

**24927 BURNT HILL ROAD**  
**ADMINISTRATIVE SUBDIVISION PLAN NO. 620250080**  
**AND FOREST CONSERVATION PLAN NO. F20250380**

**Description**

Administrative Subdivision Plan to create one (1) lot for one (1) new single-family detached unit.

COMPLETED: 12/3/2025

PLANNING BOARD HEARING DATE: 12/18/2025

MCPB ITEM NO. 6

## Planning Staff



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## Summary:

- Staff recommend approval of the Administrative Subdivision Plan and Final Forest Conservation Plan (FFCP) with conditions.
- Although this Application is an Administrative Subdivision Plan under Section 50-6.1.B of the Code, typically acted on by the Director, approval of a lot greater than 5 acres in the Agricultural Reserve zone and action because the proposed lot does not have frontage requires Planning Board action.
- The Subject Property qualifies for an exemption from the minimum lot area requirements and lot width requirements of the AR zone under Section 59-7.7.1. D. 9 of the Zoning Ordinance.
- Staff support the Applicant's request for waiver of Section 50-4.3.C.1.c.ii of the Subdivision Regulations, which prohibits a lot without frontage to utilize a common driveway that serves other lots without frontage.
- The Application seeks to create one (1) lot for one (1) new single-family detached unit.
- No community correspondence has been received.

### LOCATION/ADDRESS

24927 Burnt Hill Road, Clarksburg, MD 20871

### MASTER PLAN

1985 *Damascus Master Plan*

### ZONE

Agricultural Reserve (AR) Zone

### PROPERTY SIZE

10.00 Acres

### APPLICANT

Site Solutions, Inc.

### ACCEPTANCE DATE

May 28, 2025

### REVIEW BASIS

Chapters 50, 59, and 22A

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## SECTION 1: RECOMMENDATIONS AND CONDITIONS

### ADMINISTRATIVE SUBDIVISION PLAN NO. 620250080

Staff recommends approval, with conditions, of the Administrative Subdivision Plan No. 620250080 to create one (1) lot for one (1) new single-family dwelling unit. All site development elements shown on the latest electronic version of the Administrative Subdivision Plan No. 620250080 as of the date of this Staff Report submitted via ePlans to the Maryland-National Capital Park and Planning Commission (“M-NCPPC”) are required except as modified by the following conditions<sup>1</sup>.

#### GENERAL APPROVAL

1. This Administrative Subdivision Plan is limited to one (1) lot for one (1) dwelling unit.

#### ADEQUATE PUBLIC FACILITIES AND OUTSIDE AGENCIES

2. The Adequate Public Facilities (“APF”) review for the Administrative Subdivision 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 Administrative Subdivision Plan will remain valid for three (3) years from its initiation date (as defined in Montgomery County Code Section 50-4.2.G), and prior to the expiration date of this validity period, a final record plat for all property delineated on the approved Administrative Subdivision Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.

#### OUTSIDE AGENCIES

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated September 15, 2025, and incorporates them as conditions of the Administrative Subdivision Plan approval. The Applicant must comply with each recommendation in the letter, which MCDOT may amend, provided the amendment does not conflict with any other conditions of the Administrative Subdivision Plan approval.
5. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Water Resources Section, in its stormwater management concept letter dated August 1, 2025, and incorporates them as conditions of the Administrative Subdivision Plan approval. The Applicant must comply with

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<sup>1</sup> For the purposes of these conditions, the term “Applicant” shall also mean the developer, the owner or any successor (s) in interest to the terms of this approval.



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 Administrative Subdivision Plan approval.

6. The Planning Board has reviewed and accepts the recommendations of the MCDPS, Well and Septic Section, in its letter dated November 11, 2025, and incorporates them as conditions of the Administrative Subdivision Plan approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS – Well and Septic Section may amend, if the amendment does not conflict with any other conditions of the Administrative Subdivision Plan approval.
7. The Planning Board review for recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section, is not required to meet the current Fire Department Access standards because the parcel was created prior to 2010.

#### OTHER APPROVALS

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

#### RECORD PLATS

9. There shall be no clearing or grading of the site before recordation of the plats.
10. The record plat must show the septic reserve areas as shown on the approved plans in accordance with MCDPS standards.
11. The record plat must show necessary easements.
12. Any record plat for the Subject Property must contain the following note:  
*Agriculture is the preferred use in the AR Zone. All agricultural operations shall be permitted at any time, including the operation of farm machinery, and no agricultural use shall be subject to restriction because it interferes with other uses permitted in the Zone.*

#### CERTIFIED ADMINISTRATIVE SUBDIVISION PLAN

13. The certified Administrative Subdivision Plan must contain the following notes:
14. *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 permits. Please refer to the zoning data table for development standards, including setbacks, building restriction lines, building height, and lot coverage for each lot.*
  - a. *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 Administrative Subdivision Plan is required to always be on-site.*

15. Before submittal of the Certified Administrative Subdivision Plan, the Applicant must make the following changes:
  - a. Show resolutions and approval letters on the certified set.
  - b. Update development standards table on the certified set.

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#### **FINAL FOREST CONSERVATION PLAN NO. F20250380**

Staff recommends approval of the Final Forest Conservation Plan No. F20250380 (“FFCP”). All site development elements shown on the latest electronic version of the Final Forest Conservation Plan No. F20250380, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions:

1. Before the start of any demolition, clearing, grading, or construction for this Administrative Subdivision Plan, the Applicant must:
  - a) Record a Category I Conservation Easement over all areas of forest retention, forest planting, and environmental buffers as specified on the approved Final Forest Conservation Plan. The Category I Conservation Easement must be in a form approved by the M-NCPPC Office of the General Counsel and must be recorded in the Montgomery County Land Records by deed. The Book/Page for the easement must be referenced on the record plat.
  - b) Install permanent conservation easement signage along the perimeter of the conservation easements as shown on the FCP, or as directed by the M-NCPPC Forest Conservation Inspection Staff.
  - c) Install permanent conservation easement fencing along the perimeter of the conservation easements as shown on the FCP, or as directed by the M-NCPPC Forest Conservation Inspection Staff.
  - d) 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 all forest planting areas, mitigation tree plantings, and landscape plantings credited toward meeting the requirements of the FCP. The MMA includes invasive species management control measures as deemed necessary by the M-NCPPC Forest Conservation Inspection Staff.
  - e) Submit a cost estimate for the reforestation/afforestation and other FCP requirements, which includes but is not limited to trees and shrubs, variance mitigation trees, five years of maintenance including invasive species management controls, permanent easement posts and signage, natural surface trails, split rail fencing, mulching, staking, tree protection, and tree protection removal credited toward meeting the requirements as shown on the FCP. 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.

- f) 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 5.03 acres of understory planting and maintenance, including invasive species management controls, credited toward meeting the requirements of the FCP.
- 2. The Applicant must schedule the required site inspections by the M-NCPPC Forest Conservation Inspection Staff, per Section 22A.00.01.10 of the Code of Montgomery County Regulations (“COMCOR”), Forest Conservation Regulations.
- 3. 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.
- 4. 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.

## SECTION 2: SITE DESCRIPTION

### VICINITY

The Subject Property (“Site” or “Property”) is Parcel 920 (Tax Map EX61), located north of Burnt Hill Road and east of Kingstead Road, both Rustic Roads (Figure 1) (Tax ID #02-00029667), and it is within the 1985 *Damascus Master Plan* area. The Property is also within the Little Bennett Creek Watershed, and surrounding properties consist of detached residential dwelling units, mainly used for agriculture and open space within the AR zone (Figure 1).

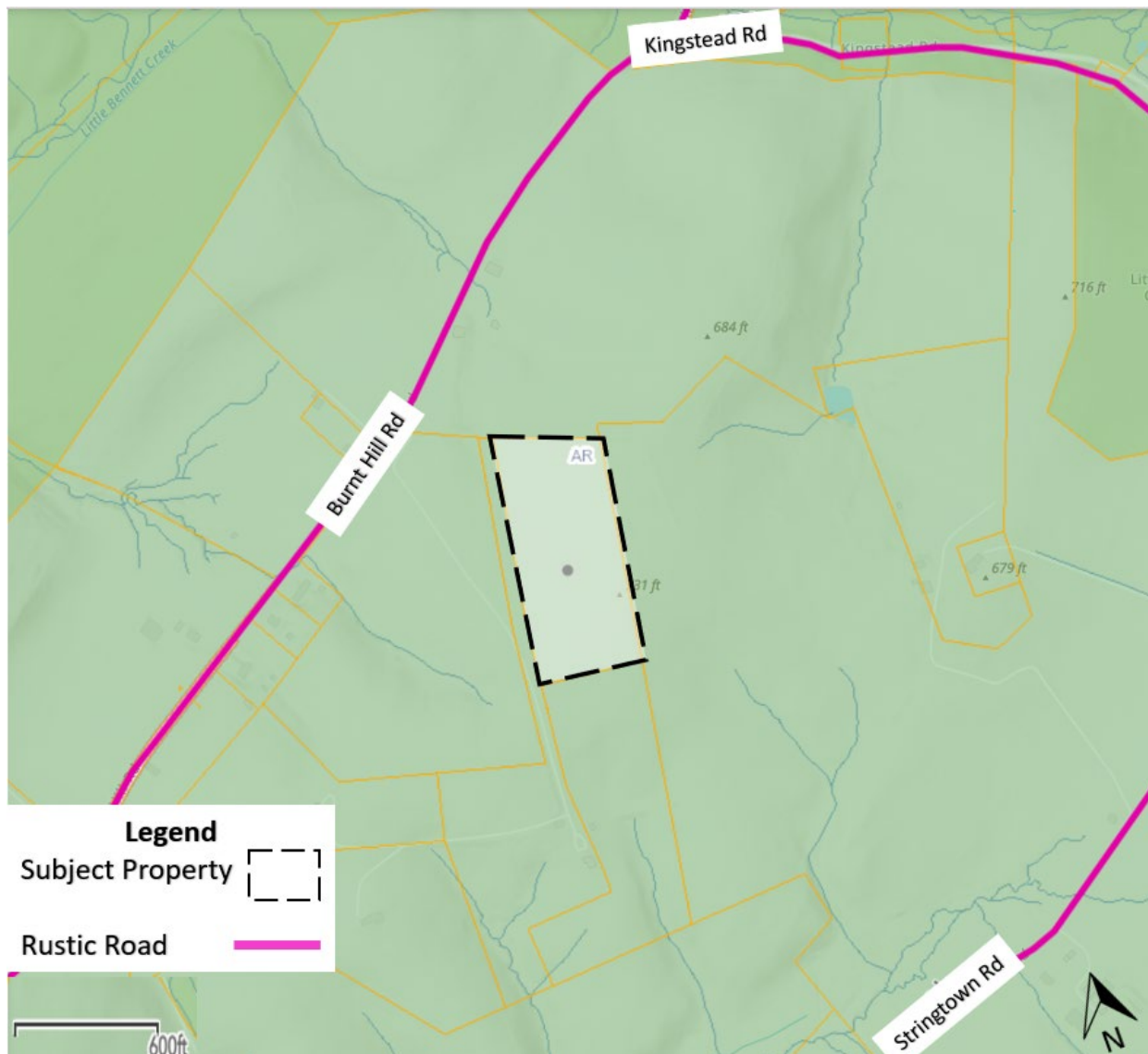


Figure 1 – Vicinity Map and Zoning Map



*Figure 2 – Subject Property in black dashed outline*

## PROPERTY DESCRIPTION

The Property consists of Parcel 920, which is 10.00 acres in the AR zone with access from a common driveway which is also utilized by four other single-family dwelling units situated on an unplatted Parcel 950 and three (3) recorded lots (Book 595, Page 90 – Attachment E)<sup>2</sup> approximately 420 feet from Burnt Hill Road (Figure 3). The Property is landlocked and currently undeveloped with an existing ingress and egress access easement from Burnt Hill Road, shared with the adjacent Parcel 950 and recorded lots. The Site contains forest, specimen, and other significant trees. There are no rare, threatened, or endangered species or habitats on the Property.

<sup>2</sup> As a result of the subject application, the common driveway would serve a total of 5 single unit detached dwellings.

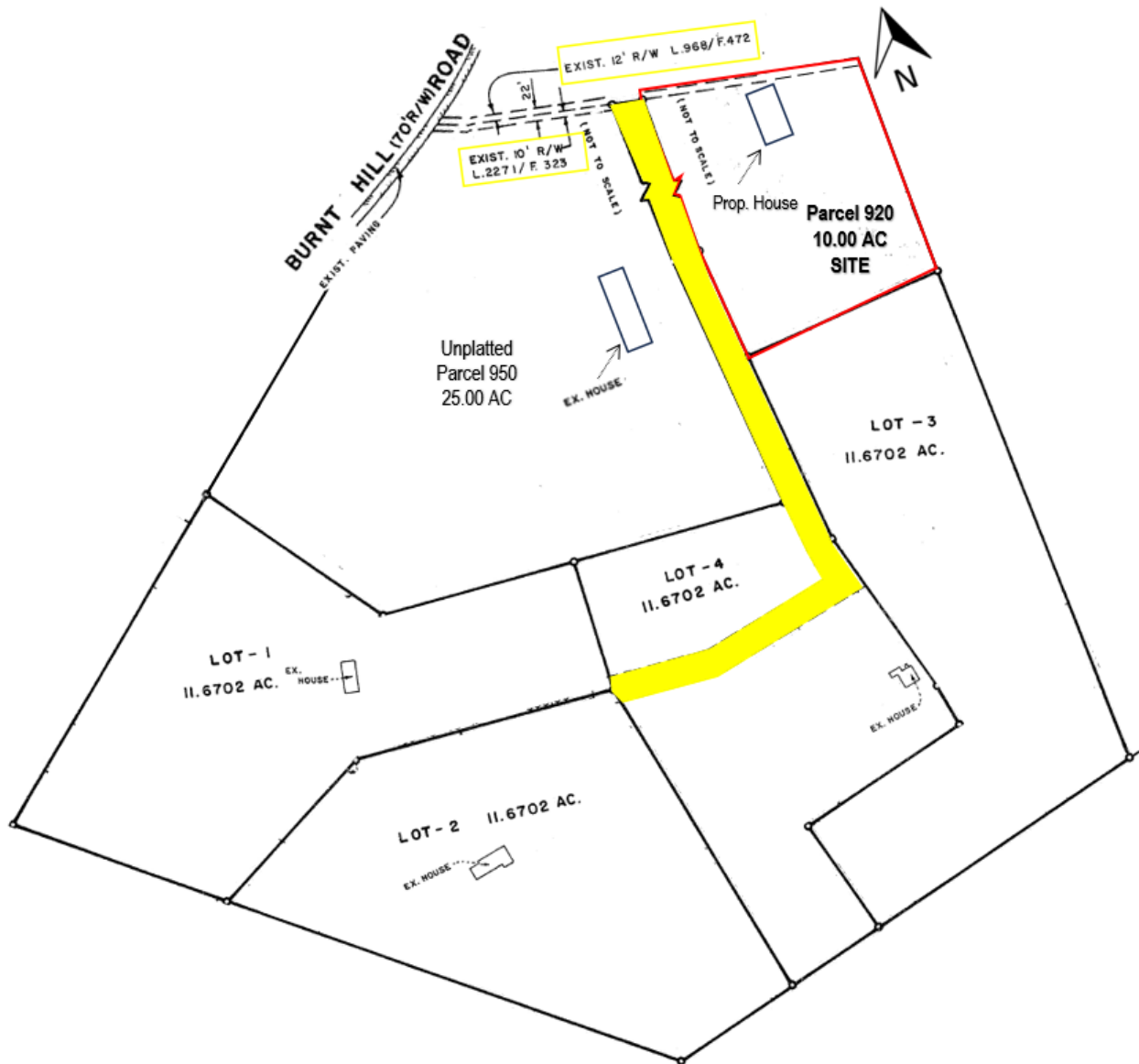


Figure 3 – Proposed Lot and Access Easements

## SECTION 3: PROJECT DESCRIPTION

### PROPOSAL

The Application proposes to create one (1) lot for one (1) new single-family detached residential unit, approximately 10.00 acres in size. Per Section 7.7.1.D.9. of the Zoning Ordinance, the Application is exempt from the minimum lot area and lot width requirements of the AR zone, but the minimum requirements for the Rural (R) zone apply. The proposed subdivision meets the requirements and conceptually shows how the lot can accommodate a future detached dwelling.



## TRANSPORTATION

The proposed lot will have access to an existing shared asphalt common driveway that connects to Burnt Hill Road. There will be a new twelve-foot-wide (12 ft) driveway to the proposed lot from the shared common driveway, as shown in Figure 4 below. The Property lacks frontage on a public road and proposes access to a shared common driveway utilized by four other detached dwelling units; the Applicant is seeking a waiver from Section 50-4.3.C.1.c.ii of the Subdivision Regulations.

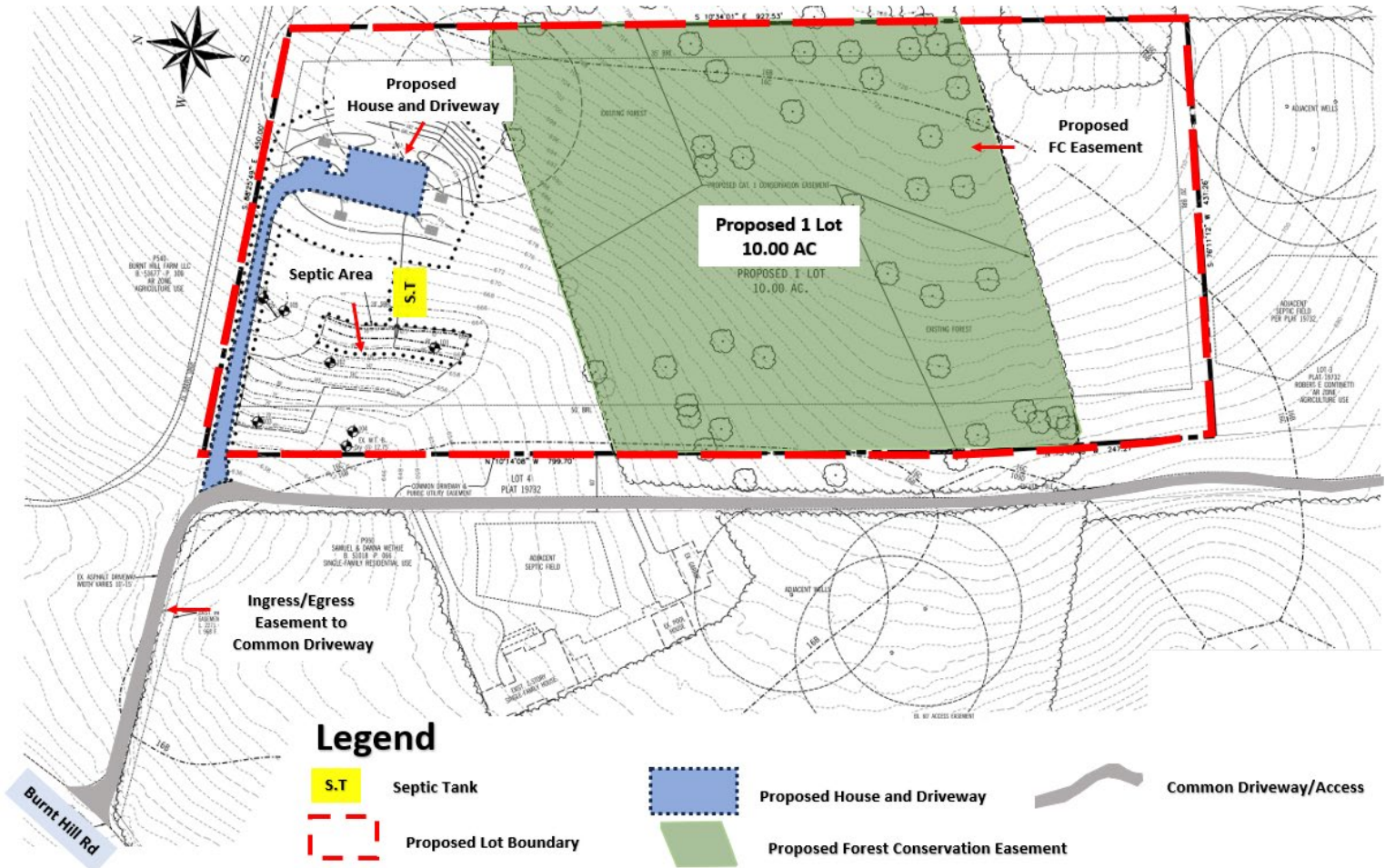


Figure 4 – Proposed Administrative Subdivision Plan Layout

## ENVIRONMENT

The Application is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code) under Section 22A-4(a), a person required by law to obtain an approval or amendment to a development plan, diagrammatic plan, project plan, floating zone plan, sketch plan, bio-health

priority campus plan, preliminary plan of subdivision, administrative subdivision, minor subdivision, or site plan.

The Property contains 5.03 acres of forest. The Site is within the Little Bennett Creek watershed, which eventually flows to the Potomac River. The Property is not within a Special Protection Area. The forested area will be planted further to mitigate previous clearing within the forest, and the.

## SECTION 4: COMMUNITY OUTREACH

An Administrative Subdivision Plan does not require a pre-submittal community meeting. However, applicants must post signs on the development site and provide written public notice. The Applicant sent a notice of the Application to all required parties on June 2, 2025. The notice gave interested parties 30 days to review and comment on the Application.

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

## SECTION 5: ADMINISTRATIVE SUBDIVISION PLAN 620250080 FINDINGS AND ANALYSIS

### APPLICABILITY, SECTION 50.6.1 OF THE SUBDIVISION ORDINANCE

The Application meets the criteria for the Administrative Subdivision process per Section 50-6.1.B as demonstrated below:

***B) Subdivision for creation of certain residential lots located in the Agricultural Reserve zone. Up to 5 lots for detached houses may be created under these procedures in the AR zone if:***

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

The MCDPS – Well and Septic Section reviewed the Application and determined that the proposed well and septic location is acceptable in its approval letter dated November 11, 2025 (Attachment B).

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

As described below, the proposed lot does not have frontage on a public road and instead, will access Burnt Hill Road via an ingress/egress and utility easements. No public improvements are required at this time because Burnt Hill Road is designated as a Rustic Road.



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

Adequate public facilities exist to support and service the Property in accordance with Section 50-4.3.J of the Subdivision Regulations, as discussed in the Finding Section below.

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

This criterion is not applicable because the entire tract of land subject to the Application is being recorded as a buildable lot and shown on a recorded plat.

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

The proposal to convert the existing 10.00-acre parcel into a lot exceeds the 5-acre lot size limit and requires Planning Board approval. The lot shape and proposed house location in the northern area of the Property will allow for maximum retention of the sites 5.03 acres of forested area being placed in a Category I Conservation Easement.

6. ***forest conservation plan approval and stormwater management and environmental protection requirements, if applicable, are satisfied before approval of the plat.***

The Application is subject to the requirements of Chapter 22A. As conditioned and discussed below in the Technical Review for Forest Conservation section, the Application satisfies the forest conservation requirements.

#### **FINDINGS REQUIRED BY SECTION 50.6.3.C, INCLUDING TECHNICAL REVIEW CRITERIA OF SECTION 50.4.3 OF THE SUBDIVISION ORDINANCE**

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

The Administrative Subdivision Plan meets all applicable sections of the Subdivision Regulations except with regard to frontage, for which the Applicant has requested a waiver. The proposed lot size, width, shape and orientation is appropriate for the location of the subdivision, taking into account the recommendations of the Master Plan, the existing lot pattern of the surrounding properties, and for the building type proposed for the Property.

The 10.00-acre parcel does not meet the minimum lot size requirements for the AR Zone, which is 25 acres. However, the Subject Property is exempt from certain area and dimensional requirements of the AR Zone. Per Section 7.7.1.D.9 of the Montgomery County Zoning Ordinance:

*“A lot or parcel in the Agricultural Reserve (AR) Zone, in addition to other exemptions in this subsection, is exempt from the minimum lot area requirements and lot width requirements of the AR Zone but must satisfy the requirements of the zone applicable to it before its classification to the AR Zone if the lot or parcel was created before January 6, 1981.”*

The current deed for the Subject Property (Book 2920 at Page 638) describes the parcel as being “10.00-acre tract at the beginning of said conveyance to a point on the easterly side of the public road known as Burnt Hill Road” and “described by deed in Book 968 at Book 472, being approximately 10.00 acres of land, more or less”. The deed at Book 2920 Page 638, recorded in 1961, refers to a conveyance of 10.00-acres that occurred on December 11, 1961. Therefore, the Subject Property in its current configuration originated in 1961.

Given the deed history (Attachment D), the Subject Property is exempt from the area and dimensional requirements of the AR zone but must meet the Rural (R) zone requirements. The Subject Property meets all Rural zone requirements, Section 59-4.3.3, including a lot area of at least five (5) acres and a minimum width at the building line of three hundred (300) feet.

*Table 1: Cavanaugh Family Parcel Administrative Subdivision Plan Tract Area Data Table for AR Zone<sup>3</sup> Standard Method, Section 59.4.3.3B*

<b>Development Standard</b>	<b>Permitted/Required</b>	<b>Proposed</b>
<b>Tract Area</b>	N/A	10.00 AC / 435,600 SF
<b>Proposed Dedication</b>	N/A	

<sup>3</sup> Lot Area and width requirements of the Rural Zone are applicable to the proposed lot. Per Section 59-7.7.1.D.9, a lot or parcel in the Agricultural Reserve (AR) zone is exempt from the minimum lot area requirements and lot width requirements of the AR Zone but must satisfy the requirements of the zone applicable to it before its classification to the AR Zone if the lot or parcel was created before January 6, 1981.

Table 2: Cavanaugh Family Parcel Administrative Subdivision Plan Lot Area Data Table for AR Zone<sup>3</sup> Standard Method, Section 59.4.3.3B

<b>DEVELOPMENT STANDARDS: Agricultural Rural (AR) Zone and prior Rural Zone<sup>3</sup></b>		
<b>ZONE: AR and Rural where indicated with *</b>	<b>Permitted/Required</b>	<b>Proposed Lot 1</b>
<b>Lot Size*</b>	5 AC (Min.)	10.00 AC / 435,600 SF
<b>Front Setback (Principal Building)</b>	50 ft. (Min.)	50 ft. or more
<b>Side Setbacks (Principal Building)</b>	20 ft. (Min.)	20 ft. or more
<b>Rear Setback (Principal Building)</b>	35 ft. (Min.)	35 ft. or more
<b>Building Height (Principal and Accessory Buildings)</b>	50 ft. (Max.)	50 ft. or less
<b>Lot Coverage</b>	10% (Max.)	10% Max (less than 2% is shown)
<b>Lot Width at Front Building Line*</b>	300 ft. (Min.)	300 ft. or more
<b>Lot Width at Front Lot Line*</b>	25 ft. (Min.)	25 ft. or more
<b>Front Setback (Accessory Structures)</b>	50 ft. (Min.)	50 ft. or more
<b>Side Setback (Accessory Structures)</b>	15 ft. (Min.)	15 ft. or more
<b>Rear Setback (Accessory Structures)</b>	15 ft. (Min.)	15 ft. or more

\*Per Section 59-7.7.1.D.9, the Rural zone development standards apply for minimum lot area and lot width because the parcel was created prior to January 6, 1981.

In the Statement of Justification (Attachment F), the Applicant requested that the Planning Board waive Section 50-4.3.C.1.c.ii of the Subdivision Regulations, which states:

*The Board must not approve lots that do not abut a public or private road, except where unusual topography, environmental conditions, or the position of the tract in relation to surrounding properties and rights-of-way permit no other feasible way to subdivide, and the*

*Board determines that appropriate separation between building envelopes will be achieved. In approving a lot that does not abut a public or private road, the following provisions apply:*

*ii. the lots will be served by a private driveway that serves no other lots without frontage;*

Due to the unusual circumstances of the Subject Property that preclude the Applicant from meeting the frontage requirements or use of a shared common driveway that serves no other lots without frontage, the Applicant requests that the Planning Board grant a waiver from a requirement of this Chapter after making the required findings.

### **Section 9.3. Findings**

*A. To grant a waiver, the Board must find that:*

*1. due to practical difficulty or unusual circumstances of a plan, the applicant of a specific requirement of the Chapter is not needed to ensure the public health, safety, and general welfare;*

The Application is unique in that the Subject Property is not only eligible under the legacy provisions of Section 59-7.7.1.D.9, that the parcel was originally created before January 6, 1981, but that the parcel shape and size has never changed nor any prior development. When the Property was originally created, legal access was granted to the houses to its south. Acquiring additional land from an adjoining Property owner to create a pipe stem to attain frontage on Burnt Hill Road would result in a change in the size and shape of the Property from where it was originally created, which would jeopardize the ability to be exempt for the minimum lot area. Therefore, there is no feasible or legal alternative to attain frontage on a public road. Maintaining the existing access to the Property does not jeopardize public health, safety or general welfare.

*2. the intent of the requirement is still met; and*

The intent of the requirement to have road frontage is to ensure perpetual access and utility service to a proposed lot. In this case, the intent is still being met since the Applicant has deeded rights to ingress, egress and utility service via easement.

*3. the waiver is:*

*a. the minimum necessary to provide relief from the requirements; and*

The waiver is the minimum necessary to provide relief from the requirements of Chapter 50 to allow this lot to be platted according to the legacy provisions. No other waivers have been submitted with this Application.

*b. consistent with the purposes and objectives of the General Plan.*

The Applicant has made a reasonable case that practical difficulties exist that prevent full compliance with the Subdivision Regulations. The waiver is not inconsistent with the objectives of the General Plan, nor will it have a detrimental effect on the Master Plan vision to preserve agricultural land in the AR Zone. The waiver is not adverse to the public interest because the existing common access has historically been placed serving the existing dwellings.

**2. *The Administrative Subdivision Plan substantially conforms to the Master Plan.***

**a) *Land Use***

The Property is located within the 1985 *Damascus Master Plan* area, which confirmed the Property's zoning as Rural Density Transfer (now AR). The Application conforms to the Master Plan by proposing a detached residential dwelling unit with agricultural uses. Residential development, accessory uses, and agricultural activities are permitted uses in the AR zone. Therefore, the proposed Application substantially conforms to the Master Plan regarding land use.

**b) *Environment***

The Property is in the Little Bennett Creek Watershed, where the 1985 *Damascus Master Plan's* environmental recommendations seek to protect water resources by providing that, "all efforts should be made to protect the natural environment in this stream valley area as well as protecting the migration routes for wildlife" (p.90). As proposed, the overall development of one house, including the conservation easement of 5.03 acres will be consistent with the Master Plan's recommendations.

**c) *Transportation***

No dedication is required as part of this Application because the lot does not front on a right-of-way. Because of Burnt Hill Road, Rustic Road designation, there are no existing or recommended sidewalks or bikeways.

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

**a) *Roads and other Transportation Facilities***

**i. *Existing Facilities***

There is currently a shared driveway that connects to Burnt Hill Road that serves four single-family homes. Burnt Hill Road is a two-lane Rustic Road with a master planned right-of-way of 70-feet.

**ii. Proposed public transportation infrastructure**

The Applicant is proposing a new driveway that would connect to an existing shared driveway that connects to Burnt Hill Road. Since the Property was deeded in 1961, the continued use of the existing shared driveway for vehicular access is acceptable.

**iii. Local Area Transportation Review (LATR)**

Per the 2025 Local Area Transportation Review (LATR) Guidelines, developments of five or fewer single-family dwellings are not required to provide trip generation estimates as they are assumed to generate fewer than 30-net new weekday peak-hour vehicle trips. As a result, the Application is not subject to further Local Area Transportation Review (LATR) analysis.

**b) Schools**

**Overview and Applicable School Test**

The Updated FY26 Annual School Test, approved by the Planning Board on June 26, 2025, and effective since July 1, 2025, is applicable. The Project proposes a single lot for a new single-family detached dwelling unit.

**School Adequacy Test**

Little Bennett Elementary School, Rocky Hill Middle School, and Clarksburg High School serve the Project. Based on the FY2026 Annual School Test results above, the property has a net increase of only one new single-family detached dwelling unit, which is not subject to any UPP by default as shown in Table 3. Therefore, this Application does not require a Utilization Premium Payment.

*Table 3. FY2026 Annual School Test Projections & UPP Tier Placements*

	Program Capacity	Enrollment	Utilization Rate	Seat Surplus or Deficit	UPP Tier Placement
Little Bennett ES	630	588	93.3%	+42	No UPP
Rocky Hill MS	1,020	1,043	102.3%	-23	No UPP
Clarksburg HS <sup>4</sup>	2,020	1,881	93.1%	+139	No UPP

No UPP condition is required prior to the issuance of the building permit for the one residential dwelling unit.

<sup>4</sup> Projected enrollment is modified to estimate the impact of Crown HS (CIP P651909), reflecting the scope of the boundary study approved by the Board of Education on March 19, 2024. Due to the delay of the Damascus HS Major Capital Project (CIP P652102), some of the boundary changes can be implemented in phases.

d) ***Other Public Facilities and Services***

The Subject Property has W-6 and S-6 water and sewer service categories, respectively, and will utilize a new on-site private well and septic system, consistent with the service categories. Additionally, dry utilities including electric and communication lines are available adjacent to the Property.

Other utilities, public facilities, and services, such as electric, telecommunication, police stations, firehouses, and health services, are currently operating in accordance with Growth and Infrastructure Policy (GIP) in effect.

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

The Final Forest Conservation Plan No. F20250380 satisfies all applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A, and complies with the *Guidelines for Environmental Management and Development in Montgomery County* (“Environmental Guidelines”). Please refer to Section 6 below for the analysis and findings of the Final Forest Conservation Plan.

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

The Application received approval of a Stormwater Management Concept Plan from MCDPS, dated August 1, 2025, per Chapter 19 of the County Code. The Stormwater Management Concept demonstrates that it will meet stormwater management goals via Environmental Site Design (ESD) to the Maximum Extent Practicable (MEP) using four drywell facilities (Attachment B).

***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 the approval of this Application.

## SECTION 6: FINAL FOREST CONSERVATION PLAN F20250380 FINDINGS AND ANALYSIS

***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. The Forest Conservation Plan complies with the Environmental Guidelines and the Forest Conservation Law as conditioned and described below.

### ENVIRONMENTAL GUIDELINES

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) No. 420231690 was approved on June 30, 2023. The Site contains 5.03 acres of forest. There are large specimen trees distributed across the Property. The Property is within the Little Bennett Creek watershed. The Property is not within a Special Protection Area.



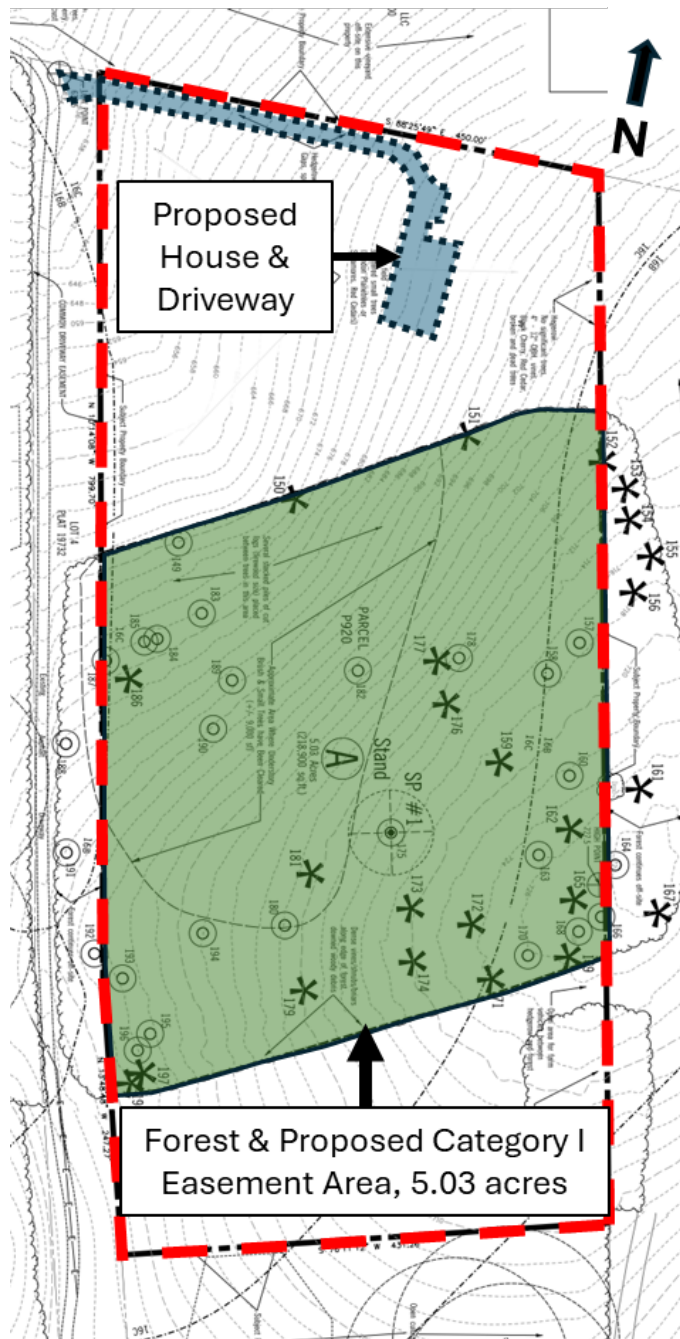


Figure 5: Forest and Category I Easement Area

## FOREST CONSERVATION

The Application is subject to Chapter 22A – Montgomery County Forest Conservation Law and a Final Forest Conservation Plan has been submitted for approval with Administrative Subdivision Plan No. 620250080. The total tract area is 10 acres. The Final Forest Conservation Plan (FCP) proposes no forest clearing.

The Applicant will retain all 5.03 acres of forest onsite and place the retained forest in a Category I Conservation Easement. There will be substantial understory planting required throughout the forest, as this planting is required to remedy the previous understory clearing violation that occurred. The planting plan will improve forest quality, biodiversity, and restore the forest to its previous condition prior to the understory clearing violation. The creation of the conservation easement on the Property is an effective long-term conservation method to protect the existing forest, conserve environmental resources, and maintain water quality.

#### Minimum Retention Requirement

Section 22A-12(f)(2)(A) of the Forest Conservation Law states that in an agricultural and resource area, on-site forest retention must equal 25% of the net tract area. The total 10-acre net tract area is in an agricultural and resource area, requiring the retention of 2.5 acres of forest. This site will meet and exceed the minimum retention on site, as 5.03 acres of forest will be retained in a Category I Forest Conservation Easement.

## SECTION 7: CONCLUSION

The Administrative Subdivision meets the requirements of Section 50-6.3.C, the technical requirements of Section 50-4.3 of the Subdivision Regulations, and the applicable requirements of Section 50-6.1.B. With the waiver of Section 50-4.3.C.1.c.ii, the lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conforms to the recommendations of the 1985 *Damascus Master Plan*. Access and public facilities will be adequate to serve the proposed lot, and the Application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

### ATTACHMENTS

*Attachment A: Administrative Subdivision Plan*

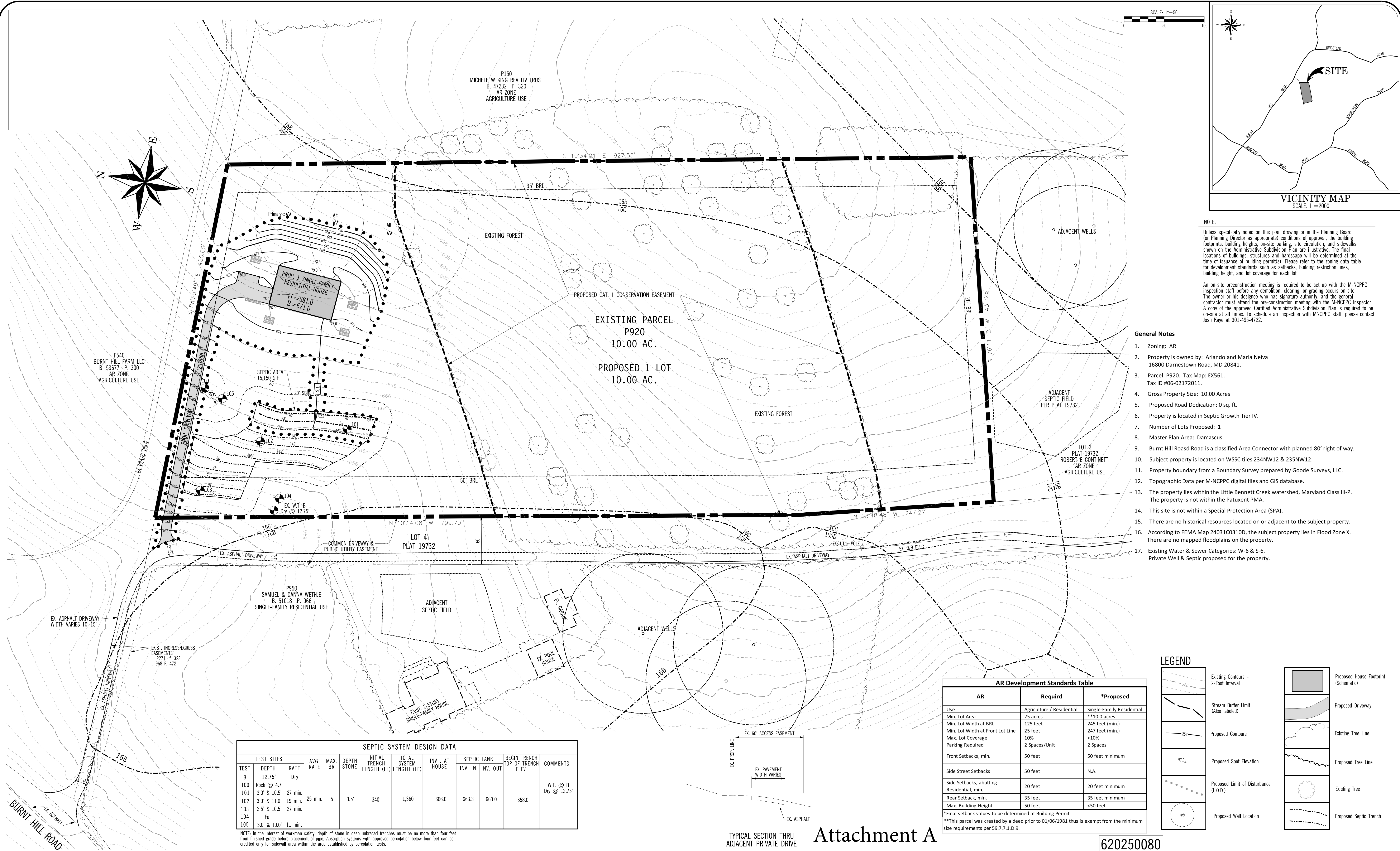
*Attachment B: Agency Letters*

*Attachment C: Final Forest Conservation Plan*

*Attachment D: Deed History*

*Attachment E: Plat No. 19732*

*Attachment F: Statement of Justification*



NOTE:  
Unless specifically noted on this plan drawing or in the Planning Board (or Planning Director as appropriate) 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). Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.

An on-site preconstruction meeting is required to be set up with the M-NCPPC inspection staff before any demolition, clearing, or grading occurs on-site. The owner or his designee who has signature authority, and the general contractor must attend the pre-construction meeting with the M-NCPPC inspector. A copy of the approved Certified Administrative Subdivision Plan is required to be on-site at all times. To schedule an inspection with MNCPPC staff, please contact Josh Kaye at 301-495-4722.

- General Notes**
1. Zoning: AR
  2. Property is owned by: Arlando and Maria Neiva  
16800 Darnestown Road, MD 20841.
  3. Parcel: P920. Tax Map: EX561.  
Tax ID #06-02172011.
  4. Gross Property Size: 10.00 Acres
  5. Proposed Road Dedication: 0 sq. ft.
  6. Property is located in Septic Growth Tier IV.
  7. Number of Lots Proposed: 1
  8. Master Plan Area: Damascus
  9. Burnt Hill Road Road is a classified Area Connector with planned 80' right of way.
  10. Subject property is located on WSSC tiles 234NW12 & 235NW12.
  11. Property boundary from a Boundary Survey prepared by Goode Surveys, LLC.
  12. Topographic Data per M-NCPPC digital files and GIS database.
  13. The property lies within the Little Bennett Creek watershed, Maryland Class III-P. The property is not within the Patuxent PMA.
  14. This site is not within a Special Protection Area (SPA).
  15. There are no historical resources located on or adjacent to the subject property.
  16. According to FEMA Map 24031C0310D, the subject property lies in Flood Zone X. There are no mapped floodplains on the property.
  17. Existing Water & Sewer Categories: W-6 & S-6.  
Private Well & Septic proposed for the property.

SEPTIC SYSTEM DESIGN DATA												
TEST SITES			AVG. RATE	MAX. BR	DEPTH STONE	INITIAL TRENCH LENGTH (LF)	TOTAL SYSTEM LENGTH (LF)	INV. AT HOUSE	SEPTIC TANK		BEGIN TRENCH TOP OF TRENCH ELEV.	COMMENTS
TEST	DEPTH	RATE							INV. IN	INV. OUT		
B	12.75'	Dry	25 min.	5	3.5'	340'	1,360	666.0	663.3	663.0	658.0	W.T. @ B Dry @ 12.75'
100	Rock @ 4.7											
101	3.0' & 10.5'											
102	3.0' & 11.0'											
103	2.5' & 10.5'											
104	Fail											
105	3.0' & 10.0'	11 min.										

NOTES: In the interest of workman safety, depth of stone in deep unbraced trenches must be no more than four feet from finished grade before placement of pipe. Absorption systems with approved percolation below four feet can be credited only for sidewalk area within the area established by percolation tests.

AR Development Standards Table		
AR	Requird	*Proposed
Use	Agriculture / Residential	Single-Family Residential
Min. Lot Area	25 acres	**10.0 acres
Min. Lot Width at BRL	125 feet	245 feet (min.)
Min. Lot Width at Front Lot Line	25 feet	247 feet (min.)
Max. Lot Coverage	10%	<10%
Parking Required	2 Spaces/Unit	2 Spaces
Front Setbacks, min.	50 feet	50 feet minimum
Side Street Setbacks	50 feet	N.A.
Side Setbacks, abutting Residential, min.	20 feet	20 feet minimum
Rear Setback, min.	35 feet	35 feet minimum
Max. Building Height	50 feet	<50 feet

\*Final setback values to be determined at Building Permit  
\*\*This parcel was created by a deed prior to 01/06/1981 thus is exempt from the minimum size requirements per 59.7.7.1.D.9.

LEGEND	
	Existing Contours - 2-Foot Interval
	Stream Buffer Limit (Also labeled)
	Proposed Contours
	Proposed Spot Elevation
	Proposed Limit of Disturbance (L.O.D.)
	Proposed Well Location
	Proposed House Footprint (Schematic)
	Proposed Driveway
	Existing Tree Line
	Proposed Tree Line
	Existing Tree
	Proposed Septic Trench

TYPICAL SECTION THRU ADJACENT PRIVATE DRIVE

## Attachment A

### SITE SOLUTIONS, LLC

5525 N Annapolis Drive  
Mount Airy, Maryland 21771  
(301) 540-7990

Planning • Engineering

OWNER:

ARLINDO & MARIA NEIVA  
16800 DARNESTOWN ROAD  
BOYDS, MD 20841

MISS. UTILITY NOTE:  
FOR LOCATION OF UTILITIES CALL 8-1-1 OR 1-800-257-7777  
OR LOGON TO [www.call811.com](http://www.call811.com) or [www.missu811.org](http://www.missu811.org)  
48 HOURS IN ADVANCE OF COMMENCEMENT OF ANY WORK ON THIS PROJECT.

THE LOCATION OF EXISTING UTILITIES SHOWN ON THIS PLAN WERE TAKEN FROM BEST AVAILABLE RECORDS AND ARE NOT GUARANTEED BY SITE SOLUTIONS, INC. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL EXISTING UTILITIES, BOTH HORIZONTALLY AND VERTICALLY BY DIGGING TEST PITS BY HAND, IF NECESSARY.

Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 19156, Expiration 06-02-2027.



ADMINISTRATIVE SUBDIVISION PLAN  
24927 BURNT HILL ROAD  
PARCEL P920  
ELECTION DISTRICT #2  
MONTGOMERY COUNTY, MARYLAND

JSL DESIGN	1"=50'
CHECKED	3 OF 4
8/18/2025 PLOT DATE	3060 PROJ. No.
	D-





## DEPARTMENT OF PERMITTING SERVICES

Marc Elrich  
County Executive

Rabbiah Sabbakhan  
Director

August 1, 2025

Mr. Jeffery Lewis  
Site Solutions Inc.  
P.O. Box 1783  
Clarksburg, MD. 20871

Re: **COMBINED STORMWATER MANAGEMENT  
CONCEPT/SITE DEVELOPMENT  
STORMWATER MANAGEMENT PLAN** for  
24927 Burnt Hill Rd  
Preliminary Plan #: 620250080  
SM File #: 298685  
Tract Size/Zone: 10 Ac/ AR  
Total Concept Area: 1.03 Ac  
Lots/Block: NA  
Parcel(s): P920  
Watershed: Little Bennett Creek  
Redevelopment (Yes/No): No

Dear Mr. Lewis:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The plan proposes to meet required stormwater management goals via ESD to the MEP using 4 Drywell facilities.

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

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

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

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

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



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

*Mr. Jeffrey Lewis*  
*August 1, 2025*  
*Page 2 of 2*

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 Joel Karpas at 240-777-6206.

Sincerely,



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

cc: Neil Braunstein  
SM File # 298685

ESD: Required/Provided 933 cf / 936 cf  
PE: Target/Achieved: 1.0"/1.0"  
STRUCTURAL: 0 cf  
WAIVED: 0 cf.



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich  
*County Executive*

Rabbiah Sabbakhan  
*Director*

M E M O R A N D U M

November 11, 2025

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

FROM: Dustin Mathers, Plan Reviewer  
Well and Septic Section  
Department of Permitting Services

SUBJECT: Administrative Subdivision Plan: 24927 Burnt Hill Rd 620250080

This is to notify you that the Well & Septic Section of MCDPS has approved the subdivision plan for the subject property. Approved with the following reservations:

- The record plat must show the septic reserve areas as they are shown on this plan.
- The record plat must show the septic easement as it is shown on this plan
- Forest conservation easements established subsequent to this approval must meet all minimum well and septic setback requirements:
  - 5 feet from the septic area

If you have any questions, please contact Dustin Mathers 240-777-6358

CC: Jeffrey Lewis



DEPARTMENT OF TRANSPORTATION

Marc Elrich  
*County Executive*

Christopher R. Conklin  
*Director*

September 15, 2025

Ms. Mariah Clayborne, Planner II  
Upcounty Planning Division  
The Maryland-National Capital  
Park & Planning Commission (M-NCPPC)  
2425 Reedie Drive,  
Wheaton, MD 20902

RE: Administrative Subdivision Plan Letter  
Preliminary Plan No. 620250080  
24927 Burnt Hill Road

Dear Ms. Clayborne:

We have completed our review of the revised Preliminary Plan uploaded to eplans on August 18, 2025. The Development Review Committee reviewed the Administrative Subdivision Plan at its June 17, 2025, meeting. We recommend approval of the plan based on the following comments:

1. The current application seeks approval for the construction of a single-family dwelling and the platting of the existing property, originally deeded on December 11, 1961. As the applicant is not proposing a subdivision but is maintaining the lot in its current configuration and platting it solely to permit the construction of one single-family residence. We find the continued use of the existing shared driveway for vehicular access to be acceptable.
2. No frontage improvements are required since the property does not have frontage along a public street.
3. Storm Drain: There is no increase in flow to the existing culvert on Burnt Hill Road, nor is there any change to the existing headwater elevation. Therefore, the applicant is not responsible for improvements to the existing downstream storm drain system.
4. A right-of-way permit is not required since no improvements are proposed within the right-of-way.

**Office of the Director**

---

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

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

*Located one block west of the Rockville Metro Station*

Ms. Mariah Clayborne  
Administrative Subdivision Plan# 620250080  
24927 Burnt Hill Road  
September 15, 2025  
Page 2

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Mr. Deepak Somarajan, our Development Review Engineer for this project, at [deepak.somarajan@montgomerycountymd.gov](mailto:deepak.somarajan@montgomerycountymd.gov) or at (240) 777-7170.

Sincerely,

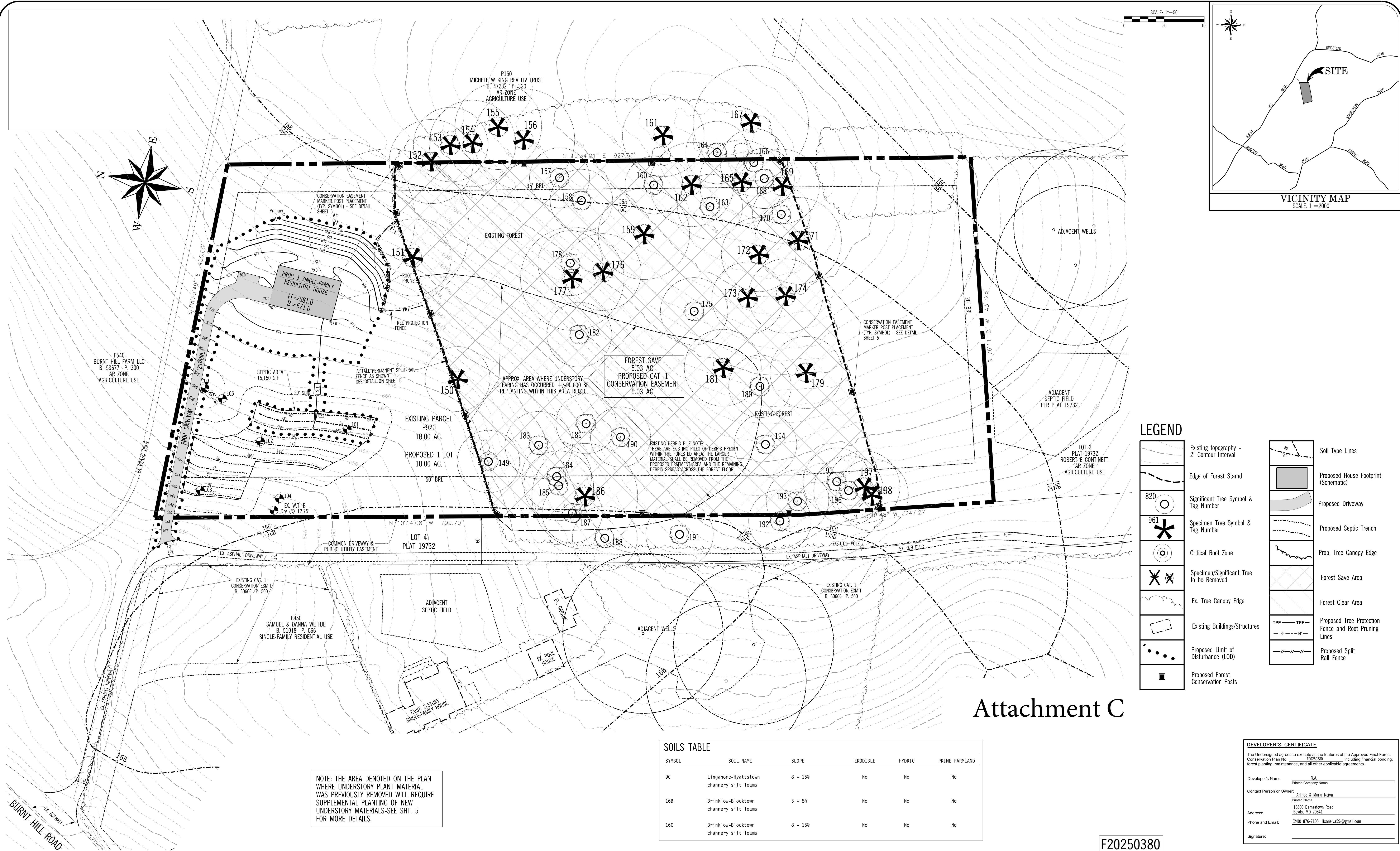
Deepak Somarajan, Engineer III  
Development Review Team  
Office of Transportation Policy

SharePoint\teams\DOT\Director's Office\Development Review\Deepak\Administrative Subdivision\620250080-24927 Burnt Hill Road\Letter\ 620250080-24927 Burnt Hill Road-MCDOT Admin Sub ltr

SharePoint -Preliminary Plan

cc-e:	Jeffrey Lewis	Site Solutions, Inc.
	Atiq Panjshiri	MCDPS RWPR
	Sam Farhadi	MCDPS RWPR
	Rebecca Torma	MCDOT OTP





Attachment C

SITE SOLUTIONS, LLC

5525 N Annapolis Drive  
Mount Airy, Maryland 21771  
(301) 540-7990

Planning • Engineering

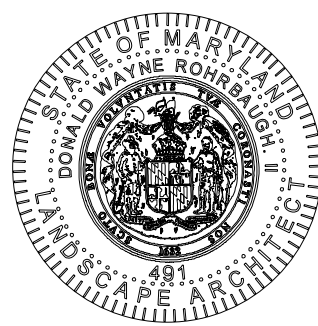
OWNER:

ARLINDO & MARIA NEIVA  
16800 DARNESTOWN ROAD  
BOYDS, MD 20841

MISS. UTILITY NOTE:  
FOR LOCATION OF UTILITIES CALL 8-1-1 OR 1-800-257-7777  
OR LOGON TO [www.call811.com](http://www.call811.com) or [www.missu811.org](http://www.missu811.org)  
48 HOURS IN ADVANCE OF COMMENCEMENT OF ANY WORK  
ON THIS PROJECT.  
THE LOCATION OF EXISTING UTILITIES SHOWN ON THIS PLAN WERE  
TAKEN FROM BEST AVAILABLE RECORDS AND ARE NOT GUARANTEED  
BY SITE SOLUTIONS, INC. IT IS THE RESPONSIBILITY OF THE  
CONTRACTOR TO LOCATE ALL EXISTING UTILITIES, BOTH HORIZONTALLY  
AND VERTICALLY BY DIGGING TEST PITS BY HAND, IF NECESSARY.

Professional Certification

*Donald W. Rohrbaugh, II*  
Donald W. Rohrbaugh, II  
Md. Reg. Landscape Architect #491  
3-10-2025  
Date



PRELIMINARY / FINAL FOREST CONSERVATION PLAN  
24927 BURNT HILL ROAD  
PARCEL P920  
ELECTION DISTRICT #2  
MONTGOMERY COUNTY, MARYLAND

JSL	1"=50'
DESIGN	SCALE
CHECKED	3 of 5
10/30/2025	SHEET
PLOT DATE	3060
PROJ. No.	D-

SOILS TABLE

SYMBOL	SOIL NAME	SLOPE	ERODIBLE	HYDRIC	PRIME FARMLAND
9C	Linganore-Hyattstown channery silt loams	8 - 15%	No	No	No
16B	Brinklow-Blocktown channery silt loams	3 - 8%	No	No	No
16C	Brinklow-Blocktown channery silt loams	8 - 15%	No	No	No

DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest  
Conservation Plan No. F20250380 including financial bonding,  
forest planting, maintenance, and all other applicable agreements.

Developer's Name N.A.  
Printed Company Name \_\_\_\_\_

Contact Person or Owner: Arlindo & Maria Neiva  
Printed Name \_\_\_\_\_

Address: 16800 Darnestown Road  
Boys, MD 20841

Phone and Email: (240) 876-7105 kcanekus59@gmail.com

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



LIBER 2920 FOLIO 638

Recorded Dec. 20th, 1961-at-2:20 P. M.

825  
54  
16

THIS DEED, made this 11th day of December, 1961, by and between VERNON E. TAYLOR and MARGARET E. TAYLOR, his wife, and JOHN D. BOWMAN, JR., and CLITUS O. BOURDEAUX, Trustees, Grantors, and ROBERT S. TOWNSEND, unmarried, Grantee;

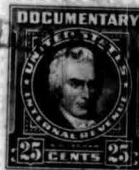
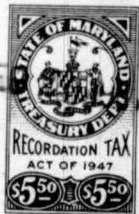
WITNESSETH: That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the said VERNON E. TAYLOR and MARGARET E. TAYLOR, his wife, and JOHN D. BOWMAN, JR., and CLITUS O. BOURDEAUX, Trustees, do hereby grant and convey unto ROBERT S. TOWNSEND, unmarried, all those lots, pieces or parcels situate, lying and being in Montgomery County, and being more particularly described as follows:

Parts of tracts of land called "PROSPECT HILL", "BERESFORD" & "VEXATION", Clarksburg District, Montgomery County, Maryland.

Beginning for the same at an iron pipe set at the end of a line drawn N.81°15'E. 60.00 feet from the end of 249.14 feet on the second line of a conveyance from Reuben Kephart, et ux, et al, to Holiday H. King, by deed dated the 21st day of November, 1898, and recorded in liber T.D. 6 at folio 243 among the Land Records of Montgomery County, Maryland, and running thence to include a part of said lands, N.81°15'E. 431.26 feet to an iron pipe now set on the ninth line of said conveyance, thence with part of said line, N.05°32'50"W. 928.18 feet to a tree in a fence corner at the end of said line, thence with part of the last line of said tract, N.83°19'W. 449.36 feet to an iron pipe now set (being 61.31 feet from an iron pin found in place at the end of said line), thence on a line drawn 60 feet easterly from and parallel to the first line of said conveyance, S.05°10'20"E. 800.60 feet to an iron pipe now set, thence on a line drawn 60 feet easterly from and parallel to the second line, S.08°45'E. 247.27 feet to the place of beginning and containing TEN (10.00) acres of land.

TOGETHER with a right of way, in common with the grantors herein, described as follows:

Beginning for said right of way at an iron pin found in place at the beginning of said conveyance to Holiday H. King, and running thence with the first line thereof, S.05°10'20"E. 815.07 feet to a stone found in place, thence with part of the second line, S.08°45'E. 249.14 feet, thence crossing over said lands, N.81°15'E. 60 feet to an iron pipe at the beginning of the Ten acre tract above described, thence with the last line thereof reversed, N.08°45'W. 247.27 feet to an iron pipe, thence with the fourth line thereof reversed, N.05°10'20"W. 800.60 feet to an iron pipe, thence with part of the third line reversed, S.83°19'E. 223.55 feet to the easterly end of a right of way 12 feet wide and 200 yards,





LIBER 2920 FOLIO 639

more or less, in length, described in a conveyance from Melvin W. Beall to Thurston B. King, et ux, by deed dated the 4th day of January, 1945 and recorded in liber 968 at folio 472 among said Land Records, thence to include said right of way, N. 06°41'E. 12 feet to the northerly side thereof, thence bounding thereon, N. 83°19'W. 284.56 feet to a point, thence N. 80°25'30"W. 306.12 feet to a point on the easterly side of the public road known as Burnt Mill Road, Maryland Route 121, thence bounding thereon, S. 45°34'30"W. 14.83 feet to a stone found in place at the westerly end of said 12 foot right of way, said stone being also at the beginning of a conveyance from Vernon E. Taylor, et ux, to Mary E. Sibley, et vir, by deed dated the 12th day of October, 1956, and recorded in liber 2271 at folio 323 among said Land Records, wherein the said Taylor reserved a right of way, 10 feet wide along the north boundary of said conveyance, thence to include said right of way, with part of the first line of said tract, along said Road, still S. 45°34'30"W. 12.36 feet to a point, thence leaving said road, on a line drawn 10 feet south of and parallel to the north boundary of said tract, S. 80°25'30"E. 325.04 feet to a point on the first line of this right of way as now described, thence reversing said line, N. 05°10'20"W. 10.34 feet to the place of beginning according to a survey by William Neal Hurley, Jr., dated December, 1961.

BEING part of the same land conveyed to Vernon E. Taylor and Margaret E. Taylor, his wife, by deed dated April 16, 1952, and recorded among the Land Records of Montgomery County, Maryland, in Liber 1663 at Folio 229.

THE said JOHN D. BOWMAN, JR., and CLITUS O. BOURDEAUX, Trustees under a Deed of Trust from Vernon E. Taylor and Margaret E. Taylor, his wife, dated December 12, 1958, to the Maryland State Bank of Montgomery County and recorded in Liber 2540 at Folio 43, join herein for the sole purpose of releasing the lien of said Deed of Trust on the property herein conveyed expressly reserving, however, said lien on the remainder of the property secured thereby.

TO HAVE AND TO HOLD unto the said ROBERT S. TOWNSEND, unmarried, his heirs, executors, administrators, and assigns, in fee simple forever.

TOGETHER with all and singular, the buildings and improvements thereon, and the rights, ways, waters, easements, privileges and appurtenances thereto belonging or in anywise appertaining.



AND, we, the said VERNON E. TAYLOR and MARGARET E. TAYLOR, his wife, do hereby covenant to warrant specially the lands and premises hereby intended to be conveyed, and further covenant to execute such other deed or deeds and assurances that may be requisite.

WITNESS our hands and seals.

Witness as to Taylors:

Vernon E. Taylor (SEAL)  
VERNON E. TAYLOR

M. Elaine Nichols  
M. Elaine Nichols

Margaret E. Taylor (SEAL)  
MARGARET E. TAYLOR, his wife

Witness as to Trustees:

John D. Bowman, Jr. (SEAL)  
JOHN D. BOWMAN, JR., Trustee

Shirley A. Ennis  
Shirley A. Ennis

Clitus O. Bourdeaux (SEAL)  
CLITUS O. BOURDEAUX, Trustee

M. Elaine Nichols  
M. Elaine Nichols

STATE OF MARYLAND  
COUNTY OF MONTGOMERY, to wit:

I HEREBY CERTIFY that on this 11th day of December, 1961, before me, the subscriber, a Notary Public of the State of Maryland, County of Montgomery, personally appeared VERNON E. TAYLOR and MARGARET E. TAYLOR, his wife, and did acknowledge the foregoing deed to be their act and deed.

As Witness my hand and seal.

M. Elaine Nichols  
M. Elaine Nichols  
NOTARY PUBLIC  
My Commission Expires: 5/6/63

STATE OF MARYLAND  
COUNTY OF MONTGOMERY, to wit:

I HEREBY CERTIFY that on this 18th day of December, 1961, before me, the subscriber, a Notary Public of the State of Maryland, County of Montgomery, personally appeared JOHN D. BOWMAN, JR., and CLITUS O. BOURDEAUX, Trustees, and did acknowledge the foregoing deed to be their act and deed.

As Witness my hand and seal.

M. Elaine Nichols  
M. Elaine Nichols  
NOTARY PUBLIC  
My Commission Expires: 5/6/63

We authorize the Trustees to execute this deed.

SUBURBAN TRUST COMPANY,  
Successor to Maryland  
State Bank of Montgomery  
County

By

John D. Bowman, Jr.  
John D. Bowman, Jr.  
X



# PLAT No 19732

## OWNER'S DEDICATION

WE, ANNIE L. CONTINETTI, JAMES R. CONTINETTI, ROBERT E. CONTINETTI, AND JACQUELYN C. SCOTT, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, UNLESS OTHERWISE SHOWN, ESTABLISH STREAM BUFFERS AS SHOWN, ESTABLISH THE PUBLIC UTILITY EASEMENT, FOR ALL UTILITY COMPANIES MENTIONED, PER TERMS AND CONDITIONS OF LIBER 3834, FOLIO 457 AND ESTABLISH COMMON DRIVEWAY EASEMENTS AS SHOWN AND ESTABLISH THE CONSERVATION EASEMENT AS SHOWN HEREON.

ALL PROPERTY CORNER MARKERS WILL BE SET IN ACCORDANCE WITH CHAPTER 50, SECTION 24 (E-2) OF THE MONTGOMERY COUNTY CODE.

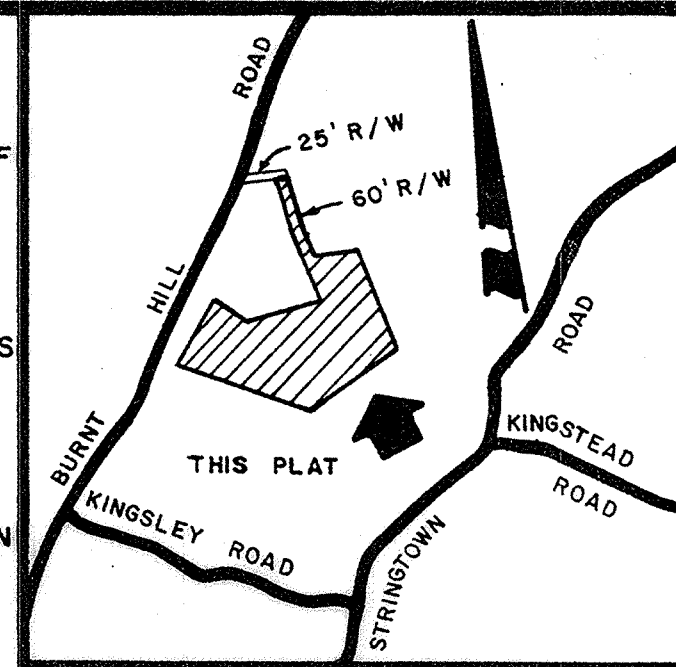
THERE ARE NO LEASES, LIENS, TRUSTS, ACTIONS AT LAW OR MORTGAGES ON THE PROPERTY SHOWN ON THIS PLAT EXCEPT A MORTGAGE AND THOSE HAVING AN INTEREST THEREIN HAVE INDICATED THEIR ASSENT HEREON.

## SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THAT THE FINAL PLAT SHOWN HEREON IS CORRECT; THAT IT IS A SUBDIVISION OF ALL OF THE LAND CONVEYED BY VERNON E. & MARGARET E. TAYLOR, his wife TO RENO A. (deceased) & ANNIE L. CONTINETTI, his wife BY DEED DATED DECEMBER 16, 1963 AND RECORDED IN LIBER 3171 AT FOLIO 132 \* AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, AND THAT ALL PROPERTY CORNER MARKERS WILL BE SET IN ACCORDANCE WITH CHAPTER 50, SECTION 24 (E-2) OF THE MONTGOMERY COUNTY CODE. THE TOTAL AREA INCLUDED ON THIS PLAT IS 46.6808 ACRES AND THE TOTAL AREA OF DEDICATION TO STREET IS NONE.

9-9-94  
DATE

WILLIAM L. WIRTS  
R.P.L.S. MD. No. 10721

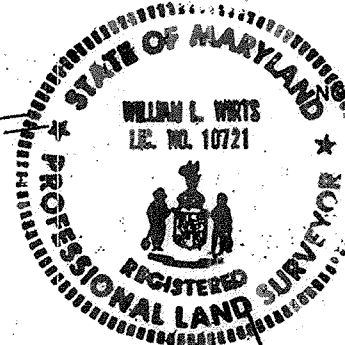


VICINITY MAP SCALE: 1" = 2000'

Witnesses and Assents:  
 John W. Sump 12/13/94 Annie L. CONTINETTI  
 William R. Feldman 12/19/94 James R. CONTINETTI  
 Karl H. Hensley 10/5/94 Robert E. CONTINETTI  
 Cindy Wilmoth 12/16/94 Jacquelyn C. SCOTT

MORTGAGEE'S ASSENT  
 I, HEREBY ASSENT TO THIS PLAN OF SUBDIVISION.  
 FOR BANK OF BOSTON

James E. Johnson 12/13/94 Senior Vice Pres.  
 CENTRAL MARYLAND FARM CREDIT

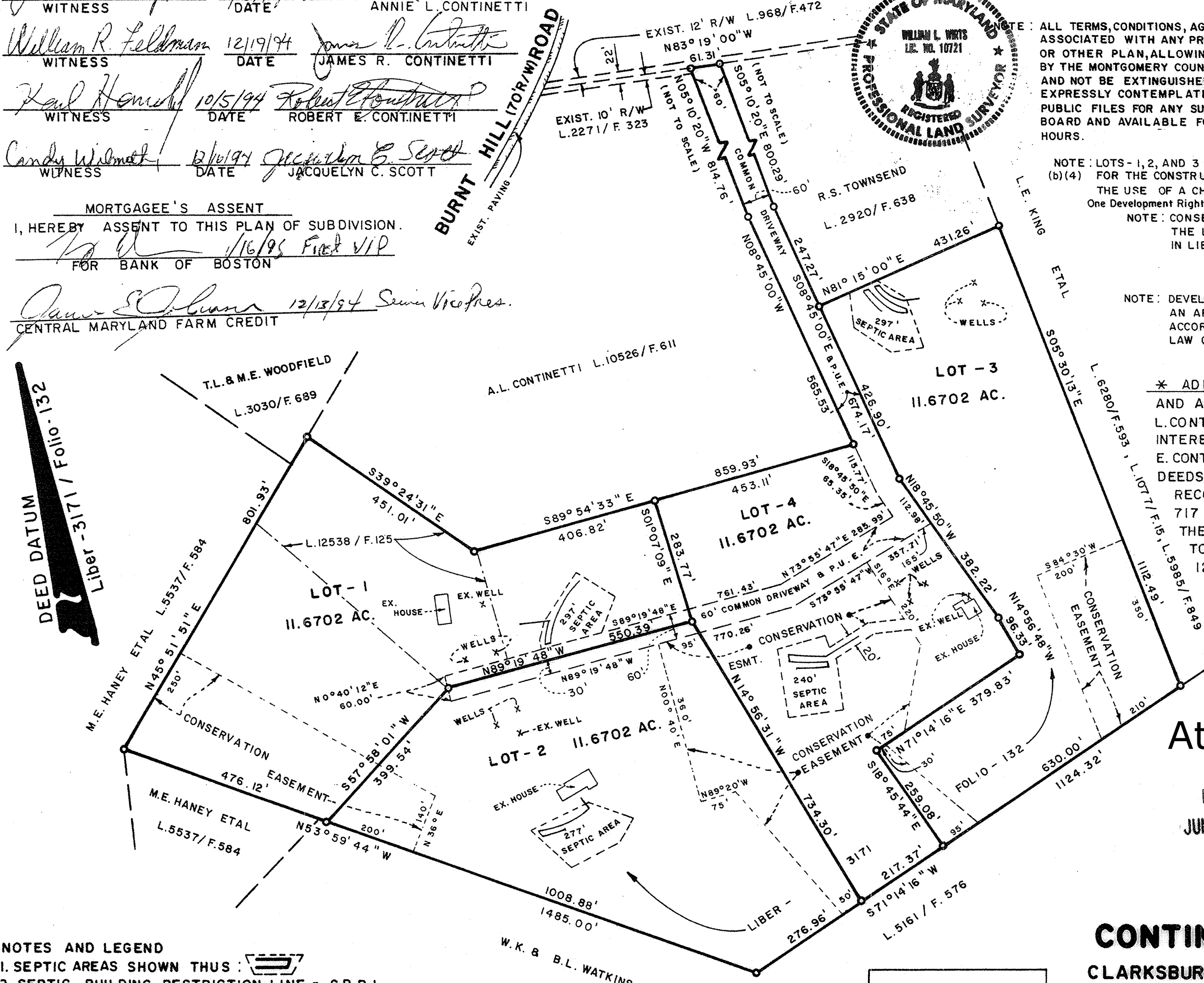


NOTE: ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, PROJECT PLAN OR OTHER PLAN, ALLOWING DEVELOPMENT OF THIS PROPERTY, APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD ARE INTENDED TO SURVIVE AND NOT BE EXTINGUISHED BY THE RECORDATION OF THIS PLAT, UNLESS EXPRESSLY CONTEMPLATED BY THE PLAN AS APPROVED. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.

NOTE: LOTS 1, 2, AND 3 ARE CREATED PURSUANT TO SECT. 59-C-9.74 (b)(4) FOR THE CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE FOR THE USE OF A CHILD OF THE PROPERTY OWNER ANNIE L. CONTINETTI. One Development Right Must Be Available For Each Single Family Residence.  
 NOTE: CONSERVATION EASEMENT IS RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY IN LIBER 13178 AT FOLIO 412.

NOTE: DEVELOPMENT SUBJECT TO THE CONDITIONS OF AN APPROVED FOREST CONSERVATION PLAN IN ACCORDANCE WITH THE FOREST CONSERVATION LAW OF 1992.

\* ADDENDUM TO SURVEYOR'S CERTIFICATE  
 AND ALL OF THE LAND CONVEYED BY ANNIE L. CONTINETTI (AS TO 28.56% UNDIVIDED INTEREST) TO JAMES R. CONTINETTI AND ROBERT E. CONTINETTI AND JACQUELYN C. SCOTT BY DEEDS DATED DECEMBER 28, 1993 AND RECORDED IN LIBER - 12206 AT FOLIO - 686, 717 AND 695, RESPECTIVELY AND ALL OF THE LAND CONVEYED BY ANNIE L. CONTINETTI TO JAMES R. CONTINETTI (SAME AS LIBER 12206 AT FOLIO - 686) BY DEED DATED APRIL 15, 1994 AND RECORDED IN LIBER - 12538 AT FOLIO - 125, ALL.



### Attachment E

FILED  
 JUN - 6 1995

LOTS 1 TO 4

**CONTINETTI ESTATES**  
 CLARKSBURG ELECTION DISTRICT No. 2  
 MONTGOMERY COUNTY, MARYLAND  
 SCALE: 1" = 200' AUGUST, 1994

TRI-COUNTY SURVEYS, INC.  
 BOX 55  
 DAMASCUS, MD. 20872  
 PHONE: 831 - 3655

## NOTES AND LEGEND

1. SEPTIC AREAS SHOWN THUS: [Symbol]
2. SEPTIC BUILDING RESTRICTION LINE = S.B.R.L.
3. MAXIMUM NO. OF BEDROOMS PERMITTED A LOT IS 6 FOR LOT-2 & 5 FOR LOTS-1, 3 AND 4
4. SEPTIC B.R.L. SUBJECT TO CHANGE WITH REAPPROVAL OF HEALTH DEPT.
5. LOTS SHOWN ON APPROVED PRELIMINARY PLAN NO. 1-94050

295094194050RDT042197

MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION - MONTGOMERY COUNTY PLANNING BOARD  
 APPROVED: OCTOBER 6, 1994

CHAIRMAN: [Signature]  
 ASST. SECRETARY / TREASURER: [Signature]  
 M.N.C.P. & P.C. RECORD FILE No. 505-90 295094

MONTGOMERY COUNTY, MARYLAND  
 DEPARTMENT OF TRANSPORTATION  
 APPROVED: April 13, 1995

FOR DIRECTOR: [Signature]

MONTGOMERY COUNTY, MARYLAND  
 DEPARTMENT OF HEALTH  
 APPROVED: May 15, 1995

Acting HEALTH OFFICER: [Signature]

RECORDED: \_\_\_\_\_  
 PLAT BOOK: \_\_\_\_\_  
 PLAT NO: \_\_\_\_\_



# Attachment G

LIBER 2271 FOLIO 323

Recorded Oct. 22nd, 1956-at-2:30 P. M.

## THIS DEED

Made this 12<sup>th</sup> day of October, in the year Nineteen hundred and fifty-six, by and between VERNON E. TAYLOR and MARGARET E. TAYLOR, his wife, of the first part, and MARY E. SIBLEY, and HOWARD E. SIBLEY, her husband, of the second part.

WITNESSETH, that for and in consideration of the sum of Ten Dollars (\$10.00), the said parties of the first part do grant and convey unto the said party of the second part, in fee simple, the following described land and premises, with the improvements, easements and appurtenances thereunto belonging, situate, lying and being in Montgomery County, State of Maryland, namely:

Part of a tract of land in said County and State, which is known as "Prospect Hill", "Beresford", or "Vexation", or by whatever name or names the same may be called, and beginning for the same at a Flint Stone formerly set for the beginning of the parcel of land described in the deed from Harry F. Appleby and Marguerite A. Appleby, his wife, to Vernon E. Taylor and Margaret E. Taylor, his wife, dated December 5, 1952, and recorded among the Land Records of Montgomery County, in Liber C.K.W. No. 1738, folio 162 &c., and running thence with the outlines of the said deed with the corrections made to conform with the monuments, markers and old fences

- (1) South 48° West 148.5'
- (2) South 41° West 528' to an iron pin set on the southeast margin of the Md. Rt. No. 121; thence leaving the said road and running
- (3) South 47½° East 238.5' to a stake;
- (4) South 42½° West 561' to a stone;
- (5) South 38° East 450' to a stone;
- (6) South 88½° East 858' to a stake set at the corner of the old fence and on the west margin of an old road; thence running with the said old road
- (7) North 8-¾° West 568' to a stone formerly set on the said west margin of the said old road;
- (8) North 6° West 825' to an iron pin now set in the north margin of the said old road and on a turn of the road;
- (9) North 78° West 313.5' to the place of beginning and containing 25 acres of land, more or less, according to a survey thereof by J. Harry Koller, Registered Land Surveyor, October 5, 1956.

Reserving, however, to the grantors herein, their heirs and assigns, a perpetual right-of-way in common with the grantees herein, for the purpose of ingress and egress, 10' wide along the north boundary hereof to State Route 121.

BEING the same land described in liber 1738, folio 162.

TOGETHER WITH the joint right to use the existing roadway over other lands of the grantor, extending east from State Route 121, along the north line of the parcel herein described, and

JOHN D. BOWMAN  
ATTORNEY AT LAW  
ROCKVILLE, MD.



100



trustees before execution and delivery hereof.

Witness their hands and seals this 16th day of May, A. D., 1945.

Signed, sealed and delivered

Harry R. Rust, Junior (Seal)

in the presence of

Trustee

Elizabeth V. Franzoni

Geo. Calvert Bowie (Seal)

Trustee

United States of America, District of Columbia, to wit:

I, Elizabeth V. Franzoni, a Notary Public in and for the District of Columbia, do hereby certify that on this .. day of May, A. D., 1945, Harry L. Rust, Junior and Geo. Calvert Bowie, trustees, parties to a certain deed bearing date on the 16th day of May, 1945 and hereto annexed, personally appeared before me in said District the said Harry L. Rust, Junior, and Geo. Calvert Bowie, being personally well known to me as the persons who executed the said deed, and acknowledged the same to be their act and deed.

Given under my hand and seal this 16th day of May, 1945.

Elizabeth V. Franzoni

Elizabeth V. Franzoni

Notary Public, D. C.

Notary Public

District of

Columbia

EXAM

Mailed to:

T. B. King

Clarkburg Md.

R. #1

7-21-45

At the request of Thurston B. King and Pomona King the following Deed was recorded May 22nd, A. D., 1945 at 10:41 o'clock, A. M., to wit:  
Deed

This Deed, made this 4th day of January, 1945, by Melvin W. Beall to Thurston B. King and Pomona King, his wife, for the sum of five dollars, and other considerations does sell and convey a piece or parcel of land along the south west side of the Melvin W. Beall land on the boundry line of Charlie Kephart;

Beginning at the County road and running east to the corner and line of Thurston B. King and Pomona King, his wife, twelve feet wide and aproximately two hundred yards long.

Witness our hand and seal.

W. Lloyd Burdette

Melvin W. Beall (Seal)

W. Lloyd Burdette

Eva M. Beall (Seal)

State of Maryland, Montgomery County, to wit:

I hereby certify that on this 4th day of January, 1945, before me, the subscriber, a Notary Public in and for the County and State aforesaid, personally appeared Melvin W. Beall and Eva M. Beall, his wife, and acknowledged the foregoing deed to be their wilful act.

W. Lloyd Burdette

W. Lloyd Burdette

Notary Public

Notary Public

Montgomery

Co., Md.

EXAM

EXAM

**STATEMENT OF JUSTIFICATION IN SUPPORT OF  
ADMINISTRATIVE SUBDIVISION PLAN #620250080  
FOREST CONSERVATION PLAN F20250380**

On behalf of the applicant, Arlindo and Maria Neiva, we hereby submit this Statement of Justification setting forth the facts and reasons in support of approval of the Proposed Administrative Subdivision Application #620250080 and Forest Conservation Plan #F20250380.

**I. Introduction**

This subdivision application proposes to create one (1) lot from existing unrecorded parcel, P920.

The application for approval of an Administrative Subdivision Plan and Forest Conservation Plan is being filed pursuant to Section 50.6.3.C of the Subdivision Regulations (Chapter 50 of the Montgomery County Code, 2017) and the development standards applicable to property classified in the AR zone. This proposed subdivision plan provides a form of development consistent with the approved and adopted Damascus Master Plan.

**II. Subject Property Description**

The subject property is comprised of parcel, P920 containing 435,623 square feet or 10.00 acres. The property is located approximately 420 feet east of Burnt Hill Road along a private unnamed driveway in Clarksburg, Montgomery County.

**III. Approval Criteria**

- 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 proposed subdivision of the subject property into one residential lot is in full compliance with the objectives and general land use recommendations of the Damascus Master Plan and AR zoning. The proposed 10.00-acre lot will meet all zoning requirements, including size, width, setbacks, use and other required components of the zone. The applicant proposes to construct a single-family residential house on the lot, which is a permitted use in the AR zone.

- 2. The administrative subdivision plan substantially conforms to the master plan;*



The Damascus Master Plan does not address this property specifically, but the general area is within the Agricultural Reserve zoning with agriculture the preferred use, although low density residential is a permitted use within the zone. This project proposes a single lot that will be used to construct a single-family residence, and thus substantially complies with that recommendation.

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

*According to the 2024 Update to the Subdivision Staging Policy (Growth and Infrastructure Policy), the subject property is located in the Turnover Impact Area for schools and the Rural West (Green) Transportation Policy Area;*

Since this application for 1 lot will generate less than 50 peak-hour person trips this subdivision is exempt from Local Area Transportation Review (LATR) under the SSP. Therefore, roads and transportation facilities are adequate to support this subdivision application.

Schools serving this proposed subdivision are the Little Bennett Elementary School, Rocky Hill Middle School, and Clarksburg High School. Based on the FY2025 school test results, the enrollment for all schools is listed as below the projected school capacity.

The subject property will be served by a private well and septic system. Additionally, dry utilities including electric and communications lines are available adjacent to the property.

Police, fire, and health services are adequate to serve the property. The subject property is located in Police District 5 and would be served by Fire Station 35 located on Frederick Road in Clarksburg. Holy Cross Germantown Hospital is the closest medical facility.

4. *All Forest Conservation Law, [Chapter 22A](#) requirements are satisfied;*

A forest conservation plan, F20250380, has been designed and submitted with the application in accordance with Chapter 22A of the County Code. All criteria for forest conservation approval have been met. The property will retain sufficient existing forest cover and place it in a Category 1 easement to meet the requirements of the Code.

5. *all stormwater management, water quality plan, and floodplain requirements of [Chapter 19](#) are satisfied;*

A stormwater management Concept Plan has been submitted for approval by the County Department of Permitting Services. The stormwater management concept plan provides stormwater runoff treatment for the proposed impervious areas using Environmental Site

Design (ESD) to the Maximum Extent Practicable (MEP). There are no mapped floodplains on the property and no work is proposed in or near any stream buffer.

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;*

A review of the Montgomery County Cemetery Inventory shows there are no burial sites on or near the property. There are no other known burial sites on the property.

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

This property is located in water and sewer service categories W-6 and S-6. It will be served by private well and septic. Well and septic field locations are shown on the proposed plans in accordance with MCDPS regulations. Approval from MCDPS will be obtained prior to approval of this plan.

According to the Montgomery County's Master Plan of Highways and Transitways, Burnt Hill Road, as it is accessed from the private driveway from the subject property is classified as a Rustic Road with an ultimate right of way of 70'. Since the property does not front on the public road, no dedication is proposed.

#### **IV. Conclusion**

On behalf of the Applicant, 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, and hereby requests that the subject application be approved as submitted. Thus, the Applicant respectfully requests that the Planning Director grant approval of this application, which will permit the creation of one lot in the AR zone.

Respectfully Submitted,  
SITE SOLUTIONS, INC.

Jeffrey S. Lewis, P.E.  
Principal