MEMORANDUM

DATE:       June 14, 2007
TO:         Montgomery County Planning Board
VIA:        Catherine Conlon, Supervisor
            Development Review Division
            (301) 495-4542
FROM:       Stephen Smith
            Development Review Division
            (301) 495-4522
SUBJECT:    Informational Maps and Summary of Record Plats for the Planning Board
            Agenda for June 28, 2007

The following record plats are recommended for APPROVAL, subject to the appropriate
conditions of approval of the preliminary plan and site plan, if applicable, and
conditioned on conformance with all requirements of Chapter 50 of the Montgomery
County Code. Attached are specific recommendations and copies of plat drawings for the
record plat. The following plats are included:

220062010 The Landing
PLAT NO. 220062010

The Landing
Located on the east side of Glen Mill Road directly across from Red Barn Lane.
RE-1 Zone; 2 Lots
Community Water, Community Sewer
Master Plan Area: Potomac
Deer Crossing, LLC, Applicant

The record plat has been reviewed by MNCPPC staff and other applicable agencies as documented on the attached Plat Review Checklist. Staff has determined that the plat complies with Preliminary Plan No. 120050710, as approved by the Board and that any minor modifications reflected on the plat do not alter the intent of the Board’s previous approval of the preliminary plan.

PB date: 06/28/07
RECORD PLAT REVIEW SHEET

Plan Name: Glen Mill Rock
Plan Number: 20050710
Plat Name: McLeod
Plat Number: 820062010
Plat Submission Date: 3/19/06
DRD Plat Reviewer: 
DRD Prelim Plan Reviewer: Mike Weese 4/25/06

Initial DRD Review:
Signed Preliminary Plan – Date 8/22/06 Checked: Initial 4/1 Date 4/21/06
Planning Board Opinion – Date 2/11/06 Checked: Initial 4/21/06
Site Plan Req’d for Development? Yes No Verified By: (initial)
Site Plan Name: 
Planning Board Opinion – Date 
Site Plan Signature Set – Date 
Site Plan Reviewer Plat Approval: Checked: Initial Date

Review Items: Lot & Layout Lot Area Zoning Bearings & Distances
Coordinates Plan # OK Road/Alley Widths Easements Open Space N/A
Non-standard BRLS N/A Adjoining Land OK Vicinity Map OK Septic/Wells N/A
TDR note N/A Child Lot note N/A Surveyor Cert OK Owner Cert OK Tax Map

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Final DRD Review:
DRD Review Complete: Initial Date 6/3/07
(All comments rec’d and incorporated into mark-up)
Engineer Notified (Pick up Mark-up): TBA/PW Date 4/26/06
Final Mylar w/Mark-up & PDF Rec’d: 6/11/07

Board Approval of Plat:
Plat Agenda: 
Planning Board Approval: 
Chairman’s Signature: 

DPS Approval of Plat:
Engineer Pick-up for DPS Signature: 
Final Mylar for Reproduction Rec’d: 

Plat Reproduction:
Addressing: 
File Card Update: 
Final Zoning Book Check: 
Update Address Books with Plat #: 
Update Green Books for Resubdivision: 
Notify Engineer to Seal Plats: 
Engineer Seal Complete: 
Complete Reproduction: 
Sent to Courthouse for Recordation: 

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 120050710 (formerly 1-05071)
NAME OF PLAN: Glen Mill Road

The date of this written opinion is \textbf{FEB 01 2006} (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules of Court - State).

On 2/08/05, Mr. Lewie Bloom ("Applicant") submitted an application for the approval of a preliminary plan of subdivision of property in the RE-1 zone. The application proposed to create 2 lots on 5.18 acres of land located at on the east side of Glen Mill Road (Lane) opposite the intersection with Red Barn Lane, in the Potomac master plan area. The application was designated Preliminary Plan 120050710 (formerly 1-05071). On 10/10/05, Preliminary Plan 120050710 (formerly 1-05071) was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application.

The record for this application ("Record") closed at the conclusion of the public hearing, upon the taking of an action by the Planning Board. The Record includes: the
information on the Preliminary Plan Application Form; the Planning Board staff-generated minutes of the Subdivision Review Committee meeting(s) on the application; all correspondence and any other written or graphic information concerning the application received by the Planning Board or its staff following submission of the application and prior to the Board’s action at the conclusion of the public hearing, from the applicant, public agencies, and private individuals or entities; all correspondence and any other written or graphic information issued by Planning Board staff concerning the application, prior to the Board’s action following the public hearing; all evidence, including written and oral testimony and any graphic exhibits, presented to the Planning Board at the public hearing.

PUBLIC HEARING

Staff appeared and testified, summarizing its staff report and recommending approval of the plan, subject to conditions. The Applicant appeared and testified in support of staff’s recommendation and the conditions of approval. Nobody testified or submitted evidence in opposition to the proposed preliminary plan.

FINDINGS

Having given full consideration to the recommendations of its Staff; the recommendations of the applicable public agencies\(^1\); the applicant’s position; and other evidence contained in the Record, which is hereby incorporated in its entirety into this Opinion, based upon the uncontested evidence of record as detailed in the staff report and incorporated herein by reference, the Montgomery County Planning Board finds that:

a) The Preliminary Plan No. 120050710 (formerly 1-05071) substantially conforms to the Potomac master plan.

b) Public facilities will be adequate to support and service the area of the proposed subdivision.

c) The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.

d) The application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A. This finding is subject to the applicable condition(s) of approval.

\(^1\) The application was referred to outside agencies for comment and review, including the Washington Suburban Sanitary Commission, the Department of Public Works and Transportation, the Department of Permitting Services and the various public utilities. All of these agencies recommended approval of the application.
The application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department of Permitting Services ("MCDPS") that the Stormwater Management Concept Plan meets MCDPS' standards.

The Record of this application does not contain any contested issues; and, therefore, the Planning Board finds that any future objection, which may be raised concerning a substantive issue in this application, is waived.

CONDITIONS OF APPROVAL

Finding Preliminary Plan No. 120050710 (formerly 1-05071) in accordance with the purposes and all applicable regulations of Montgomery County Code Chapter 50, the Planning Board approves Preliminary Plan No. 120050710 (formerly 1-05071), subject to the following conditions:

1) Approval under this preliminary plan is limited to two (2) one-family detached dwelling units.

2) The proposed development shall comply with the conditions of the preliminary forest conservation plan. The applicant shall satisfy all condition prior to the recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits, as applicable. The conditions are as follows:

   a) Afforestation Planting Plan for all areas currently unforested within the stream valley buffer, per Chapter V of the Environmental Guidelines for Special Protection Areas.

   b) Tree protection plan to protect trees as specified on the preliminary FCP.

   c) Split rail fence or staff approved equivalent shall be place along conservation easement limit on both lots.

   d) The rear wall of the house on Lot 1 shall be setback a minimum of 35 ft. (e.g. the rear yard setback in the RE-1 zone) from the conservation easement to allow for a fully useable back yard outside the easement area.

   e) Submittal of financial security to M-NCPPC prior to clearing or grading.

   f) Required site inspection by M-NCPPC monitoring staff (as specified in "Trees Technical Manual").
g) Maintenance agreement to be reviewed and approved by M-NCPPC staff prior to first inspection of the planted areas.

3) Compliance with water quality inventory requirements for the Piney Branch Special Protection Area, including:

   a) Afforestation of all unforested areas within the stream valley buffer (accelerated forestation);

   b) Use of shared driveway off Glen Mill Road (imperviousness reduction); and

   c) Compliance with all conditions of the MCDPS memo dated July 15, 2005.

4) Record plat to reflect a Category I forest conservation easement over all areas of forest conservation and stream valley buffers. Forest conservation easement on adjacent Parcel 820 to be recorded by deed; deed reference to be shown on plat for the subject property. All onsite specimen trees shown to be saved on the preliminary FCP outside of the stream valley buffer shall be placed in Category II easements, or other equivalent protection measure.

5) The applicant shall dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan unless otherwise designated on the preliminary plan. (Glen Mill Road is master planned for a 70 ft r.o.w. north of Red Barn Lane and 80 ft. r.o.w. south of Red Barn Lane.)

6) Compliance with conditions of MCDPWT letter dated May 12, 2005, unless otherwise amended.

7) Record plat to reflect a common ingress/egress and utility easement over all shared driveways.

8) Other necessary easements.

This Preliminary Plan will remain valid for 36 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed.

* * * * * * * * * * * * * * * * * * * * * * * * * * * * *

[CERTIFICATION OF BOARD VOTE ADOPTING OPINION ON FOLLOWING PAGE]

[Signature]
Approved for legal sufficiency
M-NCPPC Office of General Counsel
CERTIFICATION OF BOARD ADOPTION OF OPINION

At its regular meeting, held on Thursday, January 26, 2006, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, by unanimous consent ADOPTED the above Opinion which constitutes the final decision of the Planning Board and memorializes the Board’s findings of fact and conclusions of law for Preliminary Plan 120050710 formerly 1-05071, Glen Mill Road. Vice Chair Perdue was temporarily absent. Commissioner Bryant abstained.

[Signature]

Certification As To Vote of Adoption
E, Ann Daly, Technical Writer