



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

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: Two lots for two one-family detached dwelling units

PROJECT NAME: Avery Village

CASE #: 120070740

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: RE-2

LOCATION: Located on the south side of Serenity Lane, 450 feet east of Avery Road.

MASTER PLAN: Upper Rock Creek

APPLICANT: Satwant Singh Bajwa

ENGINEER: CAS Engineering

FILING DATE: May 18, 2007

HEARING DATE: February 18, 2010

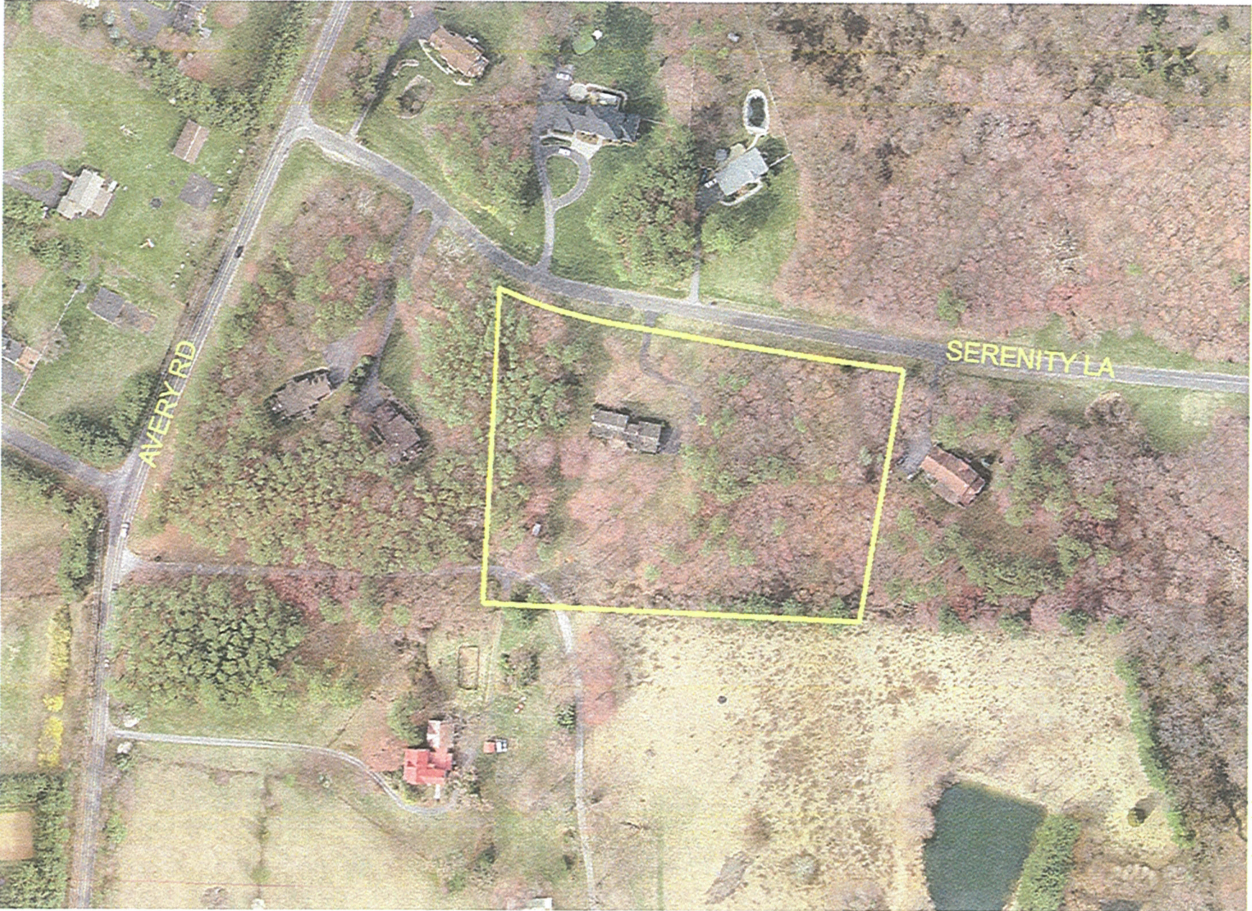
RECOMMENDATION: Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to two one-family detached residential lots.
- 2) 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.
- 3) The record plat must reflect a Category I easement over all areas of forest conservation.
- 4) The applicant must comply with the conditions of the MCDPS stormwater management approval dated July 3, 2007. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 5) The applicant must comply with the conditions of the MCDPS, Wells and Septic Section approval dated January 13, 2010. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 6) The applicant must comply with the conditions of the Montgomery County Department of Transportation (MCDOT) letter dated June 19, 2007. These conditions may be amended by MCDOT, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 7) The applicant must satisfy provisions for access and improvements as required by MCDOT prior to recordation of plat(s).
- 8) The certified preliminary plan must contain the following note: "The building footprints shown on the preliminary plan are illustrative. Final building locations will be determined during the building permit process. Please refer to the zoning data table for development standards such as setbacks, building restriction lines and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval."
- 9) The record plat must show necessary easements.
- 10) 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, is a 4.24-acre platted lot. The property is located on the south side of Serenity Lane, 450 feet east of Avery Road. The zoning on the property is RE-2. The property is developed with a one-family detached dwelling. Surrounding properties are developed with one-family detached dwellings in the RE-2 zone.

The site is within the Upper Rock Creek watershed. The site contains 2.92 acres of forest, but no other environmental features or environmental buffers.



PROJECT DESCRIPTION

The applicant proposes to resubdivide the existing lot into two lots. The existing one-family detached dwelling will be retained on proposed Lot 27 and one new one-family detached dwelling will be constructed on proposed Lot 28. Proposed Lot 27 will be 2.22 acres in size and proposed Lot 28 will be 2.01 acres in size. Access to the lots will be via separate driveways from Serenity Lane. The residences will be served by public water and private septic systems.

(Attachment B – proposed plan)

ANALYSIS AND FINDINGS

Master Plan Compliance

The Upper Rock Creek Master Plan does not specifically address the subject property. The Master Plan recommends retention of existing zoning throughout the Master Plan area in the absence of a specific recommendation for change on a particular property. Thus, in the case of the subject property, the Master Plan calls for retention of the existing RE-2 zoning. The proposed subdivision complies with the recommendations adopted in the Master Plan in that it proposes one-family residential development consistent with surrounding development patterns

and the current zoning designation. The proposed lots will be similar to surrounding lots with respect to dimensions, orientation, and shape, and the proposed residences will have a similar relationship to the public street and surrounding residences as existing residences in the area. The proposed subdivision will not alter the existing pattern of development or land use, in substantial conformance with the Master Plan recommendation to maintain the existing land use.

Public Facilities

Roads and Transportation Facilities

Access to the proposed lots will be provided by driveways from Serenity Lane. Sidewalks do not exist on Serenity Lane. Sidewalks are not required to be constructed on roads where the minimum lot size is larger than 25,000 square feet, as is the case here, in the RE-2 zone because the low volume of traffic allows pedestrians to safely travel in the roadway. 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 private septic systems. 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 schools, 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. The Application is not within a school moratorium area, and a school facilities payment is not required. Electrical, gas, and telecommunications services are also available to serve the Property.

Environment

There are no environmentally sensitive features and no environmental buffers on or in close proximity to the subject property.

The subject property contains 2.92-acres of existing forest, and 1.76-acres of forest clearing is shown on the preliminary forest conservation plan. The property is located in the RE-2 zone, and has a land use category of Medium Density Residential (MDR) for forest conservation purposes. The MDR land use category has a 20 percent afforestation threshold and 25 percent conservation threshold. The breakeven point, or the amount of forest that can be cleared without mitigation, is 1.49-acres. The plan as currently shown would clear 0.27-acres

more forest than the breakeven point and generate a 0.34-acre planting requirement which is proposed to be completed off-site.

The MCDPS Stormwater Management Section approved the stormwater management concept on July 3, 2007. The stormwater management concept includes water quality control and recharge via drywells and non-structural methods. 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, including the requirements for resubdivision as discussed below. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

The lots were reviewed for compliance with the dimensional requirements for the RE-2 zone 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. 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.

Conformance with Section 50-29(b)(2)

A. Statutory Review Criteria

In order to approve an application for resubdivision, the Planning Board must find that each of the proposed lots complies with all seven of the resubdivision criteria, set forth in Section 50-29(b)(2) of the Subdivision Regulations, which states:

Resubdivision. Lots on a plat for the Resubdivision of any lot, tract or other parcel of land that is part of an existing subdivision previously recorded in a plat book shall be of the same character as to street frontage, alignment, size, shape, width, area and suitability for residential use as other lots within the existing block, neighborhood or subdivision.

B. Neighborhood Delineation

In administering Section 50-29(b)(2) of the Subdivision Regulations, the Planning Board must determine the appropriate “neighborhood” for evaluating the application. In this instance, the Neighborhood selected by the applicant, and agreed to by staff, consists of 14 lots (Attachment C). The neighborhood includes lots on Serenity Lane and New Bedford Drive in the RE-2 zone. All the lots share access on these two streets. The designated neighborhood provides an adequate sample of the lot and development pattern of the area. A tabular summary of the area based on the resubdivision criteria is included in Attachment D.

C. Analysis

Comparison of the Character of Proposed Lots to Existing

In performing the analysis, the above-noted resubdivision criteria were applied to the delineated neighborhood. The proposed lots are of the same character with respect to the resubdivision criteria as other lots within the defined neighborhood. Therefore, the proposed resubdivision complies with the criteria of Section 50-29(b)(2). As set forth below, the attached tabular summary and graphical documentation support this conclusion:

Frontage:

In a neighborhood of 14 lots, lot frontages range from 35 feet to 778 feet. Three of the lots have frontages of less than 60 feet, six lots have frontages between 60 and 300 feet, and the remaining five lots have frontages of more than 300 feet. Proposed Lot 27 has a frontage of 294 feet, and proposed Lot 28 has a frontage of 248 feet. **The proposed lots will be of the same character as existing lots in the neighborhood with respect to lot frontage.**

Alignment:

Seven of the 14 existing lots in the neighborhood are radial in alignment, Three are angled, two are perpendicular, and the remaining two are corner lots. One proposed lot is angled and one is perpendicular in alignment. **The proposed lots are of the same character as existing lots with respect to the alignment criterion.**

Size:

The lots in the delineated neighborhood range from 87,120 square feet to 511,896 square feet. Six of the lots are smaller than 100,000 square feet, seven are between 100,000 and 220,000 square feet, and one is larger than 500,000 square feet. Proposed Lot 27 is 96,858 square feet in size and Proposed Lot 28 is 87,632 square feet in size. **The proposed lot sizes are in character with the size of existing lots in the neighborhood.**

Shape:

Nine of the existing lots in the neighborhood are irregularly shaped, four are trapezoidal, and the remaining one is a pipestem lot. The two proposed lots are trapezoidal. **The shapes of the proposed lots will be in character with shapes of the existing lots.**

Width:

The lots in the delineated neighborhood range from 133 feet to 657 feet in width. Seven of the lots have widths of less than 200 feet, four lots have widths between 200 and 400 feet, and the remaining three lots have widths of more than 400 feet. Proposed Lot 27 has a width of 283 feet and proposed Lot 28 has a width of 251 feet. **The proposed lots will be in character with existing lots in the neighborhood with respect to width.**

Area:

The lots in the delineated neighborhood range from 43,472 square feet to 436,562 square feet in buildable area. Nine of the lots have a buildable area less than 100,000 square

feet, four are between 100,000 and 200,000 square feet, and one is over 400,000 square feet. Proposed Lot 27 has a buildable area of 65,275 square feet and proposed Lot 28 has a buildable area of 58,082 square feet. Although the buildable area of proposed Lot 28 is well within the range of neighborhood lots, the usable buildable area will be constrained by an on-lot forest conservation easement. After subtracting the easement area, the buildable area would be reduced to approximately 31,000 square feet. While this is less than the buildable area of any of the neighborhood lots, the lot is still left with more than adequate space for placement of a residence and accessory structures. Further, it is not staff's practice to account for easements when calculating buildable area for resubdivision purposes. **The proposed lots will be of the same character as other lots in the neighborhood with respect to buildable area.**

Suitability for Residential Use: The existing and the proposed lots are zoned residential and the land is suitable for residential use.

Citizen Correspondence and Issues

The application predates requirements for a pre-submission community meeting. However, written notice was given by the applicant and staff of the plan submittal and the public hearing date. As of the date of this report, no citizen letters have been received.

CONCLUSION

Section 50-29(b)(2) of the Subdivision Regulations specifies seven criteria with which resubdivided lots must comply. They are street frontage, alignment, size, shape, width, area and suitability for residential use within the existing block, neighborhood or subdivision. As set forth above, the two proposed lots are of the same character as the existing lots in the defined neighborhood with respect to each of the resubdivision criteria, and therefore, comply with Section 50-29(b)(2) of the Subdivision Regulations. The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance and comply with the recommendations of the Upper Rock Creek Master Plan. Access and public facilities will be adequate to serve the proposed lots, 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

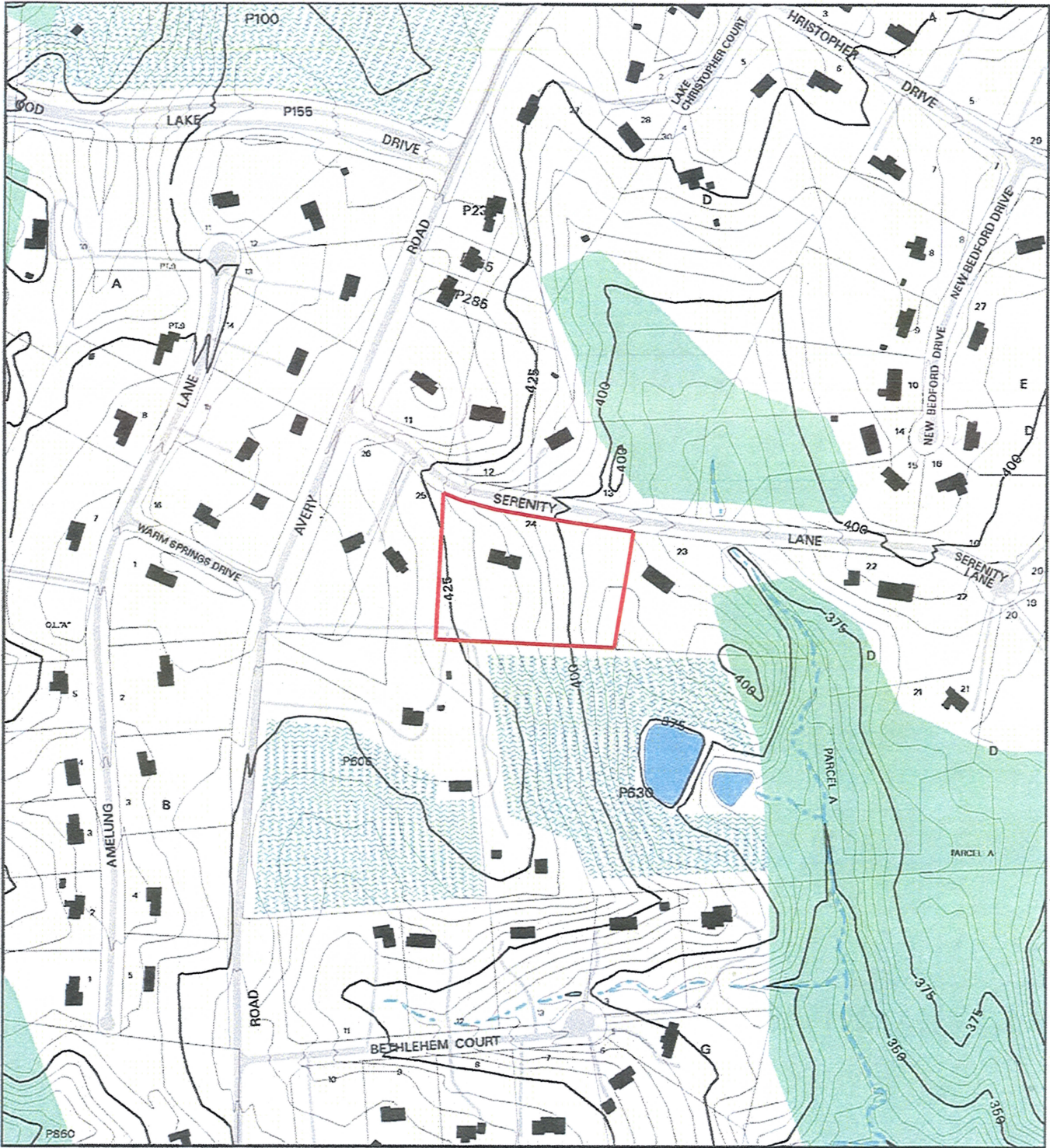
- Attachment A – Vicinity Development Map
- Attachment B – Proposed Development Plan
- Attachment C – Resubdivision Neighborhood Map
- Attachment D – Resubdivision Data Table
- Attachment E – Agency Correspondence Referenced in Conditions

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: Avery Village				
Plan Number: 120070740				
Zoning: RE-2				
# of Lots: 2				
# of Outlots: N/a				
Dev. Type: Residential				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	87,120 sq. ft.	87,632 sq. ft. minimum	NB	2/5/10
Lot Width	150 ft.	251 ft. minimum	NB	2/5/10
Lot Frontage	25 ft.	248 ft. minimum	NB	2/5/10
Setbacks				
Front	50 ft. Min.	Must meet minimum ¹	NB	2/5/10
Side	17 ft. Min./35 ft. total	Must meet minimum ¹	NB	2/5/10
Rear	35 ft. Min.	Must meet minimum ¹	NB	2/5/10
Height	50 ft. Max.	May not exceed maximum ¹	NB	2/5/10
Max. Lot Coverage	25%	2.7%	NB	2/5/10
Max Resid'l d.u. per Zoning	2	2	NB	2/5/10
MPDUs	N/a		NB	2/5/10
TDRs	N/a		NB	2/5/10
Site Plan Req'd?	No		NB	2/5/10
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street		Yes	NB	2/5/10
Road dedication and frontage improvements		Yes	Agency letter	6/19/07
Environmental Guidelines		Yes	Staff memo	1/19/10
Forest Conservation		Yes	Staff memo	1/19/10
Master Plan Compliance		Yes	Staff memo	1/11/10
ADEQUATE PUBLIC FACILITIES				
Stormwater Management		Yes	Agency letter	7/3/07
Water and Sewer (WSSC)		Yes	Agency comments	6/18/07
10-yr Water and Sewer Plan Compliance		Yes	Agency comments	6/18/07
Well and Septic		Yes	Agency letter	1/13/10
Local Area Traffic Review		N/a	Staff memo	12/21/09
Policy Area Mobility Review		N/a	Staff memo	12/21/09
Transportation Management Agreement		No	Staff memo	12/21/09
School Cluster in Moratorium?		No	NB	2/5/10
School Facilities Payment		No	NB	2/5/10
Fire and Rescue		Yes	Agency letter	6/18/07

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

AVERY VILLAGE (120070740)



Map compiled on January 26, 2010 at 10:20 AM | Site located on base sheet no - 221NW06

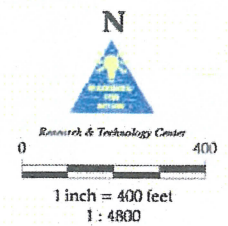
NOTICE

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

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.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes, is not recommended. - Copyright 1998

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 1787 Georgia Avenue - Silver Spring, Maryland 20910-3760



GENERAL NOTES

- 1) ZONING: RES-2
2) ZONING MAP: 1984
3) ZONING MAP: 1984
4) ZONING MAP: 1984

SITE / ZONING DATA

Table with columns: ZONING, REQUIRED, PROVIDED, and other zoning-related metrics.

LEGEND

Legend table defining symbols for existing features, proposed features, and utility lines.

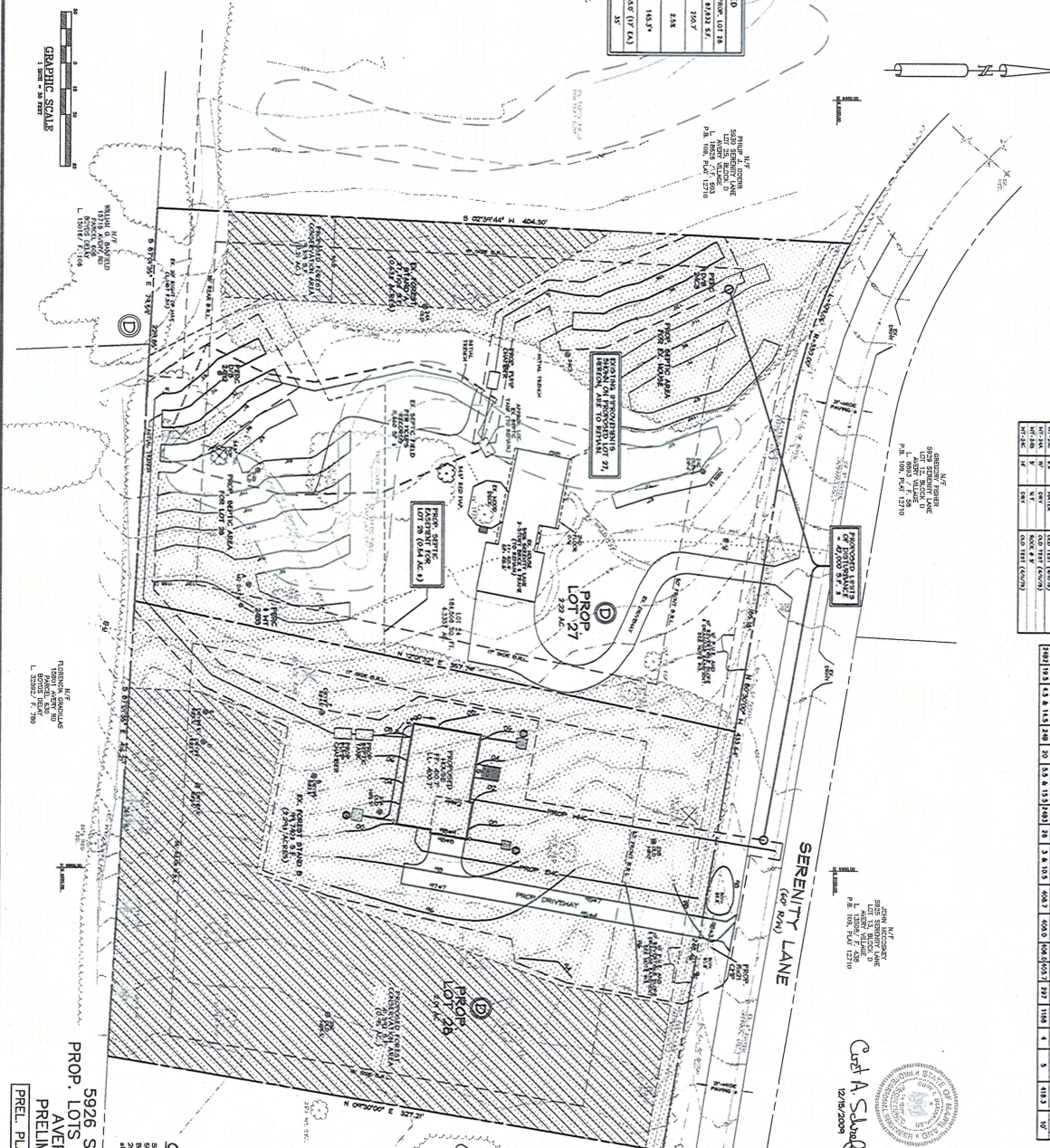
MISS UTILITY

THE LOCATION OF UTILITIES SHALL BE INDICATED AT THE POINTS OF ENTRY AND EXIT ON THE PROPERTY...

SEPTIC TEST RESULTS table with columns for DATE, TIME, and various test parameters.

WATER TABLE RESULTS table with columns for DATE, TIME, and water table depth.

SEPTIC DESIGN CHART table showing design parameters and calculations for proposed lots.



CLIENT: 5926 SERENITY LANE, AVERY VILLAGE, PRELIMINARY PLAN, PREL. PLAN # 120070740

5926 SERENITY LANE, PLAT BOOK 109, PLAT 12710

PROPOSED LOTS 27 & 28, BLOCK D, AVERY VILLAGE, ROCKVILLE (4 TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

PRELIMINARY PLAN

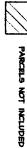
Revision table with columns for DATE, BY, REVISION, and APPROVAL.



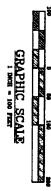
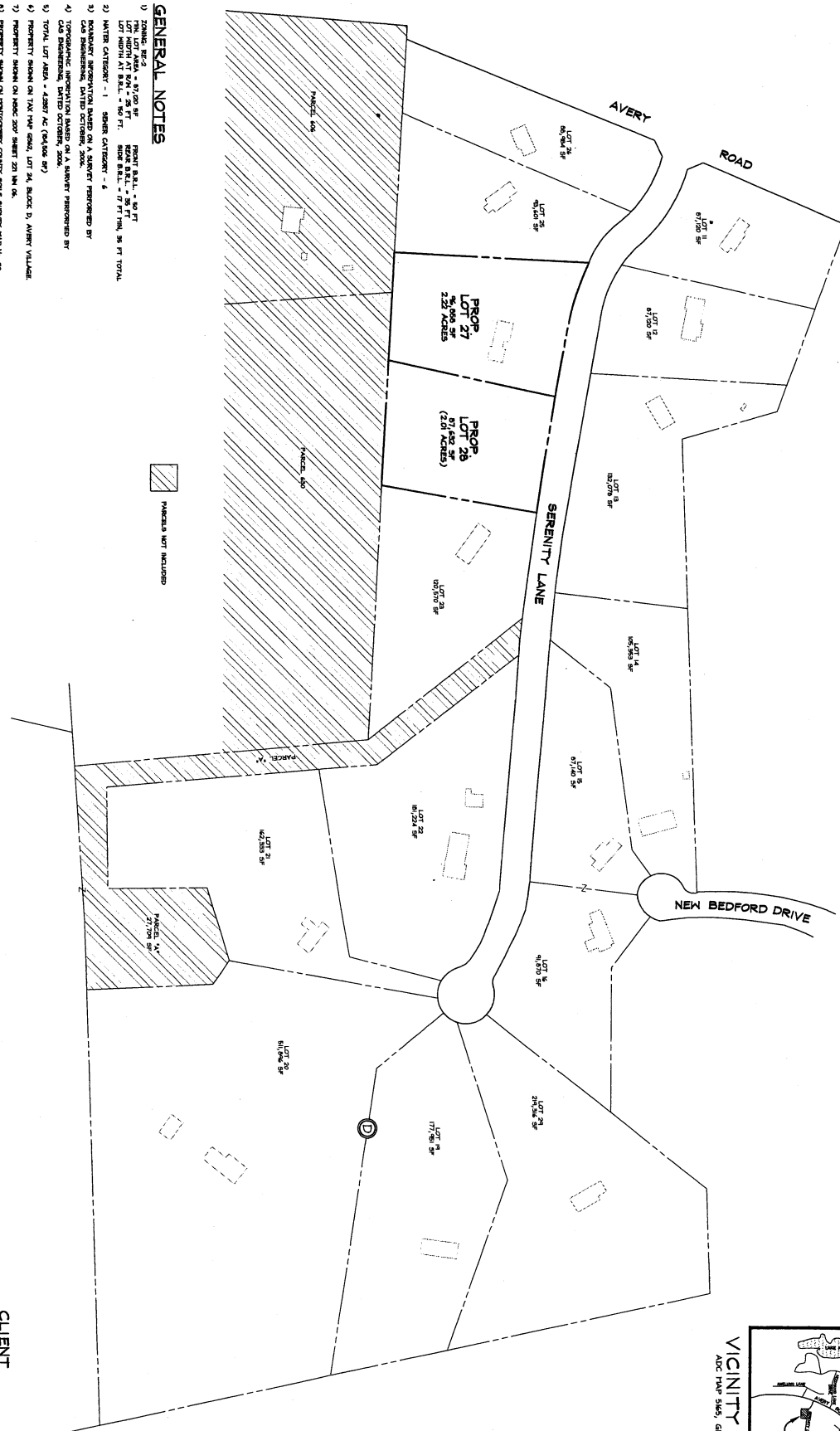
108 West Ridgewood Blvd., Suite 101 Mount Airy, MD. 21771, DC Metro (301) 607-8031 FAX (301) 607-8045

GENERAL NOTES

- 1) ZONING: RB-2
 176' LOT AREA - 47,200 SF
 FRONT B.E.L. - 80 FT
 LOT WIDTH AT B.E.L. - 80 FT
 SIDE B.E.L. - 7 FT MIN, 56 FT TOTAL
- 2) WATER CATEGORY - 1 - SEWER CATEGORY - 4
- 3) BOUNDARY INFORMATION BASED ON A SURVEY PERFORMED BY CAS ENGINEERING, DATED OCTOBER, 2006.
- 4) TOPOGRAHIC INFORMATION BASED ON A SURVEY PERFORMED BY CAS ENGINEERING, DATED OCTOBER, 2006.
- 5) TOTAL LOT AREA - 4,287 AC (184,000 SF)
- 6) PROPERTY SHOWN ON TAX MAP 0606, LOT 24, BLOCK D, AVERY VILLAGE
- 7) PROPERTY SHOWN ON MDC 2007 SHEET 221 NW 06, SOLE TRACT(S), B & C
- 8) PROPERTY SHOWN ON MONTGOMERY COUNTY SOILS SURVEY T-14-20, SOIL TYPE(S), B & C
- 9) FLOOD ZONE: 200' PER FEELA RIVER TOWNSHIP, MONTGOMERY COUNTY, MARYLAND
- 10) SITE IS LOCATED IN THE UPPER ROCK CREEK WATERSHED
- 11) WATER: MONTGOMERY COUNTY SANITARY COMMISSION
 SEWER: PRIVATE
 TELEPHONE: BELL ATLANTIC
 CDS - 174



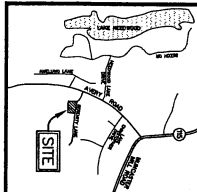
PARCELS NOT INCLUDED



GRAPHIC SCALE
 1" = 100'

CLIENT
 MONTGOMERY COUNTY
 SANITARY COMMISSION
 2007-2008-2009 FISCAL YEAR
 5926 SERENITY LANE
 AVERY VILLAGE
 NEIGHBORHOOD MAP
 PREL. PLAN # 120070740

VICINITY MAP
 ADC MAP SHEET, GRID A-2



5926 SERENITY LANE
 PLAT BOOK 109, PLAT 12710

PROPOSED LOTS 27 & 28, BLOCK D
AVERY VILLAGE
 ROCKYVILLE (4TH) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND

NEIGHBORHOOD MAP

DATE	BY	REVISION	PROJECT	DATE
06/20/07	CDS	TO CLIENT FOR REVIEW	06-208B	05/2007
06/14/07	CDS	SUBMIT TO FRCPPC		
11/03/06	JFD	UPDATE WITH NEW OWNER INFORMATION		
			SCALE	APPROVAL
			1"=100'	CAS

CAS ENGINEERING
 CIVIL • SURVEYING • LAND PLANNING
 A DIVISION OF CAS ENTERPRISES, INC.
 108 West Ridgeville Blvd., Suite 101 Mount Airy, MD, 21771
 DC Metro (301) 607-8031 FAX (301) 607-8045

LOT#	BLOCK	FRONTAGE	ALIGNMENT	LOT SIZE	SHAPE	LOT WIDTH	BUILDABLE AREA
11	D	350	corner	87,120	irregular	260	53,460
12	D	240	perpendicular	87,120	trapezoidal	230	56,776
13	D	470	perpendicular	132,078	irregular	475	78,253
14	D	109	radial	105,353	irregular	133	66,388
15	D	517	radial	87,140	irregular	483	43,472
16	D	296	radial	91,870	irregular	325	56,689
19	D	35	radial	177,951	irregular	150	140,543
20	D	40	radial	511,896	irregular	150	436,562
21	D	35	radial	162,333	pipestem	150	115,133
22	D	778	angled	181,224	irregular	657	123,465
23	D	230	angled	120,570	trapezoidal	279	81,918
25	D	140	angled	93,601	trapezoidal	158	64,527
26	D	594	corner	88,984	trapezoidal	158	56,806
27	D	294	perpendicular	96,858	trapezoidal	283	65,275
28	D	248	angled	87,632	trapezoidal	251	58,082
29	D	70	radial	219,316	irregular	150	167,594

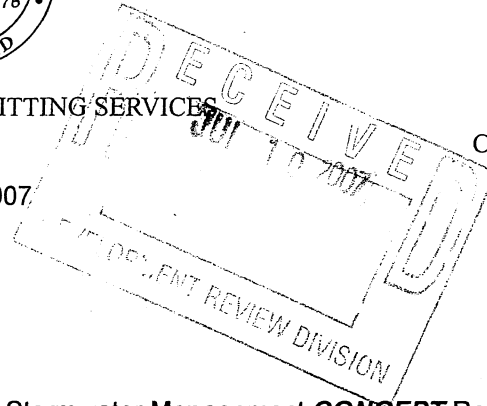


DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid Joyner
Director

July 3, 2007



Ms. Caroline Serafinas
CAS Engineering
108 West Ridgeville Boulevard, Suite 101
Mount Airy, MD 21771

Re: Stormwater Management **CONCEPT** Request
for Avery Village
Preliminary Plan #: 120070740
SM File #: 231367
Tract Size/Zone: 4.24 Ac./ RE-2
Total Concept Area: 4.24 Ac.
Lots/Block: Proposed Lots 27/D & 28/D
Watershed: Upper Rock Creek

Dear Ms. Serafinas:

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 and recharge via drywells and non-structural methods. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

Please submit a revised stormwater management concept for water quantity and water quality control for review and approval. All submissions must be accompanied by a resubmittal application. The revised submission must incorporate the following items:

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 Mike Geier at 240-777-6342.

Sincerely,



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

RRB:dm CN231367 Avery Village.mjg.doc

cc: C. Conlon
S. Federline
SM File # 231367

QN -onsite; Acres: 4
QL - onsite; Acres: 4
Recharge is provided



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid
Director

MEMORANDUM

January 13, 2010

TO: Cathy Conlon, Development Review,
Maryland National Capital Park and Planning Commission

FROM: Carla Reid, Director
Department of Permitting Services

SUBJECT: Status of Preliminary Plan: # 120070740,

Avery Village, Lots 27 & 28- Block D

This is to notify you that the Well & Septic Section of MCDPS approved the plan received in this office on December 15, 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 system easements as they are shown on this plan.

If you have any questions, contact Gene von Gunten at (240) 777-6319.

cc:
Surveyor
File

06-208(c)



DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

June 19, 2007

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

RE: Preliminary Plan #1-20070740
Avery Village

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 05/14/07. This plan was reviewed by the Development Review Committee at its meeting on 06/18/07. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Right of way dedication for Serenity Lane as necessary.
2. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. Wells and septic systems cannot be located within the right of way nor slope or drainage easements.
4. Prior to approval of the record plat by the Department of Permitting Services, submit a completed, executed and sealed DPWT Sight Distances Evaluation certification form, for the existing and proposed driveway(s), for our review and approval.
5. Revise the plan as necessary to meet the requirements of the Montgomery County Department of Permitting Services with regard to wells and/or septic systems.
6. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
7. Please coordinate with Department of Fire and Rescue about their requirements for emergency vehicle access.

Division of Operations

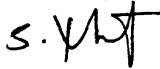
101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878
240-777-6000 • 240-777-6013 TTY • 240-777-6030 FAX
www.montgomerycountymd.gov

Ms. Catherine Conlon
Preliminary Plan No. 1-20070740
Date June 19, 2007
Page 2

8. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Fred Lees of our Traffic Control and Lighting Engineering Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
9. Trees in the County rights of way - species and spacing to be in accordance with the applicable DPWT standards. A tree planting permit is required from the Maryland Department of Natural Resources, State Forester's Office [(301) 854-6060], to plant trees within the public right of way.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at sam.farhadi@montgomerycountymd.gov or (240) 777-6000.

Sincerely,



Sam Farhadi, P.E.
Development Review Group
Traffic Engineering and Operations Section
Division of Operations

m:/subdivision/farhas01/preliminary plans/ 1-20070740, Avery Lodge.doc

Enclosures ()

cc: Josh Haines
Caroline Serafinas, CAS Engineering
Joseph Y. Cheung; DPS RWPPR
Sarah Navid; DPS RWPPR
Henry Emery; DPS RWPPR
Shahriar Etemadi; M-NCPPC TP
Gregory Leck, DPWT TEOS
Preliminary Plan Folder
Preliminary Plans Note Book