



**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Item # **7**  
**MCPB 04-10-08**

**MEMORANDUM**

DATE: March 27, 2008  
TO: Montgomery County Planning Board  
VIA: Rose Krasnow, Chief *RLK*  
Robert A. Kronenberg, Supervisor *RAK*  
Development Review Division  
FROM: Sandra Pereira *SP*  
Development Review Division  
sandra.pereira@mncppc-mc.org  
(301) 495-2186

REVIEW TYPE: **Site Plan Review**  
CASE #: **820080050**  
PROJECT NAME: **Hollyoak**  
APPLYING FOR: 5 one-family detached residential dwelling units  
REVIEW BASIS: Div. 59-D-3 of Montgomery County Zoning Ordinance  
Sec. 50-26 (h)(2): Reduced width tertiary street

ZONE: R-200  
LOCATION: 6500 Tilden Lane, 290 feet West of Cushman Road  
MASTER PLAN: North Bethesda/ Garrett Park  
APPLICANT: Tilden Lake, LLC  
FILING DATE: September 6, 2007  
HEARING DATE: April 10, 2008



**STAFF RECOMMENDATION:** Approval of 5 one-family detached residential dwelling units on 2.66 acres. All site development elements as shown on the site and landscape plans stamped by the M-NCPPC on February 28, 2008 shall be required except as modified by the following conditions:

1. Preliminary Plan Conformance

The proposed development shall comply with the conditions of approval for Preliminary Plan 120070180 as listed in the Planning Board Resolution dated September 14, 2007 [Appendix A].

2. Site Design
  - a. Revise width of private shared-use driveway to 12 feet.
  - b. Provide planting island at Quaker Ridge Road cul-de-sac, subject to the standards of the Department of Fire and Rescue.
  - c. Minimize grading onsite especially along northern side of cul-de-sac.
  - d. Improve viewshed from Tilden Lane up the private shared-use driveway by providing more architectural detail on the northern façade of the garage on Lot 3.
3. Landscaping
  - a. Provide landscape screening along northern façade of garage on Lot 3.
4. Lighting
  - a. Provide light distribution specification with summary report and tabulations to conform to IESNA standards for residential development.
  - b. Illumination levels shall not exceed 0.5 footcandles (fc) at any property line abutting county roads or adjacent residential properties.
  - c. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
  - d. The street light proposed on the cul-de-sac extension must be identical to the existing street lights at Quaker Ridge Road and conform with MC-DPWT guidelines LTG2 for street lights.
  - e. The height of the light poles shall not exceed the height of the existing fixtures on Quaker Ridge Road.
5. Maintenance Responsibility

The Applicant shall be responsible for maintaining the storm water management facility and surrounding area, until the HOA assumes responsibility.
6. Forest Conservation

The Applicant shall comply with the following conditions of approval from M-NCPPC-Environmental Planning in the memorandum dated March 17, 2008 [Appendix B]:

  - A. The proposed development shall comply with the conditions of the final forest conservation plan. The applicant shall satisfy all conditions prior to any demolition, clearing, or grading on the subject property:
    1. The Final Forest Conservation Plan must be revised to reflect the requirements found in Section 109.B of the Forest Conservation Regulations (COMCOR 18-01AM). This includes:
      - i. A method of meeting this plan's planting requirements
      - ii. If off-site reforestation/afforestation is chosen, a reforestation/afforestation plan with full planting plan, location and maintenance plan must be included as part of the submission.
    2. All financial security must be submitted to M-NCPPC prior to any demolition, clearing, or grading on the subject property.
    3. A certified arborist must be present at the pre-construction meeting, during construction, and after construction to implement specific tree protection measures as identified on the final forest conservation plan.

B. Final sediment control plan must be consistent with the limits of disturbance as shown on the final forest conservation plan, dated 3/17/2008.

7. Stormwater Management

The proposed development is subject to the Stormwater Management Concept approval conditions dated April 9, 2007 unless amended by the Montgomery County Department of Permitting Services [Appendix C].

8. Common Open Space Covenant

Record plat of subdivision shall reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant shall provide verification to M-NCPPC staff prior to issuance of the 4<sup>th</sup> building permit that Applicant's recorded Homeowners Association Documents incorporate by reference the Covenant.

9. Development Program

The Applicant shall construct the proposed development in accordance with a Development Program. A Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of the certified site plan. Development Program shall include a phasing schedule as follows:

- a. Street trees planting shall progress as street construction is completed, but no later than six months after completion of the units adjacent to those streets.
- b. Landscaping associated with each residential dwelling unit shall be completed as construction of each unit is completed.
- c. Clearing and grading shall correspond to the construction phasing, to minimize soil erosion.
- d. Provide each section of the development with necessary roads.
- e. Phasing of dedications, stormwater management, sediment/erosion control, forestation, trip mitigation or other features.

10. Clearing and Grading

No clearing or grading prior to M-NCPPC approval of the certified site plan.

11. Certified Site Plan

Prior to approval of the certified site plan, the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Include development program, inspection schedule, site plan index, and site plan resolution on certified site plan.
- b. Limits of disturbance.
- c. Methods and locations of tree protection.
- d. Label Forest Conservation Easement areas.
- e. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
- f. Location of outfalls away from tree preservation areas.
- g. Details and specifications of street light.

## SITE PLAN REVIEW ISSUES

### I. Connectivity

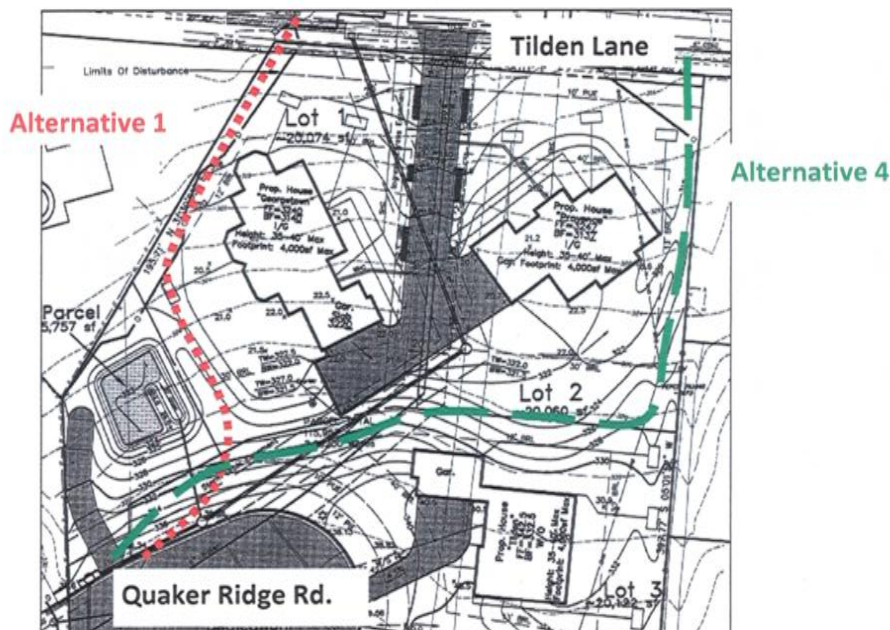
The Hollyoak development is split into an area of lower elevation with two detached one-family residential units that are accessed via a shared-use driveway off Tilden Lane, and an area of higher elevation with three detached single-family units that are accessed via a cul-de-sac extension of Quaker Ridge Road. Slopes approaching 30 percent take up the grade change between these two areas. As proposed, this development does not provide a pedestrian or vehicular connection between Quaker Ridge Road and Tilden Lane, even though this is the shortest distance between the community at the west end of Quaker Ridge Road and Tilden Lane.

#### A. Pedestrian Connection

A public path between Quaker Ridge Road and Tilden Lane through this development would provide a desirable pedestrian connection for the residents of Quaker Ridge Road. It would be an amenity for the residents and neighbors and provide improved connectivity through the community as recommended by the Master Plan.

##### Applicant's Position

The Applicant explored four conceptual alternatives for a path location, including two in greater depth. Alternative 1 showed the path along the western property line behind Lot 1 and around the storm water management facility. Alternative 4 showed the path along the eastern property line behind Lot 2 and along the property line between Lots 2 & 3 going up to the cul-de-sac. In order to overcome the existing grade and provide an ADA accessible path, both alternatives would require retaining walls. In addition, both alternatives challenge principles of “defensible space” by showing the paths going through the backyards of houses and very close to the actual units [Appendix D].



Diagrammatic representation of Alternative 1 (dots) and 4 (dashes) for a pedestrian path connection.



### Community Position

Several community members have expressed serious concerns over the proposal of a path connecting Quaker Ridge Road to Tilden Lane. The community reacted to the original site plan, which only showed Alternative 1. Their main concerns were associated with the safety of the path and the intrusion that it might cause on the existing community. The steepness of the path was perceived as dangerous for children who could potentially run into traffic on Tilden Lane, and the proximity of the path to existing and proposed houses was perceived as a nuisance in terms of the lighting required and the potential activity generated [Appendix E].

### Staff Analysis/Position

A pedestrian pathway between Quaker Ridge Road and Tilden Lane resonates with the New Urbanist principle of connectivity. It provides access to Tilden Lane for residents living on the west end of Quaker Ridge Road, while encouraging pedestrian activity. Although the benefits of having a public path are significant, Staff did not insist on its provision due to maintenance and accessibility concerns. Even though this would be a public path, the County would not maintain it. At the same time, because this is a very small development with 5 dwelling units, it would not be reasonable to burden the HOA with the costs of maintenance and up-keep of a public path. Lastly, accessibility requirements for a public path would translate into a series of switchbacks to accommodate the grade change.

### **B. Vehicular Connection**

A vehicular connection between the cul-de-sac at Quaker Ridge Road and Tilden Lane would improve vehicular circulation in this community by providing two access points from Tilden Lane and through movement of traffic between them.



**Diagrammatic representation of vehicular connection between Quaker Ridge Road and Tilden Lane.**

### Applicant's Position

In response to Staff's recommendation to have a vehicular connection, the Applicant raised concerns associated with 1) compatibility, 2) traffic safety, and 3) environmental/ tree preservation [Appendix F]. First, the road connection forces the two houses on Tilden Lane to have their sides rather than fronts facing onto Tilden Lane, where homes on the opposite side front onto the same street. Second, there are traffic safety concerns associated with the addition of a third intersection on the 574 foot (+/-) stretch of Tilden Lane between Cushman Road and Hollow Tree Road. This intersection, within 272 feet of Cushman Road might create traffic congestion, especially when vehicles turn left into the intersection. In addition, an existing twenty-three foot elevation gradient between the proposed Quaker Ridge Road cul-de-sac and Tilden Lane would translate into a slope of about 9.6 percent. The steepness of this vehicular connection, perpendicular to Tilden Lane, raises concerns of vehicles sliding into oncoming traffic during inclement weather. Third, there are environmental concerns relating to an increase in impervious surface by an estimated 1,908 square feet<sup>1</sup>.

The Applicant also challenges the notion that this connection would be beneficial due to the limited number of households impacted and the fact that this connection would simply create a loop back to Tilden Lane rather than creating a connection back to a different street. Quaker Ridge Road and Hollow Tree Road would have a total of twenty-one houses, including the five proposed with this application.

### Staff Analysis/Position

There are many reasons to support the continuation of Quaker Ridge Road to Tilden Lane including improved vehicular and pedestrian connectivity between the proposed development and the adjacent community. Connectivity is one of the key principles of New Urbanism. It is known to lessen vehicular congestion by providing through streets and facilitating way-finding for visitors. In addition, connectivity is also the foundation for walkable neighborhoods, which has much broader social implications that include higher quality of life, improved health of residents, and better opportunities for community building.

Staff supports this recommendation because the proposed cul-de-sac extension and shared driveway are within close proximity (50 feet +/-) of each other, and both lie within the property's boundary. Furthermore, this represents the shortest distance between the proposed extension of Quaker Ridge Lane and Tilden Lane, which would be the most efficient and desirable route for vehicles and pedestrians wanting to reach Tilden Lane. As proposed, vehicles and pedestrians have to loop around Quaker Ridge Lane and Hollow Tree Road before they can reach Tilden Lane (approximately 1,000 feet versus 240 feet, or less than a fourth of the distance with the connection).

Finally, an extension of Quaker Ridge Road to Tilden Lane would also address the need for a pedestrian connection, which was required at the time of Preliminary Plan. The road extension would be a mixed-use connection, built to reduced-width tertiary street standards and without sidewalks, maintaining the existing Quaker Ridge Road and Hollow Tree Road layout. Maintenance would not be a concern since this would be part of a public road, and therefore maintained by MC-DPWT.

---

<sup>1</sup> As indicated in the Applicant's letter dated November 5, 2007 [Attachment F].

Although there are numerous reasons to support the connection, there are also several constraints, including the existing topography, drainage/runoff, and traffic safety concerns that appear to outweigh its benefits. The average slope of approximately 9.6 percent is above the established national standards for roadway design as provided by the American Association of State Highway & Transportation Officials (AASHTO), which recommends that a typical residential street have up to a 5 percent grade. According to AASHTO, when the grade approaches 8 percent, drainage and runoff become a significant problem. In Hollyoak, a road connection with a 9.6 percent slope might require a stormwater facility along Tilden Lane (low point) to address drainage and run-off. Lastly, because of the narrow site configuration, the road connection would have to run perpendicular to Tilden Lane, which maximizes the hazard of vehicles sliding down, especially during inclement weather, into oncoming traffic.

## **II. Stormwater Management**

The community requested the use of permeable pavers for the private driveways as a means to decrease stormwater runoff and the size of the stormwater management facility onsite.

### Applicant's Position

According to DPS's concept approval, the stormwater management concept consists of on-site water quality control via use of a flowsplitter to a biofilter for the street and parts of Lots 3, 4 and 5. Rooftop and non-rooftop disconnect credits will be applied to the remainder of the site which will include the use of drywells and two stone trenches. Onsite recharge will be provided via a stone trench under the biofilter and the use of drywells. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

The nature of the existing soils plays a role in the feasibility of pervious paving, which would require a complete geotechnical investigation. However from an engineering standpoint, the lower shared driveway is too steep to accommodate pervious paving and does not contribute to the stormwater management facility under the current plan. In contrast, the slopes on the cul-de-sac driveways are flat enough that pervious paving would be feasible. However two of the three driveways are in-fill, which makes pervious paving infeasible. For uniformity in character, all three driveways were treated in a consistent manner.

### Community Position

Two community members have contacted staff by phone to express their concerns in regards to stormwater management onsite. They inquired about the size of the stormwater management facility and the use of permeable pavers for the private driveways as a means to decrease stormwater runoff.

### Staff Analysis/Position

Staff was advised that permeable pavers are not practical for private driveways as they require regular maintenance and cleaning in order to maintain permeability. The daily use of private driveways combined with the lack of maintenance by homeowners leads to soil compaction and particle accumulation that inhibits the permeability originally intended for these pavers. Staff does not believe that permeable pavers would have a significant impact on the proposed development's runoff.



## PROJECT DESCRIPTION:

## Site Vicinity & Description

The subject property is located at the eastern terminus of Quaker Ridge Road on the south side of Tilden Lane in the North Bethesda/ Garrett Park Master Plan area. All adjacent and confronting uses are single-family residential, platted under the R-200 Cluster method of development. The property is zoned R-200 and is within the Cabin John Creek watershed, a Use 1-P watershed. The property is currently developed with one residence. There is no forest onsite, however, there are six large or specimen trees on the property. There are no streams, wetlands, or environmental buffers.







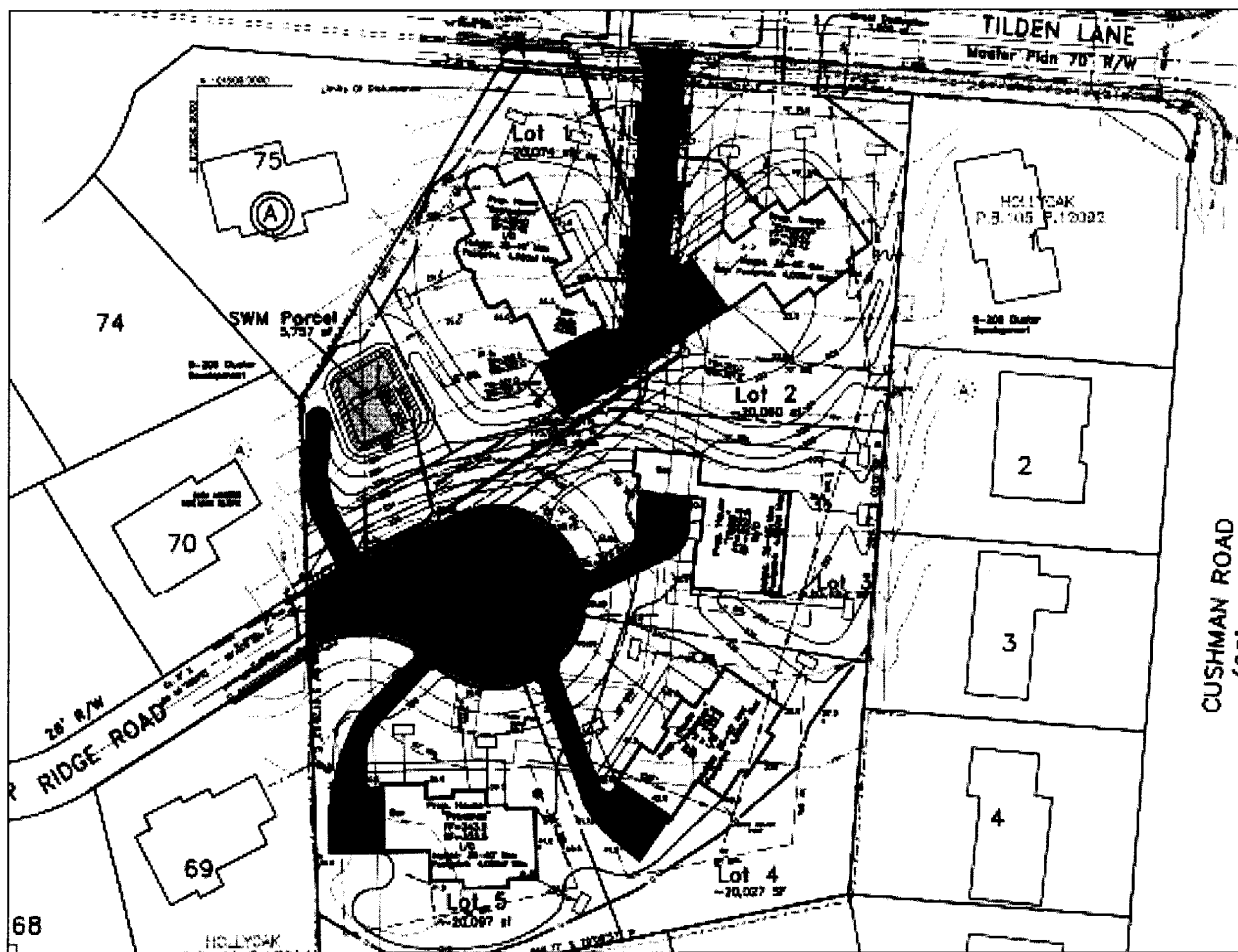
Aerial view of the existing site with property line outlined in blue.



Photograph of the site looking south from Tilden Lane.

**PROJECT DESCRIPTION:** Proposal

The Site Plan proposes to demolish the existing house and build five one-family detached residential dwelling units, each with a private three-car garage. Access to the northern portion of the site, where two units are located, is provided via a shared private driveway off of Tilden Lane. Access to the southern portion of the site, where three units are located, is provided via a cul-de-sac extension of Quaker Ridge Road built to reduced width tertiary street standards, which has triggered site plan review. There are 6 large or specimen trees onsite. This plan proposes to remove five of these trees and save one large tree in the southeastern corner of the property.



**PROJECT DESCRIPTION:** Prior Approvals

Preliminary Plan

The Preliminary Plan No. 120070180 for Hollyoak was presented to the Planning Board on May 17, 2007 (Planning Board Resolution dated September 14, 2007) for approval of five (5) lots on 2.66 acres, subject to conditions.

**ANALYSIS:** Conformance to Development Standards

PROJECT DATA TABLE (R-200 Zone)

Development Standard	Permitted/ Required	Proposed for Approval
Min. Tract Area (sf.):	20,000	20,000*
Number of Dwelling Unit Detached unit (min.)	5	5
Min. lot width (ft)		
At front building line	100	100
At existing or proposed street line	25	25
Min. Building Setbacks (ft.)		
From street	40	40
Rear yard	30	30
Side yard	12	12
Min. Accessory Building/ Structure Setbacks (ft.)		
From street line	65	65
Rear lot line	7	7
Side lot line	12	12
Max. Building Coverage (%)	25	25
Max. Building Height (ft.):	50	40

\* Staff has expressed concerns that lot sizes are barely over 20,000 square feet, which does not allow much room for error or adjustments during construction.

**ANALYSIS:**

Conformance to Master Plan

Staff at Community-Based Planning has reviewed the Hollyoak site plan for conformance with the North Bethesda/Garrett Park Master Plan (1992). The Plan has no specific guidance for this type of small infill subdivision and no specific guidance for this area of the Master Plan other than to support the R-200 Zoning and to protect the character of the area neighborhoods [Appendix G]. The general Plan objectives include the following under the Transportation section:

- Provide a comprehensive, safe, and more pleasant bicycle and pedestrian network as part of the transportation system.



### Local Area Transportation Review

The adequate public facilities (APF) test for the subject development was approved with the Preliminary Plan No. 120070180 on May 17, 2007, for 5 single-family detached units. The Adoption of Resolution No. 07-125 for the preliminary plan was approved by the Planning Board at its public hearing held on September 7, 2007.

### **FINDINGS: For Site Plan Review**

1. *The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.*

Neither a development plan nor project plan was required for the subject development.

2. *The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The Site Plan meets all of the requirements of the R-200 zone as demonstrated in the Project Data Table on page 12.

3. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

- a. **Locations of buildings and structures**

The site plan proposes five one-family detached residential dwelling units on 2.66 acres. Two units are accessed via a private driveway off Tilden Lane, and three units are accessed via a cul-de-sac extension of Quaker Ridge Road. Slopes approaching 30 percent take up the grade change between the lots on Tilden Lane and those on Quaker Ridge Road. The two units closest to Tilden Lane are positioned at an angle, which enables them to front onto the street with garages located in the back. The other three units front onto the cul-de-sac. The garage on Lot 3 is on the north side of the house and is directly visible from the driveway access from Tilden Lane. In order to improve this viewshed, Staff has recommended adding architectural detail to this garage façade and landscape plantings. The overall locations of buildings and structures are adequate, safe, and efficient.

- b. **Open Spaces**

While this zone does not set an open space requirement for the total development, the plan provides open space between the units and along the perimeter of the

property. The open space is landscaped and within the proposed lots, except for the stormwater management facility, which is in a common easement area.

c. Landscaping and Lighting

The proposed landscaping on site consists of a mix of shade, evergreen and flowering trees along the perimeter of the property and between the units. Street trees are provided along Tilden Lane and the cul-de-sac extension of Quaker Ridge Road. Each lot has between two and three shade trees, and a hierarchy of plant material as foundation plantings. Evergreen trees are strategically positioned to increase privacy between lots, and to buffer the stormwater management facility. Staff has recommended a cul-de-sac island, subject to the Department of Fire and Rescue standards, to decrease the amount of impervious surface onsite. This landscaped island should be planted with lawn and/or low-growing plantings that would not obstruct a fire truck. The planting plan is adequate, safe, and efficient.

The lighting plan consists of a single street light positioned in the northeastern side of the cul-de-sac. This street light will be identical to the existing street lights at Quaker Ridge Road to give a consistent and unified character to the road. Along Tilden Lane, no street lights are required since the northern side of the street already has street lights that illuminate both sides. The lighting plan is adequate, safe, and efficient.

d. Recreation Facilities

The development is not required to provide recreation facilities and amenities because this is a subdivision with less than 25 one-family homes.

e. Pedestrian and Vehicular Circulation Systems

Access points to the site are to be provided from Tilden Lane via a shared use driveway for two lots and Quaker Ridge Road via a cul-de-sac extension built to reduced width tertiary street standards. Even though these two access points are within close proximity of each other and are both within the property boundary, they do not connect. This vehicular connection would have been desirable to improve connectivity within the development and adjacent communities, to lessen vehicular congestion, and to facilitate way-finding for visitors. Connectivity is also the foundation for walkable neighborhoods, which has much broader social implications that include higher quality of life, improved health of residents, and better opportunities for community building. This development proposes two separate access points, however, due to the existing topography, drainage/runoff and traffic safety concerns. The resulting slope would be in excess of 9 percent, which would not be considered safe especially since it runs perpendicular to Tilden Lane. These safety concerns outweigh the fact that this connection would

provide the most efficient vehicular and pedestrian circulation for this development and adjacent communities.

Pedestrian circulation onsite is minimal; there are no paths or sidewalks. Residents living at the cul-de-sac terminus can walk on Quaker Ridge Road towards Hollow Tree Road, which connects to Tilden Lane, a total approximate distance of 1000 feet. This is a shared-use vehicular and pedestrian residential street without sidewalks, which justifies the lack of sidewalks on the proposed cul-de-sac extension of Quaker Ridge Road. Residents of the two units on Tilden Lane will have direct access to the sidewalk system on Tilden Lane.

In this development a pedestrian connection between the cul-de-sac and Tilden Lane would have been desirable. Unfortunately, maintenance concerns, principles of Crime Prevention Through Environmental Design ('CPTED'), and accessibility requirements for public paths made this recommendation infeasible. Given these constraints, the pedestrian and vehicular circulation as proposed is acceptable. Staff finds it to be safe, adequate, and efficient.

4. *Each structure and use is compatible with other uses and other site plans, and with existing and proposed adjacent development.*

This development meets the requirements and adheres to the standards for development in the R-200 zone. The standards for minimum lot area are met at 20,000 square feet. All adjacent and confronting uses are single family residential, platted under the R-200 Cluster method of development, which yields smaller lots in favor of greater common open space areas. The building height allowed is 50 feet, whereas the development proposes a maximum height of 40 feet.

The cul-de-sac extension of Quaker Ridge Road built to reduced width tertiary street standards, with 26 feet of pavement and a total right-of-way width of 28 feet, improves compatibility with the existing neighborhoods. First, it allows for a seamless transition of pavement width between the existing Quaker Ridge Road and the proposed extension. Second, it allows the units to be pulled up closer to the street, which translates into a deeper rear yard. Specifically the house on Lot 4, by being pulled closer to the street, allows less grading disturbance near the 30-inch walnut tree on the lot, which has been designated as a large tree to be preserved.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) (420070090) was approved by Environmental Planning staff on 9/11/2006. A preliminary forest conservation plan was approved by the Planning Board in conjunction with a Preliminary Plan (120070180) on 5/17/2007. There is no forest onsite but there are six large or specimen trees present. This plan proposes to remove five of these trees and protect one



large tree. The critical root zones of all large or specimen trees on adjacent properties will be protected by restriction of the limits of disturbance. No streams or wetlands are onsite, nor any environmental buffer.

The proposed stormwater management concept consists of on-site water quality control via use of a flowsplitter to a biofilter for the street and parts of Lots 3, 4 and 5. Rooftop and non-rooftop disconnect credit will be applied to the remainder of the site which will include the use of drywells and two stone trenches. Onsite recharge will be provided via a stone trench under the biofilter and the use of drywells. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

## APPENDICES

- A. Planning Board opinion for Preliminary Plan 120070180.
- B. M-NCPPC Environmental Planning memorandum dated March 17, 2008
- C. Correspondence from MC-DPS, Water Resources Section
- D. Letter from Applicant dated January 11, 2008
- E. Letters from the community
- F. Letter from Applicant dated November 5, 2007
- G. Agencies correspondence

## Appendix A



**MONTGOMERY COUNTY PLANNING BOARD**  
THE STATE AND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

SEP 14 2007

**MCPB No. 07-125**  
**Preliminary Plan No. 120070180**  
**Holly Oak Property**  
**Date of Hearing: 5/17/07**

**MONTGOMERY COUNTY PLANNING BOARD**

**RESOLUTION<sup>1</sup>**

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

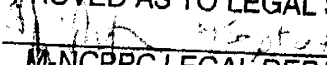
WHEREAS, on October 3, 2006, Chase Communities, Inc. ("Applicant"), filed an application for approval of a preliminary plan of subdivision of property that would create 5 lots on 2.66 acres of land located at the eastern terminus of Quaker Ridge Road ("Property" or "Subject Property"), on the south side of Tilden Lane in the North Bethesda-Garrett Park Master Plan area ("Master Plan"); and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120070180, Holly Oak Property ("Preliminary Plan" or "Application"); and

WHEREAS, Staff issued a memorandum to the Planning Board, dated May 4, 2007, 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 May 17, 2007, 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

APPROVED AS TO LEGAL SUFFICIENCY  
  
M-NCPPC LEGAL DEPARTMENT

<sup>1</sup> 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.



WHEREAS, on May 17, 2007, the Planning Board approved the Application subject to certain conditions, on motion of Commissioner Bryant; seconded by Commissioner Robinson; with a vote of 5-0, Commissioners Bryant, Hanson, Perdue, Robinson, and Wellington voting in favor.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 50, the Planning Board approved Preliminary Plan No. 120070180 to create 5 lots on 2.66 acres of land located at the eastern terminus of Quaker Ridge Road ("Property" or "Subject Property"), on the south side of Tilden Lane in the North Bethesda-Garrett Park Master Plan area ("Master Plan"), subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 5 lots for 5 residential dwelling units.
- 2) The proposed development shall comply with the conditions of the preliminary forest conservation plan. The applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits, as applicable. Conditions include:
  - a) Approval of Final Forest Conservation Plan consistent with the approved Preliminary Forest Conservation Plan prior to site plan approval; and,
  - b) The Final Forest Conservation Plan must be prepared, signed and stamped by an ISA certified arborist and include tree protection measures for affected trees on adjacent properties, which may include restriction of limits of disturbance, root pruning, and other methods.
- 3) Record Plat shall reflect all areas under Homeowners Association control and specifically identify stormwater management parcels.
- 4) 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.
- 5) The applicant must construct all road improvements within the rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By \_\_\_\_\_" are excluded from this condition.

- 6) The applicant shall comply with the conditions of the MCDPS stormwater management approval dated August 22, 2006.
- 7) The record plat must reflect a common use and access easement over the private sidewalk and a 10 ft. Public Improvement Easement (PIE) with an overlapping 20 ft. Public Utility Easement (PUE) contiguous to the right-of-way.
- 8) No clearing, grading or recording of plats prior to certified site plan approval.
- 9) Final approval of the number and location of dwelling units, sidewalks, and bike paths will be determined at site plan.
- 10) As part of the site plan application, a landscape and lighting plan must be submitted for review and approval by technical staff.
- 11) 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.
- 12) Other necessary easements will be included on the record plat.

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. *The Preliminary Plan substantially conforms to the master plan.*

The North Bethesda-Garrett Park Master Plan does not specifically identify the Subject Property. In the Land Use and Zoning section of the plan, the property and surrounding development is identified as suitable for one-family detached housing. The Planning Board finds the proposed subdivision complies with the recommendations adopted in the Master Plan in that it proposes one-family detached housing consistent with the current density of the neighborhood.

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

#### Roads and Public Transportation Facilities

The Planning Board finds that proposed vehicle and pedestrian access to the site will be safe and adequate with the recommended conditions. The proposed lots do not generate 30 or more vehicle trips during the morning or

evening peak-hours; therefore, the application is not subject to Local Area Transportation Review. The plan proposes a sidewalk connection from the proposed cul-de-sac bulb out to the existing sidewalk on Tilden Lane. The sidewalk from the cul-de-sac bulb will be located in a common use easement on private property (Lot 1) and will be maintained by the homeowner's association who will also be responsible for maintaining the area around the stormwater management pond. A sidewalk around the cul-de-sac bulb is not recommended but an adequate PIE/PUE must be shown on the plat to accommodate one in the future, should there be a decision by Montgomery County to build one.

Other public facilities and services

The Planning Board finds that other public facilities and services are available and will be adequate to serve the proposed units. The Property will be served by public sewer and water. The application has been reviewed by the Montgomery County Fire and Rescue Service who have determined that the Property has appropriate access for fire and rescue vehicles. Other public facilities and services, such as schools, police stations, firehouses and health services are currently operating according to the Growth Policy resolutions currently in effect and will be adequate to serve the Property. Gas, electrical and telecommunications services are also available to serve the Property.

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

The lots were reviewed for compliance with the dimensional requirements for the R-200 zone, (Sec. 59-C-1.5) as specified in the Zoning Ordinance. The lots as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. The Planning Board finds the proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

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

There is no forest on-site. Planting requirements are 0.40-acres, to be met either by off-site planting or by payment of fee-in-lieu. The Planning Board finds the preliminary plan meets all applicable requirements of the county Forest Conservation Law.

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.*

The stormwater management concept includes on-site water quality control via biofiltration for the street, Lot 5 and part of Lot 4. Rooftop and non-rooftop disconnect credit will be applied to the remainder of the site which will include the use of drywells and two stone trenches. Onsite recharge will be provided via a stone trench under the biofilter and the use of drywells.

6. *The Planning Board finds that, subject to site plan review, use of a reduced width tertiary street is appropriate for the subdivision based on environmental and compatibility reasons.*

Existing Quaker Ridge Road is built to reduced width tertiary street standards with 26 feet of pavement and a total right-of-way width of 28 feet. This plan proposes a short extension of Quaker Ridge Road that will terminate in a cul-de-sac. From a design and engineering perspective, it would not make sense to build a standard tertiary street because the pavement widths would vary, requiring approval of a waiver by DPWT. The Planning Board finds that continuation of the reduced width tertiary street allows for a seamless transition of pavement that is more compatible with the existing neighborhood.

The reduced right-of-way also allows the units to be pulled up closer to the street, which allows a deeper rear yard. This permits grading for the house on lot 4 to be further away from a 30-inch dbh walnut tree on the lot. This tree was mentioned in a letter from an adjacent property owner who asked that it not be removed. The use of the reduced right-of-way provides further protection of this tree, which supports the justification that there will be an environmental benefit attributed to its use. The deeper back yards are also more compatible with the established rear yards in the neighborhood. For these reasons, the Planning Board finds that use of a reduced width tertiary street is justified for environmental and compatibility reasons.

7. *Issues raised at the public hearing have been appropriately addressed.*

Citizens who provided written or verbal testimony at the public hearing raised the following issues for the board's consideration:

- a) The proposed subdivision will result in an increase in traffic volume during construction.
- b) The proposed stormwater management parcel is not environmentally sensitive.

With respect to issue (a) above, the Planning Board finds that the applicant's proffer to limit construction traffic to Tilden Lane and construction parking on-site will mitigate disturbance to existing neighbors.

With respect to issue (b) above, the Planning Board finds the stormwater management facility is acceptable given the current standards for such facilities.

With respect to issue (c) above, the Planning Board advised the citizens that at the time of site plan, landscaping will be addressed by the applicant.


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 FURTHER RESOLVED, that the date of this Resolution is SEP 14 2007 (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).

\* \* \* \* \*

At its regular meeting, held on Thursday, September 6, 2007, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, on motion of Commissioner Robinson, seconded by Commissioner Bryant, with Commissioners Hanson, Bryant, and Robinson voting in favor, and Commissioners Cryor and Lynch abstaining, ADOPTED the above Resolution, which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for Preliminary Plan No. 120070180 - Holly Oak Property.

  
\_\_\_\_\_  
Royce Hanson, Chairman  
Montgomery County Planning Board

## Appendix B



**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**MEMORANDUM**

TO: Sandra Pereira, Development Review

VIA: Stephen Federline, Supervisor, Environmental Planning

FROM: Amy Lindsey, Environmental Planning

DATE: March 17, 2008

SUBJECT: Site Plan 820080050  
Hollyoak

---

**RECOMMENDATION: Approval subject to the following conditions:**

1. The proposed development shall comply with the conditions of the final forest conservation plan. The applicant shall satisfy all conditions prior any demolition, clearing, or grading on the subject property:
  - a. The Final Forest Conservation Plan must be revised to reflect the requirements found in Section 109.B of the Forest Conservation Regulations (COMCOR 18-01AM). This includes:
    - i. A method of meeting this plan's planting requirements
    - i. If off-site reforestation/afforestation is chosen, a reforestation/afforestation plan with full planting plan, location and maintenance plan must be included as part of the submission.
  - b. All financial security must be submitted to M-NCPPC prior any demolition, clearing, or grading on the subject property.
  - c. A certified arborist must be present at the pre-construction meeting, during construction, and after construction to implement specific tree protection measures as identified on the final forest conservation plan.
2. Final sediment control plan must be consistent with limits of disturbance as shown on the final forest conservation plan, dated 3/17/2008.

**BACKGROUND**

The 2.66-acre property is located in Montgomery County on Tilden Road in the North Bethesda/Garrett Park Master Plan area. All adjacent and confronting uses are single family residential. The property is currently developed with one residence. This plan proposes to subdivide the property into five new lots, demolishing the existing residence. There is no forest onsite but 6 large or specimen trees present. No streams or wetlands are onsite, nor any environmental buffer. An NRI/FSD (420070090) was approved by Environmental Planning staff on 9/11/2006. A preliminary forest conservation plan was approved by the Planning Board in conjunction with a Preliminary Plan (120070180) on

5/17/2007. The property is within the Cabin John Creek watershed; a Use 1/1-P watershed.

**Forest Conservation**

There is no forest on-site. Planting requirements are 0.40-acres, to be met either by off-site planting or by payment of fee-in-lieu.

**Tree Save**

The final forest conservation plan contains detailed and specific tree protection measures and is signed by an ISA-certified arborist, as required by the conditions of approval of the preliminary plan. There are 6 large or specimen trees onsite. This plan proposes to remove five of these trees and protect one large tree. The critical root zones of all large or specimen trees on adjacent properties will be protected by restriction of the limits of disturbance. A number of small trees on the shared property line of proposed lot 1 and lot 75 will be removed, with the written consent of the owner of lot 75. Tree protection measures are proposed for other smaller trees on adjacent properties.

**Environmental Buffers**

The site does not include any streams, wetlands, or floodplains and there is no environmental buffer on the property.



## Appendix C



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

April 9, 2007

Carla Reid Joyner  
Director

Mr. Pearce Wroe  
Macris, Hendricks and Glascock, P.A.  
9220 Wightman Road, Suite 120  
Montgomery Village, MD 20886-1279

Re: Stormwater Management **CONCEPT** Request  
for Hollyoak Reconfirmation  
Preliminary Plan #:  
SM File #: 228598  
Tract Size/Zone: 3.81 Acres/R-200  
Total Concept Area: 3.81 Acres  
Lots/Block: Proposed Lots 1 - 5  
Parcel(s): Existing pA, part of outlot C  
Watershed: Cabin John Creek

Dear Mr. Wroe:

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 consists of on-site water quality control via use of a flowsplitter to a biofilter for the street and parts of Lots 3, 4 and 5. Rooftop and non-rooftop disconnect credit will be applied to the remainder of the site which will include the use of drywells and two stone trenches. Onsite recharge will be provided via a stone trench under the biofilter and the use of drywells. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

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

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. Use the current MCDPS design criteria for biofiltration.
6. Test for ground water elevation below the biofilter.

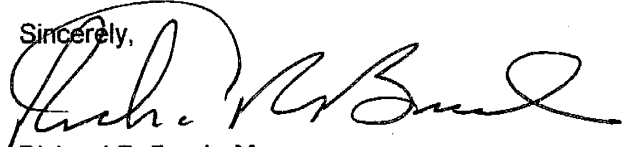
This list may not be all-inclusive and may change based on available information at the time.

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

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive 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 Ellen Rader at 240-777-6336.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard R. Brush", written over a circular stamp or seal.

Richard R. Brush, Manager  
Water Resources Section  
Division of Land Development Services

RRB:dm CN228598.Hollyoak.EBR

cc: C. Conlon  
S. Federline  
SM File # 228598

QN -not required; Acres: 3.81  
QL - on-site; Acres: 3.81  
Recharge is provided

**MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES  
WATER RESOURCES SECTION**

255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850-4153

Date: October 17, 2007

MEMO TO: Robert Kronenberg, Acting Supervisor  
Development Review Committee, MNCPPC

FROM: William Campbell  
Water Resources Section, MCDPS

SUBJECT: Stormwater Management Concept Plan/100-Year Floodplain Review  
Site Plan # 820080050, Hollyoak  
Project Plan #  
Preliminary Plan # , DPS File # 228598  
Subdivision Review Meeting of October 22, 2007

The subject plan has been reviewed to determine if it meets the requirements of Executive Regulation 7-02AM for stormwater management and Executive Regulation 108-92 AM for a 100year floodplain. The following summarizes our findings:

**SM CONCEPT PLAN PROPOSED:**

- ☒ On-site: ☐ CPv ☒ WQv ☐ Both  
☒ CPv < 2cfs, not required  
☐ On-site/Joint Use ☐ Central (Regional): waived to  
☐ Existing ☒ Concept Approved April 9, 2007  
☐ Waiver: ☐ CPv ☐ WQv ☐ Both  
☐ Approved on  
☐ Other

**Type Proposed:**

- ☒ Infiltration ☐ Retention ☐ Surface Detention ☐ Wetland ☐ Sand Filter  
☐ Separator Sand Filter ☒ Non Structural Practices ☒ Other

**FLOODPLAIN STATUS:** 100 Year Floodplain On-Site ☐ Yes ☒ No ☐ Possibly

- ☐ Provide source of the 100Year Floodplain Delineation for DPS approval:  
☐ Source of the 100-Year Floodplain is acceptable.  
☐ Submit drainage area map to determine if a floodplain study (> or equal to 30 acres) is required.  
☐ Dam Breach Analysis: ☐ Approved ☐ Under Review:  
☐ 100-Year Floodplain study: ☐ Approved ☐ Under Review:

**SUBMISSION ADEQUACY COMMENTS:**

- ☐ Provide verification of Downstream notification.

**RECOMMENDATIONS:**

- ☐ Approve ☐ as submitted ☐ with conditions (see approval letter)  
☒ Incomplete; recommend not scheduling for Planning Board at this time.  
☐ Hold for additional information. See below  
☒ Comments/Recommendations: Site plan differs from approved concept, therefore a revised concept will be required.

cc: Steve Federline, Environmental Planning Division, MNCPPC

bll DRC site plan.03/01

**Wirth, Lauren**

---

**From:** Wroe, Pearce  
**Sent:** Thursday, February 21, 2008 11:35 AM  
**To:** Wirth, Lauren; 'rbaker@chasecommunities.net'  
**Subject:** FW: Hollyoak SWM Concept

Please see the forwarded email messages regarding my conversation with Ellen Rader this morning. If you have any questions please let me know.

Thanks,

Pearce

**Pearce Chancellor Wroe***Design Engineer*

**Macris, Hendricks & Glascock, P.A.**  
**Engineers, Planners, Landscape Architects & Surveyors**  
9220 Wightman Road, Suite 120  
Montgomery Village, MD 20886-1279  
Email: [pwroe@mhgpa.com](mailto:pwroe@mhgpa.com)  
Phone: 301.670.0840 x1048  
Fax: 301.948.0693  
Web: [www.mhgpa.com](http://www.mhgpa.com)

---

**From:** Rader, Ellen [<mailto:Ellen.Rader@montgomerycountymd.gov>]  
**Sent:** Thursday, February 21, 2008 11:31 AM  
**To:** Wroe, Pearce  
**Subject:** RE: Hollyoak SWM Concept

This is to confirm what is stated in your e-mail below.

Ellen B. Rader  
Permitting Services Specialist  
Water Resources Plan Review  
Montgomery County Department of Permitting Services  
[ellen.rader@montgomerycountymd.gov](mailto:ellen.rader@montgomerycountymd.gov)  
Phone 240-777-6336  
Fax 240-777-6339

-----Original Message-----

**From:** Wroe, Pearce [<mailto:pwroe@mhgpa.com>]  
**Sent:** Thursday, February 21, 2008 11:19 AM  
**To:** Rader, Ellen  
**Subject:** Hollyoak SWM Concept

Ellen,

I am writing to follow up on our phone conversation this morning in which you verbally confirmed that the Stormwater Management Concept plan that was reconfirmed as acceptable on September 6<sup>th</sup>, 2007 is consistent with the most recent Site Plan drawing that I forwarded to you earlier today. Please reply to this

2/28/2008



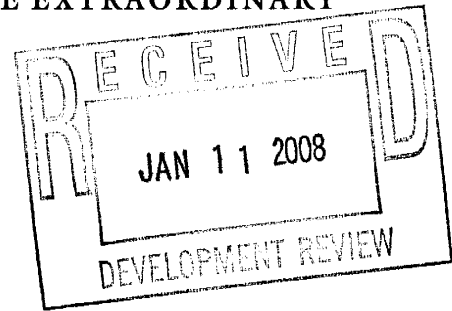
## Appendix D

# CHASE COMMUNITIES

DESIGNED TO BE EXTRAORDINARY

January 11, 2008

Ms. Sandra Pereira  
Senior Planner  
M-NCPPC Development Review Division  
8787 Georgia Avenue  
Silver Spring, MD 20910



Re: Trail Alternatives  
Site Plan 8-08005

Dear Sandra,

Enclosed are two plans that illustrate the location and cross section of the two trail alternatives that your office requested us to study further.

As we had discussed, the previous version of Alternative 1 did not meet ADA standards because of its steep slope. You also asked that we study a fourth alternative. Both these plans are enclosed. We strongly believe these alternatives are fraught with significant privacy and safety concerns for both existing and future residents.

Alternative 1 requires retaining walls on both sides of the path for its entire length. Portions of the retaining walls are 8 feet in height. In order to comply to ADA requirements, the trail must go through a series of switchbacks, which makes the trail dysfunctional for its intended purpose. This alternative also has areas where the trail is depressed and lower than the existing grade on both sides of the trail. Even when properly maintained on a weekly or bi-weekly basis, this condition will attract debris and create hazards for those that use the path. This condition is made worse by the fact that every twenty feet the sidewalk will need to flatten out to a two percent grade for the required "landing" that is sure to collect trash and debris, especially in the fall.

As you may recall, the location of the Alternative 1 trail attracted the objection of its two adjacent neighbors. It is reasonable to assume that the new owner of lot 1 in Hollyoak will object to this trail, as well, no matter how wide an easement the trail occupies, behind and on the side of their home. The location of this trail will clearly be a violation of the privacy that the existing and future families have reasonably come to expect to have and enjoy in their rear and side yards.

The new Alternative 4 path, as your office requested, runs from the cul-de-sac near the pond access road to the property's east property line and down or around a total of five homes, three homes within the proposed Hollyoak Community and two homes in Luxmanor.

Ms. Sandra Pereira

January 11, 2008

Page 2

This trail will also require a significant length of retaining wall, some sections as high as four feet. The Alternative 4 trail, because of its retaining walls and the adjacent grades, will also collect trash and debris. Its location, again, no matter how wide its easement, will violate the privacy that residents reasonably have come to expect and enjoy as they live in their homes and play and recreate in their rear and side yards. The path in Alternative 1 adversely impacts three properties, but Alternative 4 impacts five to six families.

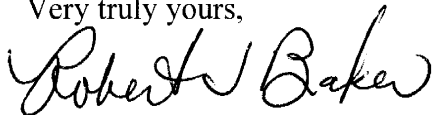
Both of these trail alternatives continue to have the same problems that plagued the first three alternatives. They are located away from the street and the watchful eyes of the public, a clear contradiction to the tenets of "defensible space" and public safety officials' recommendations. I think that the police department would recommend against these paths (they have so in the past). If these paths are to be public, they can be used 24 hours a day and given their location they should not be. I believe existing and future residents will want the Commission's staff to consider their concerns as well.

Both of these trails, also after a long run and continuous slope, empty onto Tilden Lane. A young person on a skate board, bicycle or sled could end up flying down the ramp of the trail and into oncoming and speeding traffic. Both these alternatives represent accidents waiting to happen.

We would like to meet with you after you have had a chance to review these alternatives. We hope the staff will come to the same conclusion we have--that while connectivity is an important and admirable planning objective, neither of these nor any other path or trail alternative between Quaker Ridge Road and Tilden Lane makes sense because of public safety and the privacy concerns of existing and future residents. Once you have had a chance to review these plans, please give me a call so we can answer any questions and/ or schedule a meeting after the 21<sup>st</sup> of January to discuss our plan. I can be reached at 301-654-7041 at extension 120.

Thank you very much.

Very truly yours,

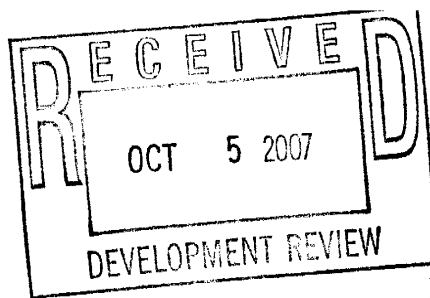
A handwritten signature in black ink that reads "Robert J. Baker". The signature is written in a cursive, flowing style.

Robert J. Baker  
Executive Vice President

cc: MHL  
RGB

## Appendix E

Ms. Sandra Pereira  
October 1, 2007  
Page 1



Lori & Ronald Scherr  
6505 Tilden Lane  
Rockville, MD 20852

October 1, 2007

Ms. Sandra Pereira  
Maryland National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910

**Re: SP#820080050 Hollyoak Site Development Plan by Tilden Lanes, LLC**

Dear Ms. Pereira,

My husband and I, with our three young children, live across the street from 6500 Tilden Lane, the location of the proposed Hollyoaks subdivision. We understand that the proposed subdivision is being required to construct a sidewalk between Quaker Ridge Road and Tilden Lane.

The proposed sidewalk will be steep and essentially in between the back and side yards of the existing and the proposed new homes. While you might think, that while we, like others in the neighborhood, might want the sidewalk the opposite is true.

The proposed sidewalk will be fairly steep. This steep sidewalk tucked behind or on the side of homes will be an attractive nuisance to children in the neighborhood, including ours. As parents, we are very concerned about the speed of the traffic on Tilden Lane. The steep sidewalk running down into Tilden lane is a bad idea for a variety of reasons.

The steep sidewalk is not safe and will attract kids seeking a thrill riding roller blades, a skateboard, bike or sled. Kids riding a skateboard, roller blades, bike or sled will find it difficult to stop before entering Tilden Lane. What might start out as a kid looking for a thrill could end up as a ride to the hospital. Because the sidewalk is tucked away behind or on the side of houses, the path will be a place for kids, adolescence and young adults to hang out and potentially do things that they should not do. It is not a good idea to plan such a public place away from active public view. The proposed trail will also affect the privacy of the residents on Quaker Ridge Road and Hollow Tree Lane.

There have been two meetings held by the applicant for residents who lived adjacent to or across the street from the development. My husband and I attended both meetings. Residents at the meeting discussed the character of the sidewalk and everyone at the meeting agreed that the



Ms. Sandra Pereira

October 1, 2007

Page 2

sidewalk was not needed and should not be required. Of primary concerns of those who attended the meetings was the lack of safety and privacy that would result from such a sidewalk. We know of no one in the neighborhood who supports the construction of this sidewalk. The neighborhood has gotten along perfectly fine with no sidewalk on Quaker Ridge & Hollow Tree Lane. Why change it now with a potentially dangerous connection?

We respectfully request that the Planning Commission require that the proposed sidewalk between Quaker Ridge Road and Tilden Lane be deleted from the Hollyoak Site Plan.

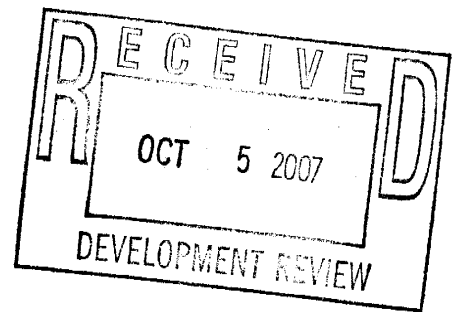
We want to thank you in advance for taking our thoughts and concerns into consideration.

Sincerely,

A handwritten signature in cursive script that reads "Lori + Ronald Scherr". The signature is written in dark ink and is positioned above the printed name.

Lori & Ronald Scherr

James Kane  
6601 Quaker Ridge Road  
Rockville, MD 20852



October 1, 2007

Ms. Sandra Pereira  
Maryland National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910

**Re: SP#820080050 unnecessary sidewalk between Quaker Ridge Road and  
Tilden Lane, Hollyoak Site Development Plan**

Dear Ms. Pereira,

I understand the Planning Commission approved the five lot Hollyoak Preliminary Plan in May of 2007 and that the applicant is seeking approval of the Site Development Plan for the property.

I am an immediate neighbor to the property and I live at 6601 Quaker Ridge Road. I understand that the Hollyoak Site Development Plan shows a sidewalk/path on the Hollyoak property from the extension of the Quaker Ridge Road cul-de-sac near our home to Tilden Lane. As a neighbor and someone who has lived in the neighborhood for over 22 years I would like to let the Planning Commission, their staff and Montgomery County know that this trail/path/sidewalk is not necessary and should not be required.

As you know this sidewalk will be fairly steep running from the top of Quaker Ridge Road down to Tilden Lane, a 26 foot difference in elevation with portions of the path being very steep. This sidewalk will not be safe. The path will also run very close to the rear and side yards of the existing homes on Quaker Ridge Road and Hollow Tree Lane.

We believe that this path will serve no useful purpose, disturb people's privacy, potentially impact trees that are located on my property and invite loitering on adjacent property. The path, because of its steep slope, will also serve as an attractive nuisance for kids on skate boards, bicycles, scooters and sleds, all of which could end up in the Tilden Lane roadway with kids hurt by speeding traffic.

I understand that if this sidewalk is required that it will need to be illuminated and there will be lights on the path. These lights will be a further intrusion on the neighbors and

invite loitering at night away from the watchful eyes of neighbors and passersby. Such paths run counter to planning for public safety.

I know of no one in our neighborhood who wants this sidewalk. We have lived without a sidewalk for some time and we do not need this sidewalk now. As neighbors and long standing residents in the area we respectfully request that the sidewalk shown on the Hollyoak Site Plan, that would be adjacent to our homes, not be required and that it be deleted from the plans.

If you have any questions please call me at: 301-468-0916

Very truly yours,

*Janos Kone*

## Pereira, Sandra

---

**From:** Pereira, Sandra  
**Sent:** Thursday, October 25, 2007 5:31 PM  
**To:** 'rmcarty@comcast.net'  
**Subject:** RE: SP#820080050 Hollyoak Site Dev. Plan by Tildens, LLC

Dear Ms. and Mr. Carty,

Thank you for taking the time to send us your comments on the site plan for Hollyoak. Staff acknowledges your concerns in regards to the location of the proposed path and potential implications associated with safety and lighting. Also, Staff agrees that, as shown on the site plan, this path is too close to the property boundary and to the rear of the proposed building in Lot 1.

Once again, thank you for sending us your comments, which will be taken into consideration as the review process continues. Please let me know if you have any additional questions or concerns. I can be reached by email or phone at 301-495-2186.

Sincerely yours,

Sandra Pereira  
**Senior Planner**

M-NCPPC Montgomery County Planning Department  
**Development Review Division**  
8787 Georgia Avenue, Silver Spring, MD 20910  
**phone** (301) 495-2186 :: **fax** (301) 495-1306  
[sandra.pereira@mncppc-mc.org](mailto:sandra.pereira@mncppc-mc.org)

---

**From:** rmcarty@comcast.net [mailto:rmcarty@comcast.net]  
**Sent:** Thursday, October 18, 2007 3:11 PM  
**To:** Pereira, Sandra  
**Subject:** Re: SP#820080050 Hollyoak Site Dev. Plan by Tildens, LLC

Dear Ms.Pereira.

We are Wayne and Rita Carty who reside at 11413 Hollow Tree Lane , Rockville, Md., 20852 and have for the past 24 years. It has recently come to our attention that an unplanned path/trail has been proposed by the Park and Planning staff for a new development that is adjacent to our home. We have been informed of the plans to develop this site from the onset by the developers. Until this proposed path/trail we have had no objections or concerns.

However, the proposed path/trail raises many concerns and actually a strong objection. The proposed path/trail which includes illumination at night would keep the back of our home, in fact the bedrooms also illuminated. A path/trail that would be partially secluded by existing trees would provide access to the back of our home possibly by undesirables some who can be seen at the intersection of Old Georgetown Road and Tilden Lane most days. In addition, this proposed path/trail might also provide an opportune environment that currently does not exist in our neighborhood for otherwise well supervised teens or younger children to enter into mischief either during daylight hours or unfortunately at night.

Furthermore we do not believe adults will use this path/trail in an established neighborhood that has done quite well without it to date.

For the above reasons we object to the proposed path/trail and request that the Park and Planning staff reconsider their proposal and withdraw it in a timely manner.

Sincerely your,

Wayne and Rita Carty

## Appendix F



November 5, 2007

Ms. Sandra Pereira  
Senior Planner  
Development Review Division  
Maryland-National Capital Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Holly Oak Site Plan No. 8-08005 – Quaker Ridge Road Extension

Dear Ms. Pereira:

This letter responds to the Development Review Division's ("Staff") Site Plan Review Comments for the Holly Oak Site Plan (No. 8-08005), which the Planning Department presented at the October 22, 2007 Development Review Committee (DRC) meeting. Specifically, this letter addresses the Staff's recommendation that the Applicant, Chase Communities, Inc., (our client) extend Quaker Ridge Road as a reduced-width tertiary residential street to Tilden Lane to improve connectivity.<sup>1</sup>

The proposed extension of Quaker Ridge Road to Tilden Lane contradicts the subdivision access approved in the Project's Preliminary Plan (No. 120070180), which the Planning Board approved on May 17, 2007. In addition, the proposed extension creates compatibility, traffic safety, and environmental/tree preservation concerns that the approved Preliminary Plan prevents. While the Staff's recommendation purports to enhance connectivity, there is little connectivity benefit to this recommendation and the overwhelmingly negative attributes of the Staff's proposal outweigh any marginal benefits within the Holly Oak development. Accordingly, we request that the Staff adhere to the Planning Board's approved Preliminary Plan for the Holly Oak Project and recommend to the Planning Board for the Site Plan that Quaker Ridge Road terminate in a 92' cul-de-sac right of way, rather than connect to Tilden Lane.

- I. *The proposed extension of Quaker Ridge Road to Tilden Lane contradicts the subdivision access proposed in the Project's Preliminary Plan, which the Planning Board subsequently approved.*

The Staff's recommendation to extend Quaker Ridge Road to Tilden Lane fails to comply with the subdivision access shown in the Project's Preliminary Plan, which the Planning Board later approved. By approving the Project's Preliminary Plan, the

<sup>1</sup> The extension of Quaker Ridge Road to Tilden Lane would measure 1,233 feet in length, whereas the termination of Quaker Ridge Road in its presently approved cul-de-sac formation would measure 963 feet: a difference of 270 feet.

Planning Board authorized the termination of Quaker Ridge Road in a cul-de-sac formation, which would serve three of the five proposed lots (Lot Nos. 3, 4, and 5).<sup>2</sup> In its September 14, 2007 Opinion on the Preliminary Plan, the Planning Board found that:

- (1) “the proposed vehicle and pedestrian access to the site is safe and adequate;”
- (2) “the Montgomery County Fire and Rescue Service” concluded that the “Property has appropriate access for fire and rescue vehicles and equipment;”
- (3) “the proposed lot size, width, shape and orientation are appropriate for the location of the subdivision;” and,
- (4) “it would not make sense to build a standard [width] tertiary street because... widths would vary.”

Moreover, the Planning Board approved the Preliminary Plan subject to conditions, including that the Applicant “dedicate all road rights-of way *shown* on the approved preliminary plan” and “construct all road improvements within the rights-of-way *shown* on the approved preliminary plan” (emphasis added). Hence, the Applicant’s proposed Site Plan is consistent with the Preliminary Plan’s access design and conditions of approval.

The Planning Board is only one of multiple administrative bodies who supported the subdivision access design included in the Preliminary Plan. The Development Review Division itself determined in its May 4, 2007 Staff Report to the Planning Board that the “proposed vehicle...access for the subdivision will be safe and adequate with the public improvements proposed by this plan” and that “access...will be adequate to serve the proposed lots.” The Department of Public Works and Transportation also approved the Preliminary Plan’s proposed “dedication and construction of a...cul-de-sac at the end of Quaker Ridge Road.” Additionally, the Montgomery County Departments of Environmental Protection, Permitting Services, Public Works and Transportation, and the Washington Suburban Sanitary Commission, supported the proposed subdivision access during the Project’s Preliminary Plan review. Yet, despite its own recommendations, as well as the recommendations of other agencies who participate in the Development Review Committee, the Development Review Division apparently now has changed its mind and believes that the termination of Quaker Ridge Road in a cul-de-sac is inadequate subdivision access. This is neither justified by the facts (because no facts have changed since the Preliminary Plan approval), nor by applicable law.

<sup>2</sup> The other two proposed lots (Lots 1 and 2) would be served by a single common driveway entrance on Tilden Lane.

Since the Planning Board already approved the Project's Preliminary Plan, the Staff is now estopped from changing its mind and compelling the Applicant to extend Quaker Ridge Road to Tilden Lane. Section 50-35(f) of the Subdivision Regulations of the Montgomery County Code ("Code") governs the approval procedure for preliminary subdivision plans. It states that "[f]ollowing approval of a preliminary plan by the Board, no agency shall require a substantial change in the plan, other than those which may be required by conditions of approval specified by the Board...". The extension of Quaker Ridge Road to Tilden Lane is a substantial change from the subdivision access presented in the Preliminary Plan and approved by the Planning Board, and there is no condition of approval in the Preliminary Plan which either authorizes or mandates this radical change of access. Therefore, the Staff must adhere to the subdivision access design included in the Project's Preliminary Plan and recommend to the Planning Board that Quaker Ridge Road terminate in a cul-de-sac formation as part of the pending Site Plan.

II. *The proposed extension of Quaker Ridge Road to Tilden Lane creates compatibility, traffic safety, and environmental/tree preservation concerns that the approved Preliminary Plan prevented.*

A. Compatibility Concerns

The extension of Quaker Ridge Road to Tilden Lane creates neighborhood compatibility issues that the termination of Quaker Ridge Road in a cul-de-sac precluded. First, the connection would force the proposed lots to be situated further away from Tilden Lane and Quaker Ridge Road, resulting in smaller rear yards. Second, the subdivision access design proposed by the Staff would situate homes with their sides facing Tilden Lane, opposite from homes where their fronts face Tilden Lane.

As noted in the Planning Board's Opinion on the Project's Preliminary Plan, allowing the lots to be pulled closer to the street permits "a deeper rear yard," which is "more compatible with the established rear yards in the neighborhood."<sup>3</sup> A cul-de-sac design would also permit houses on proposed Lots 3 and 4 to be shifted further away from the adjoining residences along Cushman Road. The Opinion concluded that "continuation of the reduced width tertiary street [into a cul-de-sac] allows for a seamless transition...that is more compatible with the existing neighborhood." The Luxmanor Citizens Association, a group of neighbors adjacent to the proposed Holly Oak development, agreed with the Planning Board's conclusion. Particularly, the Association's members supported the Preliminary Plan's design with two lots and homes

<sup>3</sup> The lots resulting from a cul-de-sac formation would be 20,000 square feet or more, as compared to only 10-11,000 square feet if the Applicant extended Quaker Ridge Road to Tilden Lane. This will cause the Applicant to lose one of its proposed lots (since the lots must be a minimum of 20,000 square feet), which is neither justified by the circumstances nor permitted by law.

fronting on Tilden Lane and with Quaker Ridge Road terminating in a cul-de-sac formation.

B. Traffic Safety Concerns

The extension of Quaker Ridge Road to Tilden Lane also creates traffic safety concerns that the termination of Quaker Ridge Road in a cul-de-sac formation prevented. First, a twenty-six foot elevation gradient exists between the proposed Quaker Ridge Road cul-de-sac and the proposed intersection of Quaker Ridge Road and Tilden Lane. Therefore, the proposed through road connecting Quaker Ridge Road and Tilden Lane would be extremely steep (in excess of 10% in parts). In inclement weather, this through road would create risks of accidents from vehicles sliding into oncoming traffic on the busy Tilden Lane.

Second, the extension of Quaker Ridge Road to Tilden Lane would provide a through movement and thus, allow the speed of vehicles to increase as they approach Tilden Lane on a downward grade. The Luxmanor Civic Association is already extremely concerned about the speed of vehicles travelling on Tilden Lane and potential accidents resulting from high speeds. In contrast, a shorter dead end street in a cul-de-sac formation, such as the design proposed in the Project's approved Preliminary Plan, would slow down the speed of vehicles travelling on Quaker Ridge Road and likely prevent needless vehicular accidents.

Third, the extension of Quaker Ridge Road to Tilden Lane would place three intersections in a very short (574 feet) span of Tilden Lane between Cushman Road and existing Hollow Tree Lane. It would create a new intersection within 302 feet of the intersection between Tilden Lane and Hollow Tree Lane, and a new intersection within 272 feet of the intersection between Tilden Lane and Cushman Road. Typically, traffic engineers recommend a spacing of at least 600 feet between intersections on an already busy, primary residential street such as Tilden Lane.

Thus, Quaker Ridge Road's extension would introduce an additional public street intersection, together with conflicts from turning movements and through traffic, on busy Tilden Lane. Tilden Lane has a posted speed limit of 30 mph, but traffic travels much, much faster along this section, creating significant accident risks. This road extension may ultimately hamper regional mobility because of the congestion that it would add to Tilden Lane with multiple intersections in a short stretch of roadway.

C. Environmental and Tree Preservation Issues

The extension of Quaker Ridge Road to Tilden Lane also creates environmental concerns. First, the proposed connection would increase the Project's impervious surface

by an estimated 1,908 square feet.<sup>4</sup> This increase in impervious surface would cause more runoff due to less green area, and cause an additional stormwater management pond to be added to the foot of the hill at Tilden Lane. It would also probably result in the removal of trees that were not included in the Preliminary Plan's Forest Conservation analysis.<sup>5</sup> Second, the extension of Quaker Ridge Road would also adversely impact the remaining trees on and adjoining the Property; specifically, the trees adjacent to and on Lot 75 along Tilden Lane. Third, the connection of Quaker Ridge Road and Tilden Lane would create additional soil removal and grading on the Property. The excess soil required to be removed by Quaker Ridge Road's construction would need to be moved off-site, which would increase the pollution related to the extra transportation required for the Project. Moreover, the added grading for a new road section may cause a loss of additional trees.

In contrast, the termination of Quaker Ridge Road in a cul-de-sac formation would cause the lots that front on Tilden Lane (Lots 1 and 2) to be graded across the front, rather than from the front to rear of these Lots. As noted earlier, the extension of Quaker Ridge Road would cause grading of the lots from side to side, instead of front to rear, thereby diminishing the quantity and quality of the rear yard area. The proposed front grading approved in the Preliminary Plan would likely retain the number of lots approved by the Project's Preliminary Plan and produce less soil removal, erosion, transportation impacts, and pollution during the grading process. In addition, as noted in the Planning Board's Resolution on the Project's Preliminary Plan, a cul-de-sac formation would permit "grading on lot 4 [that is] further away from the 30" walnut tree." This is yet another example of how the cul-de-sac design furthers tree preservation on the Property.

### III. *Connecting Quaker Ridge Road Does Not Enhance Connectivity*

The proposal to require the connection of Quaker Ridge Road does not enhance connectivity, because it merely creates a loop road (of Hollow Tree Lane and Quaker Ridge Road) for a small group of houses. There are currently only sixteen houses located on Hollow Tree Lane and Quaker Ridge Road. The Applicant's Site Plan proposal would add three to five more, depending on their access. Quaker Ridge Road does not currently connect to any other street, and would not do so under the Staff's proposal (other than

<sup>4</sup> The termination of Quaker Ridge Road in a cul-de-sac formation would produce an estimated 7,991 square feet of impervious surface whereas the extension of Quaker Ridge Road to Tilden Lane would produce 9,899 square feet of impervious surface: a difference of 1,908 square feet more impervious area.

<sup>5</sup> The stormwater management concept approved in the Preliminary Plan (SM File No. 228598) consists of on-site water quality control via biofiltration for the street, Lot 5, and part of Lot 4. Rooftop and non-rooftop disconnect credit will be applied to the remainder of the site, which will include the use of drywells and two stone trenches. Onsite recharge will be provided via a stone trench under the biofilter and the use of drywells.

again to Tilden Lane). It would merely loop back on itself, and connect at two places on Tilden Lane. This loop result does not constitute connectivity in a community planning context, and does not promote community interactions between neighborhoods—a key planning goal of connectivity. This small one-street neighborhood does not lack connectivity at present; this short street with few homes has plenty of neighborhood interaction due to the reduced width street section and the placement of the homes on the lots. Any alleged benefits of connectivity that can be claimed by requiring the connection of Quaker Ridge Road at a “second” juncture point on Tilden Lane are illusory, and certainly are far outweighed by the traffic safety and environmental concerns discussed above.

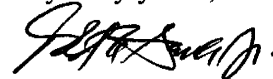
#### IV. *Conclusion*

In its Site Plan Review Comments, the Staff suggests that the Applicant “revise [its] layout to improve connectivity within Hollyoak.” However, the Staff failed to comment on the added compatibility, traffic safety, and environmental/tree preservation costs associated with its recommendation. A 270 foot connection of Quaker Ridge Road to Tilden Lane falls far short of increasing mobility in the community surrounding the Project. Rather, the Staff’s proposal forges an artificial sense of connectivity at a high societal cost.

For these reasons, we respectfully request that the Staff adhere to the Planning Board’s approved Preliminary Plan for the Holly Oak Project and recommend to the Planning Board that Quaker Ridge Road terminate in a cul-de-sac, rather than connect to Tilden Lane.

Thank you very much.

Very truly yours,



Robert G. Brewer, Jr.

cc: Ms. Rose Krasnow  
Ms. Cathy Conlon  
Mr. Morton Levine  
Mr. Rob Baker  
Mr. Philip Perrine  
Ms. Lauren Wirth

## Appendix G



**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

March 18, 2008

**MEMORANDUM**

**TO:** Sandra Pereira, Development Review Division

**FROM:** Kristin O'Connor, Planner, Bethesda-Chevy Chase, North Bethesda Team  
Community-Based Planning Division (301-495-2172) *ko*

**VIA:** Judy Daniel, Team Leader, Bethesda-Chevy Chase, North Bethesda Team *JD*

**SUBJECT:** Comments for Site Plan #820080050; Hollyoak

---

**RECOMMENDATION**

Community-Based Planning staff recommends approval of the subdivision site plan, with a recommendation to provide a pedestrian link to Tilden Lane.

**MASTER PLAN COMPLIANCE**

The Community-Based Planning staff has reviewed the above referenced site plan for conformance with the *North Bethesda/Garrett Park Master Plan* (1992). The Plan has no specific guidance for this type of small infill subdivision, and no specific guidance for this area of the Master Plan other than to support the R-200 Zoning and to protect the character of the area neighborhoods. The general Plan objectives do include the following under the Transportation section: Provide a comprehensive, safe, and more pleasant bicycle and pedestrian network as part of the transportation system.

Staff finds it unfortunate that the developers could not provide a pedestrian connection from the cul-de-sac road out to Tilden Lane. Lots 3, 4 and 5 do not have direct connection to Tilden Lane. The Community-Based Planning staff recommend approval of the site plan with the following recommendation:

1. Provide a pedestrian connection from the extended cul-de-sac road out to Tilden Lane.





**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

March 11, 2008

**MEMORANDUM**

TO: Sandra Pereira, Site Planner  
Development Review Division

VIA: Shahriar Etemadi, Supervisor  
Transportation Planning

FROM: Ed Axler, Planner/Coordinator  
Transportation Planning

SUBJECT: Site Plan No. 820080050  
Holly Oak Property  
North Bethesda Policy Area

This memorandum is Transportation Planning staff's review of transportation-related requirements for the subject site plan in the R-200 zone. The adequate public facilities (APF) test for the subject development was approved with the Preliminary Plan No. 120070180 on May 17, 2007, for 5 single-family detached units. The Adoption of Resolution No. 07-125 for the preliminary plan was approved by the Planning Board at its public hearing held on September 7, 2007.

**RECOMMENDATION**

We recommend no additional transportation-related conditions for the approval of this site plan beyond those recommended for the preliminary plan approval. The Transportation Planning staff support the proposed design of the site plan as the best alternative given several physical constraints on the site.

**DISCUSSION**

Site Location

The Holly Oak development is located in the southwest quadrant of the intersection of Tilden Lane and Cushman Road.

Master-Planned Roadway and Bikeway

In accordance with the *North Bethesda/Garrett Park Master Plan*, Tilden Lane is designated as a primary residential street, P-7, with a right-of-way of 70 feet and a Class II bikeway. Bike Lanes, BL-45, are designated along Tilden Lane in the *Countywide Bikeways*.

*Functional Master Plan.* Quaker Ridge Road and Hollow Tree Lane are reduced-width tertiary residential streets with rights-of-way of 28 feet that are not listed the *North Bethesda/Garrett Park Master Plan*.

#### Vehicular Access and Interconnectivity

The vehicular access is from the terminus of Quaker Ridge Road that connects to Tilden Lane via Hollow Tree Lane. The Applicant proposes to construct a cul-de-sac at the terminus of Quaker Ridge Road instead of extending this road to Tilden Lane. Quaker Ridge Road cannot be feasibly extended to connect with Tilden Lane because of the sloping downward grade towards Tilden Lane and storm water management constraints. The distance from the proposed cul-de-sac at the Quaker Ridge Road terminus, through Hollow Tree Lane, and to the intersection with Tilden Lane is less than a fifth of a mile or approximately 1,000 feet. This distance is not considered excessive when driving motorized vehicles, besides the five new single-family detached units generate a nominal volume of traffic.

#### Pedestrian Access and Interconnectivity

Four-foot wide sidewalks exist along on both sides of Tilden Lane. Quaker Ridge Road and Hollow Tree Lane do not have sidewalks. Without these sidewalks, a pedestrian connection within a public use space would be desirable between the Quaker Ridge Road cul-de-sac and Tilden Lane even for the anticipated minimal number of pedestrians. Three possible pedestrian connections were considered: 1) around the storm water management facility in the northwest corner of the site, 2) along the common driveway serving the two houses fronting Tilden Lane, and 3) along the eastern property line. Any pedestrian connection should follow Crime Prevention Through Environmental Design ("CPTED") principles, meet ADA requirements (i.e., such as path grade), avoid running behind houses, and have affordable maintenance costs. Unfortunately, none of the three alternatives for a public pedestrian connection can satisfy all four criteria.

EA:tc

cc: Larry Cole

mmo Pereira re Holly Oak 820080050.doc



---

## FIRE MARSHAL COMMENTS

---

**DATE:** OCTOBER 22, 2007  
**TO:** TILDEN LAKE, LLC., MACRIS, HENDRICKS, & GLASCOCK, PA  
**FROM:** TYLER MOSMAN  
**RE:** HOLLYOAK 820080050

---

### PLAN APPROVED.

1. Review based only upon information contained on the plan submitted 10-22-07. 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.

cc: Department of Permitting Services

MNCPPC-MC