





MCPB
Item # 2
3/20/08

MEMORANDUM

DATE: March 7, 2008

TO: Montgomery County Planning Board

VIA: Catherine Conlon, Subdivision 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 March 20, 2008

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 plan drawings for the record plat. The following plats are included:

220071090 **Silver Crest**
220080430 **Potomac Farm Estates**
220080770 **Gateway Commons**
220081040 **Garrett Park, Section 2**
220081240 **Brookmont**

PLAT NO. 220071090

Silver Crest

Located at the northern terminus of Silver Crest Drive

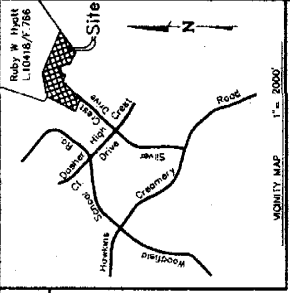
RC zone; 2 lots, 1 outlot

Private Well, Private Septic

Master Plan Area: Damascus

Jerry Hyatt, Applicant

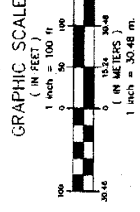
The record plat has been reviewed by M-NCPPC staff and other applicable agencies as documented on the attached Plat Review Checklist. Staff has determined that the plat complies with Preliminary Plan No. 120060990, as approved by the Board, and that any minor modifications reflected on the plat do not alter the intent of the Board's previous approval of the aforesaid plan.



TAX MAP No. GX121

PLAT TABULATION

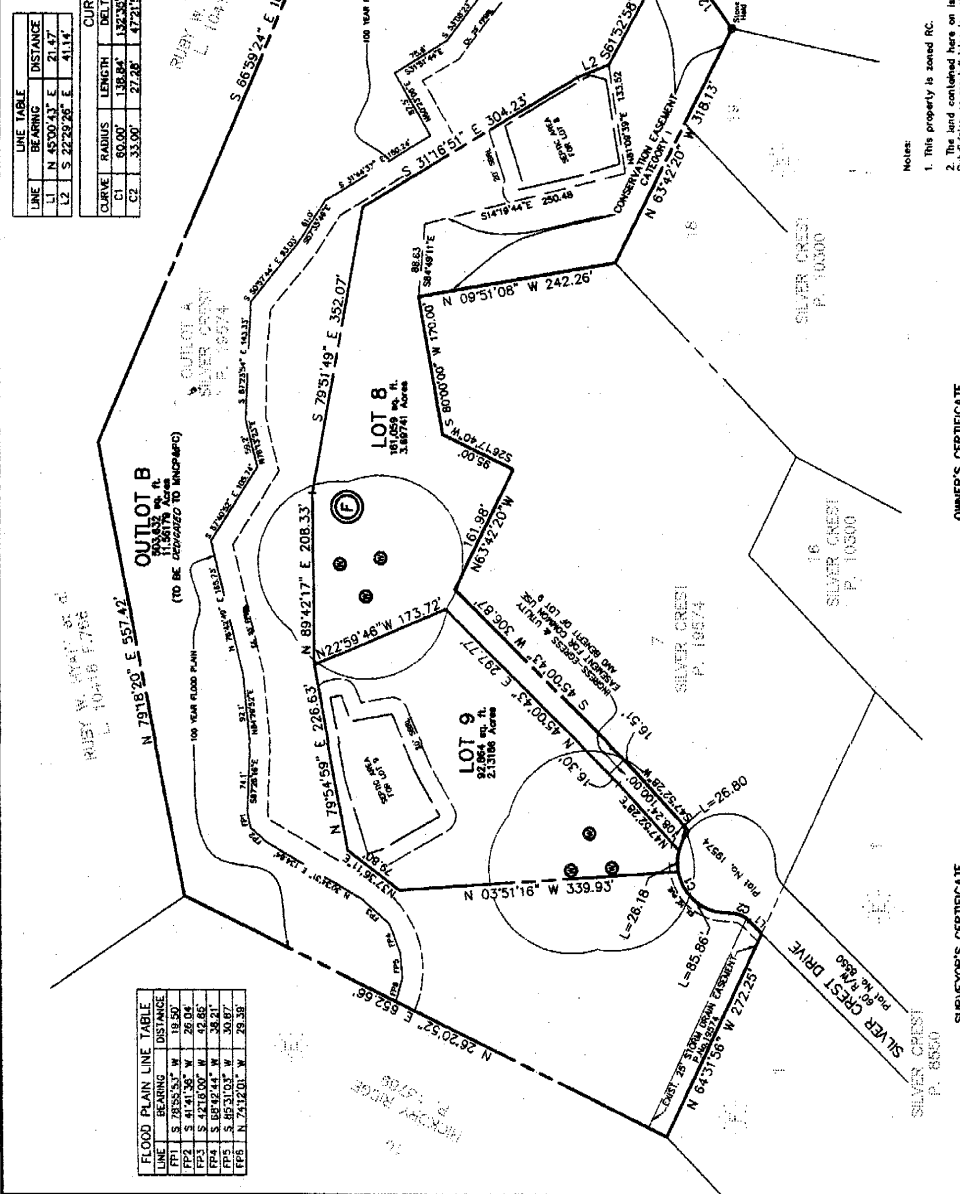
Number of Lots	= 2
Number of Outlots	= 1
Area of Lots	= 253,923 sq. ft.
Area of Outlot	= 21,306 sq. ft.
Total Area	= 275,229 sq. ft.



PLAT No.

LINE	RADIUS	LENGTH	DELTA	TANGENT	CHORD BEARING	CHORD
C1	60.00'	138.84'	132.32°21'	136.63'	S 63°59'33" W	108.87'
C2	33.00'	27.28'	47°21'53"	14.47'	S 21°19'58" W	28.31'

LEGEND:
 IPC = Iron Pipe with Cap
 GPF = Open Pipe Found
 RVC = Rubber with Cap Found



FLOOD PLAIN LINE TABLE

LINE	BEARING	DISTANCE
FP1	S 78°55'53" W	18.50'
FP2	S 41°41'28" W	26.04'
FP3	S 47°15'00" W	52.66'
FP4	S 68°47'14" W	38.21'
FP5	S 20°12'01" W	28.30'

OWNER'S CERTIFICATE

Ruby W. Hyatt, hereby certifies that the plat herein is correct, that it is a subdivision of all or part of the land conveyed by Ruby W. Hyatt and Jerry H. Hyatt, Survivors of Basile L. Williams to Ruby W. Hyatt, Jerry H. Hyatt and Carolyn Lee Hyatt (as Life Tenants) (Release of Life Estate, L10828 of F-332) by deed dated August 10, 1948, in Liber 10418 of Folio 786, and also being a re-subdivision of Outlot A, Block F as delineated on a plat of subdivision entitled 'SILVER CREST' as recorded in Liber 10418 of Folio 786, and that the area shown on this plat is an accurate reflection of the 100-year floodplain shown on this record plat as an accurate reflection as the same is shown on the Floodplain Study referenced elsewhere on this plat. We, the undersigned, are duly qualified and licensed Professional Land Surveyors in the State of Maryland and are duly registered and duly licensed in the State of Maryland. We are duly qualified and licensed in the State of Maryland and are duly registered and duly licensed in the State of Maryland. The total area included on this plat is 751,556 square feet or 17,359.06 acres. There is no street dedication by this plat.

OWNERS CERTIFICATE

Ruby W. Hyatt, hereby certifies that the plat herein is correct, that it is a subdivision of all or part of the land conveyed by Ruby W. Hyatt and Jerry H. Hyatt, Survivors of Basile L. Williams to Ruby W. Hyatt, Jerry H. Hyatt and Carolyn Lee Hyatt (as Life Tenants) (Release of Life Estate, L10828 of F-332) by deed dated August 10, 1948, in Liber 10418 of Folio 786, and also being a re-subdivision of Outlot A, Block F as delineated on a plat of subdivision entitled 'SILVER CREST' as recorded in Liber 10418 of Folio 786, and that the area shown on this plat is an accurate reflection of the 100-year floodplain shown on this record plat as an accurate reflection as the same is shown on the Floodplain Study referenced elsewhere on this plat. We, the undersigned, are duly qualified and licensed Professional Land Surveyors in the State of Maryland and are duly registered and duly licensed in the State of Maryland. The total area included on this plat is 751,556 square feet or 17,359.06 acres. There is no street dedication by this plat.

There are no suits, liens, leases, mortgages, or trusts, affecting the property included in this plat of re-subdivision.

- Notes:
- This property is zoned RC.
 - The land contained hereon is within an approved RC Cluster Development. Subdivision or re-subdivision is not permitted after the property is developed.
 - This plat is limited to uses and conditions as required by Preliminary Plan No. 120009990 entitled 'SILVER CREST'.
 - Septic Building Restriction Lines subject to change only with Montgomery County Planning Board approval. All septic systems shall be installed for 0.6 bedroom houses.
 - Outlot B, Block F is to be dedicated to the Maryland National Capital Park and Planning Commission.
 - The property shown herein is subject to the requirements of Chapter 22A of the Maryland Code, Annotated, relating to the requirements for a Forest Conservation Plan and appropriate agreements prior to issuance of a sediment control permit.
 - Unless expressly contemplated by the plan as approved, all terms, conditions, covenants, restrictions, and requirements associated with any preliminary plan, subdivision, or re-subdivision shall remain in full force and effect and shall not be extinguished by the recordation of this plat. The official public fee for recording this plat shall be paid by the applicant to the Montgomery County Planning Board pending construction of this plat.
 - This Plat is not intended to alter any matter affecting or restricting the determination of title or to affect or nullify the effect of any matter affecting or restricting the determination of title or to affect or nullify the effect of any matter affecting or restricting the determination of title or to affect or nullify the effect of any matter affecting or restricting the determination of title.
 - The copies of the 100-year floodplain shown herein are as approved by approved letter by GPS dated September 11, 2007, and is subject to a 225' building Restriction Line (BRL). At such time as the property is further redeveloped (whether by a building footprint, driveway, or other structure), the owner shall be responsible for the construction of a flood plain study to be made in accordance with the requirements of the Floodplain Study Act of 2004, and the same shall be recorded with the same plat of subdivision recorded in the Land Records of Montgomery County, Maryland prior to building permit issuance.

MHG
 Macris, Hendricks & Glascock, P.A.
 Engineers • Planners
 Landscape Architects • Surveyors
 1100 Old York Road, Suite 310
 Gaithersburg, Maryland 20878-4379
 Tel: 301.281.8000
 Fax: 301.281.8000
 www.mhga.com

SUBDIVISION RECORD PLAT
 LOTS 8 AND 9, OUTLOT B, BLOCK F
SILVER CREST
 ELECTION DISTRICT No.12
 MONTGOMERY COUNTY, MARYLAND
 SCALE: 1" = 100'
 AUGUST, 2007

DATE: 2/6/08
 BY: Ruby W. Hyatt
 Professional Land Surveyor
 Md. Reg. No. 10172

DATE: 2/6/07
 BY: Ruby W. Hyatt
 Professional Land Surveyor
 Md. Reg. No. 10172

FOR PRIVATE WELL AND SEPTIC SYSTEMS ONLY

THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION
 MONTGOMERY COUNTY PLANNING BOARD

APPROVED: _____

CHAIRMAN _____ SECRETARY-TREASURER _____

M.D.C.P. & P.C. RECORD FILE No. _____

DIRECTOR _____ DATE: 2/6/10

RECORD PLAT REVIEW SHEET

Plan Name: SILVER CREST Plan Number: 1-20060990
 Plat Name: SILVER Crest Plat Number: 2-20071090
 Plat Submission Date: 2-6-07
 DRD Plat Reviewer: S. Smith
 DRD Prelim Plan Reviewer: R. Weaver

Initial DRD Review:

Signed Preliminary Plan - Date 4-6-07 Checked: Initial RAN Date 3/3/08
 Planning Board Opinion - Date 2-21-07 Checked: Initial SOS Date 8-8-07
 Site Plan Req'd for Development? Yes ___ No X Verified By: SOS (initial)
 Site Plan Name: N/A Site Plan Number: N/A
 Planning Board Opinion - Date N/A Checked: Initial N/A Date N/A
 Site Plan Signature Set - Date N/A Checked: Initial N/A Date N/A
 Site Plan Reviewer Plat Approval: Checked: Initial N/A Date N/A

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

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>UP</u>	<u>2-9-07</u>	<u>2-27-07</u>	<u>2-21-07</u>	<u>ok</u>
Research	Bobby Fleury			<u>ok</u>	<u>ok</u>
SHA	Doug Mills				
PEPCO	Steve Baxter				
Parks	Doug Powell				
DRD	Steve Smith			<u>2-21-07</u>	<u>See PLAT Mark up</u>

Final DRD Review:

DRD Review Complete: Initial SOS Date 3/5/08
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up): Initial SOS Date 8/8/07
 Final Mylar w/Mark-up & PDF Rec'd: Initial SOS Date 2-29-08

Board Approval of Plat:

Plat Agenda: Initial SOS Date 5/29/08
 Planning Board Approval: _____
 Chairman's Signature: _____

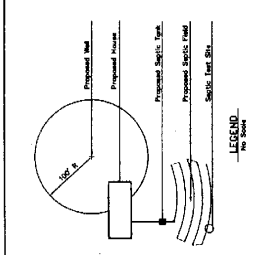
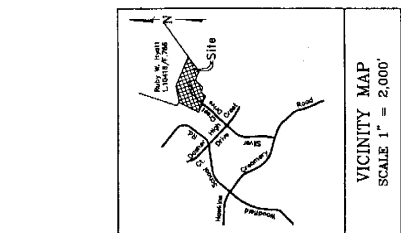
DPS Approval of Plat:

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: _____

No. _____



NOTES:

- Topography from MDCRC Plan & Planning Topographic sheet 202 (M) with contour interval, shown to the extent of the specific blocks.
- Boundary information from recorded deeds and plots.
- Water and sewer category W-1 and S-1, respectively.
- The project is sited on the MDCRC Plan. The proposed lot size is 2.0000 ac.
- Number of lots proposed by this plan: 2 and One Outlot.
- All Natural Resources Inventory Map/Great State Delineation Plan has been approved by M-DCRRC Environmental Planning Division, No. 4-00198.
- This site is within the Domestic Water Plan Planning Area #1.
- The site drains to Great Street Stream Valley Fork. The SOLE of Maryland has designated the portion of the watershed as Class 1.
- Property lines and areas are subject to adjustment at final plat computations.
- Building locations and grading are graphical representations. Final location and grading to be completed at Building Permit phase.
- Sanitary utility composite include:
 - Water: A. Sewer: One-Story, Main & Septic
 - Electric: Alleyway Power
 - Natural Gas: Washington Gas

REALIGNMENT STANDARDS (RC Cluster)
(Order: 56-C-13.2N)

Item	Required/Proposed
Density of development	1 (1/2) (2.2)
Net Lot Area (±)	63,000 ± ft. ²
Lot Width (±)	75 ft. min.
Lot Depth (±)	85 ft. min.
Setbacks From Street	50 ft. min.
Street Frontage (±)	175 ft. min.
Street Right-of-Way (±)	50 ft. min.
Street Right-of-Way (±)	20 ft. min.
Street Right-of-Way (±)	20 ft. min.
Building Height (±)	50 ft. min.
Building Coverage (±)	100.00%

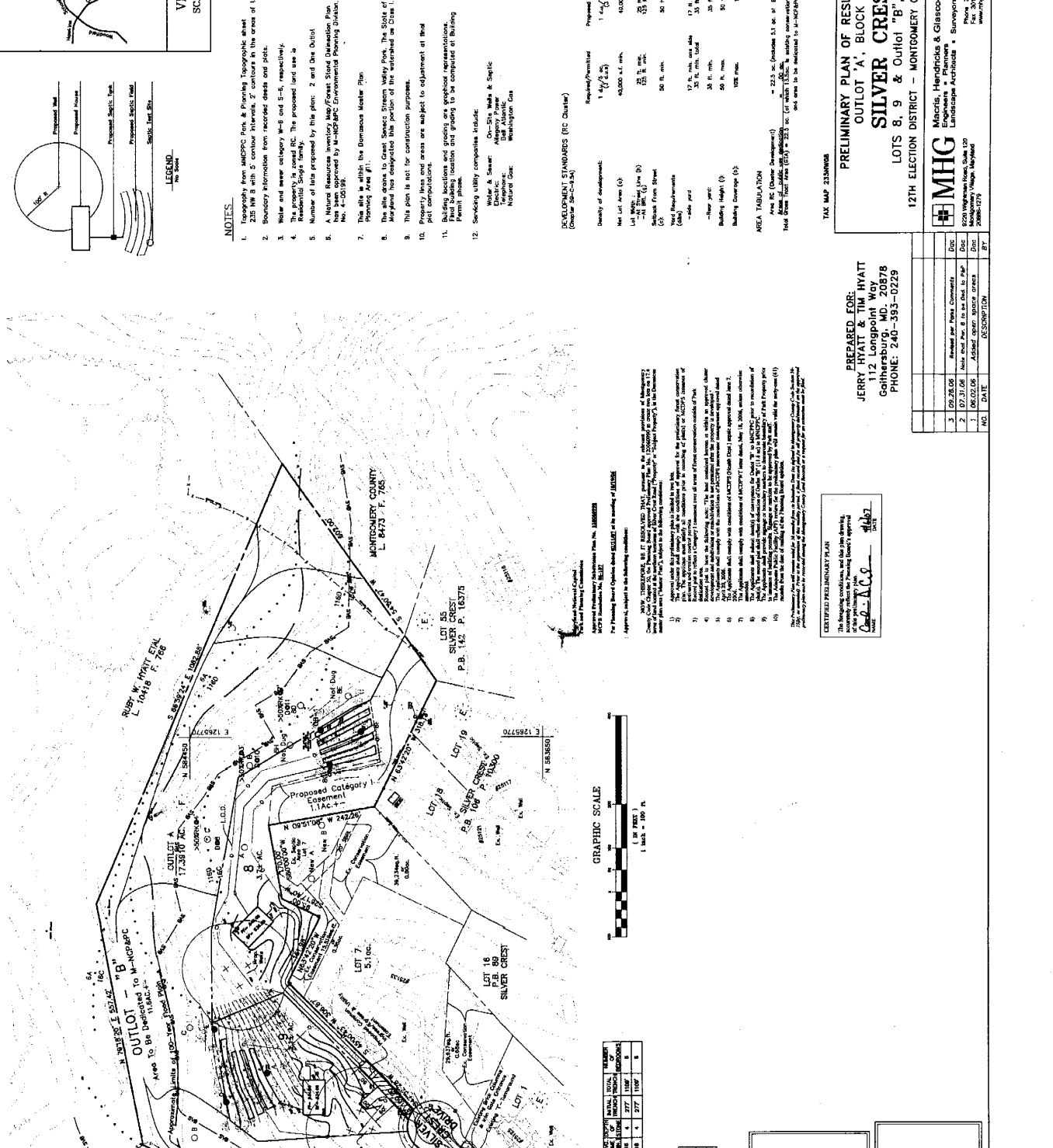
AREA TABULATION
Area RC (Cluster Development) = 23.3 ac. (include 3.1 ac. of E. Lot 1)
Total Area (including 100' wide strip of water) = 23.3 ac. (including 3.1 ac. of E. Lot 1)
Total Area (excluding 100' wide strip of water) = 20.2 ac. (including 3.1 ac. of E. Lot 1)

PREPARED FOR:
JERRY HYATT & TIM HYATT
112 Longpoint Way
Gothersburg, MD, 20878
PHONE: 240-393-0229

CERTIFIED PRELIMINARY PLAN
The foregoing conditions and data show compliance with the provisions of the Maryland Subdivided Land Act, Chapter 412, of the Annotated and Code of Maryland, and the provisions of the Maryland Subdivided Land Act, Chapter 412, of the Annotated and Code of Maryland, and the provisions of the Maryland Subdivided Land Act, Chapter 412, of the Annotated and Code of Maryland, and the provisions of the Maryland Subdivided Land Act, Chapter 412, of the Annotated and Code of Maryland.

APPROVED FOR THE BOARD OF PUBLIC WORKS OF MONTGOMERY COUNTY
BY: [Signature]
DATE: 3/1/17

APPROVED FOR THE BOARD OF PUBLIC WORKS OF MONTGOMERY COUNTY
BY: [Signature]
DATE: 3/1/17



SEPTIC DESIGN CHART

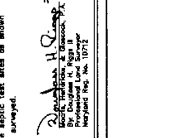
LOT	AREA (±)	POPULATION	SEWER	SEWER	SEWER	SEWER	SEWER	SEWER
1	17,381	2	W-1	S-1	S-1	S-1	S-1	S-1

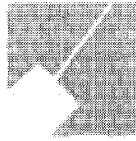
INVERT TABLE

LOT	TOP OF INVERT	INVERT IN	INVERT OUT	LOWEST FINISHED FLOOR
1	5.00	5.00	5.00	5.00

SURVEYOR'S CERTIFICATE
I have surveyed the above described land and certify that the same is as shown on this plan. I am a duly Licensed Professional Engineer, State of Maryland.
3/1/17 [Signature]

FERCULATION CERTIFICATE
I hereby certify that the septic test sites as shown on this plan have been surveyed.
3/1/17 [Signature]





MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 06-107
Preliminary Plan No. 120060990
Silver Crest
Date of Hearing: October 19, 2006

EB 21 2007

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION¹

WHEREAS, pursuant to Montgomery County Code Chapter 50, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to review preliminary plan applications; and

WHEREAS, on March 28, 2006, Jerry and Tim Hyatt ("Applicants"), filed an application for approval of a preliminary plan of subdivision of property in the RC zone that would create two lots on 17.4 acres of land located at the northern terminus of Silver Crest Road ("Property" or "Subject Property"), in the Damascus master plan area ("Master Plan"); and

WHEREAS, Applicants' preliminary plan application was designated Preliminary Plan No. 120060990, Silver Crest ("Preliminary Plan" or "Application"); and

WHEREAS, Staff issued a memorandum to the Planning Board, dated October 6, 2006, setting forth its analysis, and recommendation for approval of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and the staffs of other governmental agencies, on October 19, 2006, the Planning Board held a public hearing on the Application (the "Hearing"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on October 19, 2006, the Planning Board approved the Application subject to certain conditions, on motion of Commissioner Perdue; seconded by

¹ This Resolution constitutes the written opinion of the Board in this matter and satisfies any requirement under the Montgomery County Code for a written opinion.

Approved as to
Legal Sufficiency: TAS 2-2-07
M-NCPPC Legal Department

Commissioner Robinson; with a vote of 4-0, Commissioners Hanson, Perdue, Robinson, and Wellington voting in favor; Commissioner Bryant necessarily absent.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 50, the Planning Board approved Preliminary Plan No. 120060990 to create two lots on 17.4 acres of land located at the northern terminus of Silver Crest Road ("Property" or "Subject Property"), in the Damascus master plan area ("Master Plan"), subject to the following conditions:

- 1) Approval under this preliminary plan is limited to two lots.
- 2) The Applicants shall comply with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 3) Record plat to reflect a Category I easement over all areas of forest conservation outside of Park dedication area.
- 4) Record plat to have the following note: "The land contained hereon is within an approved cluster development and subdivision or resubdivision is not permitted after the property is developed."
- 5) The Applicants shall comply with the conditions of MCDPS stormwater management approval dated April 20, 2006.
- 6) The Applicants shall comply with conditions of MCDPS (Health Dept.) septic approval dated June 7, 2006.
- 7) The Applicants shall comply with conditions of MCDPWT letter dated, May 18, 2006, unless otherwise amended.
- 8) The Applicants shall submit deed(s) of conveyance for Outlot "B" to MNCPPC prior to recordation of plat(s). The record plat shall reflect dedication of Outlot "B" (11.6 ac) to MNCPPC.
- 9) The Applicants shall provide signage or boundary markers to demarcate boundary of Park Property prior to issuance of building permits. Signage or markers to be approved by Park staff.
- 10) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff, which the Board hereby adopts and incorporates by reference, and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

1. *Preliminary Plan No. 120060990 substantially conforms to the Damascus Master Plan.*

The recently adopted Damascus Master Plan recommends that the Rural Cluster (RC) zone be continued for the Subject Property to maintain the low-density residential character and to allow for agricultural operations to continue.

The Damascus Master Plan identifies the Subject Property for acquisition to accommodate a portion of the Upper Great Seneca Park Trail System. As part of the review of this application, staff identified steep slopes, mature forest and various plant species in the near stream area that should be protected as part of the subdivision application. Some of the mature forest and moderately steep slopes are shown to be located on the proposed lots. As such, M-NCPPC Staff initially approached the Applicants concerning purchase by the M-NCPPC of the Property. The Applicants, however, advised Staff that they were not interested in selling the Property but agreed to dedicate approximately 11.6 acres of the Property.

The portion of the Property to be dedicated includes all of the steep slopes, a majority of the moderately steep slopes, all of the stream valley buffer, and a majority of the forest resources. Staff advised the Planning Board that the dedication: will accomplish the Master Plan goal of providing for a trail connection along the Great Seneca Creek; does not eliminate the ability to implement trail objectives as part of the Master Plan; and that the dedication generally adheres to the proposed park boundary.

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

Because the subdivision will generate less than 30 peak hour trips, the Applicants will not be required to perform a full Local Area Transportation Review. With the completion of the cul-de-sac, as required by MCDPWT, the proposed lots will have adequate access to a public street. Sidewalks are not being required by MCDPWT because this property is in a low density RC zone. Pedestrians can safely use the street pavement in this area.

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

Although proposed Lot 9 is very similar to other lots in the vicinity with respect to these characteristics, proposed Lot 8 is irregularly shaped. Staff advised the Board that the irregular shape is necessary to assure that the septic area is located on the lot and to maximize park dedication. Lot 8 is similar to existing Lot 7 in that the septic reserve area on Lot 7 also necessitated an irregular shape. The Master Plan recommendation for acquisition of all or a portion of the Subject Property is considered in the evaluation of the appropriateness of the relevant lot characteristics. Staff worked extensively with the Applicants to devise a property line that maximizes Park acquisition and allows the Hyatt family to plat two lots. Staff advised the Board that the Montgomery Department of Permitting Services ("MCDPS") prefers to keep septic system areas on the same lot as the associated structure and the Parks Department is very resistant to having private septic easements located within Park boundaries. In light of these Master Plan and agency issues, proposed Lot 8 is appropriately shaped in order to achieve these goals. The width, size and orientation of Lot 8 are also appropriate.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.*

The Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) #4-05199 for this site was approved on February 28, 2005. The NRI/FSD identifies the environmental constraints and forest resources on the Subject Property. The 17.39-acre site includes 6.19 acres of stream buffer and is fully forested.

Pursuant to Montgomery County Code Section 22A-12(f), properties in agricultural resource areas must retain or plant up to a certain threshold (percentage) of forest onsite. The Preliminary Plan will retain 12.7 acres of forest, which will exceed both the minimum retention and the standard conservation thresholds for the Property and exceeds the break-even point of 6.9 acres of forest retained. The retained forest will be permanently protected through 1.1 acres of Category I Conservation Easement and 11.6 acres of dedication to MNCPPC.

5. *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.*

MCDPS evaluated the Property for water quality and channel protection volume controls. Staff advised the Board that, due to the minimal runoff generated by the proposed development it is

not feasible, nor warranted, to provide any control measures for the Property. Therefore, MCDPS granted a stormwater management waiver.

6. *A cul-de-sac of greater than 500 feet in length is justified.*

Pursuant to Montgomery County Code Section 50-26(d), the Board finds that a cul-de-sac of greater than 500 feet in length is justified. Dedication of right-of-way for a cul-de-sac has already occurred through the subdivision of adjacent properties. There is no justification to support the extension of the road to the north, through the steeply sloped stream valley on the Subject Property. The RDT-zoned property to the north, on the other side of the stream valley buffer is encumbered by an agricultural easement that restricts development of the farm. The proposed development is best served by the road alignments proposed. The Department of Fire and Rescue has approved the road configuration shown on the Preliminary Plan.

BE IT FURTHER RESOLVED, that 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) and that 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; and

~~BE IT~~ EB 21 2007 FURTHER RESOLVED, that the date of this Resolution is _____ (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

MCPB No. 06-107
Preliminary Plan No. 122060990
Silver Crest
Page 6

At its regular meeting, held on Thursday February 8, 2007, in Silver Spring, Maryland, the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission ADOPTED the above Resolution, on motion of Commissioner Wellington, seconded by Vice Chair Perdue, with Chairman Hanson, and Vice Chair Perdue, and Commissioner Wellington present and voting in favor. Commissioners Bryant and Robinson were absent. This Resolution constitutes the final decision of the Planning Board, and memorializes the Board's findings of fact and conclusions of law for Preliminary Plan No. 120060990, Silver Crest.



Royce Hanson, Chairman
Montgomery County Planning Board