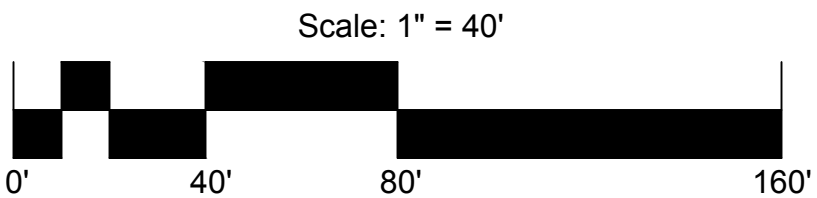
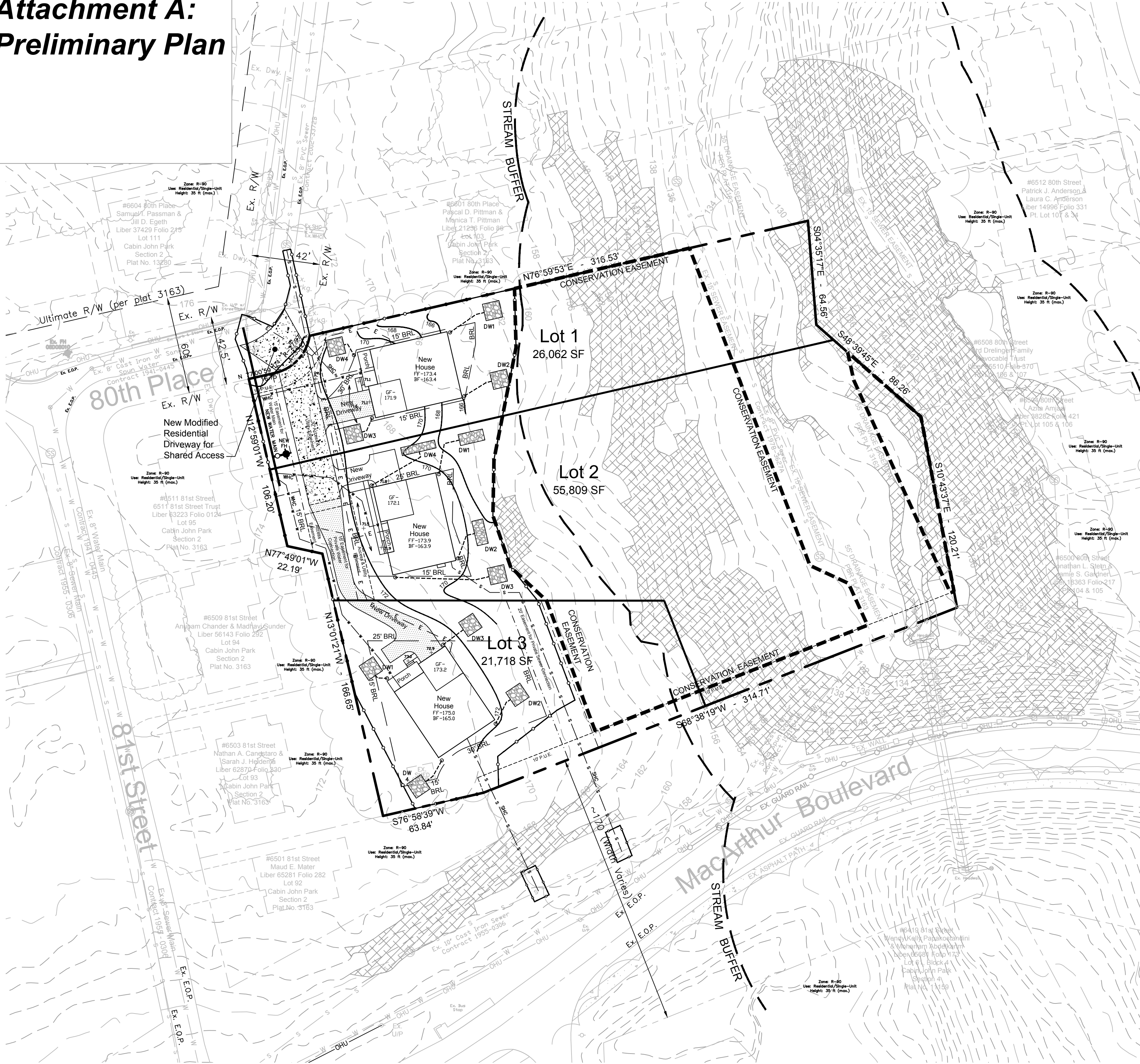


Attachment A:  
Preliminary Plan



PROPERTY BOUNDARY FROM A SURVEY BY:  
Goode Surveys, LLC  
PO BOX 599  
Damascus, MD 20832  
(301)368-3700

**Professional Certification:**  
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed landscape architect registered to practice in the State of Maryland.

Signature: [Signature] Date: 07-02-2025 Exp. Date: 10-21-2026



**Surveyor's Certification:**  
I hereby certify that I am a duly licensed property line surveyor licensed to practice in the State of Maryland. I hereby affirm the accuracy of boundary lines, topographic data, and other data shown on this plan.  
Signature: [Signature] Date: 11/18/24 Exp. Date: 12/10/26



Note: Coordination with the National Park Service and/or the Army Corps of Engineers is necessary for any activities such as, but not limited to, utility connections and construction traffic within the MacArthur Boulevard right-of-way.

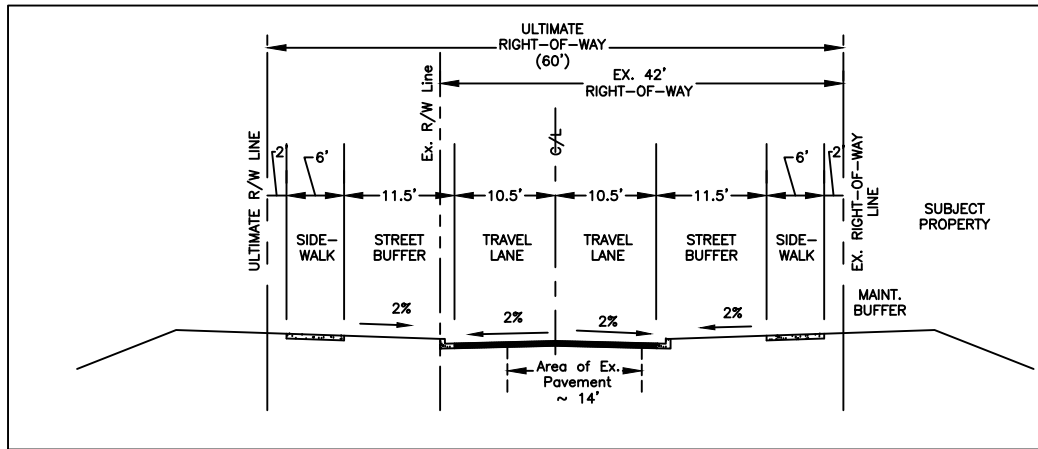
Note: An on-site pre-construction meeting is required to be set up with the MNCPPC inspection staff before any demo, clearing, or grading occurs on-site. The owner or his designee who has signature authority, and the general contractor must attend the pre-construction meeting with the MNCPPC inspector. A copy of the approved Certified Preliminary 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:

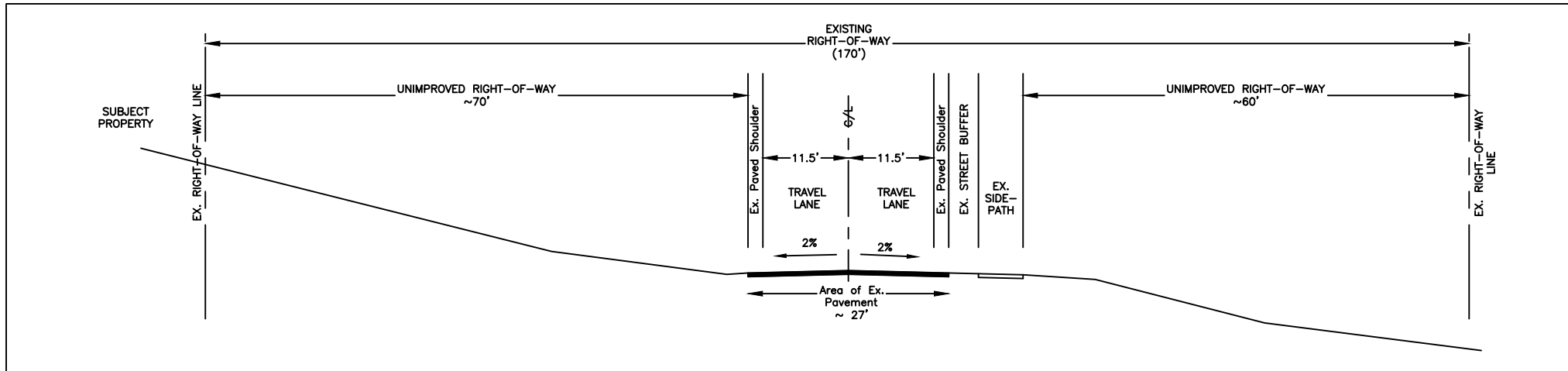
- Total area of project - 2.38 Acres (103,591 sf)
- Total number of dwelling units permitted in the R-90 Zone - 4.84 Units/Ac = 11
- No. of residential lots (dwelling units) proposed by this plan - 3
- Method of Development Proposed - Standard
- Area to be dedicated to streets by this plan - 0 SF (0.0 AC)
- Property is located in the Rock Run watershed (Use Class I-P).
- Existing sewer and water service categories: S-1, W-1
- Lots to be served by public sewer and public water.
- Source of Two-foot Contour Interval Topography: M-NCPPC GIS Data Sheet 208NW08.

LEGEND:

EX. CANOPY COVERAGE	
EX. BUILDING	
EX. INDEX CONTOUR (2' INTERVAL)	
EX. INTERMEDIATE CONTOUR	
EX. OVERHEAD UTILITIES	
PROPERTY BOUNDARY (SUBJECT)	
PROPERTY LINE (ADJOINING)	
EX. SEWER LINE	
EX. SEWER MANHOLE	
EX. SLOPES ≥ 25%	
SOILS SERIES DIVIDE	
EX. STREAM	
STREAM BUFFER	
EX. UTILITY POLE	
EX. WATER LINE	
PROP. BUILDING RESTRICTION LINE	
PROPOSED BUILDING	
PROP. COMMON DRIVEWAY	
PROPOSED PRIVATE DRIVEWAY	
PROP. SEWER CONNECTION	
PROP. STORMWATER MANAGEMENT (Drywell, Micro Infiltration Trench)	
PROP. UNDERGROUND UTILITY	
PROP. WATER CONNECTION	
PROP. LIMIT-OF-DISTURBANCE	
PROP. LOT LINE	
PROP. CONTOUR	
PROP. SPOT ELEVATION	
PROP. CONSERVATION EASEMENT	



Section  
80th PLACE  
Horizontal: 1"=20'  
Vertical: Not to Scale



Section  
MacArthur Boulevard  
Horizontal: 1"=20'  
Vertical: Not to Scale

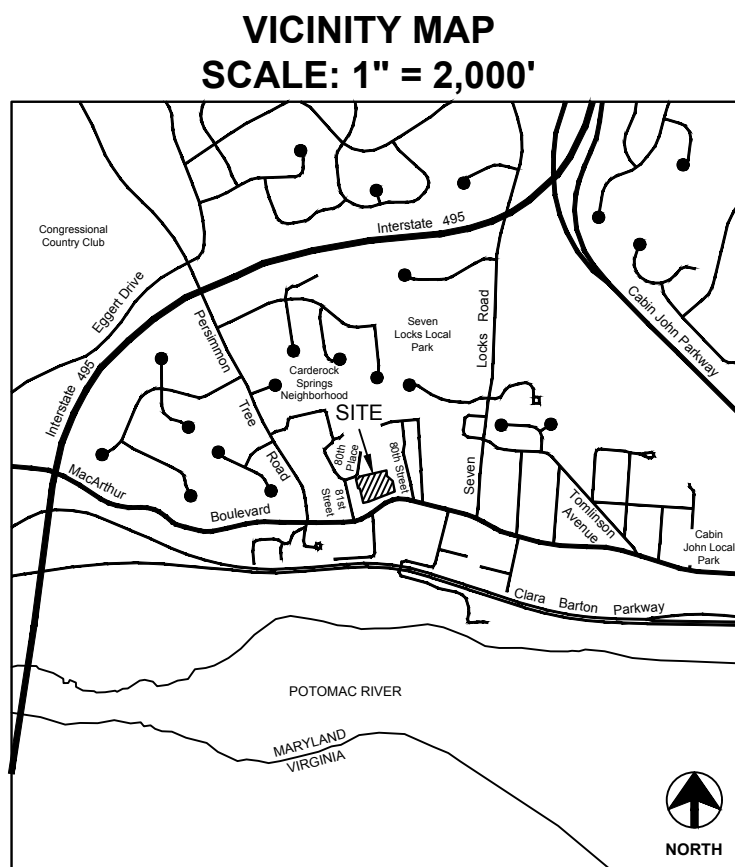
- NOTES:
- This section as shown represents the existing conditions of MacArthur Boulevard as currently built in front of the site.
  - MacArthur Boulevard is currently classified as an Area Connector with a variable right-of-way width. This designation supercedes the Bethesda-Chevy Chase Master Plan which identified the roadway as an Arterial (A-300).
  - The right-of-way width along the site frontage is approximately 170 feet wide.
  - The Bicycle Master Plan calls for a sidepath along the south side of the road which is existing plus bikeable shoulders.

ZONING DATA TABLE

ZONE: R-90	Req.	Lot 1	Lot 2	Lot 3
Lot Area (min)	9,000 SF	26,062 SF	55,809 SF	21,718 SF
Lot Width at Front Building Line (min)	75'	86'	172'	177'
Lot Width at Front Lot Line (min)	25'	48'	167'	147'
Frontage on Street	Required	Provided	Provided	Provided
Coverage (max)*	30%	30% or less	30% or less	30% or less
Principal Building Front Setback (min)	30'	30' or greater	30' or greater	30' or greater
Prinipal Building Side Setback (min)	8'	8' or greater	8' or greater	8' or greater
Principal Building Sum of Side Setbacks (min)	25'	25' or greater	25' or greater	25' or greater
Principal Building Rear Setback (min)	25'	25' or greater	25' or greater	25' or greater
Height (max)	35' to highest point of roof surface, or 30' to mean height between eaves and ridge of gable, hip, mansard, or gambrel roof	Will Not Exceed Maximum Allowed	Will Not Exceed Maximum Allowed	Will Not Exceed Maximum Allowed

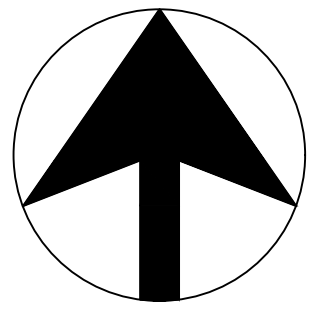
\* the proposed lots are not subject to the Residential Infill Compatibility coverage requirements of Chapter 59-4.4.1.B.2.; the lots were not created by a plat recorded before January 1, 1978, the lots were not created by a plat of resubdivision of fewer than 6 lots from a lot previously created by a plat recorded before January 1, 1978.

- 80th PLACE NOTES:
- 80th Place has an existing right-of-way width of ~42.5 feet.
  - A 25-foot portion was dedicated by plat #249 (originally called Valley Road).
  - Additional dedication was granted along the south and east sides of 80th Place by plat #3163.
  - Plat 3163 suggested an ultimate right-of-way of 60 feet with future dedication along the north and west sides.
  - 80th Place is classified as a Neighborhood Street which requires a minimum right-of-way width of 60 feet per Montgomery County Code Chapter 49: Section 49-32(c)(5).



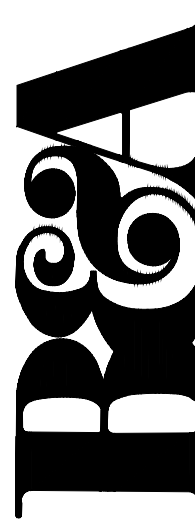
Prepared for:  
4205 Saul Road, LLC  
c/o Dan Demberia  
8306 Melody Court  
Bethesda, MD 20817  
(301) 983-4319

Revisions
Rev. 07-02-2025



date: 01/23/2025  
scale: 1" = 40'

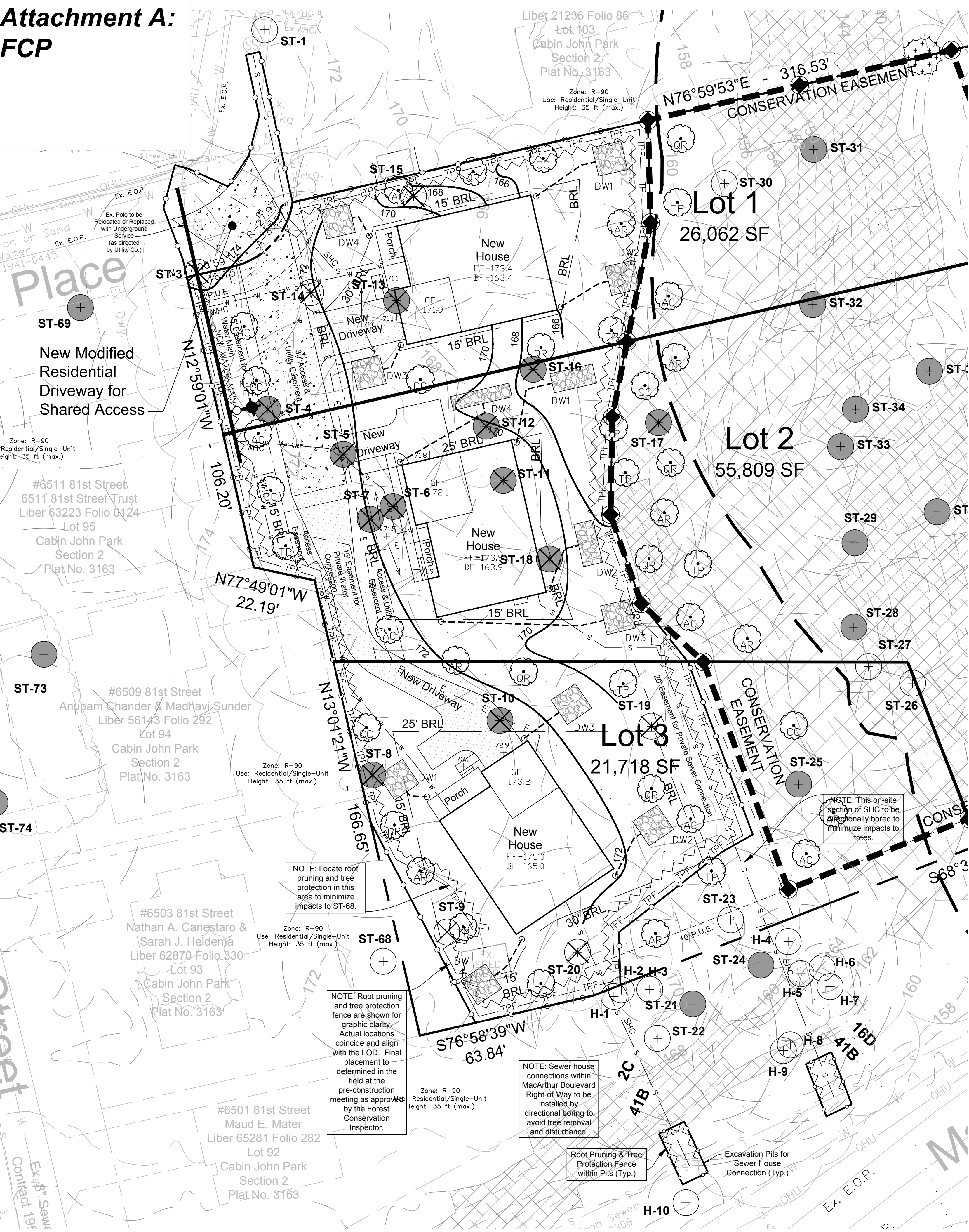
Benning & Associates, Inc.  
Land Planning Consultants  
8933 Shady Grove Court  
Gaithersburg, MD 20877  
(301)948-0240



PRELIMINARY PLAN  
Cabin John Park  
Election District 07  
Parcel 167; Tax Map GN121  
Montgomery County, Maryland

WSSC GRID 208NW08
TAX MAP GN121
M-NCPPC FILE NO. 120250080
SHEET 4 OF 5

Attachment A:  
FCP



Specimen Tree Mitigation	
Spec. Tree T.B.R.	DBH
ST-4	43.0"
ST-5	33.3"
ST-6	34.3"
ST-7	47.3"
ST-8	33.9"
ST-10	39.4"
ST-11	48.9"
ST-12	31.8"
ST-13	44.4"
ST-16	43.0"
ST-17	48.5"
ST-18	35.0"
Total Caliper Removed	482.8"
Replacement Required	121"

**DEVELOPER'S CERTIFICATE**

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. F20250330 including, financial bonding, forest planting, maintenance and all other application agreements.

Developer's Name: 4205 Saul Road LLC  
Print Company Name

Contact Person or Owner: Dan Demeria  
Print Name

Address: 8306 Melody Ct. Bethesda, MD 20817

Phone # and Email: (301)983-4319, dan@potomacheritagehomes.com

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

VARIANCE MITIGATION PLANTING SCHEDULE*					
QUANTITY	TREE ID	BOTANICAL NAME	COMMON NAME	SIZE (D.B.H.)	COMMENTS
8	AC	Amelanchier canadensis	Servicberry	3"	B&B
8	AR	Acer Rubrum	Red Maple	3"	B&B
8	CC	Cercis canadensis	Redbud	3"	B&B
9	TP	Liriodendron tulipifera	Tulip Poplar	3"	B&B
8	QR	Quercus rubra	N. Red Oak	3"	B&B

\* total planting = 123"

Note: Coordination with the National Park Service and/or the Army Corps of Engineers is necessary for any activities such as, but not limited to, utility connections and construction traffic within the MacArthur Boulevard right-of-way.

Professional Certification:

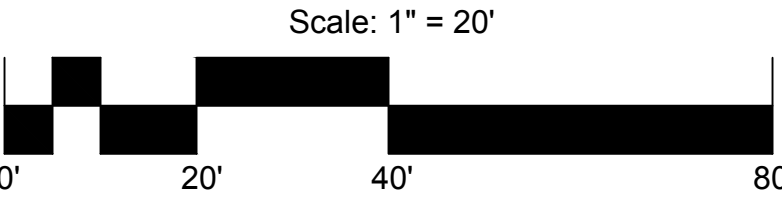
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed landscape architect registered to practice in the State of Maryland.

Signature: \_\_\_\_\_ Date: 07-02-2025 Exp. Date: 10-21-2026



LEGEND:

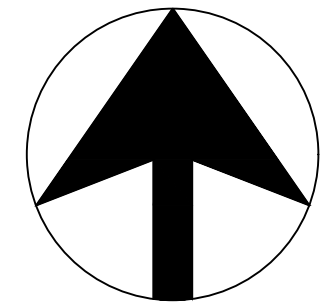
- EX. CANOPY COVERAGE
- EX. BUILDING
- EX. INDEX CONTOUR (2" INTERVAL)
- EX. INTERMEDIATE CONTOUR
- EX. OVERHEAD UTILITIES
- PROPERTY BOUNDARY (SUBJECT)
- PROPERTY LINE (ADJOINING)
- EX. SEWER LINE
- EX. SEWER MANHOLE
- EX. SLOPES ≥ 25%
- EX. SLOPES ≥ 15% ON HIGHLY ERODIBLE SOILS
- SOILS SERIES DIVIDE
- STREAM BUFFER
- EX. UTILITY POLE
- EX. WATER LINE
- EX. SIGNIFICANT TREE
- EX. SPECIMEN TREE
- EX. CRITICAL ROOT ZONE (CRZ)
- PROP. BUILDING RESTRICTION LINE
- PROPOSED BUILDING
- PROP. COMMON DRIVEWAY
- PROPOSED PRIVATE DRIVEWAY
- PROP. SEWER CONNECTION
- PROP. STORMWATER MANAGEMENT (Drywell, Micro Infiltration Trench)
- PROP. UNDERGROUND UTILITY
- PROP. WATER CONNECTION
- PROP. LIMIT-OF-DISTURBANCE
- PROP. LOT LINE
- PROP. CONTOUR
- PROP. SPOT ELEVATION
- PROP. CONSERVATION EASEMENT
- PROP. CONSERVATION EASEMENT SIGNAGE
- PROP. TREE PROTECTION FENCE & SIGNS
- PROP. ROOT PRUNING
- SIGNIFICANT / SPECIMEN TREE TO BE REMOVED
- REPLACEMENT PLANTING



HISTORIC SETTING TREE TABLE							
TREE NUMBER	BOTANICAL NAME	COMMON NAME	SIZE (D.B.H.)	TREE CONDITION	COMMENTS	PERCENTAGE OF CRZ IMPACTED	STATUS
H-1**	Juglans nigra	Black Walnut	11.2"	Moderate-Poor	Probable basal rot, English Ivy and Poison Ivy climbing tree, unbalanced canopy, phototropic lean	27	To Remain
H-2**	Carya glabra	Pignut Hickory	21.0"	Poor	Basal rot, English Ivy on trunk, adventitious limbs, co-dominate leaders	29	To Remain
H-3**	Celtis occidentalis	Common Hackberry	8.0"	Moderate	Covered with English Ivy, cannot see tree	<1	To Remain
H-4	Platanus occidentalis	American Sycamore	23.5"	Moderate-Poor	Probable basal rot, English Ivy climbing trunk, phototropic lean, thin canopy	0	To Remain
H-5	Liriodendron tulipifera	Tulip Poplar	16.5"	Moderate	English Ivy on trunk, Bittersweet in canopy, dead broken limbs with decay, adventitious limbs, co-dominate leaders	0	To Remain
H-6	Celtis occidentalis	Common Hackberry	5.8"	Moderate	Galls on trunk, lost leader, covered in English Ivy, adventitious limbs	0	To Remain
H-7	Paulownia tomentosa	Princess Tree	7.3"	Poor	Basal rot, phototropic lean, dead leader, saproxytic damage, Bittersweet covering canopy	0	To Remain
H-8**	Paulownia tomentosa	Princess Tree	18.5"	Poor-Dead	Basal rot, open cavity with decay, English Ivy and Bittersweet in canopy, dead scaffold limb, dead leader, broken dead limbs with decay	8	To Remain
H-9**	Paulownia tomentosa	Princess Tree	21.7"	Poor-Dead	Basal rot, responded wood growth in trunk, co-dominate leaders, several Bittersweet vines in canopy, broken dead limbs, snags	6	To Remain
H-10**	Ulmus americana	American Elm	9.0"	Poor-Dead	Basal rot, massive phototropic lean, canopy is covered with multiple vine species, galls on trunk, co-dominate leaders, unbalanced canopy	8	To Remain

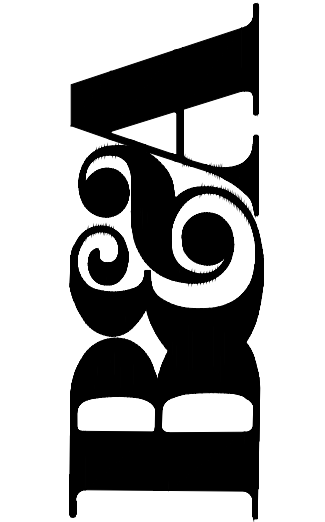
\*\* HISTORIC SETTING TREE WHICH REQUIRES VARIANCE FOR IMPACT

Revisions
Rev. 07-02-2025



date: 01/23/2025  
scale: 1" = 20'

Beming & Associates, Inc.  
Land Planning Consultants  
8933 Shady Grove Court  
Gaithersburg, MD 20877  
(301)948-0240



PRELIMINARY / FINAL FOREST CONSERVATION PLAN  
Cabin John Park  
Election District 07  
Parcel 167; Tax Map GN121  
Montgomery County, Maryland

# Benning & Associates, Inc.

LAND PLANNING CONSULTANTS  
8933 Shady Grove Court  
Gaithersburg, MD 20877  
Phone: 301-948-0240  
E-mail: [dmckee@benninglandplan.com](mailto:dmckee@benninglandplan.com)

**To:** Elza Hisel-McCoy, Chief – M-NCPPC West County Planning Area

**From:** David W. McKee

**Date:** 01-23-2025 (Revised 10-31-25)

**Re:** Cabin John Park – MNCPPC File Nos. 120250080 & F20250330

---

Dear Mr. Hisel-McCoy,

In accordance with the requirements of Section 22A-21 of the County Code and on behalf of the applicant for this project, I am writing to request a variance from certain provisions of Chapter 22 as it applies to this project. Specifically, a variance is required to impact or remove specimen trees.

A total of 21 trees which are specimen-size for their species are proposed to be impacted or removed. In addition, the property is adjacent to MacArthur Boulevard which is a designated historic resource. Seven (7) additional trees within the MacArthur Boulevard historic setting which are impacted are included in this variance request (including ST-22). The 28 trees requiring a variance are as follows:

SPECIMEN TREE CHART						
TREE NUMBER	BOTANICAL NAME	COMMON NAME	SIZE (D.B.H.)	TREE CONDITION	%CRZ IMPACTED	Status
ST-4	Liriodendron tulipifera	Tulip Poplar	43.0"	Poor	100%	Remove
ST-5	Liriodendron tulipifera	Tulip Poplar	33.3"	Moderate	100%	Remove
ST-6	Liriodendron tulipifera	Tulip Poplar	34.3"	Moderate	100%	Remove
ST-7	Liriodendron tulipifera	Tulip Poplar	47.3"	Moderate-Poor	100%	Remove
ST-8	Liriodendron tulipifera	Tulip Poplar	33.9"	Moderate	100%	Remove

ST-10	Liriodendron tulipifera	Tulip Poplar	39.4"	Moderate	100%	Remove
ST-11	Liriodendron tulipifera	Tulip Poplar	48.9"	Poor	100%	Remove
ST-12	Liriodendron tulipifera	Tulip Poplar	31.8"	Moderate	100%	Remove
ST-13	Liriodendron tulipifera	Tulip Poplar	44.4"	Moderate	100%	Remove
ST-16	Liriodendron tulipifera	Tulip Poplar	43.0"	Moderate-Poor	100%	Remove
ST-17	Liriodendron tulipifera	Tulip Poplar	48.5"	Moderate	38%	Remove
ST-18	Liriodendron tulipifera	Tulip Poplar	35.0"	Poor	100%	Remove
ST-21	Liriodendron tulipifera	Tulip Poplar	38.5"	Moderate-Poor	16%	To Remain
ST-22	Platanus occidentalis	American Sycamore	28.4"	Moderate	2%	To Remain
ST-24	Liriodendron tulipifera	Tulip Poplar	32.5"	Poor	1%	To Remain
ST-25	Liriodendron tulipifera	Tulip Poplar	40.6"	Moderate	19%	To Remain
ST-28	Liriodendron tulipifera	Tulip Poplar	45.4"	Moderate	3%	To Remain
ST-29	Liriodendron tulipifera	Tulip Poplar	35.6"	Moderate	11%	To Remain
ST-31	Liriodendron tulipifera	Tulip Poplar	43.3"	Moderate	1%	To Remain
ST-32	Liriodendron tulipifera	Tulip Poplar	39.4"	Moderate	1%	To Remain
ST-38	Liriodendron tulipifera	Tulip Poplar	65.0"	Moderate	<1%	To Remain
ST-69	Platanus occidentalis	American Sycamore	38.3"	Moderate	10%	To Remain

H-1	Juglans nigra	Black Walnut	11.2"	Moderate-Poor	27	To Remain
H-2	Carya Glabra	Pignut Hickory	21.0"	Poor	29	To Remain
H-3	Celtis occidentalis	Common Hackberry	8.0"	Moderate	<1	To Remain
H-8	Paulownia tomentosa	Princess Tree	18.5"	Poor-Dead	8	To Remain
H-9	Paulownia tomentosa	Princess Tree	21.7"	Poor-Dead	6	To Remain
H-10	Ulmus americana	American Elm	9.0"	Poor-Dead	8	To Remain

The subject application proposes to create 3 new building lots for the construction of 3 new single-family homes. The NRI/FSD plan prepared for the property identifies that there are 53 specimen trees located on or near the site. The subject property is entirely forested and contains many large trees.

Specific impacts to the 28 trees included in this variance request are as follows:

Each of the 28 trees is impacted by proposed grading, installation of a new driveway, construction of the 3 new homes, installation of utilities, and installation of stormwater management measures. Trees inside the limit-of-disturbance (LOD) line of the project are identified as having 100% critical-root-zone impact. Trees outside of the LOD have lesser impacts and are proposed to be retained except for 1 of the trees (ST-17) which will be significantly impacted and potentially hazardous to residents of the new home on Lot 2.

The project has been planned to minimize tree impacts to the greatest extent practical, but impacts are unavoidable due to the density of specimen trees. The property is zoned R-90 and is identified in the Bethesda-Chevy Chase Master Plan (1990) as having the potential for 6 dwelling units. Only 3 dwelling units are planned with lot sizes which far exceed the minimum lot size required in the zone. In addition, a large portion of the property is to be retained as forest within a conservation easement. Of the 53 specimen trees identified on the NRI/FSD plan, only 12 are proposed to be removed.

None of the trees identified on plans within the historic setting of MacArthur Boulevard are proposed to be removed. To protect the trees within the historic setting, the applicant proposes installing individual sewer connections to 2 of the homes by directional boring. No other activities are planned within the historic setting.

**Requirements for Justification of Variance:**

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

1. Describe the special conditions peculiar to the property which would cause 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 granting of the variance; and
4. Provide any other information appropriate to support the request.

There are special conditions peculiar to the property which would cause unwarranted hardships should the variance not be approved. The property is completely forested and contains many large trees including a cluster of specimen trees at the front portion of the site near 80<sup>th</sup> Place. As the Bethesda-Chevy Chase Master Plan makes a specific recommendation for access to the site to come from 80<sup>th</sup> Place (and not MacArthur Boulevard), impacts to many of the specimen trees located in the area adjacent to 80<sup>th</sup> Place cannot be avoided. This portion of the property is also outside of the environmental buffer and is the most suitable area for new development to occur.

Should this variance not be approved, the property owner would be deprived of rights commonly enjoyed by others in similar circumstances. The proposed new lots have been carefully planned in accordance with R-90 zone requirements and to protect environmentally sensitive features in the eastern portion of the property. Denial of the variance would deprive the owner of developing the property as other owners of property in the R-90 zone have done.

The granting of a variance to remove specimen trees will not result in a violation of State water quality standards or any measurable degradation in water quality. The project has been planned to comply with the latest State and County stormwater management requirements and will provide environmental site design (ESD) practices to address these requirements. Stormwater management will be addressed throughout the developed portion of the site on each individual lot. The Montgomery County Department of Permitting Services (DPS) has reviewed and approved the submitted Stormwater Management Concept for the project. Stormwater volume in excess of the designed stormwater management facilities will enter the retained forest area in a dispersed rather than concentrated manner to mitigate for the potential for erosion of steep slopes or erodible soils. The on-site environmental buffer area will remain undisturbed and trees are proposed to be planted along the edge of the development area to enhance the retained forest and undisturbed slopes within the buffer area. On-site disturbances will be minimized by stabilizing the site access early on during the start of construction and by stabilizing other disturbances immediately including areas excavated for utility installations. To mitigate for the removal of the 12 specimen trees, 41 new trees are proposed to be planted throughout the developed portion of the site and in selected locations within the stream valley buffer to replace canopy and aid on slope stabilization.

**In addition to the above, Section 22A-21(d) indicates 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;
2. Is based on conditions or circumstances which are the result of the actions by the applicant;
3. Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or
4. Will violate State water quality standards or cause measurable degradation in water quality.

This request for a variance will not confer a special privilege that would be denied to other applicants. Approval of the requested variance will allow the property owner to develop the property in a manner appropriate for the R-90 zone given the circumstances of the site.

This variance request is not based on conditions and circumstances which are the result of actions by the applicant. The applicant has not taken any actions other than to propose subdivision in accordance with Master Plan and Zoning Ordinance requirements.

The request for a variance does not arise from a condition relating to land or building use, either permitted or nonconforming on a neighboring property.

Granting this variance request will not violate State water quality standards or cause measureable degradation in water quality. As stated earlier, the project has been planned to comply with the latest State and County stormwater management requirements and will provide environmental site design (ESD) practices to address these requirements. DPS has reviewed and approved the submitted Stormwater Management Concept Plan for the project. To mitigate the removal of specimen trees, 41 new trees will be planted on-site.

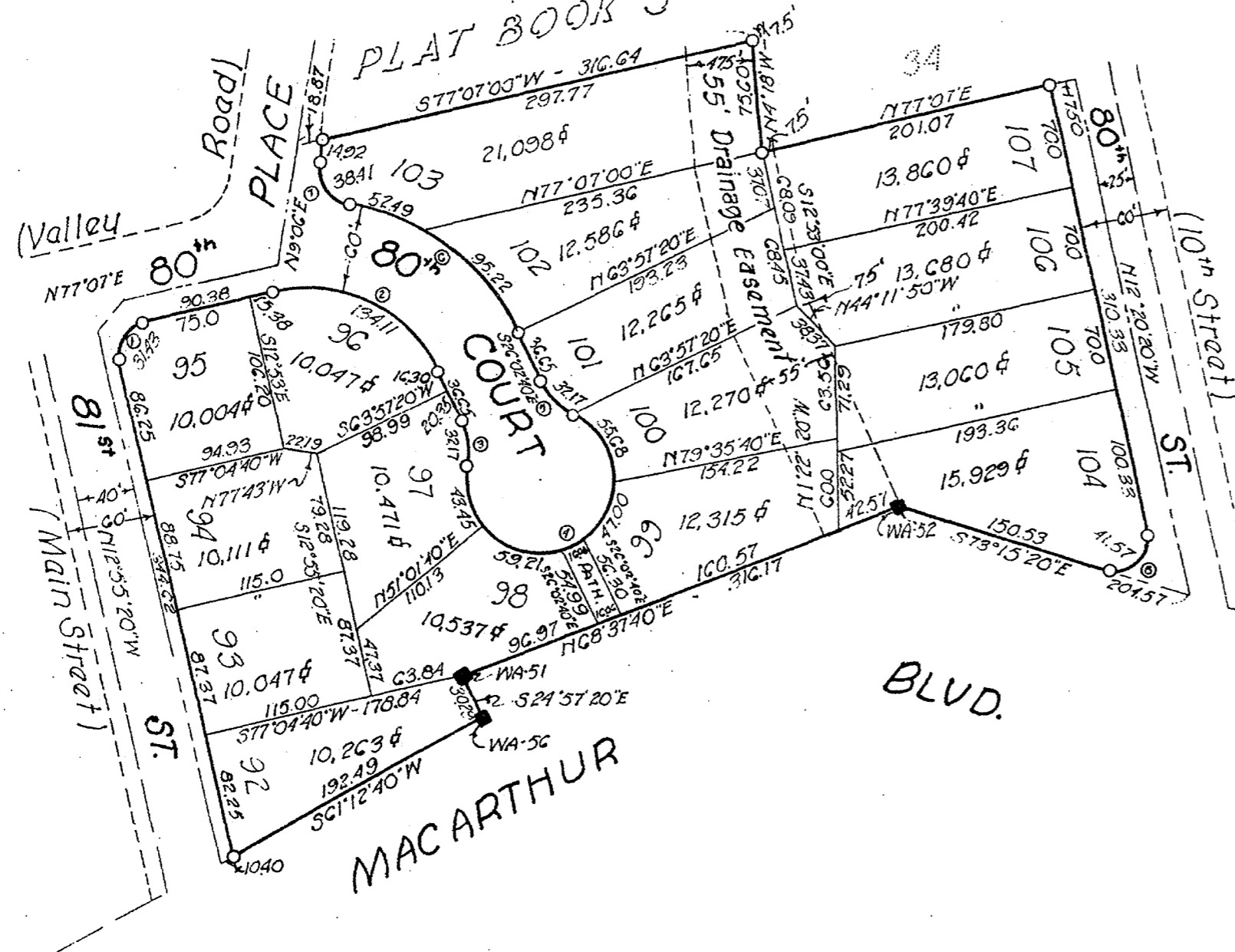
For the above reasons, we respectfully request approval of this request for a variance from provisions of Section 22A-21 of the Montgomery County Code. If you have any questions regarding this request, please do not hesitate to contact me.

Sincerely,



David W. McKee

# PLAT No. 3163



## OWNERS DEDICATION

We, Royal H. Carlock and Emma R. Carlock, owners of the property shown and described hereon, hereby adopt this plan of subdivision; establish the minimum building restriction lines and dedicate the streets and path to public use.

The easement shown hereon for the construction maintenance and operation of storm and sanitary sewers is hereby dedicated to public use for the purposes specified.

Date: April 29, 1952

William Malone  
WITNESS

Royal H. Carlock  
ROYAL H. CARLOCK

William Malone  
WITNESS

Emma R. Carlock  
EMMA R. CARLOCK

## CURVE DATA

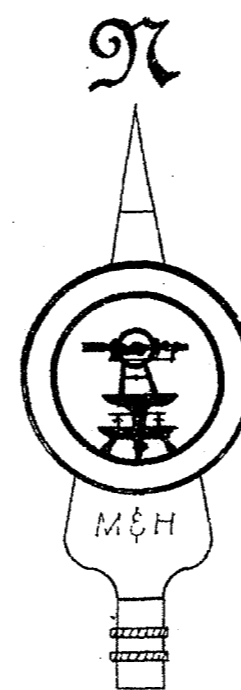
No.	Rad.	Arc.	Δ	CORD		Tan.
				BEARING	LENGTH	
1	20.0	31.43	90°02'20"	N32°05'50"E	28.29	20.01
2	100.0	134.11	70°50'00"	S04°27'50"E	124.28	79.31
3	50.0	32.17	30°52'00"	S7°30'40"E	31.62	16.66
4	50.0	221.42	253°44'00"	NC3°57'20"E	80.00	—
5	50.0	32.17	30°52'00"	N44°28'40"W	31.62	16.66
6	100.0	147.71	52°53'40"	N52°29'30"W	142.52	79.59
7	25.0	38.41	68°02'20"	N34°55'10"W	34.75	24.16
8	20.0	41.37	119°05'00"	N47°12'10"W	34.48	34.01

## ENGINEERS CERTIFICATE

We hereby certify that the plan shown hereon is correct; that it is a subdivision of all the lands conveyed by Bruce A. Roak, et ux, to Royal H. Carlock, et ux, by deed dated December 28, 1950, and recorded in Liber 1474, at Folio 475; Nellie M. White, widow, to Royal H. Carlock, et ux, by deed dated July 1, 1949, and recorded in Liber 1270, at Folio 72, and also part of the land conveyed by Howard Austin Edson, et ux, to Royal H. Carlock, et ux, by deed dated September 22, 1943, and recorded in Liber 920, at Folio 244, and also a resubdivision of lots 35, 36, 37, 38, 39, and part of lot 34, "Cabin John Park", Section 2, as shown on a plat recorded in Plat Book 3 Plat 249; all among the Land Records in Montgomery County, Maryland; and that iron pipes marked thus: o, and stones marked thus: ♦, are in place where shown.

Date: April 30, 1952

By: Sterling R. Maddox  
STERLING R. MADDOX  
REGISTERED LAND SURVEYOR  
No. 529



WASHINGTON SUBURBAN SANITARY COMMISSION  
APPROVED: JUNE 12, 1952  
SUITABLE FOR WATER & SEWER DESIGN  
WITHOUT COMMITMENT AS TO INSTALLATION  
Navy P. Shaw  
CHIEF ENGINEER

FILED  
JUN 27 1952

THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION  
APPROVED: MAY 15, 1952  
DATE  
Richard F. Allen John F. Hopkins  
CHAIRMAN (ACTING) SECRETARY-TREASURER  
M. N. C. P. & P. C. RECORD FILE No. 140-10

LOTS 92-107  
SECTION TWO  
"CABIN JOHN PARK"  
MONTGOMERY COUNTY, MARYLAND  
Scale: 1"=100' May, 1952

Maddox & Hopkins, Inc.  
Civil Engineers  
Silver Spring, Md.



**DEPARTMENT OF TRANSPORTATION**

**Marc Elrich**  
*County Executive*

**Christopher R. Conklin**  
*Director*

November 11, 2025

Mr. Marco Fuster, Planner III  
DownCounty Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
2425 Reedie Dr  
Wheaton, MD 20902

RE: Preliminary Plan No. 120250080  
Cabin John Park  
Preliminary Plan Letter

Dear Mr. Fuster:

This letter replaces MCDOT's Preliminary Plan letter dated October 30, 2025.

We have completed our review of the revised preliminary plan uploaded to eplans on October 7, 2025. A previous version of the plans was reviewed by the Development Review Committee at its March 11, 2025, meeting. This plan is tentatively scheduled for December 11, 2025, Planning Board meeting. We recommend approval of the plans, subject to the following comments:

**Significant Comments**

1. 80<sup>th</sup> Place is classified as a Neighborhood Street with a minimum right-of-way (ROW) of 60 feet. According to Plat #13280, the existing ROW is 60 feet. Thus, MCDOT believes additional dedication is not necessary.
2. The Federal Government, through the Army Corps of Engineers, owns MacArthur Boulevard, while the County only holds a maintenance easement. MacArthur Boulevard is classified as an Area Connector with a right-of-way that varies. Since the site is adjacent to the boulevard, and there is a proposed master plan for a bikeable shoulder, improvements to the frontage will be necessary.

**Office of the Director**

---

**101 Monroe Street, 10<sup>th</sup> Floor, Rockville, MD 20850 · 240-777-7170 · 240-777-7178 Fax**  
**[www.montgomerycountymd.gov/mcdot](http://www.montgomerycountymd.gov/mcdot)**

However, because of the unique ownership agreement between the federal government and the county, the applicant must pay a fee-in-lieu to cover the full cost of adding 2 feet of extra pavement for a 4-foot bikeable shoulder during the right-of-way permit stage.

- a. The applicant is responsible for paying a fee-in-lieu of \$7,600 to the General Sidewalk fund at the time of the right-of-way permit stage to DPS.
3. **Sight Distance:** A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference. The applicant is responsible for ensuring 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. The proposed impervious area has no significant impact on the overall drainage area. No improvements are needed to the downstream public storm drain system for this plan.
  - a. **Note:** The Federal Government (Army Corps of Engineers) owns MacArthur Blvd., and the County only holds a maintenance easement. The County is currently collaborating with the Army Corps of Engineers to obtain approval for a project to repair the failing storm drain culvert at the same location where the storm drain calculations were performed. It appears that no additional easements will be necessary. However, the Applicant should verify this with the Division of Highway Services prior to the permit stage. Please contact Mr. Mahboob Yonis at [mahboob.yonis@montgomerycountymd.gov](mailto:mahboob.yonis@montgomerycountymd.gov) to confirm whether additional easements are required, and if so, they must be included at the permit stage. Include the development review team in all correspondence.

#### **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. Design all access points and alleys to be at-grade with the sidewalk, dropping down to street level between the sidewalk and roadway.
7. Forest Conservation Easements are NOT ALLOWED to overlap any MCDOT easement.
8. 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.

9. 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.
10. The applicant is responsible for relocating utilities along existing roads to accommodate the required roadway improvements, if necessary.
11. 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 the DPS Right-of-Way Plan Review Section.
12. 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.
13. 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, grading, side drainage ditches and appurtenances, and street trees along 80<sup>th</sup> Place 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

Mr. Marco Fuster  
Preliminary Plan No. 120250080  
November 11, 2025  
Page 4

[SharePoint\teams\DOT\Director's Office\Development Review\Brenda\Preliminary Plan\PP120250080 Cabin John Park\120250080-Cabin John Park-DOT Preliminary Plan Letter-REV1\\_11.5.25](#)

Attachments: Approved Sight Distance Study

cc: Correspondence folder FY 2026

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: 6551 80TH PLACE

**ENGINEER/ SURVEYOR CERTIFICATE**

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

  
Signature

PLS 444  
PLS/PE MD Reg. No

6/18/25  
Date



**Montgomery County Review:**

☒ Approved

☐ Disapproved:

By: Brenda M. Pardo

Date: 10/30/2025

CLASS Neighborhood Street *BMP*  
SPEED (MPH) 25 MPH

VERTICAL	APPROACHING MOTOR VEHICLES		
	TARGET (FT)	MEASURED (FT)	OK?
	L	1.03	
R	-14.64		

	APPROACHING MOTOR VEHICLES			
	Grade	TARGET (FT)	MEASURED (FT)	OK?
L		177.68'	177.68'	✓
K		282.29'	282.29'	✓

HORIZONTAL		APPROACHING BIKEWAYS		
LEFT OR RIGHT	Grade	TARGET (FT)	MEASURED (FT)	OK?
			N/A	
			N/A	

HORIZONTAL		APPROACHING SIDEWALK (IF DIRECTED)		
	Grade	TARGET (FT)	MEASURED (FT)	OK?
L			N/A	
R			N/A	

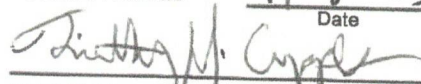
**COMMENTS**

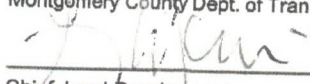
Measured distance is to end of road.

FORM APPROVED

11-8-2023  
Date

REVISED

  
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**



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich  
County Executive

Rabbiah Sabbakhan  
Director

August 6, 2025

Mr. David McKee  
Benning & Associates, Inc.  
8933 Shady Grove Ct.  
Gaithersburg, MD 20877

Re: **COMBINED STORMWATER MANAGEMENT  
CONCEPT/SITE DEVELOPMENT  
STORMWATER MANAGEMENT PLAN** for  
Cabin John Park  
Preliminary Plan #: 120250080  
SM File #: 295848  
Tract Size/Zone: 2.37 ac./ R-90  
Total Concept Area: 0.95 ac.  
Lots/Block: N/A  
Parcel(s): P167  
Watershed: Potomac Direct  
Redevelopment (Yes/No): No

Dear Mr. McKee:

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

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.
4. ESD practices should be sized within the limits of the minimum and maximum ESDv per MDE and DPS guidelines. Oversized ESDs are not acceptable.

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

*Mr. David McKee*  
*August 6, 2025*  
*Page 2 of 2*

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 Elvina Newton Tryer at 240-777- 6342 or at [Elvina.NewtonTryer@montgomerycountymd.gov](mailto:Elvina.NewtonTryer@montgomerycountymd.gov)

Sincerely,

*Mark Etheridge*

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

cc: Neil Braunstein  
SM File # 295848

Lot 1

ESD: Required/Provided 371 cf / 482 cf  
PE: Target/Achieved: 1.0"/1.0"  
STRUCTURAL: 0 cf  
WAIVED: 0 ac.

Lot 2

ESD: Required/Provided 378 cf / 389 cf  
PE: Target/Achieved: 1.0"/1.0"  
STRUCTURAL: 0 cf  
WAIVED: 0 ac.

Lot 3

ESD: Required/Provided 368 cf / 482 cf  
PE: Target/Achieved: 1.2"/1.2"  
STRUCTURAL: 0 cf  
WAIVED: 0 ac.



---

---

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

---

---

**DATE:** 18-May-25  
**TO:** David McKee  
Benning and Associates  
**FROM:** Marie LaBaw  
**RE:** Cabin John Park  
120250080

---

**PLAN APPROVED**

1. Review based only upon information contained on the plan submitted **16-May-25**. 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.

**\*\*\* See statement of performance based design \*\*\***

## **Benning & Associates, Inc.**

Land Planning Consultants  
8933 Shady Grove Court  
Gaithersburg, MD 20877  
(301)948-0240  
dmckee@benninglandplan.com

May 14, 2025

S. Marie LaBaw PhD, PE  
Fire Department Access and Water Supply  
Department of Permitting Services  
2425 Reddie Drive, 7th Floor  
Wheaton, Maryland 20902

Re: Cabin John Park  
MNCPPC File #120250080

Dear Ms. LaBaw:

On behalf of the applicant for the referenced subdivision, we are requesting Performance-Based Design approval for the subject property. The undeveloped property is proposed to be subdivided into 3 lots for single-family homes.

To provide compliant fire department apparatus access to each of the 3 lots, a new shared driveway is to be constructed from an existing public right-of-way (80<sup>th</sup> Place). The driveway is proposed to be 20 feet for the portion to be shared and the new access from 80<sup>th</sup> Place is to be improved with a Modified Residential Driveway Apron to provide adequate turns into the site for fire department apparatus.

80<sup>th</sup> Place has been identified as a “neighborhood” street. The roadway has a paving width of 14 feet in front of the subject site. Public water (WSSC) including fire hydrants is available along 80<sup>th</sup> Place. However, no portion of 80<sup>th</sup> Place is currently built to County minimum public road standards and the road is less than 20 feet wide in all places.

A Performance-Based Design approval is being requested due to the existing conditions of 80<sup>th</sup> Place.

### Proposed Performance-Based Design

#### Access Requirements

- The project will provide a 20-foot wide shared driveway for access to the 3 lots.

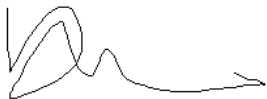
- Vertical clearance above the fire department access line will not impeded.
- The driveway apron into the site will be designed to provide minimum interior and exterior bend radius turns for fire department apparatus.
- The new apron and shared driveway with a proposed length of approximately 125 feet will serve as a turnaround for fire department apparatus along 80<sup>th</sup> Place. No turnaround currently exists for this dead-end roadway.
- Load-bearing requirements for the fire department access lane (shared driveway) will be met.

#### Water Supply

- A fire hydrant exists along 80<sup>th</sup> Place near the site. However, because the pavement width of 80<sup>th</sup> Place is less than the minimum standard of 20 feet, a new on-site water supply is proposed.
- A new WSSC maintained water supply will be installed on-site and will include an on-site fire hydrant for fire protection. The hydrant is to be located along the proposed fire department access lane (shared driveway).

Based upon the above and the information depicted on plans for the proposed subdivision, we request your review and approval of this matter. Please contact me if any further information is needed at this time to obtain this approval.

Respectfully submitted,



David W. McKee, RLA

#### 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 FM: DPS DATE: 5/18/2025

#### Certification:

I hereby certify that the documents referenced here were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

Jon A. Shiancoe, P.E.

License No.: 25725

Expiration: 06-20-2025

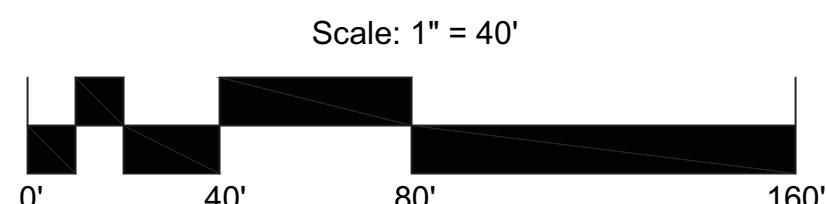


Signature: Jon Shiancoe

Seal:

Professional Certification:  
I hereby certify that this Fire Department Apparatus  
Access Plan has been prepared in accordance with the  
requirements of Executive Regulation 8-16 (Fire  
Department Apparatus Access and Water Supply) to  
the best of my knowledge.

Signature Date  
05-07-2025



PROPERTY BOUNDARY FROM A SURVEY BY:  
Goode Surveys, LLC  
PO BOX 599  
Damascus, MD 20832  
(301)368-3700

#### LEGEND:

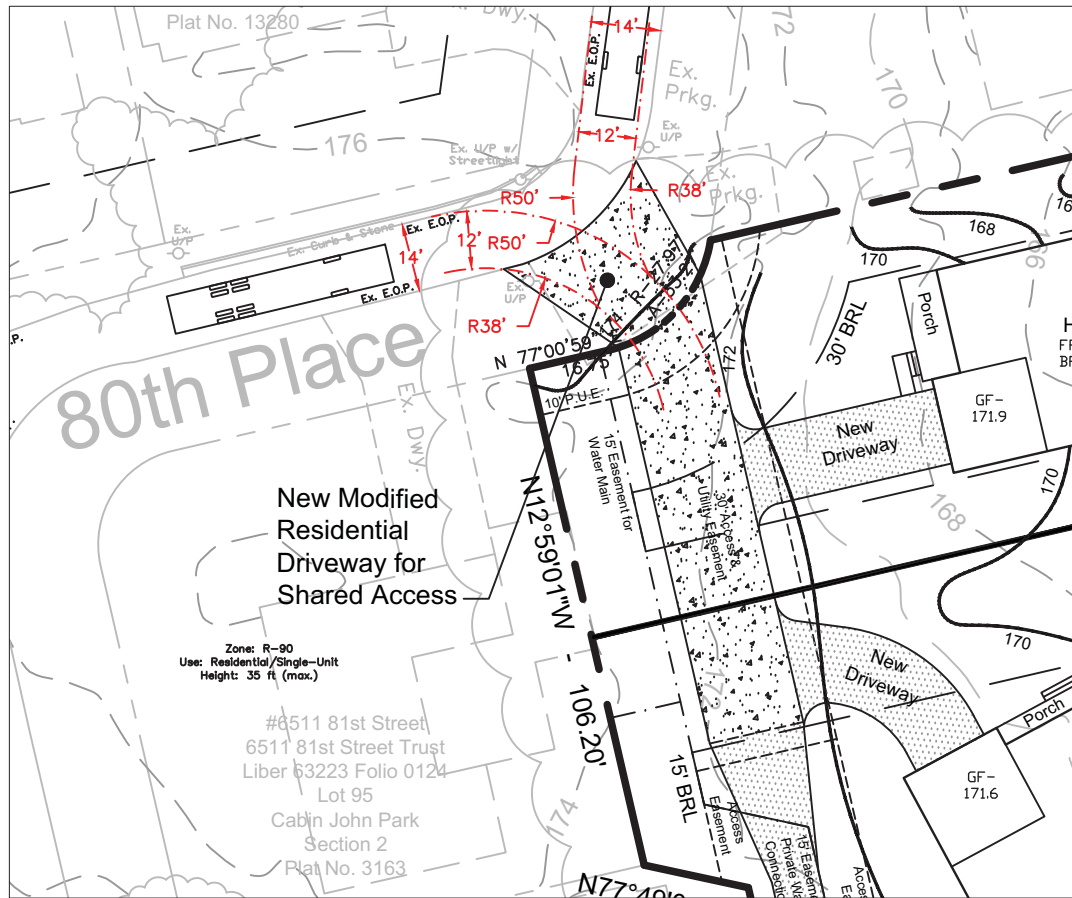
BUILDING RESTRICTION LINE	20' BRL
CANOPY COVERAGE	
CONSERVATION EASEMENT	
EXISTING BUILDING	
INDEX CONTOUR (2' INTERVAL)	130
INTERMEDIATE CONTOUR	136
PROPERTY LINE (SUBJECT)	N 32°04'20" W
PROPERTY LINE	
PROPOSED BUILDING	
PROPOSED DRIVEWAY	
PROPOSED CONTOUR	160
MAIN SIDE HINGE DOOR	*
SHARED DRIVEWAY / FD APPARATUS ACCESS LANE	

#### FIRE DEPARTMENT APPARATUS ACCESS & WATER SUPPLY NOTES:

- The purpose of this plan is to address requirements of Executive Regulation 8-16 (Fire Department Apparatus Access and Water Supply) as appropriate for the proposed subdivision.
- A shared driveway is proposed to serve 3 residential lots.
- For water supply, a new on-site water supply (WSSC water main and hydrant) are proposed to be installed.
- There is no posted speed limit along 80th Place. The nearest posted speed limit is 25 mph for 81st Street.

#### GENERAL NOTES:

- Total area of project - 2.38 Acres (103,591 sf)
- Total number of dwelling units permitted in the R-90 Zone - 4.84 Units/Ac = 11
- No. of residential lots (dwelling units) proposed by this plan - 3
- Method of Development Proposed - Standard
- Area to be dedicated to streets by this plan - 0 SF (0.0 AC)
- Property is located in the *Rock Run* watershed (Use Class I-P).
- Existing sewer and water service categories: S-1, W-1
- Lots to be served by public sewer and public water.
- Source of Two-foot Contour Interval Topography: M-NCPPC GIS Data Sheet 208NW08.



MODIFIED RESIDENTIAL DRIVEWAY: FD ACCESS  
1"=40'

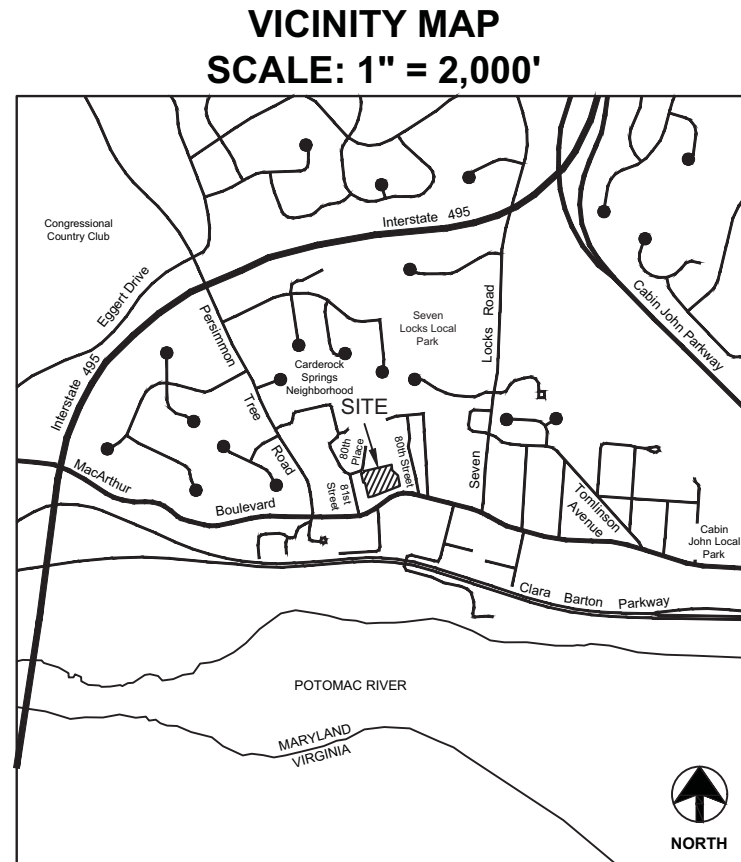
#### FIRE CODE ENFORCEMENT

##### Fire Department Access Review

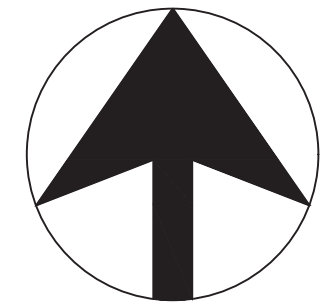
Review based only upon information contained on  
this plan. Does not cover unsatisfactory layout  
resulting from omissions, errors or failure to  
clearly indicate conditions on this plan. Correction  
of such unsatisfactory layout to afford required  
access will be required if found upon inspection  
after installation.

BY: *S.M.C.* PM: *DPS* DATE: 5/18/2025

Prepared for:  
**4205 Saul Road, LLC**  
c/o Dan Demeria  
8306 Melody Court  
Bethesda, MD 20817  
(301) 983-4319



Revisions
Rev. 05-07-2025



date: 01/23/2025  
scale: 1" = 40'

Bemming & Associates, Inc.  
Land Planning Consultants  
8933 Shady Grove Court  
Gaithersburg, MD 20877  
(301)948-0240



FIRE DEPARTMENT APPARATUS ACCESS & WATER SUPPLY PLAN

**Cabin John Park**  
Election District 07  
Parcel 167; Tax Map GN121  
Montgomery County, Maryland

WSSC GRID 208NW08

TAX MAP GN121


M-NCPPC FILE NO.  
120250080

SHEET 5 OF 5

RE: Cabin John F20250330 & 120250080




Miller, Laura <Laura.Miller@montgomerycountymd.gov>

To:  Fuster, Marco


Wed 11/19/2025 5:42 PM



 Some content in this message has been blocked because the sender isn't in your Safe senders list.

[Trust sender](#)

[Show blocked content](#)

 You replied on Wed 11/19/2025 5:45 PM

[View conversation](#)

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

Hi Marco,

I've reviewed the information in your email and I have no concerns about these revisions to the variance request.

At this time, I don't have a task in ePlans so consider this my response. If you need something more, please let me know.

Thanks,

Laura

**Laura Miller**

County Arborist

Forest Conservation Coordinator

240-777-7704 o

240-454-4500 c

13 August 2025



Phoenix Noise & Vibration, LLC  
5216 Chairmans Court, Suite 107  
Frederick, Maryland 21703  
301.846.4227 (phone)  
301.846.4355 (fax)  
[www.phoenixnv.com](http://www.phoenixnv.com)

# Cabin John Park Transportation Noise Impact Analysis

Montgomery County, Maryland

Report No. 250813  
Project No. SLR2501

For: 4205 Saul Road LLC

By: Matthew Foster

## 1 EXECUTIVE SUMMARY

Phoenix Noise & Vibration has conducted an analysis of transportation noise impact upon the proposed residential development at Cabin John Park in Montgomery County, Maryland. Upon completion the project will consist of three (3) new single-family homes. This study was limited to noise impact from surrounding roadways, MacArthur Boulevard and Clara Barton Parkway, and included:

- On-site noise level measurements in multiple locations for one 24-hour period.
- Computerized 3D noise propagation modeling.
- Determination of future transportation noise levels.

Noise impact at Cabin John Park will vary with height; therefore, impact has been presented using a color scale throughout the future site at the ground and upper levels (5 and 25 feet above adjacent grade respectively) and across all future building facades. The noise levels presented are due only to surrounding roadways and do not account for noise from other sources such as construction, mechanical noise, environmental noise, etc.

Results of the analysis have found that none of the future residences or associated ground-level outdoor areas will be exposed to future transportation noise impact exceeding 65 dBA Ldn. The project will be compliant with Montgomery County's noise regulation regarding transportation noise impact upon residential land uses without any further analysis or noise mitigation measures.

## **2 NOISE TERMINOLOGY**

### **2.1 dB vs. dBA**

While the standard unit of measurement for sound is the decibel (dB), discussions of noise impacting the human ear use “dBA.” The “A” refers to a frequency weighting network used to simulate the human ear’s unequal sensitivity to different frequencies. The A-weighted noise level is therefore more representative of a human’s perception of a noise environment than the unweighted overall noise level in dB and is currently used in most environmental noise studies.

### **2.2 Ldn**

The day-night average noise level, or Ldn, is the equivalent sound pressure level averaged over a 24-hour period, obtained by adding 10 dB to sound pressure levels measured from 10:00 p.m. to 7:00 a.m. This 10 dB “penalty” accounts for the added sensitivity caused by noise generated during the nighttime hours.

The Ldn is NOT a measurement of the instantaneous noise level. It is very possible to have several short term events (tractor trailer, emergency vehicle siren, car horn, etc.) which generate a relatively high noise level (e.g. 85 dBA) during a given time period but have a more moderate overall Ldn value (e.g. 65 dBA Ldn).

### **2.3 Summing Noise Levels**

Noise levels from multiple sources do not add arithmetically, i.e. when two noise sources generate 60 dB individually, they do not produce 120 dB when combined. Noise levels are measured using a logarithmic scale; therefore, they must be summed logarithmically. In the decibel scale, two identical, non-coherent noise sources having the same noise level produce a 3 dB increase above the condition of one source alone (i.e. two 80 dB lawnmowers running at the same time generates 83 dB).

Similarly, two different noise sources with a difference of 10 dB in their individual levels results in no measurable increase in noise when they are combined. Put another way, the quieter noise source does not increase the overall noise generated by the louder source, i.e. adding an 80-dB lawnmower into a noise environment where a 90-dB lawnmower is already running does not increase the noise level above 90 dB.

### 3 NOISE REGULATION

Traffic noise impact for proposed residential developments in Montgomery County is governed by Table 2-1 (reprinted in Table 1) on page 8 of the *Staff Guidelines for the Consideration of Transportation Noise Impacts In Land Use Planning and Development* (June 1983).

Accompanying this table is Map 2-1 (see Figure 1), indicating outdoor noise level requirements not to be exceeded throughout the County.

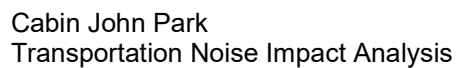
**Table 1: Maximum Levels for Exterior Noise & Building Line<sup>1</sup> For Noise Sensitive Land Uses (Table 2-1).**

Guideline Value	Area of Application
Ldn = 55 dBA	This guideline is suggested as an appropriate goal in permanent rural areas of the County where residential zoning is for five or more acres per dwelling unit and background levels are low enough to allow maintenance of a 55 dBA Level. This guideline is consistent with Federal, State, and County goals for residential areas.
Ldn = 60 dBA	This is the basic residential noise guideline which will be applied in most areas of the County where suburban densities predominate. Maintenance of this level will protect health and substantially prevent activity interference both interiors and outdoors. Noise attenuation measures will be recommended to allow attainment of this level.
Ldn = 65 dBA	This guideline will generally be applied in the urban ring, freeway, and major highway corridor areas, where ambient levels are such that application of a stricter guideline would be infeasible or inequitable. Significant activity interference will occur outdoors and interiors if windows are partially opened, but available evidence indicates hearing is adequately protected. Noise attenuation measures will be strongly recommended to attain this level.

<sup>1</sup> Building line as used here refers to habitable structures only. It does not include garages, sheds, or recreational accessory buildings.

According to Map 2-1, Cabin John Park is located within the 65 dBA Ldn noise zone, indicating that noise levels in outdoor amenity areas should be maintained at 65 dBA Ldn or less. Any outdoor amenity area exposed to future transportation noise levels above 65 dBA Ldn typically requires further analysis to determine the mitigation designs necessary to comply with this requirement.

When outdoor noise levels exceed 65 dBA Ldn, Montgomery County also requires an analysis of interior noise levels in residential buildings. According to Sections 2.2.2 and 2.2.3 of the *Staff Guidelines*, any residential building impacted by noise levels above 65 dBA Ldn must be evaluated to certify that the building structure will be capable of maintaining interior noise levels at 45 dBA Ldn or less.



#### 4 SITE DESCRIPTION

Cabin John Park (shown in Figure 2) is located north of MacArthur Boulevard and Clara Barton Parkway, approximately 0.7 miles east of the Capital Beltway (I-495). In the vicinity of the site, MacArthur Boulevard consists of a single travel lane in each direction, while Clara Barton Parkway consists of two travel lanes in each direction.

**Figure 2: Existing site (property shaded in red) and surroundings. Aerial image from Google Earth, dated 22 April 2025.**



## 5 NOISE MEASUREMENTS

On August 6-7, 2025, Phoenix Noise & Vibration conducted an on-site noise measurement survey to determine existing transportation noise levels throughout the site. This involved continuous noise level measurements for one 24-hour period. Measurements were made using three Norsonic Type 139 Precision Integrating Sound Level Meters. All meters were calibrated prior to the survey traceable to National Institute of Standards and Technology (NIST). Each meter meets the ANSI S1.4 standard for Type 1 sound level meters.

During the 24-hour measurement, noise levels were recorded and averaged over five-minute time intervals. Noise measurements were then used to calculate the site's 24-hour average day-night noise level (Ldn) which includes the 10-dBA penalty for noise levels measured during nighttime hours. Measurements were made at 5 and 25 feet above adjacent grade at the locations shown on Drawing 1 of the Appendix.

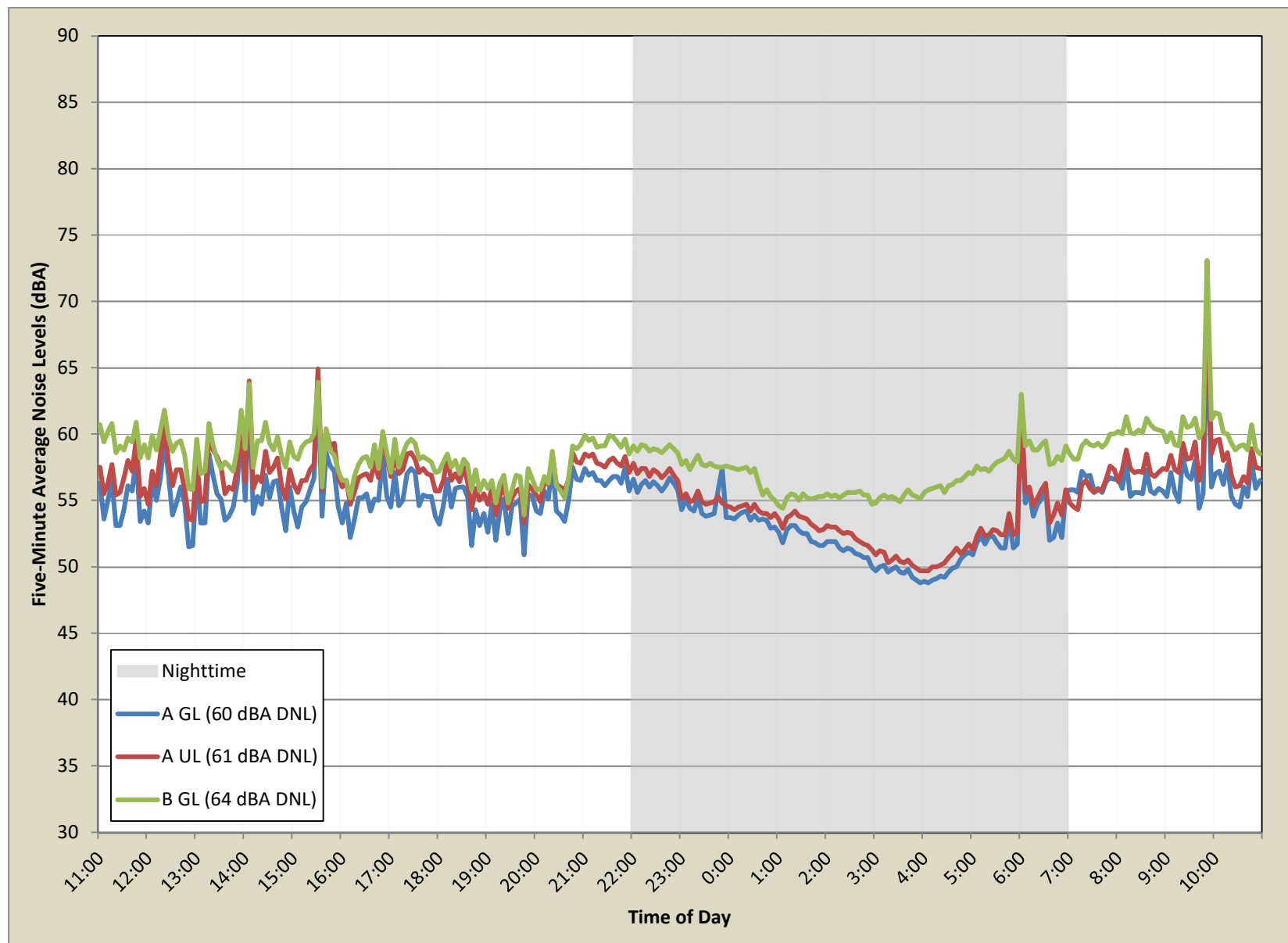
Measurement results are presented in Table 2. Figure 3 presents the survey results graphically, showing the noise levels as measured in five-minute increments throughout the survey. Figure 3 indicates the actual measured values over the 24-hour period. While the 10 dB nighttime penalty is not shown graphically, it was included in the Ldn calculations.

**Table 2: 24-hour noise measurement results.**

Measurement Location	Height Above Existing Grade (feet)	Measured Noise Level (dBA Ldn)
A	5	60
	25	61
B	5	64

Note that some of the measurement locations contain isolated instances during the 24-hour measurement periods at which the noise level appears inconsistent with the rest of the noise profile (i.e. peaks, spikes, or dips in the graph). These inconsistencies are typically due to extraneous occurrences, such as emergency sirens or temporary traffic congestion. Such short term events, while producing a relatively high or low noise level and which may have a significant impact on the five-minute average, generally have an insignificant effect on the overall, 24-hour Ldn value. However, they can be disruptive and audible within occupied spaces.

Figure 3: Five-minute average noise levels recorded during the 24-hour noise survey.



## 6 COMPUTER MODELING

The existing and future sites were computer-modeled using the CadnaA software program, a three-dimensional noise propagation model capable of determining noise impact from multiple noise sources across vertical and horizontal surfaces while accounting for factors such as topography, buildings, barriers, surface reflections, and roadway data (traffic volumes, speeds, and vehicle classifications, etc.). Noise levels can be presented either in spot locations or as noise contours of equal value throughout a defined surface area.

### 6.1 Current Model

A current model was developed to simulate the existing site and its surroundings using information obtained from Montgomery County GIS, Google Earth, and data collected during the 24-hour measurement survey by inputting existing topography, roadway alignments, and buildings. Roadway noise levels were calibrated using the on-site noise measurements by adjusting the modeled input until the modeled noise level output matched the measured values.

### 6.2 Future Model

A future model was then developed by altering the calibrated current model to include the projected roadway data, proposed topography, and the future residential buildings.

### 6.3 Roadway Data

Average annual weekday traffic (AAWDT) volumes for the roadways were based upon the most recent data published by the Maryland State Highway Administration's (MDSHA) Internet Traffic Monitoring System (ITMS). MDSHA does not typically provide future traffic data; therefore, a conservative, 2% increase in traffic compounded annually until 2045 was assumed.<sup>1</sup> All necessary traffic data is provided in Table 3.

**Table 3: Roadway traffic data used in the computer models.**

	<b>Current AAWDT (Year)</b>	<b>2045 AAWDT</b>	<b>Nighttime Percentage</b>	<b>Truck Percentage</b>	<b>Speed Limit (mph)</b>
MacArthur Boulevard	12,421 (2023)	19,203	7%	2%	30
Clara Barton Parkway	11,345 (2024)	17,195	8%	1%	50

<sup>1</sup>Montgomery County typically requires that roadway noise impact studies be conducted using the projected traffic volumes 20 years from the date of the study.

## 6.4 Future Noise Impact

Future transportation noise impact throughout the Cabin John Park residential site is presented in Drawings 2 and 3 of the Appendix at the ground and upper levels respectively. Additionally, noise impact upon the future building façades is presented in Drawing 4.

As presented on Drawing 2 of the Appendix, future transportation noise levels will be at a maximum of 65 dBA Ldn at the property line, but this level is not exceeded. Similarly, Drawing 4 shows that future transportation noise impact upon the proposed residences is at a maximum of 64 dBA Ldn.

## 7 CONCLUSION

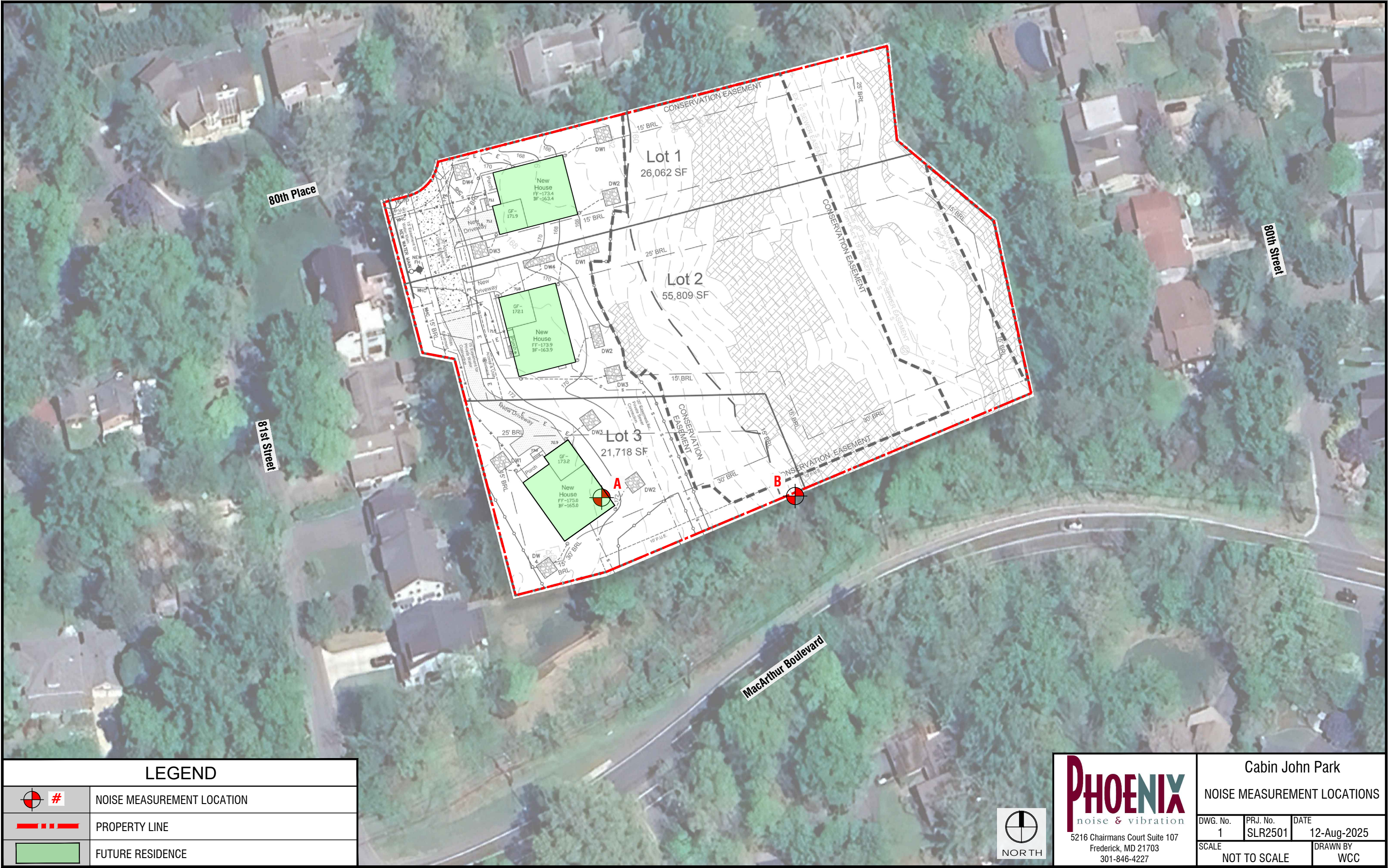
Cabin John Park has been analyzed for future (20-year projection) transportation noise impact according to Montgomery County's *Staff Guidelines for the Consideration of Transportation Noise Impacts In Land Use Planning and Development*. The site would be considered impacted by noise if noise levels in outdoor amenity areas or impact upon future buildings were to exceed 65 dBA Ldn. The interior noise limit of 45 dBA Ldn is assumed to be met via standard building construction providing a minimum of 20 dB of noise reduction.

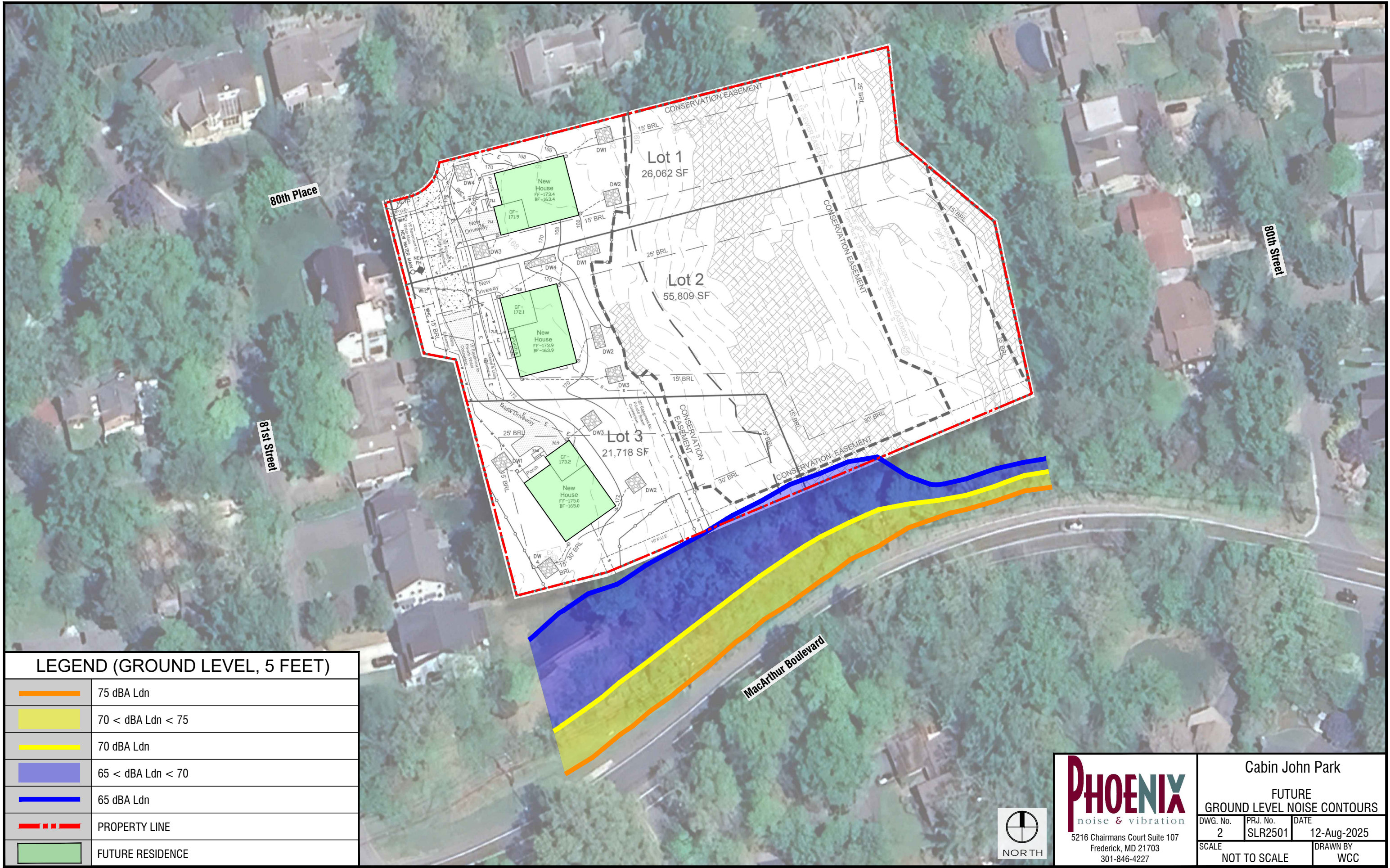
On-site measurements (24-hours continuous) were used to calibrate a 3D computer model of the existing site which was then modified to represent future conditions including proposed topography, residential buildings, and projected future traffic volumes. According to this model, the site (outdoor areas and/or buildings) will not be exposed to future transportation noise levels exceeding 65 dBA Ldn.

As proposed, the project will remain compliant with Montgomery County's noise guidelines with respect to transportation noise impact upon residential land uses, without any further analysis or noise mitigation measures.

**Please Note:** The results of this Transportation Noise Impact Analysis have been based upon the site information made available at the time of this study, including existing and proposed topography, existing roadway alignments, projected roadway traffic volumes, and the proposed building footprints. Should any of this information be altered, including significant modifications to the building layout, roadway alignment, and projected roadway data, additional analysis will be required to determine if the results presented herein remain valid.

## **APPENDIX**





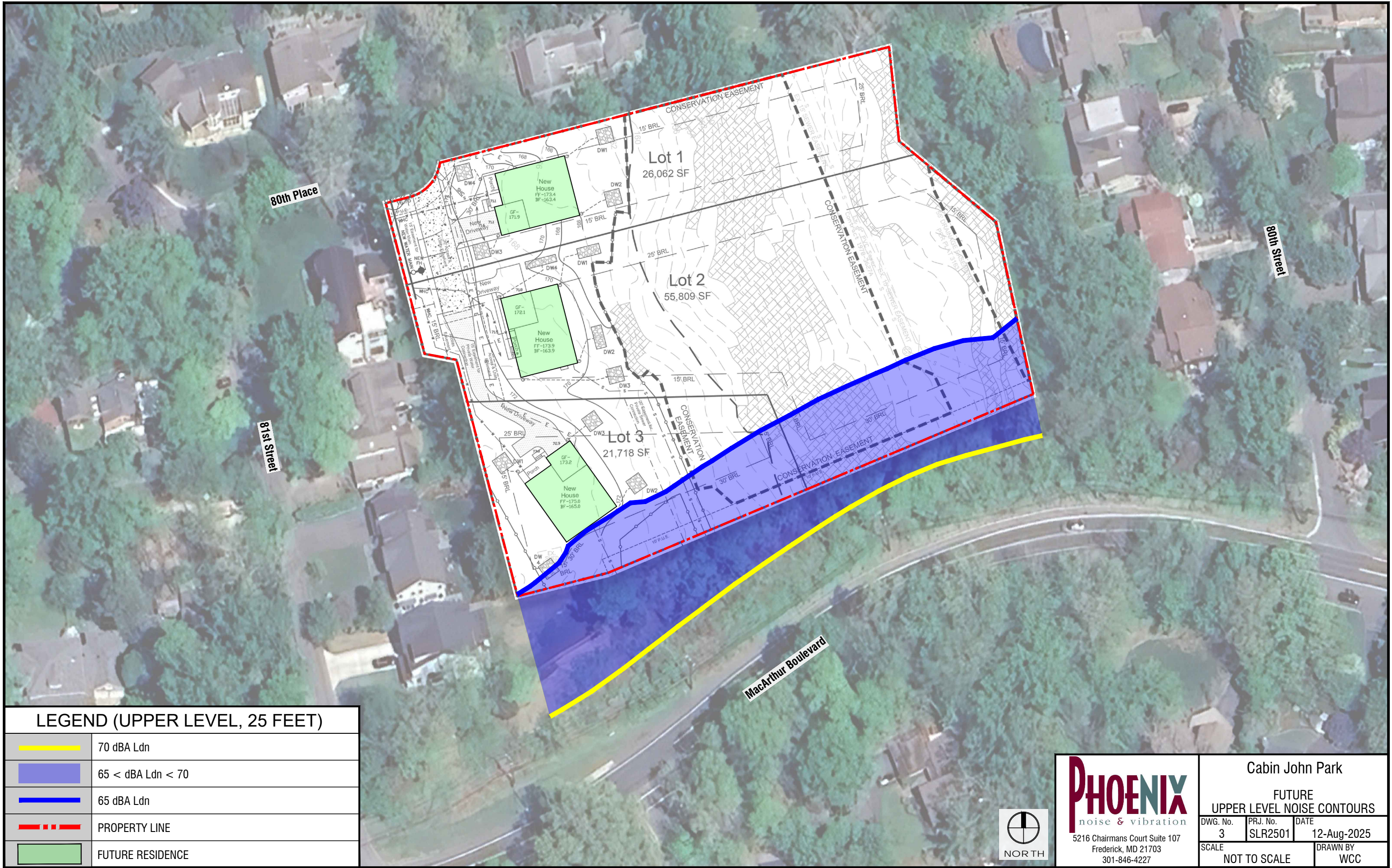
LEGEND (GROUND LEVEL, 5 FEET)	
	75 dBA Ldn
	70 < dBA Ldn < 75
	70 dBA Ldn
	65 < dBA Ldn < 70
	65 dBA Ldn
	PROPERTY LINE
	FUTURE RESIDENCE

5216 Chairmans Court Suite 107  
Frederick, MD 21703  
301-846-4227

Cabin John Park

FUTURE  
GROUND LEVEL NOISE CONTOURS

DWG. No. 2	PRJ. No. SLR2501	DATE 12-Aug-2025
SCALE NOT TO SCALE		DRAWN BY WCC

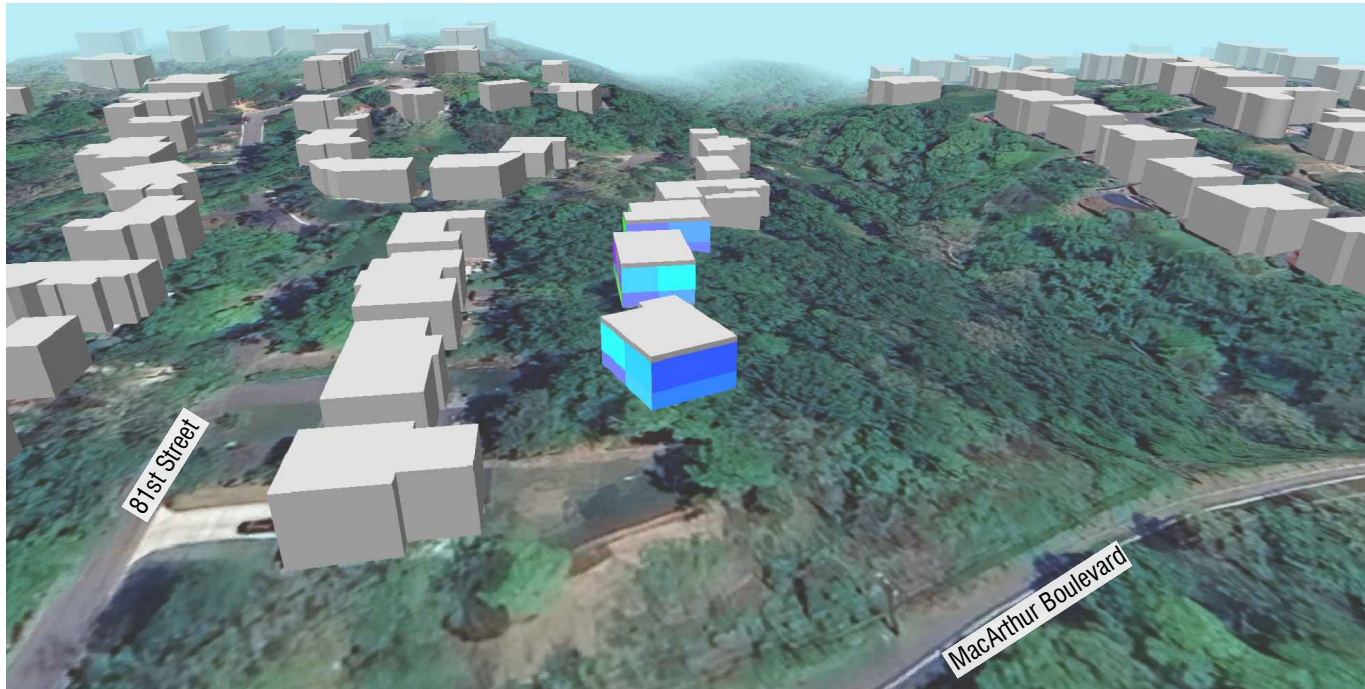


LEGEND (UPPER LEVEL, 25 FEET)	
	70 dBA Ldn
	65 < dBA Ldn < 70
	65 dBA Ldn
	PROPERTY LINE
	FUTURE RESIDENCE

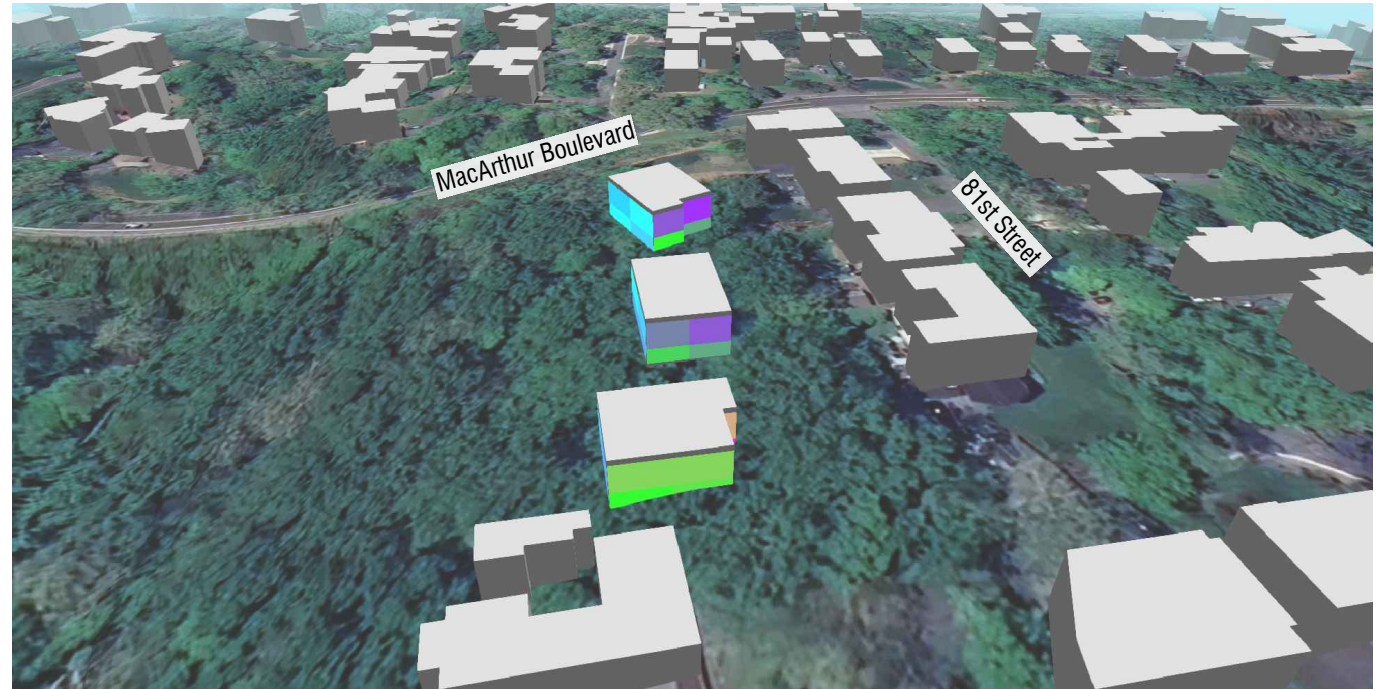


**PHOENIX**  
noise & vibration  
5216 Chairmans Court Suite 107  
Frederick, MD 21703  
301-846-4227

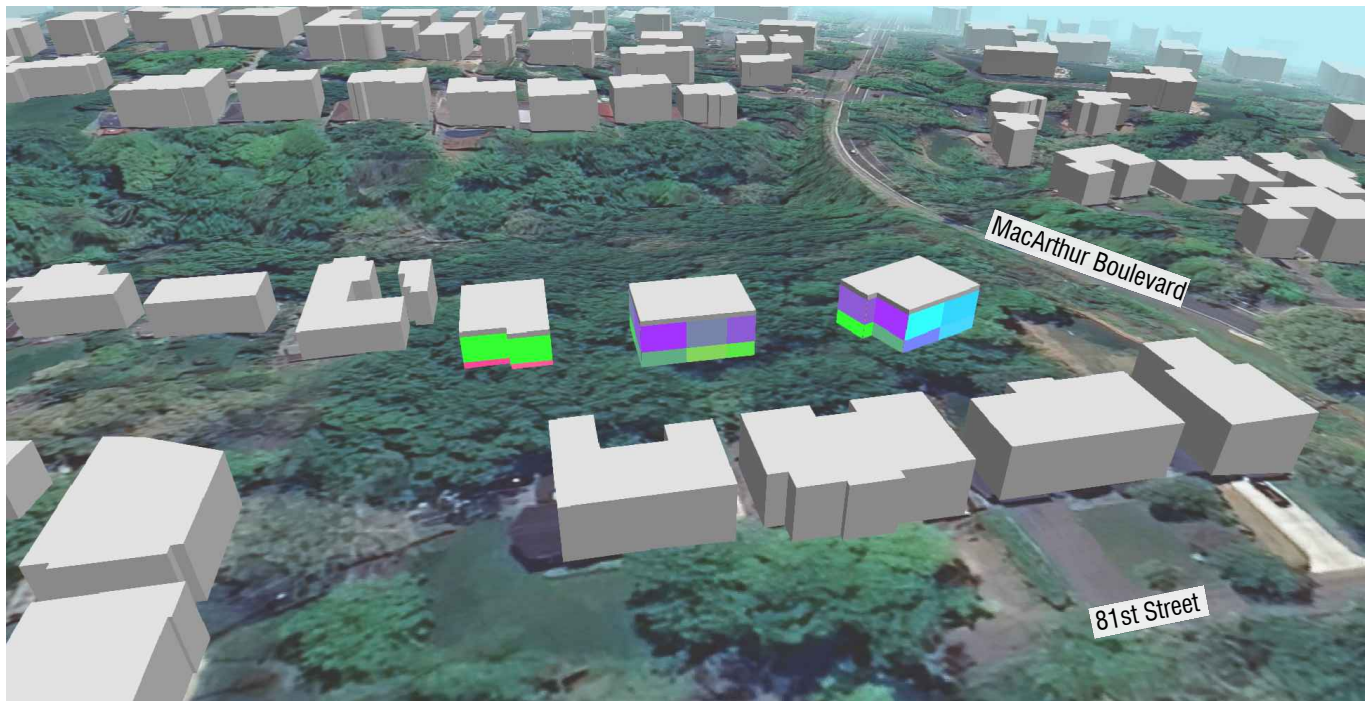
Cabin John Park		
FUTURE UPPER LEVEL NOISE CONTOURS		
DWG. No. 3	PRJ. No. SLR2501	DATE 12-Aug-2025
SCALE NOT TO SCALE		DRAWN BY WCC



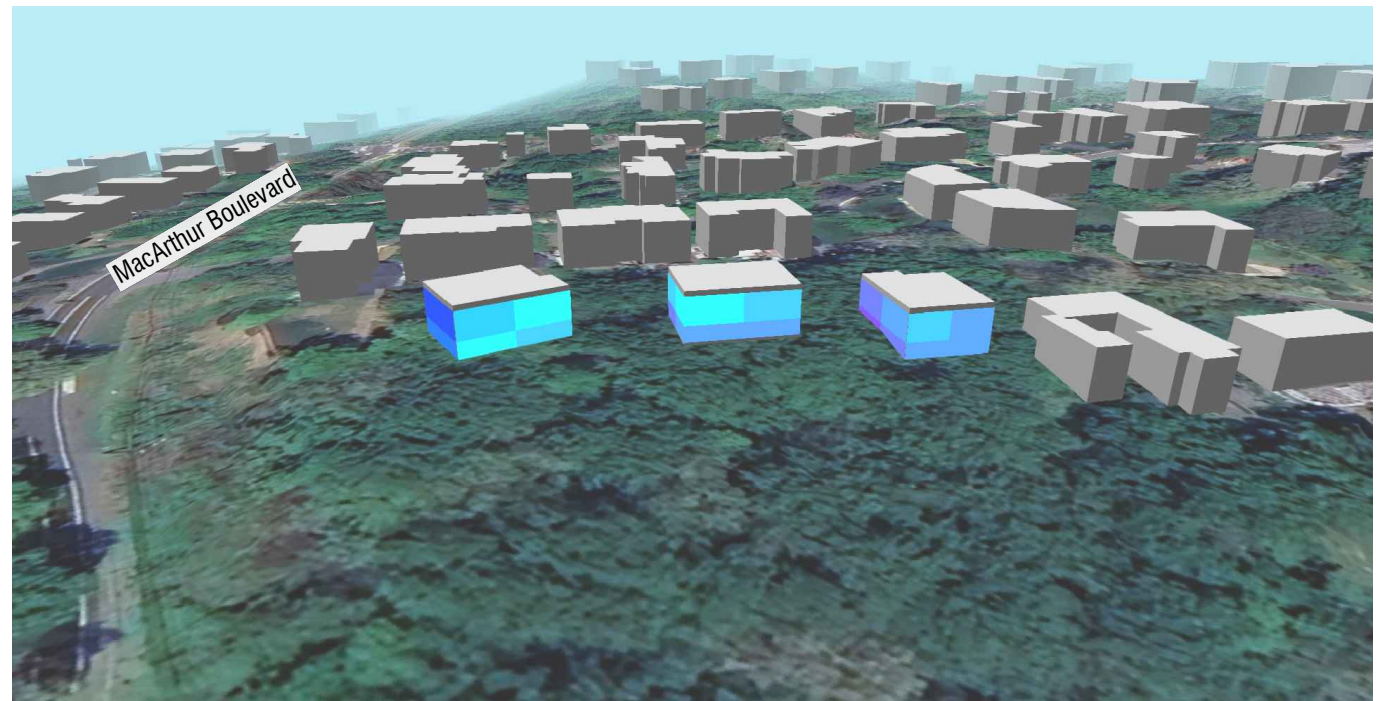
① Looking North



② Looking South

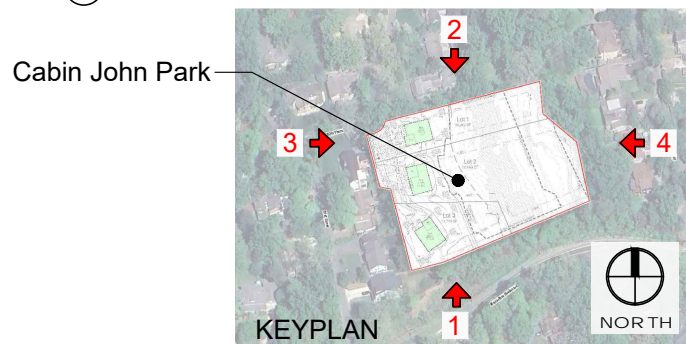
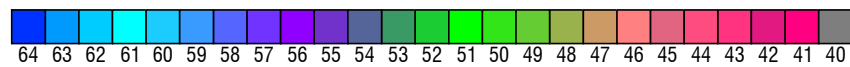


③ Looking East



④ Looking West

Future Transportation Noise Levels (dBA Ldn)



<b>PHOENIX</b> noise & vibration 5216 Chairmans Court Suite 107 Frederick, MD 21703 301-846-4227			Cabin John Park FUTURE TRANSPORTATION NOISE IMPACT		
DWG. No.	PRJ. No.	DATE			
4	SLR2501	12-Aug-2025			
SCALE		DRAWN BY			
NOT TO SCALE		WCC			

## *Attachment F: Community Correspondence*

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**From:** jgoldielox@gmail.com <jgoldielox@gmail.com>  
**Sent:** Tuesday, September 9, 2025 2:08 PM  
**Cc:** MCP-DAICHELP <MCP-DAICHELP@mncppc-mc.org>  
**Subject:** Plan # 120250080

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

Hello MoCo NCPPC,

I am concerned and confused about this plan for single-family residences at this site in cabin John Park.

My first concern is that if this is a conservation area, why is the county allowing homes to be built? Cause a question the point of conserving areas of land as a natural resource, if you're just gonna sell it off to people who want to build homes. I find that disappointing and frustrating.

Secondly, what this area — and all of Montgomery County — really need is not more single-family houses. That's been proven time and time again. There is tons of data to show that the county is having a significant affordable-housing problem. Civil servant workers can no longer afford to live in the county that they serve. The ZIP Code area ultimately benefits no one if it is preserved for upper middle class, upper class, or wealthy people alone.

So if you have a tract of land that has been designated a conservation area, and you are willing to sell it for residential use, then the appropriate designation for it should be for multifamily housing.

Shame on the permitting office.

Jennifer Gold  
Bethesda, MD 20817

From: **bob brook** <[bobbbrook12@gmail.com](mailto:bobbbrook12@gmail.com)>

Date: Wed, May 14, 2025 at 2:08 PM

Subject: comments on preliminary plan and forest conservation plan - plan number 120250080 and F20250330

To: <[Marco.fustere@montgomeryplanning.org](mailto:Marco.fustere@montgomeryplanning.org)>

Dear Mr. Fustere -

We have been sent the notice of application for a new development plan for the above- referenced plans. I have previously submitted comments regarding this by email on 2/25/25.

We live in the first house along the creek that runs from the subject property after it crosses Macarthur Blvd, at 8016 Macarthur Blvd. Our primary concern is the additional amount of flow that will be added to the creek due to the addition of more impermeable surfaces and the significant loss of trees and plants to absorb water. The creek absolutely roars during rainfalls as it passes our house, and is certainly eroding the banks at this point already and saturating surrounding soil such that it may affect our foundation. You and the developers and future homeowners are hereby on legal notice that we will bring any claims necessary should our foundation and property be affected by the additional flow due to this development. I am sending by separate email a video of the creek flow from the last couple of days. I invite you to observe the creek during storm and non storm days.

It appears from the plan we have been sent that three houses are proposed to be built, but it also appears that more houses could be built on the property. Is there any assurance permanently as to how many houses will be built. It also appears that there is a designation of some sort of forest retention areas on lots 1 and 2. But is that legally assured in some way, or is it possible that going forward houses could be built in the so called forest retention areas? And has there been some calculation made for what the additional water flow runoff from these developed properties will be in order to understand the additional loading to the creek and downstream impacts? Without such a calculation it seems this project cannot be properly evaluated. In addition, the significant loss of trees due to the construction of these houses has a large impact on the cooling and carbon benefits of tree cover in our area. What consideration or calculation has been made regarding the loss of significant tree coverage?

As a downstream neighbor we are quite concerned about this development. Thank you for your attention to this matter.

Bob Brook

---

**From:** Michele Rosenfeld <[michele@marylandpropertylaw.com](mailto:michele@marylandpropertylaw.com)>  
**Sent:** Thursday, May 15, 2025 12:26 PM  
**To:** Marco Fuster <[marco.fuster@montgomeryplanning.org](mailto:marco.fuster@montgomeryplanning.org)>  
**Cc:** Nathan Canestaro <[nathan.canestaro@gmail.com](mailto:nathan.canestaro@gmail.com)>  
**Subject:** Subdivision Plan No. 420242210 (80th Place, Cabin John)

Hi Marco:

I represent Nathan Canestaro, confronting property owner located at 6503 81st Street, facing the subject property in this case.

We would like to meet with staff to get a better understanding of certain plan elements, and to express our concerns about some aspects of the project. In particular, we'd like to talk with transportation and environmental staff. One other nearby neighbor also may join, and if so I'll confirm before we meet.

We also have questions about fire access. Should we set up a separate meeting with Marie LeBaw on that topic?

I do not see any materials in DAIC indicating that the applicant has filed supplemental materials responding to the March 7 Development Review Committee comments. Have any new submissions been filed that have not yet been uploaded to DAIC?

Finally, do you have a projected Planning Board date at this time?

I have included Mr. Canestaro on this email for scheduling convenience. I am available any time before 3 on Tuesday the 27th, after noon on Wednesday the 28th, and any time except 1-2 on Thursday the 29th. I also am generally available the first week of June.

Many thanks in advance for your help.

Best regards, Michele.

Michele Rosenfeld  
The Law Office of Michele Rosenfeld LLC  
1 Research Court, Suite 450  
Rockville MD 20850  
[michele@marylandpropertylaw.com](mailto:michele@marylandpropertylaw.com)  
240-403-2653 (main office)  
301-204-0913 (direct)  
301-519-8001 (fax)  
Office Hours: M-F 8:30 - 5:00



Preliminary Plan & Forest Conservation Plan  
Plan Number 120250080 & F20250330

Dear Mr. Fuster,

My family and I live at 6608 80<sup>th</sup> Place, Cabin John, MD 20818 and recently received a letter in the mail inviting comment on a proposed development plan 120250080 & F20250330. I am reaching out to express a number of concerns regarding the development and request Montgomery County to deny the application.

The land to be developed is located at the top of a hill and is heavily wooded. Our home is located on the side of the hill and already experiences significant runoff when we have any significant precipitation. As a result, the side of our basement closest to the proposed development site frequently floods, despite numerous remediation actions taken by our family. The proposed development requires the removal of approximately an acre of mature trees to allow for construction, along with the addition of impermeable areas for the street and driveways will only increase the runoff and exacerbate our current situation.

In addition, I have grave concerns about access to our property during the 1-2 years of construction the developer mentioned during an earlier community meeting. The streets in our neighborhood are narrow and do not have sidewalks. It is ludicrous to believe that during the development, large construction vehicles will not only completely cut off the residents of 80<sup>th</sup> Place from their properties. As parents of a 15-month-old and a newborn, it is neither feasible nor rational for us to park our cars streets away and haul our children and all of their accoutrements to our vehicles every day as suggested by the developer and is an infringement on our ingress and egress rights to our property. Construction vehicles will also prohibit vehicles, waste disposal services, and delivery trucks from reaching our property, further violating our lawful rights as property owners and taxpayers of Montgomery County. In addition, 80<sup>th</sup> Place residents and construction vehicles parking on surrounding streets will create a hazardous situation for other cars and pedestrians, including the many children and pets that live in our neighborhood. The proposed construction will clog surrounding streets, reduce visibility for drivers, and put current residents at risk.

Finally, the proposed development is not in the spirit of our neighborhood. We pride ourselves on unique homes on larger lots that allow for an abundance of wildlife and a close connection with nature. Cutting down an acre of forest, driving away the resident wildlife and cramming three large, generic homes onto this land is completely out of character for our neighborhood. This same developer built a home at the corner of 81<sup>st</sup> Street and MacArthur Boulevard and it does not mesh with the surrounding aesthetics. Our community does not wish to become another Bethesda or Potomac; we cherish our individuality and the incredibly special community that we are part of.

As the construction of these homes on 80<sup>th</sup> Place will cause significant costs to present homeowners, create a hazardous environment for current residents and inflict irreparable damage to the spirit and character of our beloved neighborhood, we request Montgomery County deny the application.

Sincerely,


Elizabeth Klimp, JD & Daniel Magney, Esq.  
6608 80<sup>th</sup> Place

# Attachment G: Affidavit Regarding Community Meeting and Meeting Minutes

## AFFIDAVIT OF PRE-SUBMISSION MEETING

In conjunction with the filing of Preliminary Plan #120250080 for Cabin John Park, I hereby attest to the following:

1. A pre-submission meeting was conducted during the evening of Tuesday, May 15, 2024 at 6:30 PM. The meeting was held at the Little Falls Community Library located at 5501 Massachusetts Avenue.
2. A second pre-submission meeting was held during the evening of Tuesday, August 27, 2024 at 6:00 PM. The second meeting was held at the Clara Barton Neighborhood Recreation Center located at 7425 MacArthur Boulevard.
3. A copy of the letter of invitation to attend both pre-submission meetings is attached.
4. A list of all those who were sent copies of the invitation letters is attached.
5. A typed list of those who attended the meetings is attached.
6. Minutes of the pre-submission meetings are attached.
7. A sign notifying the public of the pre-submission meeting was posted at the site at least 15 days prior to the date each meeting was held.

  
Attested by: David W. McKee

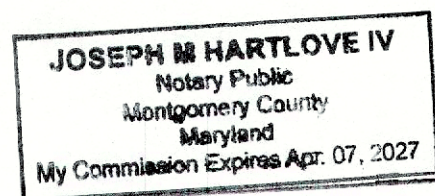
STATE OF MARYLAND, COUNTY OF MONTGOMERY, to wit:

I HEREBY CERTIFY THAT on this 19<sup>th</sup> day of February, 2025 before the subscriber, a Notary Public in and for the aforesaid County and State, personally appeared David W. McKee, well known to me or satisfactorily proven to be person whose name is subscribed to the within instrument and did acknowledge the execution of this document for the purposes therein contained and signed the same in my presence.

IN WITNESS WHEREOF, I hereunto set my hand and official Notarial Seal.

  
NOTARY PUBLIC

My Commission Expires: 04/07/2027



# Benning & Associates, Inc.

Land Planning Consultants  
8933 Shady Grove Court  
Gaithersburg, MD 20877  
Phone: 301-948-0240  
E-mail: [dmckee@benninglandplan.com](mailto:dmckee@benninglandplan.com)

**To:** Neighboring Property Owner or Other Interested Party  
**From:** David W. McKee  
**Date:** April 29, 2024  
**Re:** Notice of Pre-Submission Meeting for Cabin John Park (6551 80<sup>th</sup> Place)

---

To whom it may concern:

You are hereby invited to attend a pre-submission meeting to be held on the **15<sup>th</sup> of May at the meeting room of the Little Falls Community Library** located at 5501 Massachusetts Avenue. The meeting will begin at 6:30 pm. The purpose of the meeting is to explain the proposed project, answer questions, and to notify attendees of their right to participate in the review process.

The subject property consists of approximately 2.38 acres of undeveloped land which is zoned R-90. This property will be proposed for subdivision into four (4) lots for single-family homes. As an interested party, you will receive a notice and copy of the plan when the subdivision application has been filed, and you will receive a notice from the Maryland National Capital Park & Planning Commission when a public hearing has been scheduled.

A map showing the location of the proposed project is enclosed for your reference. If you have any questions related to this matter, please feel free to contact my office.

Sincerely,



David W. McKee

# Benning & Associates, Inc.

Land Planning Consultants  
8933 Shady Grove Court  
Gaithersburg, MD 20877  
Phone: 301-948-0240  
E-mail: [dmckee@benninglandplan.com](mailto:dmckee@benninglandplan.com)

**To:** Neighboring Property Owner or Other Interested Party  
**From:** David W. McKee  
**Date:** August 8, 2024  
**Re:** Notice of Pre-Submission Meeting for Cabin John Park (6551 80<sup>th</sup> Place)

---

To whom it may concern:

You are hereby invited to attend a pre-submission meeting to be held on the **27<sup>th</sup> of August 2024 at the meeting room of the Clara Barton Neighborhood Recreation Center** located at 7425 MacArthur Boulevard. The meeting will begin at 6:00 pm. The purpose of the meeting is to explain the proposed project, answer questions, and to notify attendees of their right to participate in the review process.

The subject property consists of approximately 2.38 acres of undeveloped land which is zoned R-90. This property will be proposed for subdivision into four (4) lots for single-family homes. As an interested party, you will receive a notice and copy of the plan when the subdivision application has been filed, and you will receive a notice from the Maryland National Capital Park & Planning Commission when a public hearing has been scheduled.

A map showing the location of the proposed project is enclosed for your reference. If you have any questions related to this matter, please feel free to contact my office.

Sincerely,



David W. McKee

## MINUTES OF PRE-SUBMISSION COMMUNITY MEETINGS

### Cabin John Park – Preliminary Plan #120250080

Meetings were held on Tuesday, May 15<sup>th</sup> and Tuesday, August 27<sup>th</sup>. The May meeting was held at the Little Falls Community Library. The August meeting was held at the Clara Barton Neighborhood Recreation Center.

The meetings were held in connection with a proposed subdivision for the property known as Cabin John Park located at 6551 80<sup>th</sup> Place.

#### Minutes for Meeting Held on May 15<sup>th</sup>:

1. The meeting started at approximately 6:30 pm.
2. Representatives in attendance on behalf of the applicant included:
  - Dan Demeria, Potomac Heritage Homes (contract purchaser).
  - Nick Demeria, Potomac Heritage Homes
  - David McKee of Benning & Associates (land planner)
  - Lindsay Lucas (owner's representative)
3. The meeting was well attended by neighbors and other interested parties from the community. Approximately 20 community members attended.
4. Mr. McKee presented the proposed plan for the property. He explained the purpose of the pre-submission meeting and the intention to file a subdivision application soon. Mr. McKee explained where the property is located, the requirements of the R-90 zone including minimum lot size, the characteristics of the property including a stream and steep slopes, and the requirements for a stream buffer area to be preserved. He explained that the proposed lots would be much larger on-average than the required minimum size and that the usable area for each lot outside of the protected buffer zone would be about 12-13,000 square feet. Mr. McKee explained the proposal for a shared driveway from 80<sup>th</sup> Place, and that access from MacArthur Boulevard was not likely to be permitted.
5. After the initial presentation of the plan, a back-and-forth discussion between community members and the applicant's representatives ensued. In general, many of those in attendance at the meeting expressed concerns with the plan and indicated they were opposed to what was being presented. The following are highlights of the matters which were discussed:

- Community members expressed concerns about the clearing of forest, flooding issues, and issues with a nearby culvert downstream of the site which runs under MacArthur Boulevard.
- Neighbors described the subject property as the last forested parcel in the area and objected to the cramming of the proposed development along the western boundary.
  - The applicant's representatives explained that it would be necessary to remove trees to develop the site in accordance with its zoning. The requirements for drywells and other stormwater management measures were also mentioned as reasons why some trees would need to be removed.
  - It was explained that environmental protection requirements for the eastern portion of the site result in the development being placed in the western half.
- A neighbor mentioned the difficulty of bringing fire trucks into the community served by 80<sup>th</sup> Place.
  - Mr. McKee explained that the subject property would likely be required to include a fire department compliant turn-around on-site as part of providing access to the property.
- Neighbors expressed disappointment that the current owner of the property was not present.
  - Dan Demeria explained that he was the contract purchaser of the property and that the current owner, Maud Mater, had initiated the process to determine the value of the property.
- There was a discussion about drainage and the pipe under MacArthur Boulevard. The Army-Corp-of-Engineers were mentioned as the ones who were responsible for maintaining the pipe.
  - Mr. McKee explained that the downstream culvert would be analyzed and that the new development would not be allowed to make downstream conditions worse than currently exists.
  - Mr. Demeria mentioned that if there was something which could be done to improve the current drainage situation, he would be open to fixing it. He discussed the requirement for on-site stormwater management such as drywells.
  - Mr. McKee indicated a storm drain analysis would be conducted to determine the impact of the proposed development on any downstream storm drain system.

- Neighbors expressed a desire to understand the scope of the study and for the results to be shared.
- There was a suggestion to build only 2 nice houses rather than the 4 proposed on the plan as presented.
- There was a request to investigate the possibility of access from MacArthur Boulevard instead of 80<sup>th</sup> Place.
- There were questions about the timeline for when construction would begin.
  - Mr. McKee explained that it would take approximately 1 year to obtain subdivision approval; and Dan Demeria explained 9-12 months to build the homes once permits were issued.
- An adjacent neighbor expressed concerns about the number of cars which would be generated by 4 new houses and asked if a traffic study would be provided.
  - Mr. McKee explained that a project of 4 new homes is exempt from having to do a traffic study due to the limited number of trips generated by this small of a project.
- There was a discussion about a new home being built nearby by Mr. Demeria at 6501 81<sup>st</sup> Street. Some neighbors expressed concerns with how construction activities, delivery vehicles, and debris from the site were handled.
  - Mr. Demeria mentioned he had not been made aware of some of the concerns and that a sign was posted on the property with his contact information should there ever be any problems.
- At the meeting, it was agreed that a second meeting would need to be held because the notice sign which was posted did not originally include the meeting time. A neighbor requested that the second meeting be held at the nearby community center (Clara Barton Neighborhood Recreation Center). Neighbors asked for the current owner to be present at the meeting.

The meeting was adjourned at approximately 8:00 pm.

### Minutes for Meeting Held on August 27th:

1. The meeting started at approximately 6:00 pm.
2. Representatives in attendance on behalf of the applicant included:
  - Dan Demeria, Potomac Heritage Homes (contract purchaser).
  - Nick Demeria, Potomac Heritage Homes
  - David McKee of Benning & Associates (land planner)
3. The meeting was well attended by neighbors and other interested parties from the community. Approximately 20 community members attended.
4. The applicant's representatives agreed to allow the meeting to be recorded by a community member.
  - Mr. McKee requested a copy of the recording to help in preparing the meeting minutes. However, there was not any follow-up contact made and the recording was not shared.
5. Mr. McKee once again explained the purpose of the meeting and presented the plan in a similar fashion to what was presented at the first meeting. The same plan was presented as being the proposal for subdivision of the property.
6. Mr. McKee followed up on the discussion about drainage at the first meeting with more information. He explained how the site fits into the overall drainage pattern in the area. He described that the site sits at the very bottom of a ~118 acre drainage area with all of this drainage coming through the eastern portion of the property in the area of the on-site stream. He mentioned that this entire 118 acre area drains to the 66" pipe which goes under MacArthur Boulevard. He explained that the proposed new lots sit on a very tiny portion (2.38 acres) of this large drainage area and that any new impervious would have a negligible impact on drainage flows in the area.
7. Mr. McKee explained that this small project would not be charged with fixing any problems the 66" pipe might have but that the project would detain water runoff on-site in the form of stormwater management measures so any issues are not made worse.

8. After the initial presentation of the plan, a back-and-forth discussion between community members and the applicant's representatives ensued. The following are highlights of the matters which were discussed:

- A neighbor opened the discussion by stating the major concerns were drainage, forest, traffic, emergency vehicle access.
- In general, there was an expression of general opposition to the plan and number of houses being planned for the property. Someone suggested it would be better to build larger but fewer houses.
- Someone made a request that the meeting minutes be shared with the community.
  - Mr. McKee explained that the minutes are submitted with the subdivision application and would be available to the public along with all of the other submission materials once the application is processed for review. He declined to share the minutes outside of the normal procedure.
- Someone asked if the trees which would need to be removed had been identified yet.
  - Mr. McKee explained all of trees 24" or larger in diameter had been located by survey and identified but specific plans for tree removal had not been done yet.
  - It was mentioned that the forest conservation plan would be included in notices sent out to community members and that this plan would detail tree and forest removal and retention.
- Someone asked about the ownership of conservation easements.
  - Mr. McKee explained that ownership remained with the owners of each lot but that the easements were enforced and violations resulted in fines and other actions by the Planning Department.
- Someone asked what size of home would be built on the lots.
  - Dan Demeria mentioned the homes would be 5,500 square feet on 3 levels, perhaps 6,000 with a loft.

- There were more questions about stormwater and drainage and how this would be handled.
  - Mr. Demeria described his experience with drywells and said they were preferred over rain gardens to avoid losing yard space.
  - It was mentioned that trees would be impacted from drywells.
- Someone asked if pervious pavement had been considered for stormwater management.
  - Mr. McKee mentioned there were other options in addition to drywells which would be considered including pervious pavement.
- Concerns about construction vehicles parking along 80<sup>th</sup> Place were discussed.
  - Mr. Demeria stated the proposed shared driveway would be used for parking vehicles during construction and not the street.
  - The driveway would be installed at the beginning of the project as gravel for construction access.
- Someone asked if all 4 homes would be built at the same time.
  - Mr. Demeria stated yes to this question.
- A neighbor asked how trash bins would be handled for the 4 homes due to the limited street frontage on 80<sup>th</sup> Place.
  - Mr. Demeria mentioned that a trash pick-up plan would be needed.
  - The shared driveway providing access for fire trucks would be suitable for trash truck access also to pick up the bins set alongside the shared part of the driveway.
- Someone asked if roads damaged by construction vehicles would be repaired.
  - Mr. Demeria explained that repairs would be done as required by the County and that bonds are posted for public right-of-way areas at the start of a project for this purpose.
- Mr. Demeria mentioned that water, sewer, and buried electric and telecommunications utilities would serve the new homes. He has no plans to use natural gas.

- There were more comments on the issues which occurred during construction of the single-family home on 81<sup>st</sup> Street. Some neighbors asked if there could be advance notice of delivery schedules so they could plan their travel accordingly.
  - Mr. Demeria mentioned he might opt to build trusses on-site to avoid delivery issues which impact neighbors.

The meeting was adjourned at approximately 8:00 pm.

Minutes submitted by:  
David McKee, Benning & Associates



## Attachment H: Applicant's Response Letter

Casey L. Cirner  
[ccirner@milesstockbridge.com](mailto:ccirner@milesstockbridge.com)  
301-517-4817

October 7, 2025

Marco Fuster, Planner III  
Montgomery County Planning Department  
Maryland-National Capital Park and Planning Commission  
2425 Reedie Drive, Floor 13  
Wheaton, MD 20902

Re: Cabin John – Preliminary Plan 120250080 (“Preliminary Plan”) and Forest Conservation Plan F20250330 (“FCP”)

Dear Mr. Fuster:

I am writing at your request, and on behalf of 4205 Saul Road LLC, the applicant of the Preliminary Plan and FCP (“Applicant”), to respond to the communications from Bob Brook (8016 MacArthur Boulevard) dated May 14, 2025, and Elizabeth Klimp, JD and Daniel Mageny, Esq. (6608 80<sup>th</sup> Place) dated March 8, 2025, received into the Preliminary Plan public record (collectively the “Letters”). As articulated herein, the Preliminary Plan, FCP and all associated application documents fully address the concerns raised in the Letters that are within the scope of the Preliminary Plan review and justify approval of the Preliminary Plan and FCP by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission (“Planning Board”).

### ***Introduction***

The Applicant is an experienced home builder, having developed and built new custom homes in Montgomery County for 27 years. The Applicant proposes to develop Parcel 167 located at 6551 80<sup>th</sup> Place in Cabin John, totaling 2.38 acres (the “Property”) in the R-90 zone, into 3 residential lots for development of 3 new detached dwellings served by a shared driveway. The Property is generally rectangular in shape with frontage on MacArthur Boulevard and 80<sup>th</sup> Place. It is forested with a stream that bisects the rear of the Property that is subject to a 55’ wide storm drain easement granted to Montgomery County per Plat 3163 in 1952 (“Storm Drain Easement”) and an overlapping approximate 15’ sewer easement granted to the Washington Suburban Sanitary Commission.<sup>1</sup>

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<sup>1</sup> The easement is granted to WSSC pursuant to the Right of Way dated April 4, 1979, and recorded on May 17, 1979, among the Land Records for Montgomery County, Maryland in Liber 5321 at folio 447.

***Stormwater Run-Off from the Proposed Development is Negligible***

The Letters raise concern that the proposed development of the Property, by way of increased impervious surface and removal of forest, will cause additional stormwater run-off into the stream on the Property that will negatively impact the surrounding properties and culvert through which the water flows under MacArthur Boulevard. This concern is contradicted by the plans and documents of record that confirm that the stormwater from the proposed development will not (measurably) increase the flow of water into the culvert and the required volume of stormwater from the proposed impervious areas will be stored on-site within proposed drywells.

***The Proposed Development Will Not Measurably Increase the Flow into the Culvert***

Per the approved Downstream Storm Drain Analysis and computations submitted by the Applicant on July 29, 2025 (“Approved SD Analysis”), the Montgomery County Department of Transportation has determined that there is “no increase in flow in the post-development analysis.” The drainage area that flows to the 66” RCP culvert referenced in the Letters consists of 127 acres, including the Property. It is understood that some amount of water falls onto the Property in its pre-development condition. As required, the Applicant has calculated that the post-development increase of 1.15 cubic feet per second of water (“cfs”) at the 25-year and 0.98 cfs at the 10-year will not increase the 25-year or 10-year water surface elevation. In other words, the amount of the flow increase from the proposed development is so minor that it is not measurable within the drainage area and will not change the existing condition of the storm drain and culvert. In other words, stormwater will continue to flow through the culvert without flowing onto MacArthur Boulevard.

***The Stormwater Generated by Impervious Area Will Be Stored On-Site***

The Combined Concept and Site Development Stormwater Management Plan approved by the Department of Permitting Services (“DPS”) on August 6, 2025 (“Approved SWM Plan”) utilizes environmental site design facilities to store a total of 1,353 cubic feet (“cf”) of the post-development stormwater run-off from the proposed impervious areas, which includes the impervious rooftops, hardscape and the shared driveway. Specifically, multiple drywells on each proposed lot will capture the stormwater from the rooftops and hardscape and a micro infiltration trench will capture the stormwater run-off from the shared driveway. As set forth in the chart below, the proposed drywells for each lot have a combined total storage volume that exceeds the 1-year storm requirement (1,117 cf) for the proposed impervious area on each lot:

Lot	Lot Size (sf)	Impervious Area (sf)	% of Impervious Area	ESD Facilities	Total ESDv Required (cf)	Total ESDv Proposed (cf)	Total Forest Retained (sf)	% Retained Forest	Total Forest Retained in FCE
1	26,062	4,299	16.49%	4 drywells	371	482	14,500	55.63%	9,527
2	55,809	4,341	7.8%	3 drywalls  1 micro infiltration trench	378	389	43,091	77.21%	29,780
3	21,718	3,285	15.1%	4 drywells	368	482	5,729	26.37%	5,027
Total	2.38 acres				1,117	1,353	63,320		44,334

The Applicant also proposed to further oversize each of the ESD facilities to accommodate the 10-year storm volume increase post-development (2,006 cf).<sup>2</sup> This would have provided an additional 398 cf of storage volume on Lots 1 and 3 and 431 cf on Lot 2 to store the post-development condition following the 10-year storm. However, DPS did not accept that offer. See Approved SWM Plan.

### ***The Preliminary Plan Proposes Modest Amounts of Impervious Area***

Contrary to the Letters, the Preliminary Plan proposes little impervious area for each lot, retaining the existing forest on the remainder of each lot. As set forth in the above chart, the total impervious area is less than 16.5 % of each of Lots 1 and 3 and less than 10% of Lot 2. The Applicant contributed to the reduction in impervious area by reducing the lot yield from 4 to 3 residential lots and providing access to all 3 lots to and from a single curb cut on 80<sup>th</sup> Place via a 30' wide shared driveway that tapers down to 15' feet for the majority of its length.<sup>3</sup>

The amount of impervious area would have been more if the Property was developed to the full extent of the density recommended in the applicable master plan and allowable under the zoning classification. The Property is approximately 2.38 acres (103,672.8 sq. ft.) and zoned R-90, which could theoretically yield approximately 11 lots. The 1990 Approved and Adopted Bethesda-Chevy Chase Master Plan ("Master Plan") recommends 6 lots for the Property. See Master Plan p. 65. The Applicant proposes to subdivide the Property into 3 lots for the development of 3 new single-family dwellings served by a shared driveway, which limits the

<sup>2</sup> the Approved SD Analysis calculated that the volume of stormwater run-off from the proposed development at the 10-year is 2,006 cf.

<sup>3</sup> For comparison purposes, according to its Levy Year 2025 Real Property Tax Bill, the property located at 6608 80<sup>th</sup> Place consists of approximately 4,015.63 square feet of impervious area on a lot that is approximately 10,595 square feet in size, which equals 37.90% of the lot.

amount of development, imperviousness and ultimately increases the amount of forest retained on-site.

### ***The FCP Exceeds the Forest Conservation Requirements***

Notwithstanding, the Letters raise concern that the proposed development will result in a significant loss of forest cover. The FCP shows, however, that the Applicant is retaining 1.41 of the 2.38 acres of forest on the Property or 59% as forest. This is allowable under the Forest Conservation Law, Chapter 22A of the Montgomery County Code and exceeds the retention requirements without any need for reforestation. Plus, the Applicant will be planting approximately 41 trees (at 3" caliper) on the Property to off-set the removal of certain individual trees.

Of the 1.41 acres of forest retained at the Property, 1.01 acres will be protected by a perpetual forest conservation easement ("FCE") recorded among the Land Records for Montgomery County, Maryland. Because the remaining 0.39 acres of retained forest is subject to the 1950's Storm Drain Easement and WSSC Easement, the County or WSSC retain the right to remove the subject forest, if necessary, to tend to the referenced infrastructure. This is a factor outside the Applicant's control, pre-dates the Applicant's ownership of the Property and ultimately, prevents the forest from being included within the FCE.

In response to related questions in the Letters, please note that the FCE is a legal instrument granted to the Planning Board. The FCE, coupled with the existing Storm Drain Easement and proposed stream valley buffer, will prevent the future development of additional detached dwellings at the Property.

### ***The Proposed Development Will Not Negatively Impact the Neighborhood***

Despite the allegations set forth in the Letters, the proposed lots are comparable and not smaller than the eclectic mix of lot sizes within the neighborhood. The 3 proposed lots are 21,718 square feet (Lot 3), 26,062 (Lot 1) and 55,809 (Lot 2) square feet in size. According to Plats 3163 and 292, the surrounding lots vary in size at around 10,000 sf (Lots 92-95), Lot 103 is 21,098 sf, Lot 40 is 22,875 sf, Lot 104 is over 15,000 sf and Lots 105-107 are in the 13,000 sf range. Comparatively, the proposed lots are not smaller than the existing lots.

The concerns about architecture and aesthetics of the proposed detached dwellings are not within the scope of Preliminary Plan review. The Applicant does not foresee construction traffic negatively impacting the neighborhood. As the Letters note, the Applicant built a new home at 6501 81 Street, yet the Letters cite no specific instances of Applicant's construction traffic hindering trash pick up or deliveries or parking on the streets. The Applicant will continue to responsibly manage construction parking and traffic throughout the neighborhood.



***Conclusion***

The Applicant has addressed all concerns in the Letters applicable to the Preliminary Plan and FCE review. Therefore, the Letters do not raise any concerns that justify the Planning Board's denial of the Preliminary Plan or FCE and we strongly urge their approved.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Casey L. Cirner'.

Casey L. Cirner

cc: Daniel Demeria, 5205 Saul Road, LLC  
Nick Demeria, Potomac Heritage Homes  
David McKee, Benning & Associates, P.A.