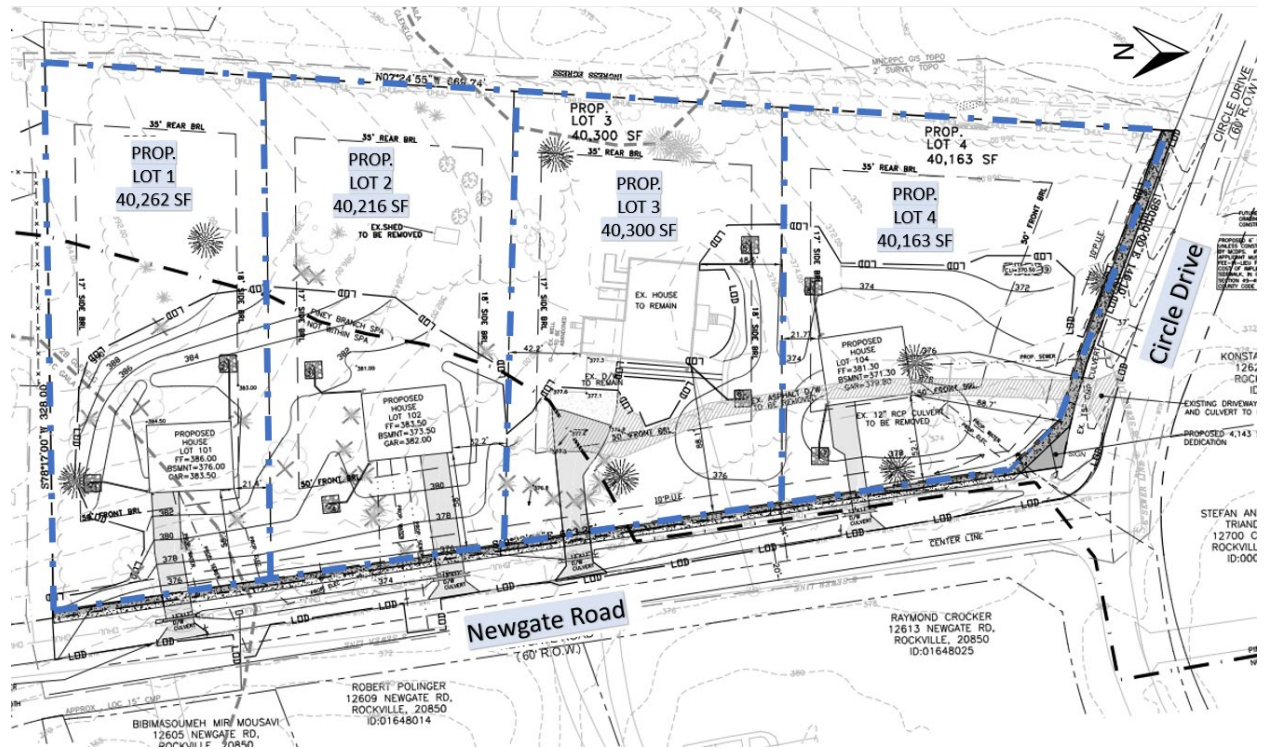


Figure 3: Preliminary Plan Layout

## ENVIRONMENT

The Final Forest Conservation Plan No. F20240220 (“FFCP”) shows no forest, streams, wetlands, or other environmentally sensitive elements on or adjacent to the property. The Subject Property has an afforestation requirement of 0.83 acres either within the same watershed/Priority Area or outside the same watershed/Priority Area. The Applicant will satisfy this requirement by purchasing 0.83 acres of credit in an M-MCPPC forest bank or paying a fee-in-lieu to the Forest Conservation Fund if no forest banks are available.

## SECTION 4: COMMUNITY OUTREACH

The Applicant has complied with all submittals, noticing, and sign posting requirements under Division 7.5 of the Zoning Ordinance. The required hearing notice sign was adequately posted at the Subject Property. The Applicant mailed written notice of the Application to all required parties on July 1, 2024.

A pre-submittal community meeting was held on April 23, 2024, at 7:00 p.m. During the meeting, several questions were raised by the attendees, including:

1. The impact of the new development on traffic;
2. Provision of public water and sewer services to the properties;
3. The effects of the development on the Piney Branch Special Protection Area;
4. The square footage of each single-family unit;
5. Possibility of proposing larger units with fewer lots;
6. The impact of the subdivision on current property values;
7. Potential for shared driveway access;
8. Tree removal plans;
9. Construction timeline and duration;
10. Whether the application had been approved before the community meeting.

The Applicant's summary notes of the meeting can be reviewed in Attachment D.

On July 2, 2024, the Development Review Committee ("DRC") discussed the Application with the Applicant and provided comments. The President of the West Montgomery County Citizens Association attended the meeting and later submitted written concerns via email on July 10, 2024 (Attachment E).

The community correspondence outlines concerns that the proposed plan violates established sewer service policies within the Glen Hills Study Area and the Piney Branch Special Protection Area. These policies generally prohibit public sewer extensions except in narrowly defined circumstances, such as documented septic failures. The proposal seeks to subdivide the lot into four new lots, each requiring a public sewer extension, which the correspondence asserts contradicts both the 2002 *Potomac Subregion Master Plan* and the Montgomery County Water and Sewer Plan. Additional concerns were raised regarding the basis for granting S-1 sewer status to the property, stating that such a designation cannot be used to justify subdivision.

Staff communicated with the Montgomery County Department of Environmental Protection to confirm that the restrictions in the Water and Sewer Plan for the Glen Hills and Piney Branch areas do not apply to the Subject Property because the Property was already within the planned sewer envelope when the 2002 *Potomac Subregion Master Plan* was initiated (Attachment H).

Some of the concerns raised during the community meeting, such as the provision of public water and sewer services and the impact of the subdivision on current property values, are beyond the authority of the Planning Board. These concerns are acknowledged. Others, such as the impact of the new development on traffic, effects of the development on the Piney Branch Special Protection Area, and the square footage of each unit, are covered in the findings section of this staff report.

As of the published date of this Staff Report, no other community comments or correspondence has been received regarding this Application.

## SECTION 5: PRELIMINARY PLAN FINDINGS AND ANALYSIS

The Preliminary Plan would create four (4) lots for three (3) new single-family detached units and the retention of one (1) existing single-family detached unit. This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations. The Application has been reviewed by other applicable State, County, and City agencies.

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

The Preliminary Plan meets all applicable sections of the Subdivision Regulations. The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision, considering the recommendations of the 2002 *Potomac Subregion Master Plan*, and for the residential use contemplated for the Property. All four lots meet the minimum lot size of 40,000 square feet as required by the RE-1 zone. The existing development patterns and street layouts within the surrounding area also dictated the proposed layout for the Preliminary Plan as the proposed layout is for lots for residential use with private driveway access.

The lots were reviewed for compliance with the dimensional and density requirements for the RE-1 zone as specified in the Zoning Ordinance. The lots will meet all the dimensional requirements and can accommodate houses with the width and setback requirements. A summary of this review is included in Table 1. The Application is proposed under the standard method in accordance with Section 4.4.6.B of the Zoning Ordinance. The Preliminary Plan has been reviewed by other applicable County agencies, all of whom have recommended approval.

*Table 1: Addition to Glen Hills Section 3 Preliminary Plan Tract Area Data Table for RE-1 Zone Standard Method, Section 59.4.4.6.B*

<b>Development Standard</b>	<b>Permitted/Required</b>	<b>Proposed</b>
<b>Tract Area</b>	N/A	3.79 Acres / 165,092 SF
<b>Proposed Dedication</b>	N/A	0.10 Acres / 4, 143 SF

Table 2: Addition to Glen Hills Section 3 Preliminary Plan Lot Data Table for RE-1 Zone Standard Method, Section 59.4.4.6.B

Development Standard	Permitted/ Required	Proposed Lot 1	Proposed Lot 2	Proposed Lot 3	Proposed Lot 4
<b>Lot Area (min.)</b>	40,000 SF	40,262 SF	40,216 SF	40,300 SF	40,163 SF
<b>Lot width at front building line (min.)</b>	125 feet	125 ft. or greater	125 ft. or greater	125 ft. or greater	125 ft. or greater
<b>Lot width at front lot line (min.)</b>	25 feet	25 ft. or greater	25 ft. or greater	25 ft. or greater	25 ft. or greater
<b>Frontage on street or open spaces</b>	Required, except as exempt under Chapter 50	Yes	Yes	Yes	Yes
<b>Density (max.) units/acre</b>	1.09	1.05	1.05	1.05	1.05
<b>Lot Coverage (max.)</b>	15%	15% or less	15% or less	15% or less	15% or less
<b>Principle Building setbacks (min.)</b>					
Front	50 feet	50 ft.	50 ft.	50 ft.	50 ft.
Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone	50 feet	N/A	N/A	N/A	50 ft. or greater
Side setback	17 feet	17 ft.	17 ft.	17 ft.	17 ft.
Sum of side setbacks	35 feet	35 ft.	35 ft.	35 ft.	35 ft.
Rear setback	35 feet	35 ft.	35 ft.	35 ft.	35 ft.
<b>Principal Building Height (max.)</b>	50 feet	50 ft.	50 ft.	50 ft.	50 ft.

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

**a) Land Use**

The 2002 *Potomac Subregion Master Plan* does not mention the Property specifically, yet the Master Plan does support “the retention and reconfiguration of existing zoning for all developed, underdeveloped, and undeveloped land in the subregion” (p. 40). The “Travilah” community, in which the Property is located, is planned for low-density residential housing and serves as a transitional area of the Master Plan between the more developed Potomac and North Potomac communities of the Subregion and more rural Darnestown community to the west. The proposed residential project supports the provision of needed housing development within the County while preserving a rural development pattern.

**b) Environment**

The 2002 *Potomac Subregion Master Plan* emphasizes a need to maintain the environmental integrity of the plan area by protecting critical natural resources - forests, floodplains, wetlands, and stream valleys - while responding to an increased demand for homes in the area. Further, the environmental recommendation is to “maintain and reaffirm” a low-density residential 'green wedge' for most of the Subregion and to encourage development clustering to protect environmentally sensitive areas. While the Master Plan does not have specific environmental recommendations for the Subject Property, the Application does comply with the overarching goals and policies of the Master Plan.

**c) Transportation**

With regards to transportation, the 2002 *Potomac Subregion Master Plan* states a goal to preserve the Subregion’s existing character, which is described as semi-rural. Circle Drive and Newgate Road are classified as Neighborhood Streets. The *Complete Streets Design Guide* calls for a six-foot sidewalk with a 15-foot (9-foot minimum) street buffer for neighborhood streets that are in an open-section roadway, which the Applicant is conditioned to build.

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

**a) Roads and other Transportation Facilities**

- i. The Subject Property has frontage along Circle Drive and Newgate Road within the Travilah area; both roads currently have a total right-of-way width of 60 feet. As shown on the Preliminary Plan, an additional right-of-way dedication of seven feet (7 ft) from the roadway centerline is proposed along Circle Drive, and an additional four feet (4 ft) of right-of-way dedication from the roadway centerline is proposed along Newgate Road. Additionally, as shown on the Preliminary Plan, 4,143 square feet of dedication is proposed at the corner of Circle Drive and Newgate Road.
- ii. At present, there are no existing pedestrian or bicycle facilities along the frontage of the Property. A Ride On bus stop currently exists north of the Property along Darnestown Road (MD-28), intersecting with Glen Mill Road and Travilah Road, served by Ride On Route 76. Accessibility to the transit stop is hindered by a lack of pedestrian crossing, non-existent pedestrian connections, and thick foliage.

**b) Local Area Transportation Review (LATR)**

The 2024-2028 *Growth and Infrastructure Policy* requires a transportation impact study for any project that is estimated to generate a net increase of 30 or more vehicle trips in either the morning or evening peak hours. This Application is exempt from a Local

Area Transportation Review Study because the Project generates less than 30 net new weekday peak-hour vehicle trips.

**c) Schools**

**Overview and Applicable School Test**

The FY2025 Annual School Test, approved by the Planning Board on December 19, 2024, and effective since January 1, 2025, applies to this Application. The project proposes to create four (4) lots for three (3) new single-family detached units and an existing single-family unit.

**School Adequacy Test**

The project is served by Fallsmead Elementary School, Robert Frost Middle School, and Thomas S. Wootton High School. The student enrollment and capacity projections used for these schools in the Updated FY2025 Annual School Test are noted in the following Table 3:

*Table 3. Updated FY2025 Annual School Test Projections (2028-2029 School Year)*

	Program Capacity	Enrollment	% Utilization	Seat Surplus or Deficit
Fallsmead ES	571	502	87.9%	+69
Robert Frost MS	1,051	1,037	98.7%	+14
Thomas S. Wootton HS	2,120	2,031	95.8%	+89

*Table 4. Updated FY2025 Annual School Test Results*

	Adequacy Status	Tier 1 Adequacy Ceiling	Tier 2 Adequacy Ceiling	Tier 3 Adequacy Ceiling
Fallsmead ES	No UPP	143	184	269
Robert Frost MS	No UPP	134	225	382
Thomas S. Wootton HS	No UPP	249	513	831

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment (UPP) based on each school’s adequacy status and ceilings, as determined in the Annual School Test. Under the updated FY2025 Annual School Test results, Fallsmead Elementary School, Robert Frost Middle School, and Thomas S. Wootton High School are

not placed in Utilization Premium Payment (UPP) tiers, as shown in Table 4. If the project is estimated to generate more students than the identified ceilings, then UPPs or partial payments at multiple tiers may still be required.

**Calculation of Student Enrollment Impacts**

To calculate the number of students generated by the Project, the number of dwelling units is multiplied by the applicable School Impact Area student generation rate for each school level. Dwelling units are categorized by structure type: single-family detached, single-family attached (townhouse), low-rise multifamily unit, or high-rise multifamily unit.

With a net of three new single-family detached units that are not age-restricted, the proposed plan is estimated to generate no elementary school students, no middle school students, and no high school students in an average year during its life cycle based on the Subject Property’s location within a Turnover Impact Area, as shown in Table 5. The number of students generated does not exceed the adequacy ceilings identified for each school, therefore, no additional UPPs are required, and neither are partial payments across multiple UPP tiers.

*Table 5: Student Enrollment Impact Estimate (reflects Updated FY2025 Student Generation Rates)*

Type of Unit	Net Number of Units	Turnover ES Student Generation Rate	ES Student Estimate	Turnover MS Student Generation Rate	MS Student Estimate	Turnover HS Student Generation Rate	HS Student Estimate
SF Detached	3	0.184	0.552	0.101	0.303	0.153	0.459
SF Attached	0	0.217	0.000	0.118	0.000	0.167	0.000
MF Low-rise	0	0.121	0.000	0.065	0.000	0.083	0.000
MF High-rise	0	0.049	0.000	0.025	0.000	0.032	0.000
<b>TOTALS</b>	<b>3</b>		<b>0</b>		<b>0</b>		<b>0</b>

**d) Other Public Facilities and Services**

The Property is served by public water and sewer and is classified in the W-1 and S-1 categories. Public water and sewer mains currently serve the Property, which will be adequate to serve the proposed subdivision. Staff communicated with the Montgomery County Department of Environmental Protection to confirm that the restrictions in the Water and Sewer Plan for the Glen Hills and Piney Branch areas do not apply to the Subject Property because the Property was already within the planned sewer envelope when the 2002 Potomac Subregion Master Plan was initiated.



The Preliminary Plan was reviewed by the MCDPS, Fire and Access and Water Supply Section, and a Fire Department Access Plan was approved on December 2, 2024 (Attachment C). Other utilities, public facilities, and services, such as electric, telecommunications, police stations, firehouses, and health services, are currently operating within the standards set by the Growth and Infrastructure Policy (GIP) in effect at the time that the Preliminary Plan was accepted.

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

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code, and requires a Forest Conservation Plan. Included with the Forest Conservation Plan is a request for a tree variance for impacts and removal of subject trees. The Preliminary Plan complies with the Montgomery County Environmental Guidelines and the Forest Conservation Law, as conditioned and described below.

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

DPS approved a Combined Preliminary and Final Water Quality Inventory/ Site Development Stormwater Management Concept Plan on May 22, 2024. The plan proposes to meet required stormwater management goals via Environmental Site Design to include drywells.

Approximately 2.66 acres of the overall 3.79 acres of the Subject Property are located within the Piney Branch Special Protection Area (“SPA”). As such, the Applicant was required to hold a Water Quality Plan meeting with the Montgomery County Department of Permitting Services, Water Quality Plan Section. The Applicant scheduled and held this meeting on August 21, 2023, which was attended by DPS Water Resources, M-NCPPC, and the Applicant’s consultant Norton Land Design, LLC.

During this meeting, the Applicant demonstrated that the impervious surfaces for the overall development would remain below 15%. As a result, DPS determined under Sec. 19-63(b)(1)(B) of Chapter 19 of the County Code that since the project size is less than 10 acres and the imperviousness is less than 15%, only a Water Quality Inventory is required, and no Water Quality Plan is necessary.

Although no Water Quality Plan is required, in keeping with the Environmental Guideline’s recommendation that a land development project demonstrate that imperviousness be minimized, the Applicant has revised the layout of the proposed units, reduced some driveway lengths and widths and made other modifications to keep impervious surfaces significantly below the 15% target. The Applicant has submitted an Impervious Surface Plan as supporting data showing that total imperviousness is at 9% for the Subject Property.

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

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

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

There are no other applicable provisions specific to the Preliminary Plan that are necessary for approval of this Application.

## SECTION 6: FINAL FOREST CONSERVATION PLAN FINDINGS AND ANALYSIS

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code, and requires a Forest Conservation Plan. The Forest Conservation Plan complies with the Montgomery County Environmental Guidelines and the Forest Conservation Law<sup>ii</sup>, as conditioned and described further below. Included with the Forest Conservation Plan is a request for a tree variance for impacts to subject trees greater than 30 inches diameter breast height (“DBH”) per Section 22A-12(b)(3)(C).

### Natural Resource Inventory/Forest Stand Delineation Plan

A Natural Resource Inventory/Forest Stand Delineation Plan No. 420250080 (“NRI/FSD”) was approved for the Subject Property on August 7, 2024. The Property has a high point at the southern property line and gently slopes to the north and northwest at an overall 5% slope. Approximately 70% of the Subject Property lies within the Piney Branch SPA. There are no forests, springs, seeps, streams, wetlands or other environmentally sensitive areas either on or adjacent to the Subject Property. However, the property does have a sizeable portion of tree cover and there are a number of significant sized trees, and six specimen sized trees scattered across the property.

### Final Forest Conservation Plan

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law (“FCL”) and the Montgomery County Planning Department’s Environmental Guidelines. As required by Chapter 22A, an FFCP was submitted in conjunction with the Preliminary Plan of Subdivision No. 120240150 and to be reviewed concurrently. The total net tract area for forest conservation purposes is 4.15 acres, which includes the Subject Property of 3.79 acres, plus off-site

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<sup>ii</sup> Based on the initial acceptance date for the Subject Application, the Forest Conservation Plan is subject to the Forest Conservation Law in effect on April 4, 2023.

work of 0.36 acres for offsite work within the proposed right-of-way for Newgate Road and Circle Drive. The Subject Property is zoned RE-1 and is classified as Medium Density Residential (“MDR”) as defined in Section 22A-3 of the FCL and specified in the Trees Technical Manual. The Subject Property contains no forest. This results in a total afforestation requirement of 0.83 acres as calculated in both the Forest Conservation Worksheets. The Applicant proposes to meet this requirement by purchasing the appropriate credits in an M-NCPPC-approved forest mitigation bank, or if no forest banks are available, then submitting a fee-in-lieu payment into the Forest Conservation Fund.

### TREE VARIANCE REQUEST

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-21 (“Variance”). Otherwise, such resources as defined under Section 22A-12(b)(3) must be left in an undisturbed condition.

This Application will require the CRZ impact to one (1) Protected Tree and the removal of three (3) Protected Trees as identified in Table 6. The Variance request is for impacts and removal of these Protected Trees for the construction of three new residential structures, driveway access to all four units, sidewalk installation along Newgate Road and Circle Drive, and the installation of the required utility connections to the proposed units.

Tree ID	Common Name	Scientific Name	DBH	% Impact	Status
3	Tulip Poplar	<i>Liriodendron tulipifera</i>	32 in.	100%	Remove Tree. Tree located within LOD, impacted by grading.
4	Tulip Poplar	<i>Liriodendron tulipifera</i>	36 in.	54%	Remove tree. Tree located within LOD, impacted by grading and construction of proposed unit.
5	Tulip Poplar	<i>Liriodendron tulipifera</i>	30 in.	93%	Remove tree. Tree located within LOD, impacted by grading and construction of driveway.
11	Tulip Poplar	<i>Liriodendron tulipifera</i>	34 in.	15%	CRZ Impacts Only.

Table 6 –Removed and Impacted Protected Trees

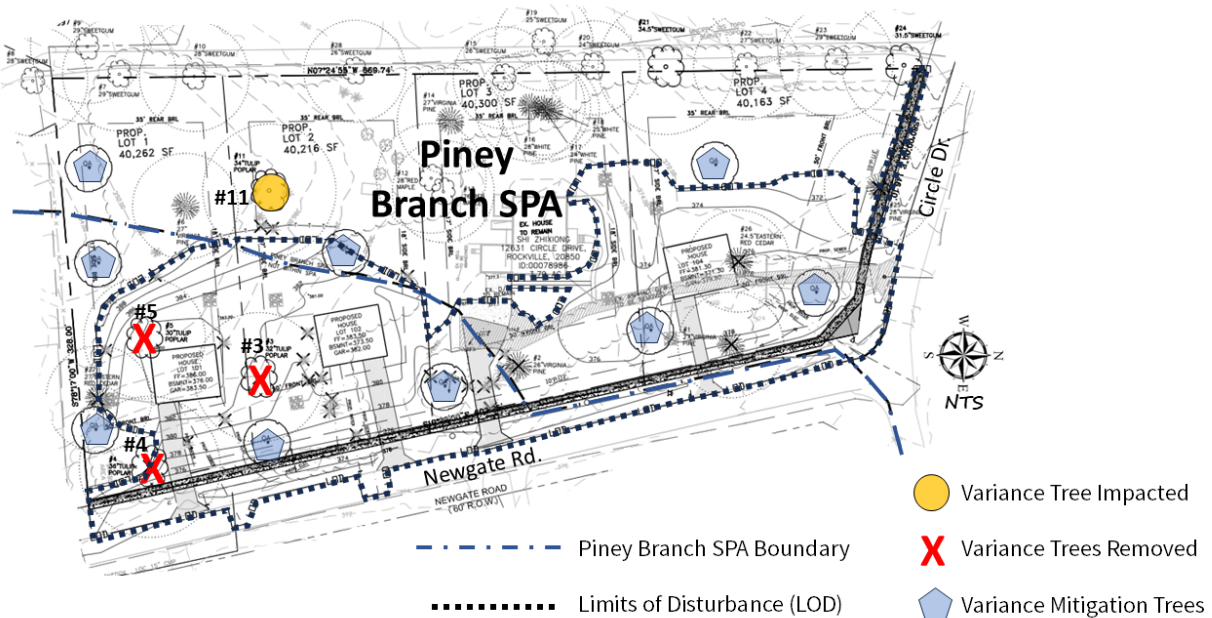


Figure 4- FFCP, SPA, Variance Trees and Mitigation Plantings

Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made for a Variance to be granted.

### Unwarranted Hardship

In accordance with Section 22A-21(a), the Applicant has requested a Variance (Attachment F) from Sec. 22A-12(b)(3)(C) of the FCL in order to impact or remove four (4) Protected Trees. Without this variance from the FCL, the Applicant would suffer unwarranted hardship by being denied reasonable and significant use of the Subject Property for three new houses and one existing house, by being unable to develop this site under the RE-1 zone requirements and to also minimize impacts to the Piney Branch SPA. The proposed units on Lots 1 and 2 have been pulled out of the SPA and are located closer to Newgate Road. The four Protected Trees to be impacted or removed are located in this area as well. In an effort to reduce the environmental impacts of this development, the Applicant is faced with the necessity of impacting or removing four Protected Trees. The Applicant has demonstrated that the denial of the Variance request would cause an inability to subdivide this 3.79-acre property into four 40,000-square-foot lots and construct three new units as would be the reasonable expectation for this residential zone while at the same time reducing the environmental impacts of this project.

### TREE VARIANCE FINDINGS

The following determinations are based on the required findings for granting of the requested variance:

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

Granting the Variance to impact Tree 11, and to remove Trees 3, 4, and 5 will not confer a special privilege on the Applicant as the impacts or removals are due to necessary development requirements of this property in the RE-1 zone and the reduction of impacts to the Piney Branch SPA. These four Protected Trees are either being impacted or removed with the installation of the two units and driveways on Lots 1 and 2. Therefore, the granting of this Variance is not a special privilege for this Applicant or one that would be denied to other applicants.

**2. Is not based on conditions or circumstances which are the result of the actions by the Applicant.**

The requested Variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested Variance is based on the necessary development standards and requirements of subdividing this property into four (4) lots in the RE-1 zone, constructing 3 new units, utility connections, driveways, and sidewalks.

**3. Is not based on a condition relating to land or building use, either permitted or non-conforming on a neighboring property.**

The requested Variance is a result of the existing conditions and the required improvements, and not as a result of land or building use on a neighboring property.

**4. 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. The Protected Trees being removed are not located within a stream buffer, wetland, or a special protection area. The three Protected Trees proposed to be removed are located on the property outside of the Piney Branch SPA. The Application proposes mitigation for the removal of these three Protected Trees by planting nine (9) three-inch caliper trees on-site. These trees will replace water quality functions that may be lost by the removed trees. Therefore, the Application will not violate State water quality standards or cause measurable degradation in water quality.

**Mitigation for Trees Subject to the Variance Provision**

There are three Protected Trees proposed for removal in this Variance request resulting in a total of 98 inches of DBH being removed. The FFCP includes mitigation at a rate that approximates the form and function of the trees removed. These trees will be replaced at a ratio of approximately one-inch caliper for every four inches removed using trees that are a minimum of three-inch caliper in size. This results in a total mitigation of 24.5 inches which will be met with the installation of nine (9) three-inch caliper trees.

Although the installed mitigation trees will not be as large as the trees lost, they will provide some immediate benefit and ultimately replace the canopy lost by the removal of Trees 3, 4 and 5. These mitigation trees must be overstory trees native to the Piedmont Region of Maryland and must be installed on the Subject Property outside of any rights-of-way and/or utility easements.

#### Recommendation on the Variance

Staff recommends approval of the variance request, with individual tree mitigation plantings as conditioned to address the removal of subject trees.

## SECTION 7: CONCLUSION

As conditioned, the Preliminary Plan No. 120240150 application substantially conforms to the recommendations of the 2002 *Potomac Subregion* and satisfies the findings of the Subdivision Regulations. The Forest Conservation Plan No. F20240220 satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A, and is in compliance with the Montgomery County Planning Department's Environmental Guidelines. Therefore, Staff recommends approval of Preliminary Plan No. 120240150 and Final Forest Conservation Plan No. F20240220 with the conditions specified at the beginning of this report.

#### ATTACHMENTS

*Attachment A: Preliminary Plan Composite*

*Attachment B: Final Forest Conservation Plan Composite*

*Attachment C: Agency Letters*

*Attachment D: Community Meeting and Meeting Minutes*

*Attachment E: Community Correspondence*

*Attachment F: Tree Variance Letter, February 12, 2024*

*Attachment G: Statement of Justification*

*Attachment H: Montgomery County Department of Environmental Protection Correspondence*

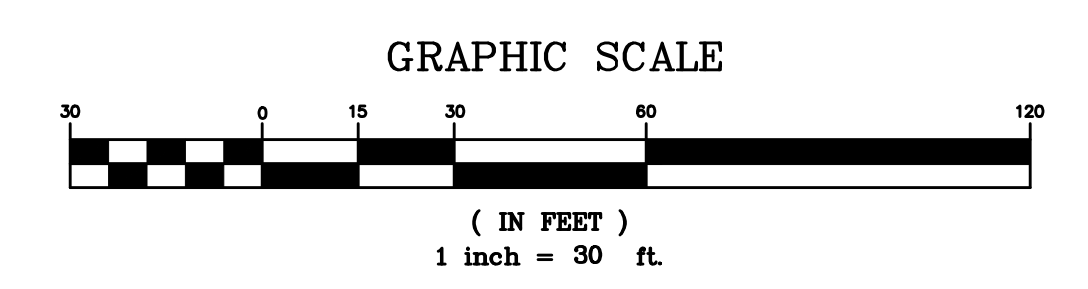
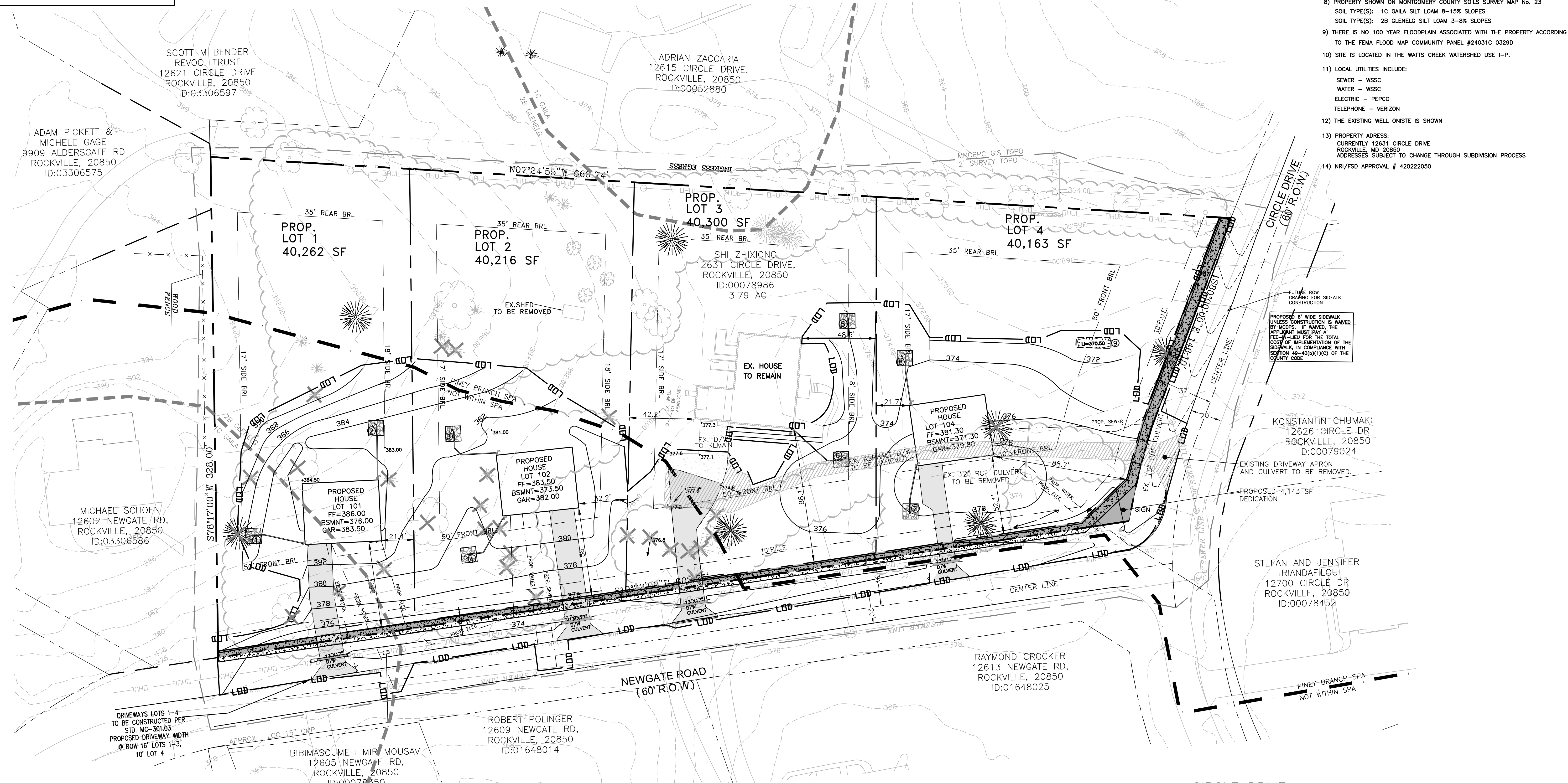
# Attachment A: Preliminary Plan

CONCEPTUAL LIMITS OF DISTURBANCE:  
LOD= 96,184 SF

## GENERAL NOTES:

- 1) ZONE: RE-1
- 2) WATER CATEGORY - W-1 SEWER CATEGORY - S-1
- 3) BOUNDARY AND TOPOGRAPHY PROVIDED BY OWNER.
- 4) ADJACENT CONTOURS & PROPERTY BOUNDARY INFORMATION BASED ON MNCPPC GIS DATA.
- 5) TOTAL TRACT AREA = 165,059 SF OR 3.79 AC.
- 6) PROPERTY SHOWN ON TAX MAP FQ43
- 7) PROPERTY SHOWN ON WSSC 200' SHEET 216N10.
- 8) PROPERTY SHOWN ON MONTGOMERY COUNTY SOILS SURVEY MAP No. 23  
SOIL TYPE(S): 1C GALA SILT LOAM 8-15% SLOPES  
SOIL TYPE(S): 2B GLENELG SILT LOAM 3-8% SLOPES
- 9) THERE IS NO 100 YEAR FLOODPLAIN ASSOCIATED WITH THE PROPERTY ACCORDING TO THE FEMA FLOOD MAP COMMUNITY PANEL #24031C 0329D
- 10) SITE IS LOCATED IN THE WATTS CREEK WATERSHED USE I-P.
- 11) LOCAL UTILITIES INCLUDE:  
SEWER - WSSC  
WATER - WSSC  
ELECTRIC - PEPCO  
TELEPHONE - VERIZON
- 12) THE EXISTING WELL ON SITE IS SHOWN
- 13) PROPERTY ADDRESS:  
CURRENTLY 12631 CIRCLE DRIVE  
ROCKVILLE, MD 20850  
ADDRESSES SUBJECT TO CHANGE THROUGH SUBDIVISION PROCESS
- 14) NRI/FSO APPROVAL # 420222050

- EXISTING TREE ≤24"
- EXISTING SIGNIFICANT TREE ≥24" AND <30"DBH
- EXISTING SPECIMEN TREE ≥30"DBH
- EXISTING TREE TO BE REMOVED
- LIMITS OF SURVEY
- PROPOSED CONTOUR
- EX. CONTOUR
- PROPERTY BOUNDARY
- NON-FOREST CANOPY
- PROPOSED UTILITIES
- BUILDING RESTRICTION LINE
- SPA BOUNDARY
- LOD - LOD
- LIMIT OF DISTURBANCE
- PROPOSED ASPHALT DRIVEWAY
- PROPOSED SIDEWALK
- PROPOSED DRYWELL
- PROPOSED LANDSCAPE INFILTRATION
- 6" SCH. 40 PVC PERFORATED
- 6" SCH. 40 PVC
- PROPOSED DEDICATION
- ASPHALT REMOVAL



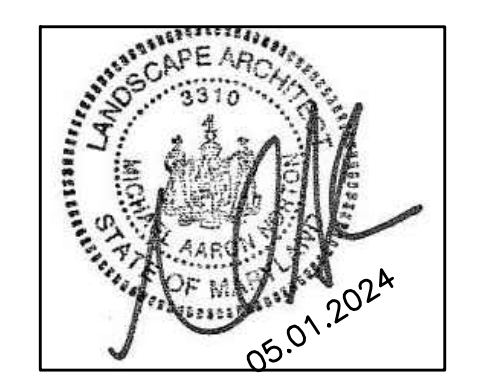
1. Lot and Density		Detached House or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone			
Lot (min)		LOT 101	LOT 102	LOT 103	LOT 104
Lot area	40,000 SF	40,797 SF	40,057 SF	40,080 SF	43,829 SF
Lot width at front building line	125'	131'	138'	145'	149'
Lot width at front lot line	25'	130'	137'	142'	150'
Frontage on street or open space	Required, except as noted under Chapter 50	Y	Y	Y	Y
Density (max)		1.09	1.09	1.09	1.09
Coverage (max)		+15%	+15%	+15%	+15%
Lot	35%				
2. Placement					
Principal Building Setbacks (min)					
Front setback	50'	50'	50'	50'	50'
Side street setback, abutting lot front on the side street and is in a Residential Detached zone	50'	N/A	N/A	N/A	50'
Side street setback, abutting lot front on the side street or is not in a Residential Detached zone	20'	N/A	N/A	N/A	N/A
Side setback	17'	+17'	+17'	+17'	+17'
Sum of side setbacks	35'	+35'	+35'	+35'	+35'
Rear setback	35'	35'	35'	35'	+35'
3. Height					
Height (max)					
Three-story building	50'	+50'	+50'	+50'	+50'
4. Form					
Allowed Building Elements					
Gallery/awning	n/a				
Porch/floor	yes				
Balcony	yes				

## NOTES

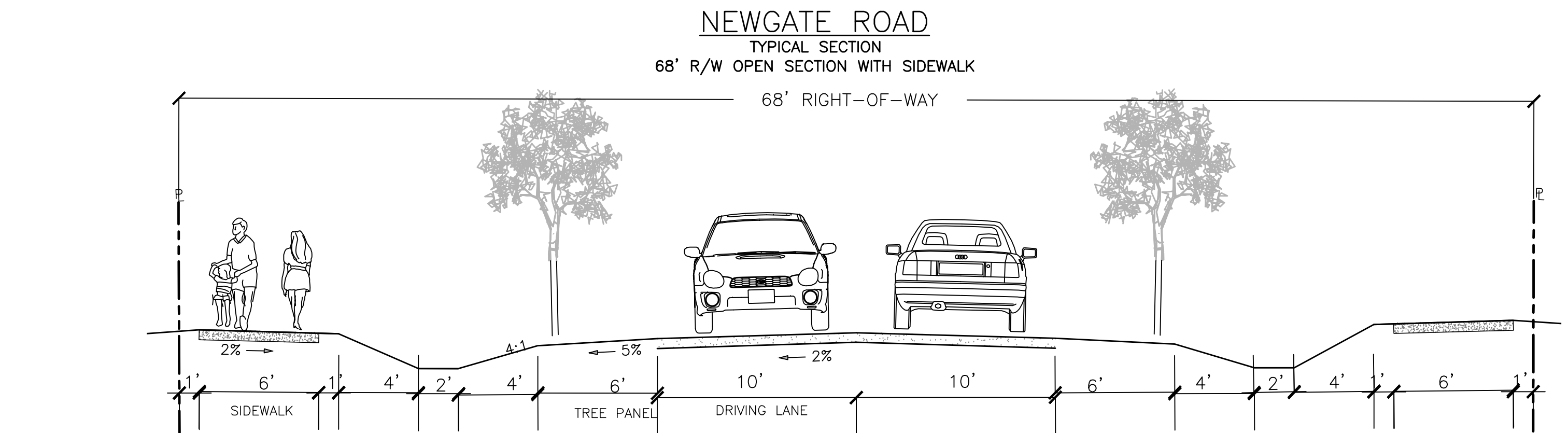
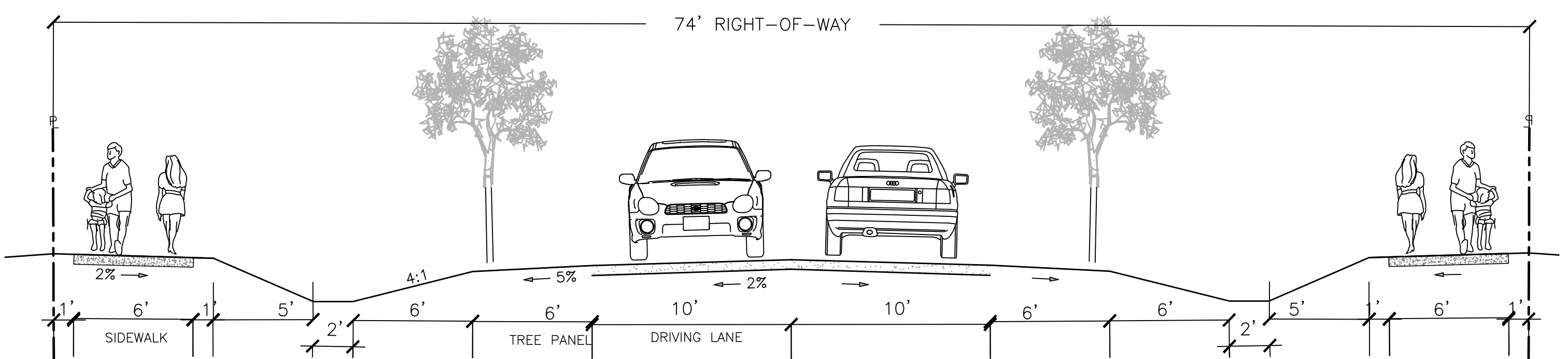
- AN ONSITE PRE-CONSTRUCTION MEETING IS REQUIRED TO BE SET UP WITH THE MNCPPC INSPECTION STAFF BEFORE ANY DEMO, CLEARING, OR GRADING OCCURS ONSITE. THE OWNER OR HIS DESIGNEE WHO HAS SIGNATURE AUTHORITY, AND THE GENERAL CONTRACTOR MUST ATTEND THE PRE-CONSTRUCTION MEETING WITH THE MNCPPC INSPECTOR. A COPY OF THE APPROVED CERTIFIED PRELIMINARY PLAN IS REQUIRED TO BE ONSITE AT ALL TIMES. TO SCHEDULE AN INSPECTION WITH MNCPPC STAFF, PLEASE CONTACT JOSH KAYE AT 301-495-4722.
- 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 ADMINISTRATIVE SUBDIVISION PLAN ARE ILLUSTRATIVE. THE FINAL LOCATIONS OF BUILDINGS, STRUCTURES AND HARDSCAPE WILL BE DETERMINED AT THE TIME OF ISSUANCE OF BUILDING PERMIT(S) 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. OTHER LIMITATIONS FOR SITE DEVELOPMENT MAY ALSO BE INCLUDED IN THE CONDITIONS OF APPROVAL.
- THIS PLAN IS THEORETICAL YIELD ONLY AND SUBJECT TO THE PRELIMINARY PLAN REVIEW PROCESS.
- EXISTING UTILITY LOCATIONS ARE APPROXIMATE. THEY ARE BASED UPON AVAILABLE RECORDS AND ARE SHOWN TO THE BEST OF OUR ABILITY. ALL UTILITY LOCATIONS MUST BE FIELD LOCATED.
- RESIDENTIAL DRIVEWAYS TO COMPLY TO MONTGOMERY COUNTY STANDARD NO. MC-301.03.

## SEQUENCE OF CONSTRUCTION:

1. CONSTRUCT ON PROPOSED LOTS 1, 2 AND 4.



I CERTIFY THAT THESE CONTRACT DOCUMENTS WERE PREPARED UNDER MY SUPERVISION OR AS APPROVED BY ME AND THAT I AM A DULY LICENSED REGISTERED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND.  
LICENSE #: 3310  
EXPIRATION DATE: 9.7.2025



NOTE: THE PROPOSAL IS FOR THE STANDARD METHOD OF DEVELOPMENT.  
\* THE APPROVED LOTS WILL EXCEED THE MINIMUM REQUIREMENT FOR THE RE-1 ZONE, LOT SIZE MAY BE ADJUSTED DURING FINAL RECORD PLAN REVIEW.

TITLE: PRELIMINARY PLAN  
MNCPPC 120240150

PROJECT: ADDITION TO GLEN HILLS SECTION 3  
12631 CIRCLE DRIVE ROCKVILLE, MD 20850  
GLEN HILLS SECTION 3, LOT 8 BLOCK 7  
L63850/F133 ELECTION DISTRICT 4

PREPARED FOR: SHI ZHIXIONG  
13408 RIDGE DRIVE, ROCKVILLE, 20850  
240.888.3412 jwcs13408@gmail.com

nld NORTON LAND DESIGN  
LANDSCAPE ARCHITECTURE & ENVIRONMENTAL PLANNING

REVISIONS: [Table with 2 columns: Description, Date]

WATER CLASS: I,P  
WATERSHED: WATTS BRANCH  
FEMA FLOODPLAIN MAP PANEL #: 24031C0329D

TAX MAP: FQ43  
200 SHEET: 216N10  
ARC MAP CASE: 28  
GRID: E10

SCALE: AS SHOWN  
DATE: SEPTEMBER 2023  
PROJ. NO.: 21-148  
SHEET NO.: L1.3

**DEVELOPER'S CERTIFICATE**

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. **F20240220** including, financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: **Shi Zhixiong**  
Printed Name

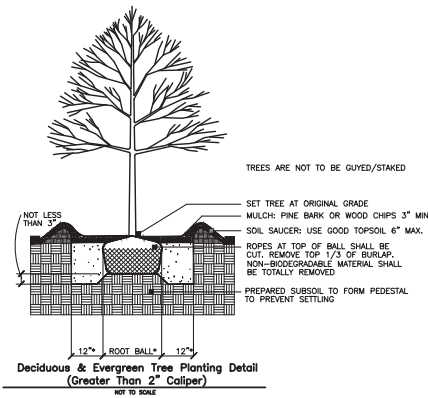
Contact Person or Owner: **Shi Zhixiong**  
Printed Name

Address: **13408 Ridge Rd, Rockville, MD 20850**

Phone and Email: **240.888.3412 jwcs13408@gmail.com**

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

- NOTES:
- ALL TREES TO BE REMOVED OUTSIDE THE LOD SHALL BE REMOVED BY HAND
  - ROOT PRUNING WILL OCCUR PRIOR TO THE CONSTRUCTION OF THE UTILITY LINES. ROOT PRUNING SHALL NOT OCCUR PRIOR TO EXISTING UTILITY LOCATIONS VERIFIED.
  - THE EXTENT OF ROOT PRUNING IS TO BE DETERMINED AT THE PRECONSTRUCTION MEETINGS.
  - NO CLEARING IS TO TAKE PLACE OUTSIDE OF THE LIMITS OF DISTURBANCE.
  - A COPY OF THE APPROVED FOREST CONSERVATION PLAN MUST BE MAINTAINED ONSITE THROUGHOUT CONSTRUCTION.
  - SPECIMEN TREE LOCATIONS SUBJECT TO ADJUSTMENT IN THE FIELD WITH INSPECTOR'S APPROVAL



**GENERAL NOTES**

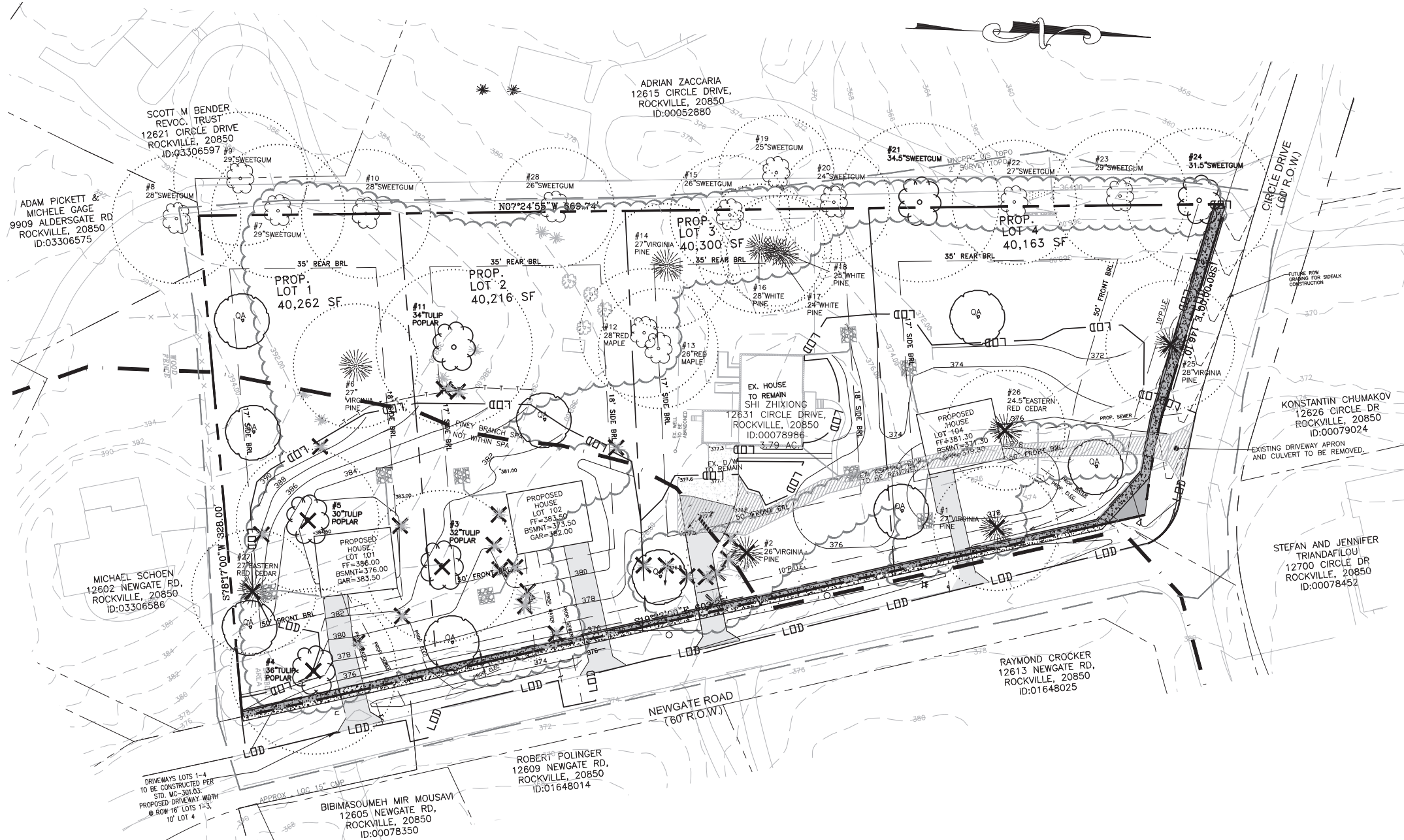
1. THIS PROPERTY IS ZONED R-1
2. THE TOTAL TRACT AREA IS 165,959 SF OR 3.79 ACRES
3. THIS SITE IS OWNED BY SHI ZHIXIONG
4. PROPERTY ADDRESS CURRENTLY 12631 CIRCLE DRIVE, ROCKVILLE, MD 20850  
TAX ID 78986
5. BOUNDARY AND TOPOGRAPHY PROVIDED BY OWNER
6. ADJACENT CONTOURS AND PROPERTY BOUNDARY INFORMATION BASED ON MNCPPC GIS DATA.
7. NRI SURVEY PERFORMED IN JANUARY 2022 BY MICHAEL NORTON, NORTON LAND DESIGN LLC.
8. NRI/FSD APPROVAL #2025000
9. PROPERTY SHOWN ON TAX MAP FQ43
10. PROPERTY SHOWN ON VSSC 200 SHEET 216N10
11. THIS SITE IS WITHIN THE WATTS BRANCH WATERSHED. USE I.P.
12. THIS PROPERTY IS NOT WITHIN FMA. A PORTION OF THE PROPERTY LIES WITHIN THE PINEY BRANCH SPA
13. THERE WERE NO WETLANDS OR WETLAND BUFFERS ON THE PROPERTY OBSERVED.
14. THERE WERE NO STREAMS OBSERVED ONSITE OR WITHIN 100 FEET OF THE PROPERTY
15. ACCORDING TO THE FEMA ONLINE FIRMETTE MAP #24031C0329D THERE IS NO FLOODPLAIN ONSITE.
16. ALL TREES 24" AND GREATER ON THE PROPERTY ARE SURVEY LOCATED AND MEASURED WITH A FORESTERS DIAMETER TAPE MEASURE
17. ALL TREES 24" AND GREATER OFFSITE ARE LOCATED AND MEASURED BY OCCULAR ESTIMATE ONLY. ALL MANMADE STRUCTURES OFFSITE ARE LOCATED BY AVAILABLE AERIAL PHOTOGRAPHS AND/OR OCCULAR ESTIMATE. ALL TREES UNDER 24" DBH ARE MEASURED BY OCCULAR ESTIMATE ONLY.
18. NO RARE, THREATENED OR ENDANGERED SPECIES WERE OBSERVED ON OR OFFSITE AT THE TIME OF THE FIELD INVESTIGATION. CORRESPONDENCE FROM MD DNR WILL BE PROVIDED.
20. NO TREES OCCUR WITHIN THE STUDY AREA WHICH ARE RECOGNIZED AS CURRENT NATIONAL, STATE, OR COUNTY CHAMPION TREES. THERE ARE FOUR (4) TREES WITHIN THE STUDY AREA THAT ARE AT LEAST 75% OF THEIR RESPECTIVE COUNTY CHAMPION. SEE SHEET L-01 FOR A LIST OF THOSE TREES
21. ACCORDING TO THE MNCPPC HISTORIC SITES AND DISTRICTS MAP, THIS SITE CONTAINS NO HISTORIC STRUCTURES.

**SOIL TABLE (ONSITE)**

SOILS	ERODIBLE	HYDRIC	CONTAINS 15-25% SLOPES	CONTAINS >25% SLOPES	CAPABILITY SUBCLASS SYMBOL	PRIME AGRICULTURAL SOIL
1C GAILA SILT LOAM 8-15% SLOPES	NO	NO	N/A	NO	Ile	NO
2B GLENELG SILT LOAM 3-8% SLOPES	NO	NO	N/A	YES	Ile	YES

**LEGEND**

- SURVEY TOPO
- MNCPPC TOPO
- 440
- 428
- PROPOSED CONTOUR
- EX. CONTOUR
- PROPERTY BOUNDARY
- NON-FOREST CANOPY
- PROPOSED UTILITIES
- BUILDING RESTRICTION LINE
- SPA BOUNDARY
- LIMIT OF DISTURBANCE
- PROPOSED ASPHALT DRIVEWAY
- PROPOSED SIDEWALK
- PROPOSED DRYWELL
- PROPOSED LANDSCAPE INFILTRATION
- 6" SCH. 40 PVC PERFORATED
- 6" SCH. 40 PVC
- PROPOSED DEDICATION
- EXISTING SIGNIFICANT TREE ≥24" AND <30"DBH WITH CRITICAL ROOT ZONE
- EXISTING SPECIMEN TREE ≥30"DBH WITH CRITICAL ROOT ZONE
- MITIGATION TREE
- TREE PROTECTION FENCE
- TREE REMOVAL



**CERTIFICATION OF QUALIFIED PROFESSIONAL**

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON HAS BEEN PREPARED IN ACCORDANCE WITH MARYLAND STATE, MNCPPC AND MONTGOMERY COUNTY FOREST CONSERVATION LAWS.

DATE: 12.05.2024

MICHAEL A. NORTON  
MDNR / COMAR 08.10.06.01  
QUALIFIED PROFESSIONAL

**TITLE**  
PRELIMINARY AND FINAL FOREST CONSERVATION PLAN  
MNCPPC #F20240220

**PROJECT**  
ADDITION TO GLEN HILLS SECTION 3  
12631 CIRCLE DRIVE ROCKVILLE, MD 20850  
GLEN HILLS SECTION 3, LOT 8 BLOCK 7  
L63850/F133 ELECTION DISTRICT 4

**PREPARED FOR**  
SHI ZHIXIONG  
13408 RIDGE DRIVE, ROCKVILLE, 20850  
240.888.3412 jwcs13408@gmail.com

**nld NORTON LAND DESIGN**  
5146 DORSEY HALL DRIVE  
2ND FLOOR  
ELLCOTT CITY, MD 21042  
O 443.542.9199  
NORTONLANDDESIGN.COM

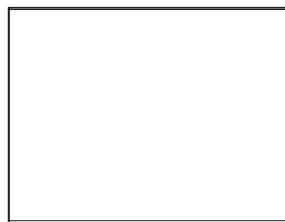
**REVISIONS**

WATER CLASS	I.P.	WATERSHED	WATTS BRANCH	FEMA FLOODPLAIN MAP PANEL #	24031C0329D
TRIBUTARY				ADC MAP PAGE	28 GRID E10
TAX MAP	FQ43	200 SHEET	216N10	DATE	SEPTEMBER 2023
SCALE	AS SHOWN	PROJ. NO.	21-148	SHEET NO.	L-2,3

**GRAPHIC SCALE**  
1 inch = 30 ft.

**Attachment B: FFCP (1 of 2)**





FOREST CONSERVATION WORKSHEET. CIRCLE DRIVE WITHIN SAME WATERSHED OR PRIORITY AREA. NET TRACT AREA: A. Total tract area ... 3.79. B. Additions to tract area ... 0.36. C. Land dedication acres ... 0.00. D. Land dedication for roads or utilities ... 0.00. E. Area to remain in commercial agricultural production/use ... 0.00. F. Other deductions (specify) ... 0.00. G. Net Tract Area ... 4.15.

LAND USE CATEGORY: (from Chapter 22A-3. Definitions) Input the number "1" under the appropriate land use, limit to only one entry. ARA 0, CDR 0, MDR 1, IDA 0, HDR 0, MPD 0, CIA 0. G. Afforestation Threshold ... 20% x G = 0.83. H. Conservation Threshold ... 35% x G = 1.45.

EXISTING FOREST COVER: I. Existing forest cover ... 0.00. J. Area of forest above afforestation threshold ... 0.00. K. Area of forest above conservation threshold ... 0.00. BREAK EVEN POINT: L. Forest retention above threshold with no mitigation ... 0.00. M. Clearing permitted without mitigation ... 0.00. PROPOSED FOREST CLEARING: N. Total area of forest to be cleared ... 0.00. O. Total area of forest to be retained ... 0.00. PLANTING REQUIREMENTS: P. Reforestation for clearing above conservation threshold ... 0.00. Q. Reforestation for clearing below conservation threshold ... 0.00. R. Credit for retention above conservation threshold ... 0.00. S. Total reforestation required ... 0.83. T. Total afforestation required ... 0.83. U. Credit for landscaping ... 0.00. V. Total reforestation and afforestation required ... 0.83.

AFFORESTATION TO BE MET THROUGH PURCHASE OF FOREST BANK IF AVAILABLE. IF NOT AVAILABLE, FEE-IN-LIEU WILL APPLY.

SITE TABULATIONS: ACREAGE OF NET TRACT: 4.15\*. ACREAGE OF TRACT REMAINING IN AGRICULTURE: 0.00. ACREAGE OF ROAD AND UTILITY R/W WHICH WILL NOT BE IMPROVED AS PART OF DEV. APPLICATION: 0.00. ACREAGE OF EX. FOREST: 0.00. ACREAGE OF TOTAL FOREST RETENTION: 0.00. ACREAGE OF TOTAL FOREST CLEARED: 0.00. LAND USE CATEGORY: MDR. AFFORESTATION THRESHOLD: 0.83. CONSERVATION THRESHOLD: 1.45. ACREAGE OF FOREST RETAINED, CLEARED, AND PLANTED WITHIN WETLANDS: 0.00/0.00/0.00. ACREAGE OF FOREST RETAINED, CLEARED, AND PLANTED WITHIN 100-YEAR FLOODPLAIN: 0.00/0.00/0.00. ACREAGE OF FOREST RETAINED, CLEARED, AND PLANTED WITHIN STREAM BUFFERS: 0.00/0.00/0.00. ACREAGE OF FOREST RETAINED, CLEARED, AND PLANTED WITH PRIORITY AREAS: 0.00/0.00/0.82. LINEAR EXTENT & AVERAGE WIDTH OF STREAM BUFFER: 0'/0'.

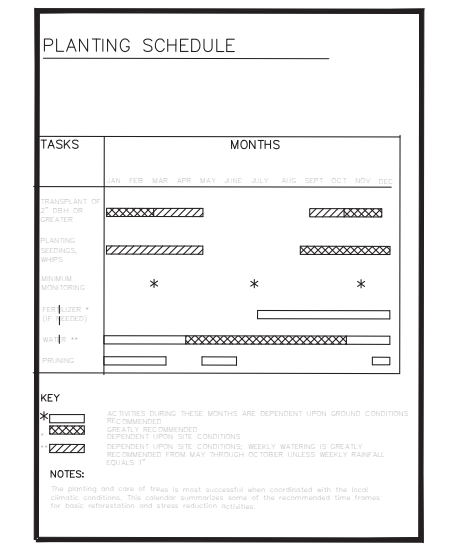
\* TRACT AREA INCLUDES 0.36 AC OFFSITE LOD

SITE PLANTING & AFFORESTATION GENERAL NOTES. 1. DRAWINGS ARE FOR TREE CONSERVATION AND REFORESTATION PURPOSES ONLY. AS-BUILT CONDITIONS MAY VARY. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND UTILITY LOCATIONS SHOWN AND DESCRIBED ON THE DRAWINGS, AND SHALL INFORM NORTON LAND DESIGN, TEL. NO. 443-542-9199 OF ANY DISCREPANCIES OR POTENTIAL PROBLEMS PRIOR TO COMMENCING WORK. 2. IN REFORESTATION AREAS ALL BRANCHED DECIDUOUS TREES SHALL BE PLANTED WITH RANDOM SPACING 20.9' ON CENTER. SHRUBS AND CONTAINER GROWN EVERGREENS NOT IN PLANTING BEDS SHALL BE PLANTED IN RANDOM SPACING 33.0' ON CENTER. 3. DO NOT PLANT TREES OR SHRUBS WITHIN 3'-0" OF THE CENTERLINE OF SWALES OR DITCHES. 4. "MISS UTILITY" (1-800-257-7777) MUST BE CONTACTED A MINIMUM OF 48 HOURS PRIOR TO PROCEEDING WITH ANY EXCAVATION FOR PLANT MATERIAL INSTALLATION. 5. NO PLANT MATERIAL SHALL BE PLANTED DIRECTLY IN FRONT OF ROADWAY SIGN SIGHT LINES. 6. PLANT MATERIALS AND PLANTING MEASURES SHALL CONFORM WITH THE "LANDSCAPE SPECIFICATION GUIDELINES FOR THE BALTIMORE-WASHINGTON METROPOLITAN AREAS", LATEST EDITION. 7. ALL PLANTS SHALL BE WATERED FOR A TWO YEAR PERIOD AS REQUIRED. THE CONTRACTOR SHALL PROVIDE SUFFICIENT MANPOWER AND EQUIPMENT TO COMPLETE THE WATERING AS REQUIRED. 8. THE FOLLOWING LIST OF PLANTS SHALL BE PLANTED ONLY DURING THE SPRING PLANTING SEASON: ACER RUBRUM AND QUERCUS SPP. (ALL OAK SPECIES). 9. ALL EXISTING TRASH AND IMPERVIOUS AREAS SHOWN ON THE PLAN TO BE REMOVED MUST BE REMOVED AND ANY DISTURBED SOIL MUST BE STABILIZED AND SEEDDED. IT MAY BE NECESSARY TO SCARIFY AND/OR AERATE THE SOIL. 10. PLANTS SHALL BE INSPECTED BY THE CONTRACTOR AND ANY MATERIAL THAT IS EITHER DAMAGED OR WHICH HAS ROOT BALL COMPACTION, J-RROOTED OR KINKED ROOT SYSTEMS WILL BE REPLACED. NO PLANTS WILL BE STORED ON SITE. PLANTS WILL BE PLANTED IMMEDIATELY ONCE RECEIVED FROM THE NURSERY. 11. STOCK WILL BE PLANTED IN RANDOM ORDER TO REFLECT NATURAL GROWTH OF THE FOREST. 12. PLANTING FIELD SHOULD BE 2X ROOT BALL DIAMETER. NATIVE SOIL MATERIAL WILL BE USED TO BACKFILL PLANT SITE AND AREA WILL BE PACKED TO REMOVE AIR POCKETS. RAKE SOIL EVENLY OVER THE PLANTING FIELD AND COVER HOLE WITH THREE INCHES OF MULCH. WATER TO SETTLE SOIL AND PROVIDE MOISTURE AS NEEDED. 13. DEER PROTECTION MEASURES TO BE PROVIDED FOR ALL PLANTED TREES. SPECIFIC MEASURES TO BE DETERMINED AS PART OF THE PRE-PLANTING MEETING.

FOREST CONSERVATION WORKSHEET. CIRCLE DRIVE OUTSIDE SAME WATERSHED OR PRIORITY AREA. NET TRACT AREA: A. Total tract area ... 3.79. B. Additions to tract area ... 0.36. C. Land dedication acres ... 0.00. D. Land dedication for roads or utilities ... 0.00. E. Area to remain in commercial agricultural production/use ... 0.00. F. Other deductions (specify) ... 0.00. G. Net Tract Area ... 4.15.

LAND USE CATEGORY: (from Chapter 22A-3. Definitions) Input the number "1" under the appropriate land use, limit to only one entry. ARA 0, CDR 0, MDR 1, IDA 0, HDR 0, MPD 0, CIA 0. G. Afforestation Threshold ... 20% x G = 0.83. H. Conservation Threshold ... 35% x G = 1.45.

EXISTING FOREST COVER: I. Existing forest cover ... 0.00. J. Area of forest above afforestation threshold ... 0.00. K. Area of forest above conservation threshold ... 0.00. BREAK EVEN POINT: L. Forest retention above threshold with no mitigation ... 0.00. M. Clearing permitted without mitigation ... 0.00. PROPOSED FOREST CLEARING: N. Total area of forest to be cleared ... 0.00. O. Total area of forest to be retained ... 0.00. PLANTING REQUIREMENTS: P. Reforestation for clearing above conservation threshold ... 0.00. Q. Reforestation for clearing below conservation threshold ... 0.00. R. Credit for retention above conservation threshold ... 0.00. S. Total reforestation required ... 0.83. T. Total afforestation required ... 0.83. U. Credit for landscaping ... 0.00. V. Total reforestation and afforestation required ... 0.83.



INSPECTIONS. All field inspections must be requested by the applicant. Field Inspections must be conducted as follows: Plans without Planting Requirements. 1. After the limits of disturbance have been staked and flagged, but before any clearing or grading begins. 2. After necessary stress reduction measures have been completed and protection measures have been installed, but before any clearing and grading begins and before release of the building permit. 3. After completion of all construction activities, but before removal of tree protection fencing, to determine the level of compliance with the provision of the forest conservation. Additional Requirements for Plans with Planting Requirements. 4. Before the start of any required reforestation and afforestation planting. 5. After the required reforestation and afforestation planting has been completed to verify that the planting is acceptable and prior to the start the maintenance period. 6. 2 years after reforestation and afforestation have been completed, to determine survival and assess necessary maintenance activities for the remaining duration of the maintenance and management period. 7. At the end of the maintenance period to determine the level of compliance with the provisions of the planting plan, and if appropriate, release of the performance bond.

Sequence of Events for Properties Required to Comply With Forest Conservation Plans, Exemptions from Submitting Forest Conservation Plans, and Tree Save Plans

The property owner is responsible for ensuring all tree protection measures are performed in accordance with the approved final forest conservation plan or tree save plan, and as modified in the field by a Planning Department Forest Conservation Inspector. The measures must meet or exceed the most recent standards published by the American National Standards Institute (ANSI A300).

- Pre-Construction. 1. An on-site pre-construction meeting is required after the limits of disturbance have been staked and flagged and before any land disturbance. 2. The property owner must arrange for the meeting and following people should must participate at the pre-construction meeting: the property owner or their representative, construction superintendent, International Society of Arboriculture (ISA) certified arborist/Maryland Licensed Tree Expert (representing owner) that will implement the tree protection measures, The Planning Department Forest Conservation Inspector, and Montgomery County Department of Permitting Services (DPS) Sediment Control Inspector. The purpose of this meeting is to verify the limits of disturbance and discuss specific tree protection and tree care measures shown on the approved plan. No land disturbance shall begin before tree protection and stress-reduction measures have been implemented and approved by the Planning Department's Forest Conservation Inspector. a. Typical tree protection devices include: i. Chain link fence (four feet high) ii. Super silt fence with wire strung between the support poles (minimum 4 feet high) with high visibility flagging. iii. 14 gauge, 2 inch x 4 inch welded wire fencing supported by steel T-bar posts (minimum 4 feet high) with high visibility flagging. b. Typical stress reduction measures may include, but are not limited to: i. Root pruning with a root cutter or vibratory plow designed for that purpose. Trenchers are not allowed, unless approved by the Forest Conservation Inspector ii. Crown Reduction or pruning iii. Watering iv. Fertilizing v. Vertical mulching vi. Root aeration systems

Measures not specified on the Forest Conservation Plan may be required as determined by the Forest Conservation Inspector in coordination with the property owner's arborist. 3. A Maryland Licensed Tree Expert must perform, or directly supervise, the implementation of all stress reduction measures. Documentation of the process (including photographs) may be required by the Forest Conservation Inspector, and will be determined at the pre-construction meeting.

- 4. Temporary tree protection devices must be installed per the approved Forest Conservation Plan, Exemption Plan, or Tree Save Plan and prior to any land disturbance. The Forest Conservation Inspector, in coordination with the DPS Sediment Control Inspector, may make field adjustments to increase the survivability of trees and forest shown as saved on the approved plan. 5. Tree protection fencing must be installed and maintained by the property owner for the duration of construction project and must not be altered without prior approval from the Forest Conservation Inspector. All construction activity within protected tree and forest areas is prohibited. This includes the following activities: a. Parking or driving of equipment, machinery or vehicles of any type. b. Storage of any construction materials, equipment, stockpiling, fill, debris, etc. c. Dumping of any chemicals (i.e., paint thinner), mortar or concrete remainder, trash, garbage, or debris of any kind. d. Felling of trees into a protected area. e. Trenching or grading for utilities, irrigation, drainage, etc. 6. Forest and tree protection signs must be installed as required by the Forest Conservation Inspector. The signs must be waterproof and wording provided in both English and Spanish.

- During Construction. 7. Periodic inspections will be made by the Forest Conservation Inspector. Corrections and repairs to tree protection devices must be completed within the timeframe given by the Inspector. 8. The property owner must immediately notify the Forest Conservation Inspector of any damage to trees, forests, understorey, ground cover, and any other undisturbed areas shown on the approved plan. Remedial actions, and the relative timeframes to restore these areas, will be determined by the Forest Conservation Inspector.

- Post-Construction. 9. After construction is completed, but before tree protection devices have been removed, the property owner must request a final inspection with the Forest Conservation Inspector. At the final inspection, the Forest Conservation Inspector may require additional corrective measures, which may include: a. Removal, and possible replacement, of dead, dying, or hazardous trees b. Pruning of dead or declining limbs c. Soil aeration d. Fertilization e. Watering f. Wound repair g. Clean up of retention areas, including trash removal

- 10. After the final inspection and completion of all corrective measures the Forest Conservation Inspector will request all temporary tree and forest protection devices be removed from the site. Removal of tree protection devices that also operate for erosion and sediment control must be coordinated with both DPS and the Forest Conservation Inspector and cannot be removed without permission of the Forest Conservation Inspector. No additional grading, sodding, or burial may take place after the tree protection fencing is removed. 11. Long-term protection measures, including permanent signage, must be installed per the approved plan. Installation will occur at the appropriate time during the construction project. Refer to the approved plan drawing for the long-term protection measures to be installed.

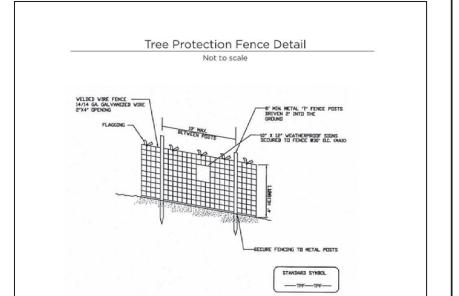
Significant Specimen Tree Summary 24" +. Table with columns: Tree #, Species (Scientific Name), Species (Common Name), D.B.H. (inches), Critical Root Zone (Sq. Ft.), Critical Root Zone Impacts, Percent of CRZ Impacted (SP), Tree Condition, Comments, Disposition. Lists trees like Pinus virginiana, Liquidambar styraciflua, Laridodendron tulipifera, Acer rubrum, Quercus rubra, Pinus strobus, Juniperus virginiana, Eastern Red Cedar, etc.

Condition Scoring System. No Apparent Problems: Excellent. Minor Problems: Good. Major Problems: Fair. Extreme Problems: Poor.

PROPOSED SPECIMEN TREE MITIGATION PLANT SCHEDULE

Table with columns: KEY, BOTANICAL NAME, COMMON NAME, SIZE, FORM, SPACING, QUANTITY. Shows 9 White Oak trees (Quercus alba) with 3" cal, B&B, and 9 quantity.

SPECIMEN TREE REMOVALS #3, #4, & #5. TOTAL DBH INCHES OF SPECIMEN TREES REMOVED: 98. X 0.25 = REQUIRED CALIPER INCHES MITIGATION: 24.5. TOTAL AMOUNT OF 3" CAL. TREES FOR SPECIMEN TREE MITIGATION: 9.



- NOTES. 1. Practice may be combined with sediment control fencing. 2. Location and limits of fencing should be coordinated in field with arborist. 3. Boundaries of protection area should be staked prior to installing protective device. 4. Root damage should be avoided. 5. Protection signage is required. 6. Fencing shall be maintained throughout construction.

Montgomery County Planning Department • MNCPPC MontgomeryPlanning.org

Attachment B: FFCP (2 of 2)

TITLE: PRELIMINARY AND FINAL FOREST CONSERVATION PLAN MNCPPC #F20240220

PROJECT: ADDITION TO GLEN HILLS SECTION 3 12631 CIRCLE DRIVE ROCKVILLE, MD 20850 GLEN HILLS SECTION 3, LOT 8 BLOCK 7 L63850/F133 ELECTION DISTRICT 4

PREPARED FOR: SHI ZXHXIONG 13408 RIDGE DRIVE, ROCKVILLE, 20850 240.888.3412 jwcs13408@gmail.com

nld NORTON LAND DESIGN LANDSCAPE ARCHITECTURE & ENVIRONMENTAL PLANNING. 5146 DORSEY HALL DRIVE 2ND FLOOR ELLICOTT CITY, MD 21042 0.443.542.9199 NORTONLANDESIGN.COM

REVISIONS table and site map showing the project location. Includes a table with columns for WATER CLASS, TRIBUTARY, TAX MAP, SCALE, etc., and a map showing the site location relative to nearby roads and landmarks.

DEVELOPER'S CERTIFICATE. The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. F20240220 including, financial bonding, forest planting, maintenance, and all other applicable agreements. Developer's Name: Shi Zhixiong. Contact Person or Owner: Shi Zhixiong. Address: 13408 Ridge Rd. Rockville, MD 20850. Phone and Email: 240.888.3412 jwcs13408@gmail.com. Signature: [Signature]

CERTIFICATION OF QUALIFIED PROFESSIONAL. I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON HAS BEEN PREPARED IN ACCORDANCE ACCORDANCE WITH MARYLAND STATE, MNCPPC AND MONTGOMERY COUNTY FOREST CONSERVATION LAWS. 11.15.2023 DATE. MICHAEL A. NORTON MONTGOMERY COUNTY REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT No. 08-19-06-01 QUALIFIED PROFESSIONAL. [Signature]

# Attachment C: Agency Letters



## DEPARTMENT OF TRANSPORTATION

Marc Elrich  
*Count Executive*

Christopher R. Conklin  
*Director*

January 28, 2025

Ms. Mariah Clayborne, Planner II  
UpCounty Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
2425 Reddie Dr  
Wheaton, MD 20902

RE: Preliminary Plan No. 120240150  
Addition to Glen Hills Section 3  
Preliminary Plan Letter

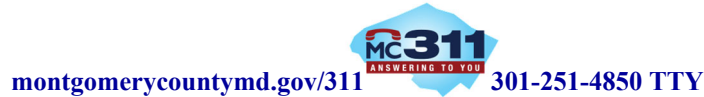
Dear Ms. Clayborne:

We have completed our review of the revised preliminary plan uploaded to eplans on December 5, 2024. A previous version of the plans was reviewed by the Development Review Committee at its July 16, 2024, meeting. This plan is tentatively scheduled for March 27, 2025 Planning Board meeting. We recommend approval of the plans subject to the following comments:

### **Significant Comments**

1. Circle Drive is classified as a Neighborhood Street with a minimum right-of-way (ROW) of 60 feet (closed section). Plat #2116 shows the current ROW is 60-feet. Under the existing condition, Circle Drive is an open-section roadway; therefore, the applicant must dedicate an additional 7 feet of right-of-way to accommodate a swale, a 6-foot sidewalk, and a buffer along the site .
  - a. The certified site plan shall reflect a 74-foot ROW with the following proposed frontage improvements extending from the edge of the centerline of the road to the edge of the property line along the entirety of the project's frontage (shown on Plan 07-120240150-003 V3):
    - 10-foot drive lane

Office of the Director



- 6-foot shoulder
  - 14-foot swale
  - 6-foot sidewalk
  - 1-foot maintenance buffer
- b. The proposed 6-foot sidewalk may be waived by MCDPS during the ROW permit stage. If waived, the applicant is responsible for paying a fee-in-lieu for the total cost of sidewalk construction and for grading the area where the sidewalk would be built.
2. Newgate Road is classified as a Neighborhood Street with a minimum right-of-way (ROW) of 60 feet. Plat #10761 shows the current ROW is 60-feet. However, the applicant must dedicate an additional 4 feet of right-of-way to accommodate a swale, a 6-foot sidewalk, and a buffer along the frontage to accommodate an open-section roadway.
- a. The certified site plan shall reflect a 68-foot ROW with the following proposed frontage improvements extending from the edge of the centerline of the road to the edge of the property line along the entirety of the project's frontage (shown on Plan 07-120240150-003 V3):
- 10-foot drive lane
  - 6-foot shoulder
  - 11-foot swale
  - 6-foot sidewalk
  - 1-foot maintenance buffer
- b. The proposed 6-foot sidewalk may be waived by MCDPS during the ROW permit stage. If waived, the applicant is responsible for paying a fee-in-lieu of the total cost of sidewalk construction and for grading the area where the sidewalk would be built.
3. **Sight Distance:** A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference. The applicant is responsible to ensure sight distance which should be clear of any existing or proposed obstructions within the line of sight (tree trimming and/or removal, relocation of existing utility pole, removal of street parking etc.) to achieve a minimum sight distance in each direction.
4. **Storm Drain Study:** The storm drain analysis was reviewed and is acceptable to MCDOT. No improvements are needed to the downstream public storm drain system for this plan.

### **Standard Comments**

5. All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services (DPS) in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.
6. Residential driveway to comply with Montgomery County Standard No. MC-301.03.
7. Design all access points and alleys to be at-grade with the sidewalk, dropping down to street level between the sidewalk and roadway.
8. Ensure that the curve radii are 15 feet or as small as practicable to accommodate target design vehicles without intrusion into bicycle or pedestrian travel ways.
9. Forest Conservation Easements are NOT ALLOWED to overlap any easement.
10. Stop sign locations, crosswalks and markings will be shown on the signing and marking plans and be reviewed and approved at the right-of-way permit stage.
11. The owner will be required to submit a recorded covenant for the operation and maintenance of any private storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
12. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
13. Trees in the County rights of way – spacing and species to be in accordance with the applicable MCDOT standards. Tree planting within the public right of way must be coordinated with DPS Right-of-Way Plan Review Section.
14. Erosion and sediment control measures as required by Chapter 19 and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by MCDPS and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by MCDPS.
15. Posting of a right-of-way permit bond is a prerequisite to DPS approval of the record plat. The right-of-way permit will include, but not necessarily be limited to, the following improvements:
  - a. Buffers, sidewalks, side drainage ditches and appurtenances, and street trees along Circle Drive and Newgate Road per Significant Plan Review Comments.
  - b. Enclosed storm drainage and/or engineered channel (in accordance with the MCDOT Storm Drain Design Criteria) within the County rights-of-way and all drainage easements.

- c. Permanent monuments and property line markers, as required by Section 50.4.3(G) of the Subdivision Regulations.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me for this project at [brenda.pardo@montgomerycountymd.gov](mailto:brenda.pardo@montgomerycountymd.gov) or at (240) 777-7170.

Sincerely,

*Brenda M. Pardo*  
Brenda M. Pardo, Engineer III  
Development Review Team  
Office to Transportation Policy

[SharePoint\teams\DOT\Director's Office\Development Review\Brenda\Preliminary Plan\PP120240150 Addition to Glen Hills Section\120240150-Addition to Glen Hills Section-DOT Preliminary Plan Letter\\_1.28.25](#)

Attachments: Approved Sight Distance Study

cc: Correspondence folder FY 2025

cc-e: Mark Terry MCDOT DTEO  
Atiq Panjshiri MCDPS RWPR  
Sam Farhadi MCDPS RWPR  
Rebecca Torma MCDOT OTP



**MONTGOMERY COUNTY, MARYLAND**  
 DEPARTMENT OF TRANSPORTATION  
 DEPARTMENT OF PERMITTING SERVICES

**SIGHT DISTANCE EVALUATION**

Plan Number:

Project Name:

**ENGINEER/ SURVEYOR CERTIFICATE**

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

*Mitchell L. L...*  
 \_\_\_\_\_  
 Signature

*MD. Property Line Surveyor #444*  
 PLS/PE MD Reg. No.

*12/23/24*  
 \_\_\_\_\_  
 Date



Montgomery County Review No. 444

Approved  
 Disapproved:

By: 1/28/2025  
*Brenda M. Pardo*  
 Date: \_\_\_\_\_

1263CIRCLE DR PROPOSED LOT 1				
CLASS		TERTIARY		
SPEED (MPH)		25		
VERTICAL	APPROACHING MOTOR VEHICLES			
		TARGET (FT)	MEASURED (FT)	OK?
	L		3.63	
R		1.70		
HORIZONTAL	APPROACHING MOTOR VEHICLES			
	Grade	TARGET (FT)	MEASURED (FT)	OK?
	L	280	390.86	X
R	240	317.18	X	
HORIZONTAL	APPROACHING BIKEWAYS			
	Grade	TARGET (FT)	MEASURED (FT)	OK?
	L			
R				
HORIZONTAL	APPROACHING SIDEWALK (IF DIRECTED)			
	Grade	TARGET (FT)	MEASURED (FT)	OK?
	L			
R				
COMMENTS				

FORM APPROVED 11.8.2023 REVISIONS \_\_\_\_\_  
 Date

*Timothy M. Cypel*  
 \_\_\_\_\_  
 Chief, Division of Transportation Engineering  
 Montgomery County Dept. of Transportation

*[Signature]*  
 \_\_\_\_\_  
 Chief, Land Development  
 Montgomery County Dept. of Permitting Services

Montgomery County  
 Department of Transportation

**Sight Distance  
 Review Form**



**MONTGOMERY COUNTY, MARYLAND**  
 DEPARTMENT OF TRANSPORTATION  
 DEPARTMENT OF PERMITTING SERVICES

**SIGHT DISTANCE EVALUATION**

Plan Number:

Project Name:

**ENGINEER/ SURVEYOR CERTIFICATE**

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

  
 \_\_\_\_\_  
 Signature

MD. PLS No. 444

PLS/PE MD Reg. №

12/23/24  
 \_\_\_\_\_  
 Date



**Montgomery County Review**

Approved

Disapproved:

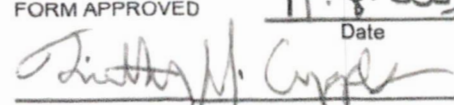
By: 1/28/2025

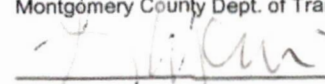
Date: \_\_\_\_\_

1263CIRCLE DR PROPOSED LOT 2				
CLASS		TERTIARY		
SPEED (MPH)		25		
VERTICAL	APPROACHING MOTOR VEHICLES			
		TARGET (FT)	MEASURED (FT)	OK?
	L		4.45	
R		1.60		
HORIZONTAL	APPROACHING MOTOR VEHICLES			
	Grade	TARGET (FT)	MEASURED (FT)	OK?
	L	280	391.29	X
R	240	361.55	X	
HORIZONTAL	APPROACHING BIKEWAYS			
	Grade	TARGET (FT)	MEASURED (FT)	OK?
	L			
R				
HORIZONTAL	APPROACHING SIDEWALK (IF DIRECTED)			
	Grade	TARGET (FT)	MEASURED (FT)	OK?
	L			
R				
COMMENTS				

FORM APPROVED 11.8.2023 REVISÉ

Date

  
 \_\_\_\_\_  
 Chief, Division of Transportation Engineering  
 Montgomery County Dept. of Transportation

  
 \_\_\_\_\_  
 Chief, Land Development  
 Montgomery County Dept. of Permitting Services

Montgomery County  
 Department of Transportation

**Sight Distance  
 Review Form**



**MONTGOMERY COUNTY, MARYLAND**  
 DEPARTMENT OF TRANSPORTATION  
 DEPARTMENT OF PERMITTING SERVICES

**SIGHT DISTANCE EVALUATION**

Plan Number:

Project Name:

**ENGINEER/ SURVEYOR CERTIFICATE**

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

*Mitchell Gode*  
 \_\_\_\_\_  
 Signature

*MD PLS No. 444*  
 \_\_\_\_\_  
 PLS/PE MD Reg. No

*12/23/24*  
 \_\_\_\_\_  
 Date



Montgomery County Review

Approved  
 Disapproved:

By: 1/28/25  
 Date: Brenda M. Pardo

1263CIRCLE DR PROPOSED LOT 3				
CLASS		TERTIARY		
SPEED (MPH)		25		
VERTICAL	APPROACHING MOTOR VEHICLES			
		TARGET (FT)	MEASURED (FT)	OK?
	L		1.81	
R		0.81		
HORIZONTAL		APPROACHING MOTOR VEHICLES		
	Grade	TARGET (FT)	MEASURED (FT)	OK?
L		280	315.09	X
R		240	428.95	X
HORIZONTAL		APPROACHING BIKEWAYS		
	Grade	TARGET (FT)	MEASURED (FT)	OK?
L				
R				
HORIZONTAL		APPROACHING SIDEWALK (IF DIRECTED)		
	Grade	TARGET (FT)	MEASURED (FT)	OK?
L				
R				
COMMENTS				

FORM APPROVED 11.8.2023 REVISÉD \_\_\_\_\_  
 Date \_\_\_\_\_  
*[Signature]* \_\_\_\_\_  
 Chief, Division of Transportation Engineering  
 Montgomery County Dept. of Transportation  
 \_\_\_\_\_  
 Chief, Land Development  
 Montgomery County Dept. of Permitting Services

Montgomery County  
 Department of Transportation

**Sight Distance  
 Review Form**





**MONTGOMERY COUNTY, MARYLAND**  
 DEPARTMENT OF TRANSPORTATION  
 DEPARTMENT OF PERMITTING SERVICES

**SIGHT DISTANCE EVALUATION**

Plan Number:

Project Name:

**ENGINEER/ SURVEYOR CERTIFICATE**

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

*[Signature]*  
 \_\_\_\_\_  
 Signature

*MD, PLS No. 444*  
 \_\_\_\_\_  
 PLS/PE MD Reg. №

*12/23/24*  
 \_\_\_\_\_  
 Date



**Montgomery County Review**

Approved  
 Disapproved:

By: 1/28/2025  
 Date: Brenda M. Pardo

1263CIRCLE DR PROPOSED LOT 4				
CLASS		TERTIARY		
SPEED (MPH)		25		
APPROACHING MOTOR VEHICLES				
VERTICAL		TARGET (FT)	MEASURED (FT)	OK?
	L		2.26	
	R		-0.72	
APPROACHING MOTOR VEHICLES				
	Grade	TARGET (FT)	MEASURED (FT)	OK?
L		280	160.81*	NO
R		240	584.62	X
APPROACHING BIKEWAYS				
	Grade	TARGET (FT)	MEASURED (FT)	OK?
L				
R				
APPROACHING SIDEWALK (IF DIRECTED)				
	Grade	TARGET (FT)	MEASURED (FT)	OK?
L				
R				
COMMENTS				
<p><b>*LEFT SITE DISTANCE FAILED BECAUSE THE ROAD ENDS AT THE INTERSECTION*</b></p> <p>Measurement goes to the end of the road for the left sight distance</p> <p><i>BMP</i></p>				

FORM APPROVED 11.8.2023 REVIS  
 Date

*[Signature]*  
 Chief, Division of Transportation Engineering  
 Montgomery County Dept. of Transportation

*[Signature]*  
 Chief, Land Development  
 Montgomery County Dept. of Permitting Services

Montgomery County  
 Department of Transportation

**Sight Distance  
 Review Form**



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**Department of Permitting Services  
Fire Department Access and Water Supply Comments**

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**DATE:** 10-Dec-23  
**TO:** Shawn Benjaminson  
Norton Land Design, LLC  
**FROM:** Marie LaBaw  
**RE:** Addition to Glen Hills, 12631 Circle Drive  
620230170







---

**PLAN APPROVED**

1. Review based only upon information contained on the plan submitted **07-Dec-23**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

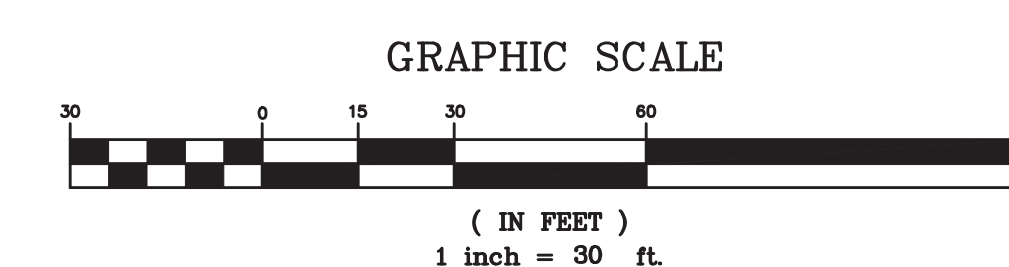
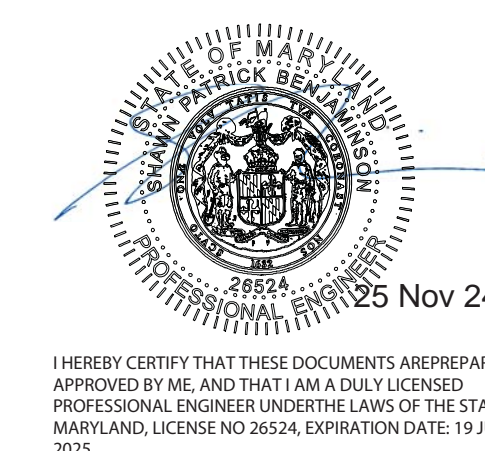
**\*\*\* 12/2/2024 Move one driveway \*\*\***

**LEGEND**

-  PROPOSED PROPERTY BOUNDARY
-  PROPOSED DRIVEWAY
-  PROPOSED DEDICATION
-  FIRE ACCESS WALKING PATH
-  FIRE HYDRANT ACCESS PATH TO MAIN ENTRY
-  DIRECTION OF TRAFFIC

**GENERAL NOTES – FIRE ACCESS**

1. PROPERTY WILL BE SERVED BY PUBLIC WATER CONNECTION.
2. HYDRANT ACCESS IS 175' SOUTH OF THE CENTER LINE OF CIRCLE DRIVE.
3. THE PROPOSED HOUSES ARE SINGLE FAMILY UNITS SET BACK 52'-58' FROM THE PROPERTY LINE.
4. NEWGATE ROAD MEETS THE 20' WIDE ACCESS STANDARD.
5. PROPOSED DRIVEWAYS ARE INDIVIDUAL DRIVEWAYS.



**TITLE**  
FIRE ACCESS PLAN  
MNCPPC 120240150

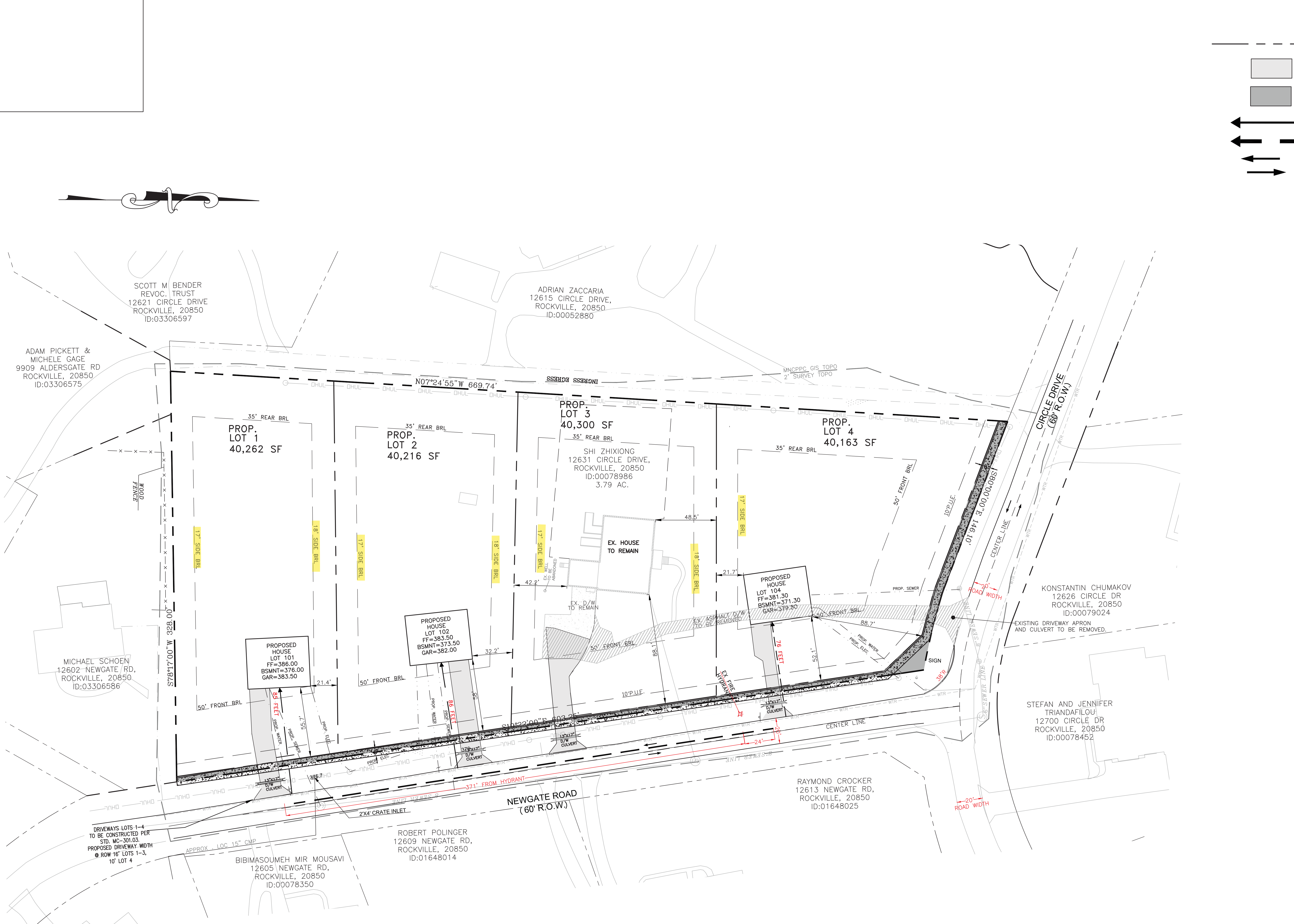
**PROJECT**  
ADDITION TO GLEN HILLS SECTION 3  
12631 CIRCLE DRIVE ROCKVILLE, MD 20850  
GLEN HILLS SECTION 3, LOT 8 BLOCK 7  
L63850/F133 ELECTION DISTRICT 4

**PREPARED FOR**  
SHI ZHIXIONG  
13408 RIDGE DRIVE, ROCKVILLE, 20850  
240.888.3412 jwcs13408@gmail.com

**nld NORTON LAND DESIGN**  
5146 DORSEY HALL DRIVE  
2ND FLOOR  
ELLCOTT CITY, MD 21042  
410.443.542.9199  
NORTONLANDDESIGN.COM  
LANDSCAPE ARCHITECTURE & ENVIRONMENTAL PLANNING

**REVISIONS**

**FIRE CODE ENFORCEMENT**  
Fire Department Access Review  
Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.  
BY: SAC PM: 43 DATE: 12/2/2024



WATER CLASS	I,P	WATERSHED	WATTS BRANCH	FEMA FLOODPLAIN MAP PANEL #	24031C0329D
TAX MAP	FQ43	200 SHEET	216NW10	ADC MAP CASE	28 CRD E10
SCALE	AS SHOWN	DATE	SEPTEMBER 2023	PROJ. NO.	21-148
				SHEET NO.	L3.1



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich  
County Executive

Rabbiah Sabbakhan  
Director

May 22, 2024

Mr. Michael Norton, L.A.  
Norton Land Design  
5146 Dorsey Hall Drive  
Ellicott City, MD 21042

Re: **REVISED COMBINED PRELIMINARY AND FINAL WATER QUALITY PLAN/SITE DEVELOPMENT STORMWATER MANAGEMENT PLAN** for  
Glen Hills Section 3. 12631 Circle Drive  
Preliminary Plan #: ~~620230470~~-120240150  
SM File #: 290044  
Tract Size/Zone: 3.79 Acres  
Total Concept Area: 2.21 Acres  
Lots/Block: Lot 8, Block 7  
Parcel(s): na  
Watershed: Piney Branch, SPA  
Redevelopment: No

Dear Mr. Norton:

Based on a review by the Department of Permitting Services Review Staff, the REVISED Preliminary/Final Water Quality Inventory for the for the above-mentioned site is **acceptable**. The Preliminary/Final Water Quality Inventory proposes to meet required stormwater management goals via Environmental Site Design to include drywells. This approval is for the elements of the Water Quality Plan of Which DPS has the lead agency and does not include limits on the imperviousness or buffer encroachments.

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

- 1. This revision is to change the preliminary plan number referenced above, as shown. There are no other revisions to this approval.**
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

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

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



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

*Mr. Norton*  
*May 22, 2024*  
*Page 2 of 3*

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 Andrew Kohler at 240-777-6275.

Sincerely,

*Mark Etheridge*

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

MCE: 290044

cc: N. Braunstein  
SM File # 290044

Lot 101  
ESD: Required/Provided 375 cf / 400 cf  
PE: Target/Achieved: 1.0"/1.0"  
STRUCTURAL: 0 cf  
WAIVED: 0 cf.

Lot 102  
ESD: Required/Provided 399 cf / 400 cf  
PE: Target/Achieved: 1.0"/1.0"  
STRUCTURAL: 0 cf  
WAIVED: 0 cf.

Lot 103  
ESD: Required/Provided 274 cf / 274 cf  
PE: Target/Achieved: 1.0"/1.0"  
STRUCTURAL: 0 cf  
WAIVED: 0 cf.

Lot 104  
ESD: Required/Provided 572 cf / 610 cf  
PE: Target/Achieved: 1.0"/1.0"  
STRUCTURAL: 0 cf

*Mr. Norton*  
*May 22, 2024*  
*Page 2 of 3*

WAIVED: 0 cf.



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich  
County Executive

Rabbiah Sabbakhan  
Director

MEMORANDUM

July 11, 2024

TO: Mariah Clayborne, Lead Reviewer  
Development Review  
Maryland National Capital Park and Planning Commission

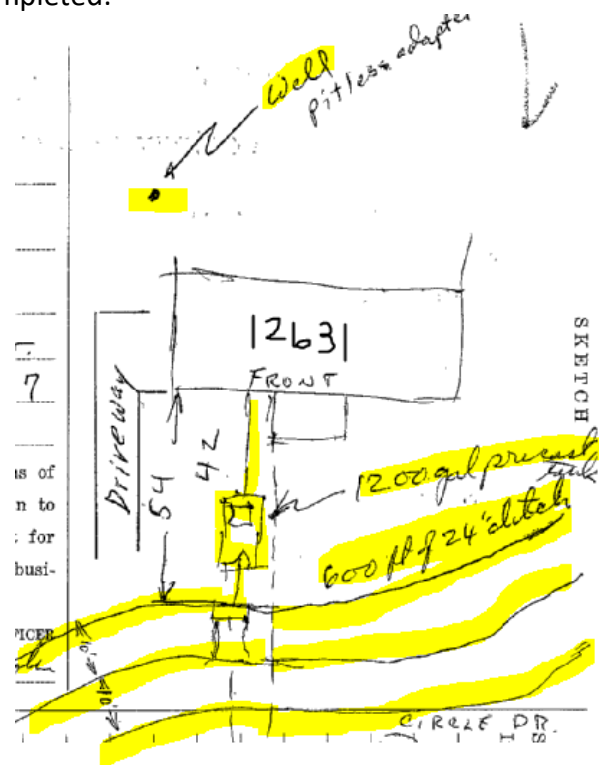
FROM: Heidi Benham, Manager  
Well and Septic Section  
Department of Permitting Services

SUBJECT: **ADDITION TO GLEN HILLS SECTION 3 - 120240150**

This is to notify you that the Well & Septic Section of MCDPS will approve the record plat for the subject property when the following items have been completed:

- The existing dwelling at 12631 Circle Drive is connected to public water and sewer.
- The existing well must be properly sealed and abandoned by a licensed well driller. A Well Abandonment Report must be forwarded to DPS Well and Septic.
- The existing septic system must be properly abandoned by a qualified contractor. Documentation stating the details of the septic abandonment must be forwarded to DPS Well and Septic.

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





November 20, 2024

Zhixiong Shi  
13408 Ridge Drive  
Rockville, MD 20850

Re: Letter of Findings, WSSC Project No. DA7856Z25, Addition to Glen Hills, Section 3

Dear Zhixiong Shi:

A hydraulic planning analysis has been completed on the **Addition to Glen Hills Section 3** project. The project has been conceptually approved. Please refer to the enclosed sketch along with the summary table and list of conditions included in this letter, which provide the results of our analysis.

<b>HYDRAULIC SUMMARY TABLE</b>	
Proposed Development: 3 SFDU	
200-ft Sheet: 216NW10	
<b>SEWER</b>	<b>WATER</b>
WRRF Service Area: Blue Plains	Hydraulic Zone Group: Montgomery Main
Mini-Basin Number: 16-021	Pressure Zone:
	High Grade: 560 feet
	Low Grade: 480 feet



The following is a list of conditions that apply to this project and must be met before a Systems Extension Permit (SEP) will be issued.

#### MANDATORY REFERRAL PROCESS

This project may be subject to the Maryland-National Capital Park and Planning Commission's Mandatory Referral Program, depending on its planned water / sewer infrastructures and associated appurtenances. It is the Applicant's responsibility to contact the appropriate County's Department of Park and Planning for specific guidance and their standards for Mandatory Referral Review. During Phase 2 Design Review, WSSC must be notified, if the project is subject to the Mandatory Referral Process.

### ***SANITARY SEWER CONDITIONS***

#### SEWER AVAILABLE

An existing sanitary sewer is available to provide service to this project. Sanitary sewer service may be obtained by constructing service connections without a public extension.

### ***WATER MAIN EXTENSION CONDITIONS***

#### WATER AVAILABLE

An existing water main is available to provide service to this project. Water service may be obtained by constructing service connections without a public extension.

#### EXCESSIVE WATER PRESSURE

Pressure reducing valve/regulator may be required. Static pressure may exceed 80 psi below an elevation of 375 feet.

#### INSUFFICIENT WATER PRESSURE

Booster pumps may be required. Water main pressures fluctuate. The pressure may be lower than 40 psi at elevations greater than 388 feet.

#### OUTSIDE METERS

WSSC prefers outside meters, however indoor meters may be allowed under certain conditions. See WSSC Plumbing and Fuel Gas Code Section 112.5.2.

### ***EASEMENT CONDITIONS***

#### COORDINATION WITH OTHER BURIED UTILITIES

Refer to the latest approved WSSC Pipeline Design Manual, pages G-7 and G-8 for utility coordination requirements. No structures or utilities (manholes, vaults, pipelines, poles,

conduits, etc.) are permitted in the WSSC easement unless specifically approved by WSSC. Longitudinal occupancy of WSSC easements (by other utilities) is not permitted. Proposed utility crossings of WSSC pipelines or easements that do not adhere to WSSC's pipeline crossing and clearance standards will be rejected at the design plan review phase. Refer to the latest approved WSSC Pipeline Design Manual, Section 3. Failure to adhere to WSSC crossing and clearance standards may result in significant impacts to the development plan including impacts to proposed street and building layouts.

#### IMPACTS DUE TO GRADING / PIPE LOADING CHANGES

Any grading, change in pipe loading (including but not limited to proposed fill or excavation), adjustment to manhole rims, fire hydrant relocations, placement of access roads or temporary haul roads, temporary sediment control devices, paving construction or construction related activity of any kind over an existing WSSC water or sewer main or within an existing WSSC easement requires **advance approval** by WSSC. Any proposed public street grade establishment plan (GEP) with an existing WSSC water or sewer main of any size located within the existing or proposed public street easement requires WSSC approval directly on the original GEP **prior to** approval of the GEP by the County Department of Public Works and Transportation. Any work (design, inspection, repair, adjustment, relocation, or abandonment) of existing WSSC facilities is done at the sole expense of the applicant / builder / developer. For Relocations work associated with a Systems Extension Project or a Site Utility Project, contact the Development Services Division. Please arrange for this review before plan submittal. See WSSC Design Manual C-11.

### ***CONNECTION AND SITE UTILITY CONDITIONS***

#### SERVICE CONNECTION PERMIT FOR NEW AND ABANDONMENT REQUIREMENTS

Individual permit numbers will be required for both new service connections and the abandonment of existing service connections, whether for new, replacement and/or relocation service mains as well as for non-SEP projects.

#### MINIMIZE CONNECTION LENGTHS

The length of all connections should be minimized.

#### ENVIRONMENTAL CONDITIONS

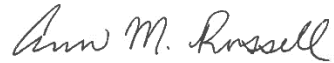
The applicant must resolve all environmental issues directly with the Environmental reviewer. All outstanding environmental issues must be resolved prior to the Design Phase.

The next step in the process is applying for service connections at our Permit Services Counter at the WSSC Headquarters at 14501 Sweitzer Lane, Laurel, MD 20707, 301-206-4003.

This Letter of Findings will expire if no “actions” are taken by the applicant over the 3-year period following the date of this letter. For definition of “actions”, see the latest Development Services Code, Section 405.1.1.

If you have any questions or concerns, please feel free to contact me at 301-206-8823 or [ann.russell@wsscwater.com](mailto:ann.russell@wsscwater.com).

Sincerely,

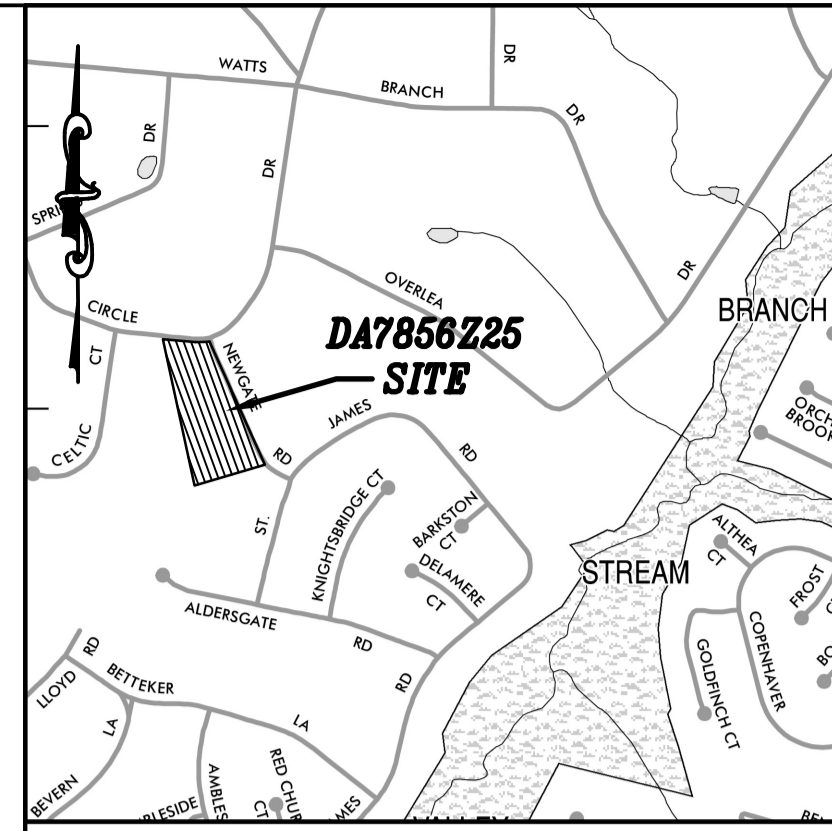


Ann M. Russell  
Project Manager  
Development Services Division

Enclosure: sketch

cc: Shawn Benjaminson – Adtek Engineers, Inc.  
Mr. Fred Mejias ([Fred.Mejias@wsscwater.com](mailto:Fred.Mejias@wsscwater.com)) - Development Section Manager  
Mr. Alan Soukup ([alan.soukup@montgomerycountymd.gov](mailto:alan.soukup@montgomerycountymd.gov)) - Department of Environmental Protection - Montgomery County Government

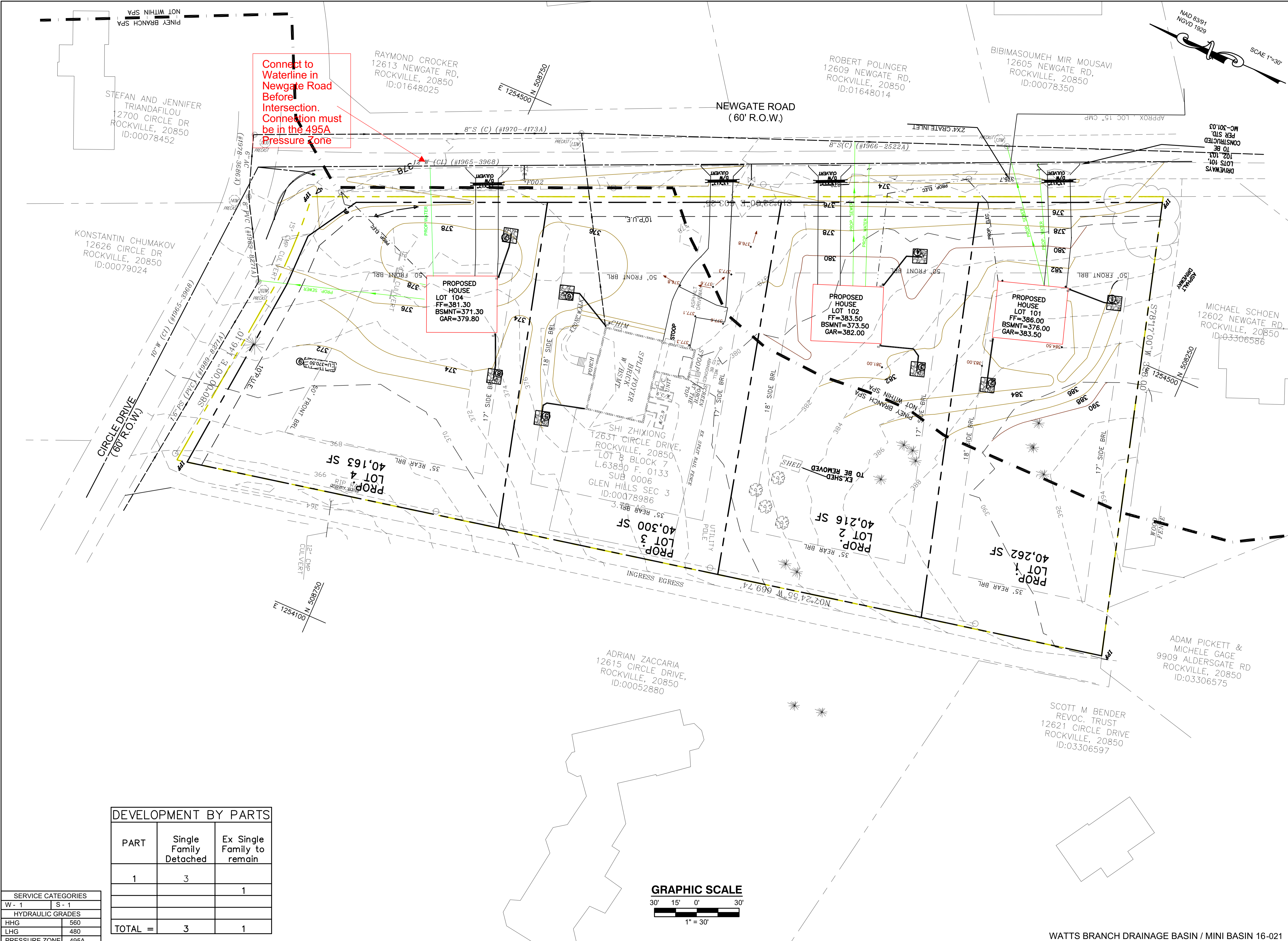
Connect to Waterline in Newgate Road Before Intersection. Connection must be in the 495A Pressure Zone



VICINITY MAP  
SCALE 1"=2000'  
MONTGOMERY Co. PAGE 5163 GRID H-10

**LEGEND**

- APPLICANT'S PROPERTY
- MNCPPC, MARYLAND PARK SERVICE, NATIONAL PARK SERVICE, AND BOARD OF EDUCATION PROPERTY
- ADJACENT PROPERTIES
- EXISTING WATER MAINS (CONTRACT # & SIZE)
- EXISTING SEWER MAINS (CONTRACT # & SIZE)
- PROPOSED WATER MAINS
- PROPOSED SEWER MAINS
- PROPOSED LOW PRESSURE SEWER/ FORCE MAIN
- PROPOSED ON-SITE WATER & SITE UTILITY CONNECTIONS
- PROPOSED ON-SITE SEWER & SITE UTILITY CONNECTIONS
- EXISTING BUILDINGS
- PROPOSED BUILDINGS
- STREET NAME ROAD NAMES
- EXISTING PAVING
- EXISTING / PROPOSED EASEMENTS
- PROPOSED 10' CONTOURS
- PROPOSED 2' CONTOURS
- EXISTING 10' CONTOURS
- EXISTING 2' CONTOURS
- HP/LP XXX.XX PROPOSED HIGHLOW POINT ELEVATIONS

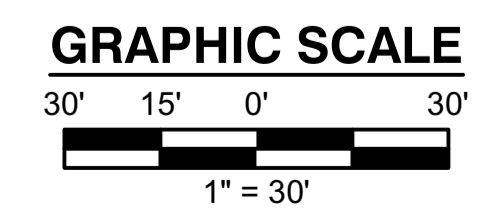


**DEVELOPMENT BY PARTS**

PART	Single Family Detached	Ex Single Family to remain
1	3	1
<b>TOTAL =</b>	<b>3</b>	<b>1</b>

**SERVICE CATEGORIES**

W - 1	S - 1
<b>HYDRAULIC GRADES</b>	
HHG	560
LHG	480
<b>PRESSURE ZONE</b>	495A



**APPROVED**

*Ann M. Russell* 11/20/2024

WASHINGTON SUBURBAN SANITARY COMMISSION

**ENGINEER:**  
ADTEK ENGINEERS, INC.  
REGISTRATION # 47380  
CONTACT: SHAWN BENJAMINSON  
ADDRESS: 9990 FAIRFAX BLVD., SUITE 300, FAIRFAX, VA 22030  
PHONE: 571-692-4468  
EMAIL: SBENJAMINSON@ADTEKENGINEERS.COM

**APPLICANT:**  
NAME: ZHIKIONG SHI  
CONTACT: ZHIKIONG SHI  
ADDRESS: 13408 RIDGE DRIVE, ROCKVILLE, MD 20850  
PHONE: 240-868-3412  
EMAIL: JWCS13408@GMAIL.COM

HYDRAULIC PLANNING ANALYSIS  
ADDITION TO GLEN HILLS SECTION 3  
12631 CIRCLE DRIVE

CONTRACT DA7856Z25  
200'S 216NW10 11/20/2024

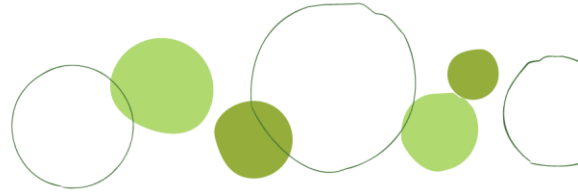
WATTS BRANCH DRAINAGE BASIN / MINI BASIN 16-021

TEMPLATE LAYOUT CURRENT as of 06/01/2024

# Attachment D: PMTG Minutes



## MEETING MINUTES



Pre-submittal Meeting for Addition to Glen Hills Section 3  
12631 Circle Drive, Rockville, MD 20850  
Preliminary Plan Application 120240150  
NLD #21-148

Meeting Date: Tuesday, April 23, 2024

Meeting Time: 7:00-8:45PM

Michael Norton began the meeting at 7:05 PM

A project overview was provided and a full size preliminary plan drawing was available through the duration of the meeting for community review.

An explanation that a community meeting as required by the Preliminary Plan process and that additional signs and notifications will be provided along with how to participate in the process.

Community discussion topics and were addressed:

- How will the new houses impact traffic in their community – a traffic study is not required for this project.
- Is there sewer available to the property – there is public sewer in the road.
- The property is partially within the special protection area – that is correct, and a Water Quality Inventory has been approved by DPS.
- How large will the houses be and what will the houses look like – currently estimated to be approximately 2,000 SF but could vary in size depending on the owner. An architect is not on board at this point.
- Can fewer lots and largers houses be proposed – these lot sizes meet zoning requirements and house size will depend on the owner.
- How will this project affect property values – a study has not been done on property values but this use is consistent with the zoning.
- Can the driveways be combined in one driveway – shared driveways are not proposed as shared driveways lead to wider driveways for fire access and more impervious on the site.
- How many trees will removed and can we mark them for the community to see – three (3) specimen trees are to be removed and a variance request has been included in the submittal. Trees will not be marked onsite but will be shown on the approved Forest Conservation Plan.
- When will construction start and how long will it take – the project should go to the Planning Board in Fall 2024, with plat approval in 2025. Construction could be at any point after plat approval.
- Are the plans already approved – the plans are not approved.

Due to the informal conversation format of the meeting and questions asked, we tried to capture and document what we believe the community was most concerned with.

Meeting Minutes Prepared by:

A handwritten signature in black ink, appearing to read 'Michael Norton'.

Michael Norton



# Attachment E: Community Correspondence

**From:** [Susanne Lee](#)  
**To:** [Alan.Soukup@montgomerycountymd.gov](mailto:Alan.Soukup@montgomerycountymd.gov)  
**Cc:** [Clayborne, Mariah](#); [Brown, Angela](#)  
**Subject:** 12631 Circle Drive; Preliminary Plan 120240150, Addition to Glen Hills Section 3  
**Date:** Wednesday, July 10, 2024 6:47:04 PM

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

Hi Alan -

I mentioned to you during the recent Cleveland Ct. category change discussion that we could really use help from you or a member of your staff to help clarify and confirm the issues presented by this proposed development. We recently received notice that the application was submitted on June 26, 2024 and is now on the agenda for the Development Review Committee on July 16th.

The lot is developed with a single family house and is located entirely within the Glen Hills Sewer Service Policy Area. Approximately 80% of the lot is also within the Piney Branch Special Protection Area. As a result, we believe the sewer service is governed by the restrictions and requirements set forth in the County's Comprehensive Water Supply and Sewerage Systems Plan, in particular Appendix C: Exceptional Service Policies and Recommendations, Section II.E.Glen Hills Study Area and Section II. L. Piney Branch Watershed.

The lot is designated S-1 on the County maps, but we are not very handy with the County and WSSC data bases and have been unable to determine when and on what basis the S-1 was granted. We also cannot tell whether, and if so when, sewer has already been extended to the lot and the existing house. Any help you or your staff could provide us regarding those details would be very helpful.

The developer had an information session for the neighbors in the yard of the property in April and I attended. He said he has sewer and is going to subdivide from 1 to 4 lots and that each lot will receive its own sewer line from the street. When asked about the Piney Branch Special Protection Area restrictions his consultant said the property was not in a special protection area - but we then pointed out the SPA boundary that was delineated on his own map. We also asked about how it is consistent with the Glen Hills Sewer Policy and they appeared clueless. We asked that they work through all those issues before going forward, but it appears they have not.

As you are well aware, the Glen Hills provisions state that "[i]ndividual, on-site septic systems are the primary wastewater disposal method consistent with the area's standard-type development under the RE-1 Zone." Community sewer service can be provided only in 4

specific situations, e.g. public health problem, abutting main. And of particular importance here: "Property owners shall not use the provision for a single sewer hook-up under any of the 4 Glen Hills area sewer policy provisions cited above to support subdivision or resubdivision of existing properties into more than one lot." Appendix at pp. C-4-C-6.

Likewise sewer can be provided to properties within the Piney Branch Watershed only when they meet one of six very specific conditions. Appendix at p. C-18. Included is the following restriction regarding abutting mains that is similar to the Glen Hills provision: "Applicants shall not use the provision of a single sewer hookup to support subdivision or resubdivision of these properties into more than one lot."

We think there is no way the developer can subdivide this lot into 4 on sewer just because he evidently has approval for S-1 for the lot. Are we missing something? Could you or your staff help us out ? Thanks so much as always.

I'm ccing Mariah Clayborne who is listed as the reviewer and Angel Brown with Development Review so they are aware of the issue. I am going to try to be at the DR Committee Meeting in person or at the very least on zoom. I assume no public comments can be made at the meeting but depending on the facts we learn we will submit written comments and perhaps ask for a meeting with Park and Planning staff.

Thanks again.

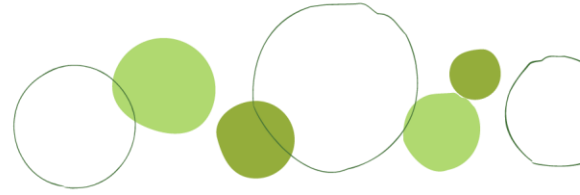
Susanne Lee

President, West Montgomery County Citizens Association

301-956-4535

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# Attachment F: Tree Variance Letter



February 12, 2024

Montgomery County  
Planning Department  
2425 Reddie Drive, 14th Floor  
Wheaton, MD 20902

Addition to Glen Hills Section 3  
Request for Specimen Tree Variance F20240220  
MNCPPC NRI-FSD# 420222050

On behalf of the property owner and pursuant to Section 22A-21 *Variance provisions* of the Montgomery County Forest Conservation Ordinance and revisions to the State Forest Conservation Law enacted by S.B. 666, we are writing to request a variance(s) to allow impacts to, or the removal of, the following trees identified on the approved Natural Resource Inventory/Forest Stand Delineation for the above-named residential construction project.

## Project Description:

### The Subject Properties

The subject property is 3.79 acres. The site is currently developed with one single family detached house and is going through the administrative subdivision process to create four (4) single family lots. The site is bordered by residential property on all sides.

### Forest Conservation

A Natural Resources Inventory/Forest Stand Delineation has been approved for the Subject Property. A Final Forest Conservation Plan is filed with this application. There is no forest on the Subject Property. The afforestation requirement for the property is 0.82 acres. The afforestation requirement is being met through offsite afforestation.

There are freestanding specimen trees located sporadically around the area to be developed with (3) specimen trees on the east side of the property to be removed. Variance trees are distinguished from Specimen trees in the variance based on the state definition of trees 30" and greater. The FCP mitigates for all specimen trees such as Virginia Pine, that are smaller than the definition of variance, however this report only reflects removals and impacts to trees 30" and greater.

The following specimen trees require a variance:

VARIANCE TREES							
Tree #	Species (Scientific Name)	Species (Common Name)	D.B.H (inches)	Percent of CRZ Impacted (SF)	Tree Condition	Comments	Disposition
3	<i>Liriodendron tulipifera</i>	Tulip Poplar	32	100%	Good	Grading	REMOVE
4	<i>Liriodendron tulipifera</i>	Tulip Poplar	36	54%	Good	Grading	REMOVE
5	<i>Liriodendron tulipifera</i>	Tulip Poplar	30	93%	Fair	Grading, utilities, house	REMOVAL
11	<i>Liriodendron tulipifera</i>	Tulip Poplar	34	15%	Good	Grading	IMPACTS ONLY





**Requirements for Justification of Variance:**

Section 22A-21(b) *Application requirements* states that the applicant must:

- (1) Describe the special conditions peculiar to the property which would cause the unwarranted hardship;
- (2) Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas;
- (3) Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance; and
- (4) Provide any other information appropriate to support the request.

**Justification of Variance**

- (1) Describe the special conditions peculiar to the property which would cause the unwarranted hardship;

**Response:** This work will require disturbance of the root zones of a total of four (4) specimen trees. Three (3) of the impacted trees will be required to be removed. Each of the existing variance trees lies within or very near the footprints of a detached house, existing infrastructure to be removed, grading due to topographic conditions, or proposed utilities. The trees that require removal to develop the proposed lots are the only obstacle to a development proposal that furthers the county's housing goal of avoiding sprawl by locating greater density in developed, urban communities.

Unwarranted hardship is demonstrated, for the purpose of obtaining a Specimen Tree Variance, when an applicant presents evidence that denial of the Variance would deprive the Applicant of the reasonable and substantial use of the property. The subdivision of existing properties into conforming and compatible lots in a fully developed urban transition community of residential lots is clearly within the class of reasonable and substantial uses that justify the approval of Specimen Tree Variance for the Subject Property. If the requested Variance were denied the Applicant would be precluded from developing the Subject Property for a reasonable and significant use commonly enjoyed by virtually all homeowners in this community.

- (2) Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas;

**Response:** If the requested Variance were denied, the Applicant would suffer unwarranted hardship and would be deprived of rights commonly enjoyed by other property owners in the RE-1 zone and adjoining areas similar to the location of the Property. If the requested variance were denied, the Applicant would be denied the right enjoyed by other similarly situated property owners to develop their RE-1 zoned property in a manner permitted by the zoning ordinance that is consistent with the development history of the neighborhood.

If the variance were not granted for the trees identified on the attached chart would have to remain and the Applicant would be unable to develop the property with any houses in the disparate treatment of the Applicant in comparison the exercise of rights commonly enjoyed by others in the same area and in similar RE-1 zoned areas.

- (3) Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance;

**Response:** Tree removals have been minimized by careful design of the layout ensuring the preservation of as many specimen trees as possible. In addition, this property will be developed in accordance with the latest Maryland Department of the Environment criteria for stormwater management. This includes Environmental Site Design to provide for protecting the natural resources to the Maximum Extent Practicable. This includes removing excess impervious areas and providing on-site stormwater management systems. A Stormwater Management Concept is currently under review by the Montgomery County Department of Permitting Services to ensure that this criterion is enforced. Therefore, the proposed activity will not degrade the water quality of the downstream areas and will not result in *measurable degradation in water quality*.

Specimen tree removals are proposed to be mitigated for onsite through new plantings as depicted on the FCP. Additional canopy planting will serve to create greater ecological quality while establishing further buffering of adjacent land uses (residential).

- (4) Provide any other information appropriate to support the request.

**Response:** The Approved and Adopted Trees Technical Manual lists several factors for consideration when reviewing applications for clearing that now require the approval of a Specimen Tree Variance. Generally, the Technical Manual recognizes that clearing is appropriate for street and driveway construction to provide access to new development and to create a building envelope for development. Among the development factors that the Technical manual considers appropriate for consideration when a Variance request is before the Planning Board is whether an urban form of development is desired at a particular location

The Technical Manual also acknowledges that well planned clearing balances the public policies of preserving forest and funneling development into appropriate locations. The Technical Manual provides that one factor to be considered.

**“The extent to which the actual or intended use of the property, as developed or as proposed to be developed in accordance with the regulations of the Zoning Ordinance and/or area master plans, require clearing of trees.”**

As further basis for its variance request, the applicant can demonstrate that it meets the Section 22A-21(d) *Minimum criteria*, which states that a variance must not be granted if granting the request:

- (1) Will confer on the applicant a special privilege that would be denied to other applicants;

**Response:** The construction of the residence onsite is in conformance with the subdivision regulations and zoning code. As such, this is not a *special privilege* to be conferred on the applicant.

- (2) Is based on conditions or circumstances which are the result of the actions by the applicant;

**Response:** The Applicant has taken no *actions leading to the conditions or circumstances* that are the subject of this variance request.

- (3) Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or

**Response: The surrounding land uses (residences) do not have any inherent characteristics or conditions that have created or contributed to this particular need for a variance.**

- (4) Will violate State water quality standards or cause measurable degradation in water quality.

**Response: Granting this variance request will not violate State water quality standards or cause measurable degradation in water quality. The specimen tree removal is further proposed to be mitigated through the installation of 13 – 3” caliper trees.**

**Conclusion:**

For the above reasons, the applicant respectfully requests that the MNCPPC Staff APPROVE its request for a variance from the provisions of Section 22A of the Montgomery County Forest Conservation Ordinance, and thereby, GRANTS permission to impact/remove the specimen trees to allow the construction of this project.

The recommendations in this report are based on tree conditions noted at the time the NRI/FSD field work was conducted. Tree condition can be influenced by many environmental factors, such as wind, ice and heavy snow, drought conditions, heavy rainfall, rapid or prolonged freezing temperatures, and insect/disease infestation. Therefore, tree conditions are subject to change without notice.

The site plans and plotting of tree locations were furnished for the purpose of creating a detailed Tree Protection Plan. All information is true and accurate to the best of my knowledge and experience. All conclusions are based on professional opinion and were not influenced by any other party.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Norton', written in a cursive style.

Michael Norton

# Attachment G: Statement of Justification

Area Three, Upcounty Planning Division of the Montgomery County Planning  
Department  
The Maryland National Capital Park & Planning Commission

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<b>Property:</b>	<b>Lot 8, Block 7</b>
<b>Preliminary Plan:</b>	120240150, Addition to Glen Hills Section 3
<b>Forest Conservation Plan:</b>	F20240220, Addition to Glen Hills Section 3
<b>Tax Map:</b>	FQ43
<b>Zone:</b>	RE-1
<b>Contract Owner/Applicant:</b>	Shi Zhixiong
<b>Submission Date:</b>	May 7, 2024

**STATEMENT OF JUSTIFICATION  
& SUMMARY OF APPLICATION  
PRELIMINARY PLAN SUBMITTAL**  
*Existing Lot 8, Block 7 Glen Hills Section 3  
12631 Circle Drive, Rockville, MD 20850*

**Proposed 4 Lot Subdivision  
Addition to Glen Hills Section 3**

Preliminary Plan Application  
MNCPPC FILE NO. 120240150, F20240220

Pursuant to the Manual of Development Review Procedures, the Applicant, Shi Zhixiong, hereby submits this Statement of Justification setting forth the facts and reasons in support of Planning Board approval of the proposed Preliminary Plan Application No. 120240150 (“the Plan”), an original subdivision of Existing Lot 8, Block 7, among the Land Records for Montgomery County, Maryland (“the Subject Property”). The Subject Property, containing approximately 3.79 acres, has frontage on Circle Drive and Newgate Road in Rockville, Maryland and is currently zoned RE-1. The proposed four lot subdivision meets the requirements of the RE-1 zone.

This Preliminary Plan application is being filed pursuant to Chapter 5, Montgomery County Subdivision Regulations, effective February 3, 2017, and the development standards set forth in the 2014 Montgomery County Zoning Ordinance applicable to property classified in the RE-1 zone. The proposed Plan is in accordance with all applicable Subdivision Regulations and provides a form of development consistent with the approved and adopted 2002 Potomac Subregion Master Plan.

## **The Subject Property**

The Subject Property consists of one lot, fronting on Circle Drive and Newgate Road, on the southwest corner. The four lots proposed by this Plan will reflect the character of the surrounding neighborhood by implementing the RE-1 zoning.

## **Forest Conservation**

Simplified Natural Resources Inventory/Forest Stand Delineation 420222050 was approved for the Subject Property on May 9, 2022.

There are six specimen trees identified that will be impacted or removed by impacts associated with the limits of disturbance ("LOD") during construction. The removed specimen trees will be mitigated for onsite.

## **Tree Variance**

In order to secure approval of the removal of certain trees identified for removal on the Forest Conservation Plan and to disturb the critical root zones of other identified trees that are listed as priority for retention and protection under the Natural Resources Article of the Maryland Annotated Code and Chapter 22A of the County Code, a Variance from the requirements of Chapter 22A has been requested pursuant to Section 22A-21 and Section 5-1607(c) and Section 5-1611 of Title 5 of the Natural Resources Article of the Maryland Annotated Code. A Variance Request accompanies this submission.

## **Adequate Public Facilities**

The Subject Property is in water and sewer categories W-1 and S-1 and both lots will be served by public water and sewer. All other required public facilities are adequate to serve the four lots proposed by this subdivision application.

Adequacy of public water and sewer service is in review by the WSSC.

PEPCO, Verizon and Comcast all have existing facilities serving the neighborhood, including the Subject Properties, and each has capacity to serve the additional lots proposed by this subdivision.

The Subject Property is exempt from Transportation Impact Study due to 5 or less trips.

## Conclusion

For the foregoing reasons, the Applicant respectfully request that the proposed Preliminary Plan be approved. Further, on behalf of the Applicants, the undersigned certifies that the information set forth in this Statement of Justification is true, complete, and correct to the best of his knowledge, information, and belief.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Norton", written in a cursive style.

Michael Norton

# Attachment H: MCDEP Correspondence

**From:** [Pratt, Jamey](#)  
**To:** [Clayborne, Mariah](#)  
**Cc:** [Estes, Phillip](#); [Butler, Patrick](#); [Pereira, Sandra](#)  
**Subject:** RE: 12631 Circle Drive; Preliminary Plan 120240150, Addition to Glen Hills Section 3  
**Date:** Monday, July 15, 2024 11:23:39 AM

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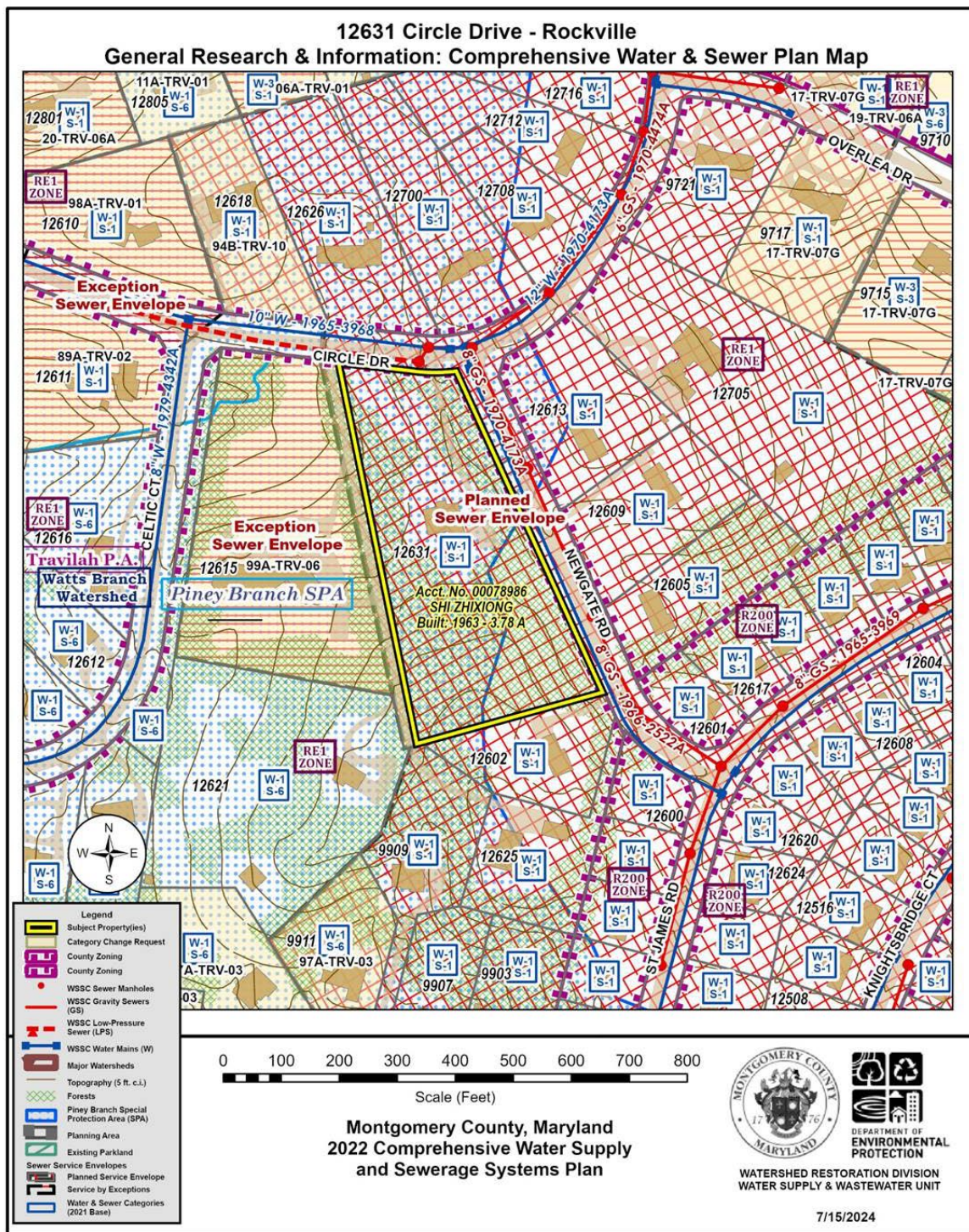
Hi, team.

I heard back from Alan Soukup from MC DEP on this one. Here is his response:

This parcel at 12631 Circle Dr. is within the planned public sewer service area (see the map below). It had been designated as sewer category S-1 before the 2002 master plan was initiated.

There's no restriction on the S-1 category for this property. Even within the Piney Branch sewer policy area, we can only impose sewer service restrictions through the Water and Sewer Plan on properties that were outside the planned sewer envelope (and therefore in need a of sewer category change) when the master plan was approved.

The adjacent property 12615 Circle Dr. was outside the planned sewer envelope and was approved for S-1 due to a health problem. Sewer service there is restricted to a single sewer connection.



Because the property was already within the planned sewer envelope when the 2002 Potomac Subregion Master Plan was initiated, the restrictions in the Water and Sewer Plan for the Glen Hills and Piney Branch areas do not apply.

I have followed up with Alan to verify that he will not be able to make it to DRC for this item, but since the inquiry is not coming from the applicant, I'm not sure it would even come up at the meeting. I'll let you know if Alan thinks we should postpone our conflicting meeting so we can attend, though.

Thanks!  
Jamey



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**From:** Pereira, Sandra <sandra.pereira@montgomeryplanning.org>  
**Sent:** Friday, July 12, 2024 4:28 PM  
**To:** Pratt, Jamey <jamey.pratt@montgomeryplanning.org>  
**Cc:** Estes, Phillip <Phillip.Estes@montgomeryplanning.org>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Clayborne, Mariah <mariah.clayborne@montgomeryplanning.org>  
**Subject:** FW: 12631 Circle Drive; Preliminary Plan 120240150, Addition to Glen Hills Section 3

Jamey,

Are you able to attend DRC next Tuesday for Addition to Glen Hills (Item #2) and help address some of the questions below re: sewer service?

Thank you,  
Sandra

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**From:** Susanne Lee <[susannelee1@hotmail.com](mailto:susannelee1@hotmail.com)>  
**Sent:** Wednesday, July 10, 2024 6:47 PM  
**To:** [Alan.Soukup@montgomerycountymd.gov](mailto:Alan.Soukup@montgomerycountymd.gov)  
**Cc:** Clayborne, Mariah <[mariah.clayborne@montgomeryplanning.org](mailto:mariah.clayborne@montgomeryplanning.org)>; Brown, Angela <[angela.brown@montgomeryplanning.org](mailto:angela.brown@montgomeryplanning.org)>  
**Subject:** 12631 Circle Drive; Preliminary Plan 120240150, Addition to Glen Hills Section 3

I mentioned to you during the recent Cleveland Ct. category change discussion that we could really use help from you or a member of your staff to help clarify and confirm the issues presented by this proposed development. We recently received notice that the application was submitted on June 26, 2024 and is now on the agenda for the Development Review Committee on July 16th.

The lot is developed with a single family house and is located entirely within the Glen Hills Sewer Service Policy Area. Approximately 80% of the lot is also within the Piney Branch Special Protection Area. As a result, we believe the sewer service is governed by the restrictions and requirements set forth in the County's Comprehensive Water Supply and Sewerage Systems Plan, in particular Appendix C: Exceptional Service Policies and Recommendations, Section II.E.Glen Hills Study Area and Section II. L. Piney Branch Watershed.

The lot is designated S-1 on the County maps, but we are not very handy with the County and WSSC data bases and have been unable to determine when and on what basis the S-1 was granted. We also cannot tell whether, and if so when, sewer has already been extended to the lot and the existing house. Any help you or your staff could provide us regarding those details would be very helpful.

The developer had an information session for the neighbors in the yard of the property in April and I attended. He said he has sewer and is going to subdivide from 1 to 4 lots and that each lot will receive its own sewer line from the street. When asked about the Piney Branch Special Protection Area restrictions his consultant said the property was not in a special protection area - but we then pointed out the SPA boundary that was delineated on his own map. We also asked about how it is consistent with the Glen Hills Sewer Policy and they appeared clueless. We asked that they work through all those issues before going forward, but it appears they have not.

As you are well aware, the Glen Hills provisions state that "[i]ndividual, on-site septic systems are the primary wastewater disposal method consistent with the area's standard-type development under the RE-1 Zone." Community sewer service can be provided only in 4 specific situations, e.g. public health problem, abutting main. And of particular importance here: "Property owners shall not use the provision for a single sewer hook-up under any of the 4 Glen Hills area sewer policy provisions cited above to support subdivision or resubdivision of existing properties

into more than one lot." Appendix at pp. C-4-C-6.

Likewise sewer can be provided to properties within the Piney Branch Watershed only when they meet one of six very specific conditions. Appendix at p. C-18. Included is the following restriction regarding abutting mains that is similar to the Glen Hills provision: "Applicants shall not use the provision of a single sewer hookup to support subdivision or resubdivision of these properties into more than one lot."

We think there is no way the developer can subdivide this lot into 4 on sewer just because he evidently has approval for S-1 for the lot. Are we missing something? Could you or your staff help us out ? Thanks so much as always.

I'm ccing Mariah Clayborne who is listed as the reviewer and Angel Brown with Development Review so they are aware of the issue. I am going to try to be at the DR Committee Meeting in person or at the very least on zoom. I assume no public comments can be made at the meeting but depending on the facts we learn we will submit written comments and perhaps ask for a meeting with Park and Planning staff.

Thanks again.  
Susanne Lee  
President, West Montgomery County Citizens Association  
301-956-4535

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