

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

MCPB
Item #
2/18/10



MEMORANDUM

DATE: February 5, 2010

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Catherine Conlon, Subdivision Supervisor *CC*
Development Review Division

FROM: *NB*
Neil Braunstein, Planner Coordinator (301-495-4532)
Development Review Division

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: One lot for a 24,725-square-foot, 35-bed assisted living facility for seniors

PROJECT NAME: Alpha House

CASE #: 120090120

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: RE-2, Rural Village Center Overlay

LOCATION: Located on the east side of Seneca Road (MD 112), 500 feet south of the intersection of Darnestown Road (MD 28)

MASTER PLAN: Potomac Subregion

APPLICANT: Metropolitan Washington Orthodox Senior Housing, Inc.

ENGINEER: Macris, Hendricks & Glascock

ATTORNEY: Miller, Miller & Canby

FILING DATE: December 22, 2008

HEARING DATE: February 18, 2010

RECOMMENDATION: Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to one lot for a 24,725 square-foot assisted living facility for senior citizens, containing not more than 35 one-room living units.
- 2) The applicant must comply with the conditions of approval of Special Exception S-2648.
- 3) The applicant must 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 Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits, as applicable.
- 4) The applicant must dedicate and the record plat must show dedication of 40 feet of right-of-way, measured from the centerline, along the property frontage for Seneca Road.
- 5) The applicant must satisfy MCDPS requirements prior to recordation of the plat to ensure the construction of a five-foot-wide sidewalk along the property frontage on Seneca Road, as part of the development, unless construction is waived by the MCDPS.
- 6) The applicant must comply with the conditions of the MCDPS stormwater management approval dated June 30, 2008. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 7) The applicant must comply with the conditions of the MCDPS, Wells and Septic Section approval dated August 17, 2009. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 8) The applicant must comply with the conditions of the Maryland State Highway Administration (MDSHA) letter dated February 20, 2009. These conditions may be amended by MDSHA, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 9) The applicant must satisfy provisions for access and improvements as required by MDSHA prior to issuance of access permits.
- 10) No clearing, grading or recording of plats prior to certified site plan approval.
- 11) Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, and sidewalks will be determined at site plan.
- 12) The certified preliminary plan must contain the following note: "Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the preliminary plan are illustrative. The final locations of buildings, structures and hardscape will be determined during the site plan process. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval."
- 13) The record plat must show necessary easements.

- 14) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board resolution.

SITE DESCRIPTION

The subject property, shown below and in Attachment A, consists of two adjacent unplatted parcels, which together comprise 8.16 acres of land. The site is located on the east side of Seneca Road (MD 112), 500 feet south of the intersection of Darnestown Road (MD 28). The zoning on the property is RE-2 and Rural Village Center Overlay. The property is undeveloped. Surrounding properties to the east and south are developed with one-family detached dwellings in the RE-2 zone. Surrounding properties to the north and west are developed with commercial uses in the C-1 overlay zones. A church in the RC zone is located beyond the commercial properties west of the site.

A drainage divide approximately bisects the property from north to south. The western portion of the site is located within the Great Seneca Creek watershed and the eastern portion of the site is located within the Muddy Branch watershed. No environmentally sensitive features, associated buffers, or forests exist on-site.



PROJECT DESCRIPTION

The applicant proposes to combine the two parcels into one new 7.9-acre lot. The lot will contain a 24,725-square foot assisted living facility for senior citizens. The facility will contain 35 one-room living units, a chapel, communal dining room, library, sunroom, beauty salon, fitness area, kitchen, office, laundry, and storage rooms. An open-air courtyard will adjoin the rear of the building. A 36-space parking lot will be accessed from Seneca Road (MD 112). In accordance with the requirements of a previously approved special exception for the project, 15% - 30% of the proposed units will meet affordability criteria. The subdivision also includes 11,471 square feet of dedication for the Seneca Road right-of-way.

(Attachment B – proposed plan)

PREVIOUS APPROVALS

On April 8, 2002, the County Council approved special exception S-2484, which permitted the construction and operation of a 16-unit senior housing facility on the subject property. Subsequently, on December 21, 2005, the County Council approved special exception S-2648, which permitted the construction and operation of a 23,661-square-foot, 35-unit senior housing facility. Later, the approval was modified by the County Council on September 10, 2008 to allow the building to be expanded to 24,725 square feet (Attachment C).

ANALYSIS AND FINDINGS

Master Plan Compliance

The Potomac Subregion Master Plan recommends that the subject property be zoned RE-2, which has since been implemented. The RE-2 zone allows senior housing facilities with the approval of a special exception, which, as noted above, was approved in 2005 and modified in 2008. The special exception application was found by the Planning Board to be in conformance with the Master Plan because the proposed senior housing facility will be compatible with the Darnestown village center and because the application advances the goal of facilitating commercial development in the village center by providing space for off-site septic areas for adjacent small properties. The proposed preliminary plan continues to designate space near the northern property line for a septic field that can be used by an adjacent property that is located within the Darnestown Village Center Overlay zone. Therefore, staff recommends that the Planning Board find that the proposed subdivision substantially conforms with the Potomac Subregion Master Plan.

Public Facilities

Roads and Transportation Facilities

Access to the proposed lot will be provided by a driveway from Seneca Road. A sidewalk on the Seneca Road frontage will provide pedestrian access. Proposed vehicle and pedestrian access for the site will be safe and adequate.

The proposed subdivision does 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. In addition, the proposed subdivision does not generate more than three new vehicle trips in the morning or evening peak hours. Therefore, the application is also not subject to Policy Area Mobility Review.

Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the proposed development. The property will be served by public water and a private septic system. The application has been reviewed by the Montgomery County Fire and Rescue Service who has determined that the property has appropriate access for fire and rescue vehicles. Other public facilities and services, such as police stations, firehouses, and health services, are operating according to the Growth Policy resolution currently in effect and will be adequate to serve the property. Electrical, gas, and telecommunications services are also available to serve the Property. Although the local high school cluster is over capacity, a school facilities payment is not required because the subdivision is for age-restricted housing.

Environment

The site does not contain any streams, wetlands, floodplains, or other environmentally sensitive features, and there are no environmental buffers on the site. Environmental guidelines for protection of environmentally sensitive areas, therefore, are not applicable to this subdivision.

The subject property does not contain any existing forest, but the forest conservation plan requires afforestation. The subject property is located in the RE-2 zone, with a land use category of Medium Density Residential (MDR) for forest conservation purposes. The MDR land use category has a 20 percent afforestation threshold. This property generates a 1.63-acre planting requirement under the afforestation threshold.

The applicant proposes to meet this requirement by using an off-site forest conservation bank. Staff supports the applicant's proposal to meet the planting requirement off-site because the majority of the property will be encumbered by septic easements for both this property and the adjoining parcel to the east. The remaining portions of the property not in septic easement and not being built upon are not large enough to be planted as forest.

Newly enacted provisions of Natural Resources, Title 5, Section 5-1607 of the Maryland Code require the Applicant to file an application for a variance to remove trees that are 30" DBH and greater or trees that are 75 percent the diameter of the county champion for that species, if a project did not receive approval of a Preliminary Forest Conservation Plan prior to October 1, 2009. The applicant is proposing to remove five trees that are greater than 30 inches DBH, and a variance is required.

Variations to the Forest Conservation Law are granted under the provisions of Section 22A-21. These provisions require the Planning Board to refer a copy of each variance request to

the County Arborist in the Montgomery County Department of Environmental Protection (MCDEP) for a written recommendation prior to acting on the request. The County Arborist has 30 days to comment. If the County Arborist does not provide a recommendation within 30 days, the recommendation is presumed to be favorable. In this case, the variance request was referred to the Montgomery County Arborist within MCDEP on November 24, 2009. The County Arborist has elected not to review the variance request. The County Arborist's recommendations for the variance request are, therefore, presumed to be favorable.

The Planning Board must make four findings before granting a variance. Sect. 22A-21(d) of the Forest Conservation Law states that a variance must *not* be granted if granting the request:

1. Will confer on the Applicant a special privilege that would be denied to other Applicants;
2. Is based on conditions or circumstances which are the result of the actions by the Applicant;
3. Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or
4. Will violate State water quality standards or cause measurable degradation in water quality.

Staff recommends that the Planning Board find as follows:

1. The requested variance will not confer on the applicant any special privileges that would be denied to other applicants. The five specimen trees to be removed are on-site but are along the property boundary parallel to the right of way. Because of transportation improvements being required by the Maryland State Highway Administration, these trees cannot be saved. Staff does not envision that this circumstance will be unique. Variances for other projects will be necessary in some cases to realize master planned densities and in other cases to remove a potentially hazardous tree and still others to obtain other planning goals. Therefore, this variance request is not a special privilege that would be denied to other Applicants.

Furthermore, the subject property is within the Town of Darnestown and is adjacent to commercial properties as well as a private school. The proposed development is in substantial conformance with the recommendations of the Master Plan. The inability to remove the subject trees would limit the development of the property and create a significant disadvantage for the applicant that would deprive the applicant of the rights enjoyed by neighboring properties not subject to this approval process.

2. The requested variance is not based on conditions or circumstances which are the result of actions by the applicant. The requested variance is based on transportation improvements being required by the Maryland State Highway Administration as part of this overall project.
3. The requested variance is a result of transportation improvements being required by the Maryland State Highway Administration, not as a result of land or building use on a neighboring property.

4. The requested variance will not violate State water quality standards or cause measurable degradation in water quality. A Stormwater Management Concept was submitted for the property and approved by the Department of Permitting Services on June 30, 2008. This approval confirms that the goals and objectives of the current state water quality standards have been met for the proposed improvements to the site.

The plan meets all applicable requirements of the county Forest Conservation Law. In consideration of the above findings, Staff recommends that the Planning Board approve the Forest Conservation Plan and the applicant's request for a variance from the Forest Conservation Law to remove the five specimen trees.

The MCDPS Stormwater Management Section approved the stormwater management concept on June 30, 2008. The stormwater management concept includes water quality control via a sand filter and recharge via drywells. Channel protection is not required because the one-year post-development peak discharge is less than 2 cubic feet per second.

Compliance with the Subdivision Regulations and Zoning Ordinance

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

The lot was reviewed for compliance with the dimensional requirements for the RE-2 zone as specified in the Zoning Ordinance. The lot as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in attached Table 1. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

Citizen Correspondence and Issues

The applicant conducted a pre-submission community meeting on August 18, 2008. At the meeting, no concerns were raised about the proposed subdivision or land use. In addition, written notice of the plan submittal and the public hearing dates was given by the applicant and staff. As of the date of this report, no citizen letters have been received.

CONCLUSION

The proposed lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and complies with the recommendations of the Potomac Subregion Master Plan. Access and public facilities will be adequate to serve the proposed lot, and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

Attachments

Attachment A – Vicinity Development Map

Attachment B – Proposed Development Plan

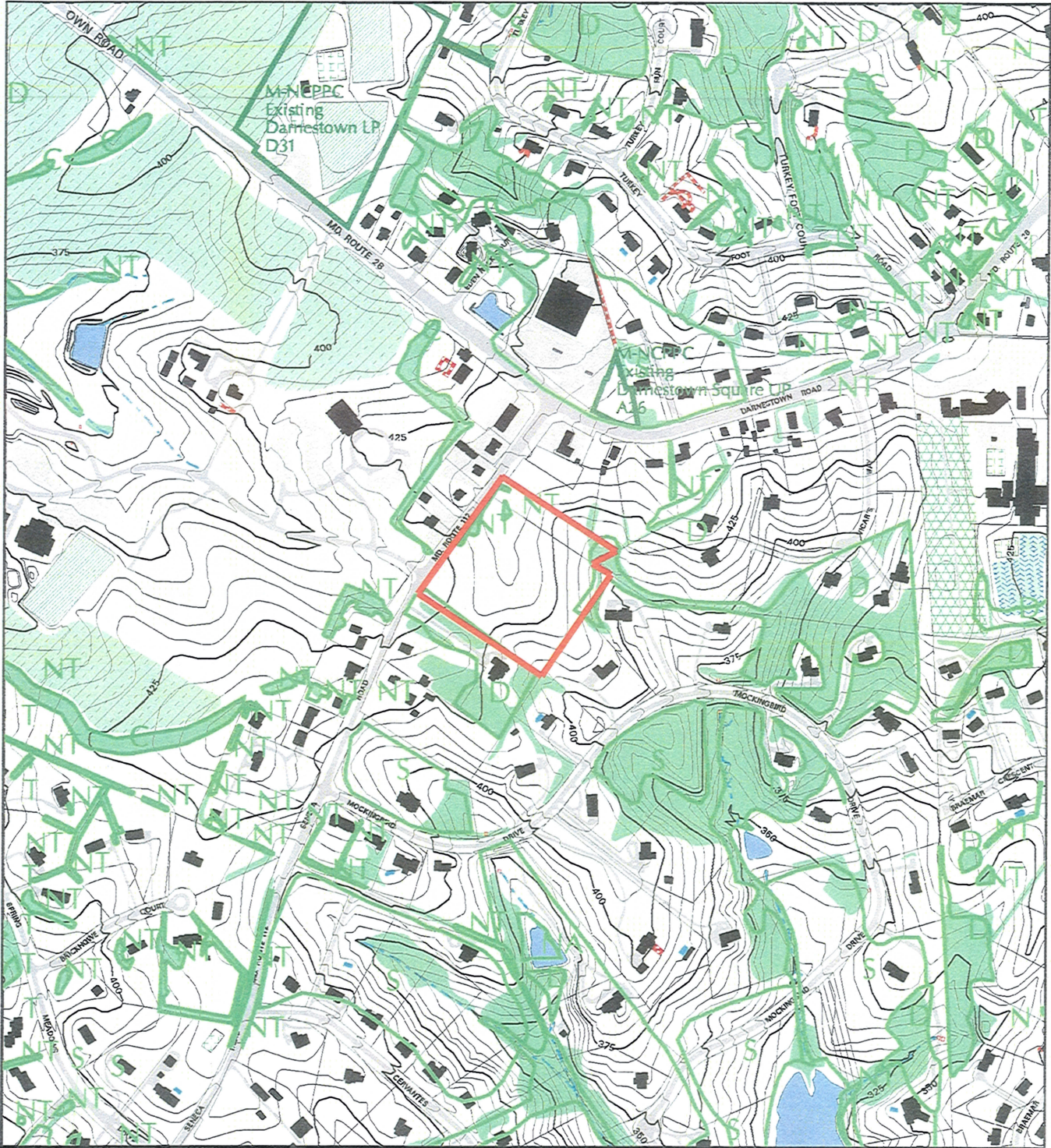
Attachment C – Agency Correspondence Referenced in Conditions

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: Alpha House				
Plan Number: 120090120				
Zoning: RE-2, Rural Village Center Overlay				
# of Lots: 1				
# of Outlots: N/a				
Dev. Type: Institutional				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	2 acres	7.9 acres minimum		2/5/10
Lot Width	150 ft.	598 ft. minimum		2/5/10
Lot Frontage	25 ft.	598 ft. minimum		2/5/10
Setbacks				
Front	50 ft. Min.	Must meet minimum ¹		2/5/10
Side	17 ft. Min./35 ft. total	Must meet minimum ¹		2/5/10
Rear	35 ft. Min.	Must meet minimum ¹		2/5/10
Height	50 ft. Max.	May not exceed maximum ¹		2/5/10
Max s.f. per Zoning	24,725	24,725		2/5/10
MPDUs	N/a			2/5/10
TDRs	N/a			2/5/10
Site Plan Req'd?	No			2/5/10
FINDINGS				
<i>SUBDIVISION</i>				
Lot frontage on Public Street		Yes		2/5/10
Road dedication and frontage improvements		Yes	Agency letter	2/20/09
Environmental Guidelines		N/a	Staff memo	1/22/10
Forest Conservation		Yes	Staff memo	1/22/10
Master Plan Compliance		Yes	Staff memo	2/17/09
<i>ADEQUATE PUBLIC FACILITIES</i>				
Stormwater Management		Yes	Agency letter	6/30/08
Water and Sewer (WSSC)		Yes	Agency comments	2/17/09
10-yr Water and Sewer Plan Compliance		Yes	Agency comments	2/17/09
Well and Septic		Yes	Agency letter	8/17/09
Local Area Traffic Review		N/a	Staff memo	2/17/09
Policy Area Mobility Review		N/a	Staff memo	2/17/09
Transportation Management Agreement		No	Staff memo	2/17/09
School Cluster in Moratorium?		No		2/5/10
School Facilities Payment		No		2/5/10
Fire and Rescue		Yes	Agency letter	4/2/09

¹ As determined by MCDPS at the time of building permit.

ALPHA HOUSE (120090120)



Map compiled on January 28, 2009 at 2:10 PM | Site located on base sheet no - 220NW14

NOTICE

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Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

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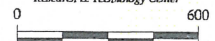
Key Map



N



Research & Technology Center

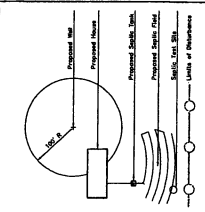
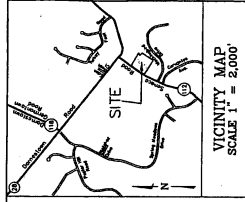


1 inch = 600 feet
1 : 7200

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

M-NCPPC

8787 Georgia Avenue - Silver Spring, Maryland 20910-3760



SITE INFORMATION

Proposed Location: 141.717 sq. ft. of 16 acres
 Proposed Net Lot Area: 141.717 sq. ft. of 17.9 acres

2. Existing Zoning
 - RE-2 (Residential Rear Overlay Area)
 Proposed Use: - Housing and related facilities for Senior Adults
 Proposed Site: - 141.717 sq. ft. of 17.9 acres
 Proposed Site: - 141.717 sq. ft. of 17.9 acres

3. Building Setbacks

Front (Seneca Rd.)	Side	Rear
35'	10'	10'
35'	10'	10'

4. Allowable Building Height = 35' (Five Stories)
5. Building Coverage Allowable = 25.0% or 35,429 sq. ft.
6. Internal Green Space Required = 5.0% or 7,086 sq. ft.
7. Internal Green Space Provided = 10.0% or 14,172 sq. ft.
8. Internal Green Space Excess = 7,086 sq. ft.
9. Maximum Green Area = 35,429 sq. ft.
10. Green Area per Section 94-235 (C)(3) of the Zoning Ordinance = 25.0% or 35,429 sq. ft.

11. Parking (Minimum):
 - 35 Spaces (1.0 Space per unit) - 23 Minimum
 - 35 Spaces (1.0 Space per unit) - 23 Minimum
 - 35 Spaces (1.0 Space per unit) - 23 Minimum

SEPTIC DESIGN

Item	Quantity	Notes
Septic Tank #1	1	48" x 72" x 48"
Septic Tank #2	1	48" x 72" x 48"
Pump Chamber	1	48" x 72" x 48"
Recovery Pit #1	1	48" x 72" x 48"
Recovery Pit #2	1	48" x 72" x 48"
Recovery Pit #3	1	48" x 72" x 48"
Recovery Pit #4	1	48" x 72" x 48"
Recovery Pit #5	1	48" x 72" x 48"
Recovery Pit #6	1	48" x 72" x 48"
Recovery Pit #7	1	48" x 72" x 48"
Recovery Pit #8	1	48" x 72" x 48"
Recovery Pit #9	1	48" x 72" x 48"
Recovery Pit #10	1	48" x 72" x 48"
Recovery Pit #11	1	48" x 72" x 48"
Recovery Pit #12	1	48" x 72" x 48"
Recovery Pit #13	1	48" x 72" x 48"
Recovery Pit #14	1	48" x 72" x 48"
Recovery Pit #15	1	48" x 72" x 48"
Recovery Pit #16	1	48" x 72" x 48"
Recovery Pit #17	1	48" x 72" x 48"
Recovery Pit #18	1	48" x 72" x 48"
Recovery Pit #19	1	48" x 72" x 48"
Recovery Pit #20	1	48" x 72" x 48"

TYPICAL ROAD SECTION

1. For utility and drainage specifications, see the separate sheets.

2. For utility and drainage specifications, see the separate sheets.

3. For utility and drainage specifications, see the separate sheets.

4. For utility and drainage specifications, see the separate sheets.

5. For utility and drainage specifications, see the separate sheets.

6. For utility and drainage specifications, see the separate sheets.

7. For utility and drainage specifications, see the separate sheets.

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10. For utility and drainage specifications, see the separate sheets.

11. For utility and drainage specifications, see the separate sheets.

12. For utility and drainage specifications, see the separate sheets.

13. For utility and drainage specifications, see the separate sheets.

14. For utility and drainage specifications, see the separate sheets.

15. For utility and drainage specifications, see the separate sheets.

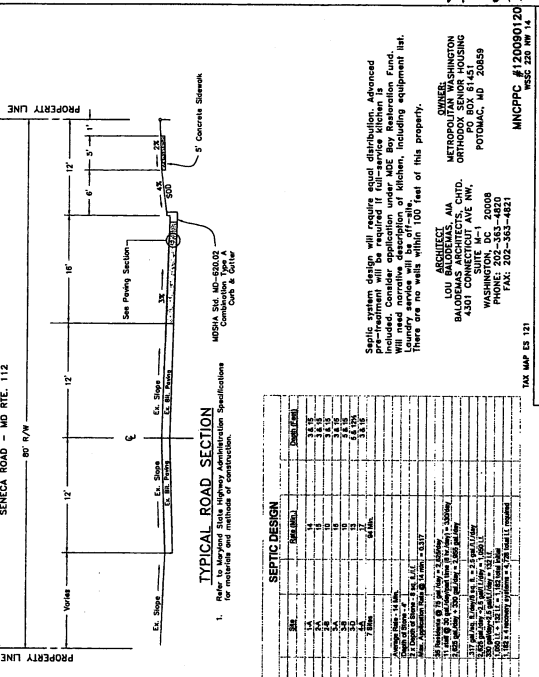
16. For utility and drainage specifications, see the separate sheets.

17. For utility and drainage specifications, see the separate sheets.

18. For utility and drainage specifications, see the separate sheets.

19. For utility and drainage specifications, see the separate sheets.

20. For utility and drainage specifications, see the separate sheets.



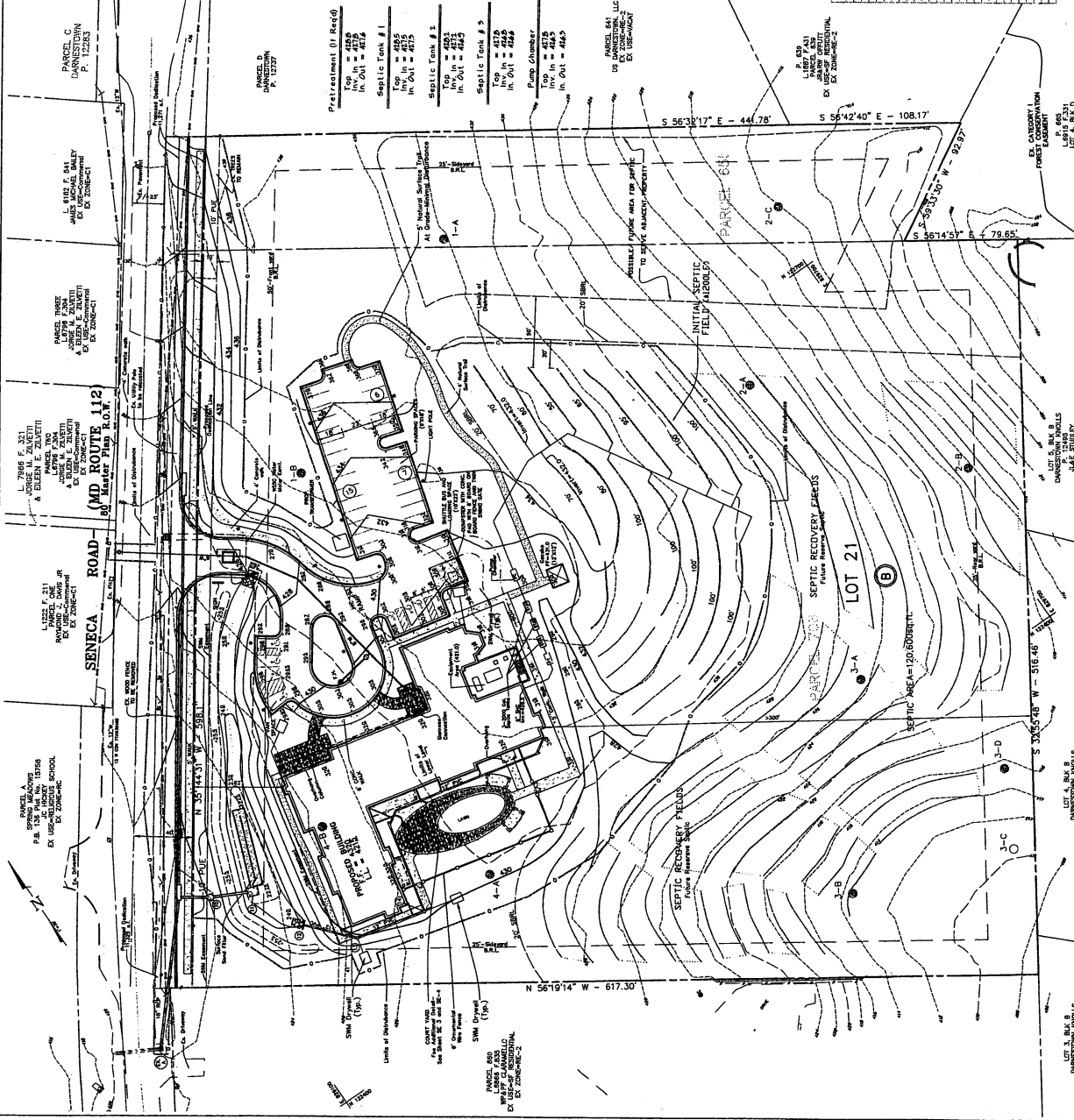
PRELIMINARY PLAN
 Darnestown Knolls - Lot 21, Block B
ALPHA HOUSE
 PARCELS 708 and 655
 SIXTH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

ARCHITECT
 METROPOLITAN WASHINGTON ARCHITECTS
 4301 CONNECTICUT AVE NW
 SUITE 401
 WASHINGTON, DC 20008
 PHONE: 202-363-4820
 FAX: 202-363-4821

ENGINEER
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 WASHINGTON, DC 20008
 PHONE: 202-363-4820
 FAX: 202-363-4821

DATE 08/27/09
PROJECT NO. 20080077
SCALE 1" = 20' (AS SHOWN)



PERCOLATION CERTIFICATE

1. I hereby certify that the foregoing proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.

2. I hereby certify that the proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.

3. I hereby certify that the proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.

4. I hereby certify that the proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.

5. I hereby certify that the proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.

6. I hereby certify that the proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.

7. I hereby certify that the proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.

8. I hereby certify that the proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.

9. I hereby certify that the proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.

10. I hereby certify that the proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.

11. I hereby certify that the proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.

12. I hereby certify that the proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.

13. I hereby certify that the proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.

14. I hereby certify that the proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.

15. I hereby certify that the proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.

16. I hereby certify that the proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.

17. I hereby certify that the proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.

18. I hereby certify that the proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.

19. I hereby certify that the proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.

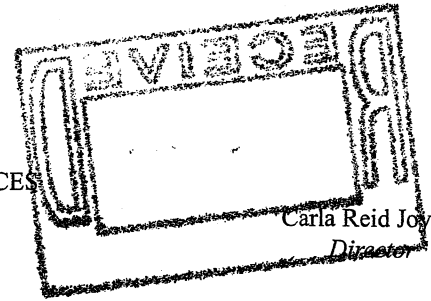
20. I hereby certify that the proposed septic system is designed to comply with the requirements of the Maryland Department of the Environment, Division of Water, and the Maryland Department of the Environment, Division of Air and Noise Control, and that the same will not cause any pollution of any water body or any air quality problem.



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

June 30, 2008



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

Re: Stormwater Management **CONCEPT** Request
for Darnestown Knolls - Alpha House
Preliminary Plan #: pending
SM File #: 219114
Tract Size/Zone: 8.17 acres/RE-2
Total Concept Area: 1.54 acres
Lots/Block: NA
Parcel(s): P708 & P655
Watershed: Great Seneca and Muddy Branch

Dear Mr. Jones:

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 a sand filter and onsite recharge via 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.

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 William Campbell at 240-777-6345.

Sincerely,



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

RRB:dm

cc: C. Conlon
S. Federline
SM File # 219114

QN -less than 2cfs; Acres: 1.54
QL - onsite; Acres: 1.54
Recharge is provided



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid
Director

MEMORANDUM

August 17, 2009

To: Cathy Conlon, Development Review
Maryland National Capitol Park and Planning Commission

From: Carla Reid, Director
Department of Permitting Services

Subject: Status of Preliminary Plan: Alpha House
1-20090120

This is to notify you that the Well & Septic Section of MCDPS approved the plan received in this office January 30, 2009.

Approved with the following reservations:

1. The record plat must be at the same scale as the preliminary plan, or submit an enlargement of the plat to match the preliminary plan.
2. The record plat must show the septic reserve area as it is shown on this plan.
3. This project is approved for 2955 GPD of waste water flow.
4. Laundry service is to be provided off site.

If you have any questions, please contact John Hancock at 240-777-6318.

Cc: surveyor
file



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

February 20, 2009

MAR 2009

Ms. Catherine Conlon
Supervisor, Development Review Division
Maryland National Capital
Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Re: Montgomery County
Alpha House
DRC File No. 120090120
MD 28 (Darnestown Road)

Dear Ms. Conlon:

The State Highway Administration (SHA) appreciates the opportunity to review the plans for the Alpha House development. We offer the following comments:

- An access permit will be required from SHA's EAPD office.
- Please revise the plans to show and label 25' minimum entrance width and 30' minimum radii.
- Extend the combination curb and gutter and sidewalk to the ends of the property limits.
- Provide a completed sight distance evaluation on the SHA EAPD form. This form must be signed and sealed by a licensed PE.
- All sidewalk and ramps within SHA right of way must meet SHA standards.
- Right-of-way dedications along MD 108 will be required along the property frontage and should be platted using SHA standards.

These comments must be met prior to this office issuing an approval. If you have any questions or require additional information, please contact Ms. Corren V. Giles at (410) 545-5595; toll free at (800) 876-4742, or via email at cgiles@sha.state.md.us.

Sincerely,

Steven D. Foster, Chief
Engineering Access Permits Division

SDF/cvg

- Cc: Mr. Shahriar Etemadi / M-NCPPC
 Mr. Sam Farhadi / Montgomery County DOT
 Mr. Arthur Lafionatis / P.O. Box 61451, Potomac, Maryland 20859
 Mr. Brian Donnelly / MHG, 9220 Wightman Road, #120, Montgomery Village, Maryland 20886
 Mr. Jeff Wentz *sent via e-mail*
 Ms. Kate Mazzara *sent via e-mail*
 Mr. Augustine Rebish *sent via e-mail*
 Mr. Mark Loeffler *sent via e-mail*

My telephone number/toll-free number is _____
 Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone: 410.545.0300 · www.marylandroads.com

