



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

MCPB
Item #
7/8/10



MEMORANDUM

DATE: June 14, 2010

TO: Montgomery County Planning Board

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

FROM: Erin Grayson, Senior Planner (301-495-4598) *EG*
Development Review Division

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: 1 lot for a fence contractor, associated storage yard, and caretaker residence

PROJECT NAME: Calco Fence
CASE #: 120070040
REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: I-1
LOCATION: 18101 Sellman Road, 500 feet southeast of Beallsville Road
MASTER PLAN: Preservation of Agriculture and Rural Open Space

APPLICANT: Calco Fence, LCL
ENGINEER: Macris, Hendricks & Glascock

FILING DATE: August 30, 2006
HEARING DATE: July 8, 2010

RECOMMENDATION: Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 1 lot for a fence contractor, associated storage yard, and a caretaker residence.
- 2) The Applicant must dedicate and the record plat must show right-of-way dedication of 35 feet from the centerline of Sellman Road along the property frontage.
- 3) The Applicant must comply with the conditions of the Montgomery County Department of Permitting Services (MCDPS), Well and Septic Section approval dated April 4, 2010. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 4) The Applicant must comply with the conditions of the Montgomery County Department of Transportation (MCDOT) letters dated August 30, 2006 and April 20, 2010. These conditions may be amended by MCDOT, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 5) The Applicant must satisfy provisions for access and improvements as required by MCDOT prior to recordation of plat(s).
- 6) The certified preliminary plan must show a 10-foot wide public utility easement parallel and adjacent to the right-of-way line for Sellman Road.
- 7) 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.
- 8) Other necessary easements must be shown on the record plat.



Figure 1: Aerial Image

SITE DESCRIPTION

The site of the Calco Fence application, “Property” or “Subject Property”, is a 0.96-

acre unrecorded parcel in the Industrial (I-1) zone on Sellman Road in Barnesville. It is located in an enclave of industrially zoned properties between Sellman Road and the CSX Railroad. The existing use on the Property is a contractor (fence) with an associated storage yard. Currently, the property contains a house with an adjacent garage with an apartment above, and two external building structures. The existing house is used as an office for the fence company and the apartment above the garage is used as a caretaker's residence, which is a permitted use in the I-1 zone. Access to the site is via a 12.5-foot wide asphalt driveway along the western Property boundary and a 12-foot wide concrete driveway along the eastern property boundary. The Subject Property is located in a Use I-P watershed. There are no streams or forest on the site.

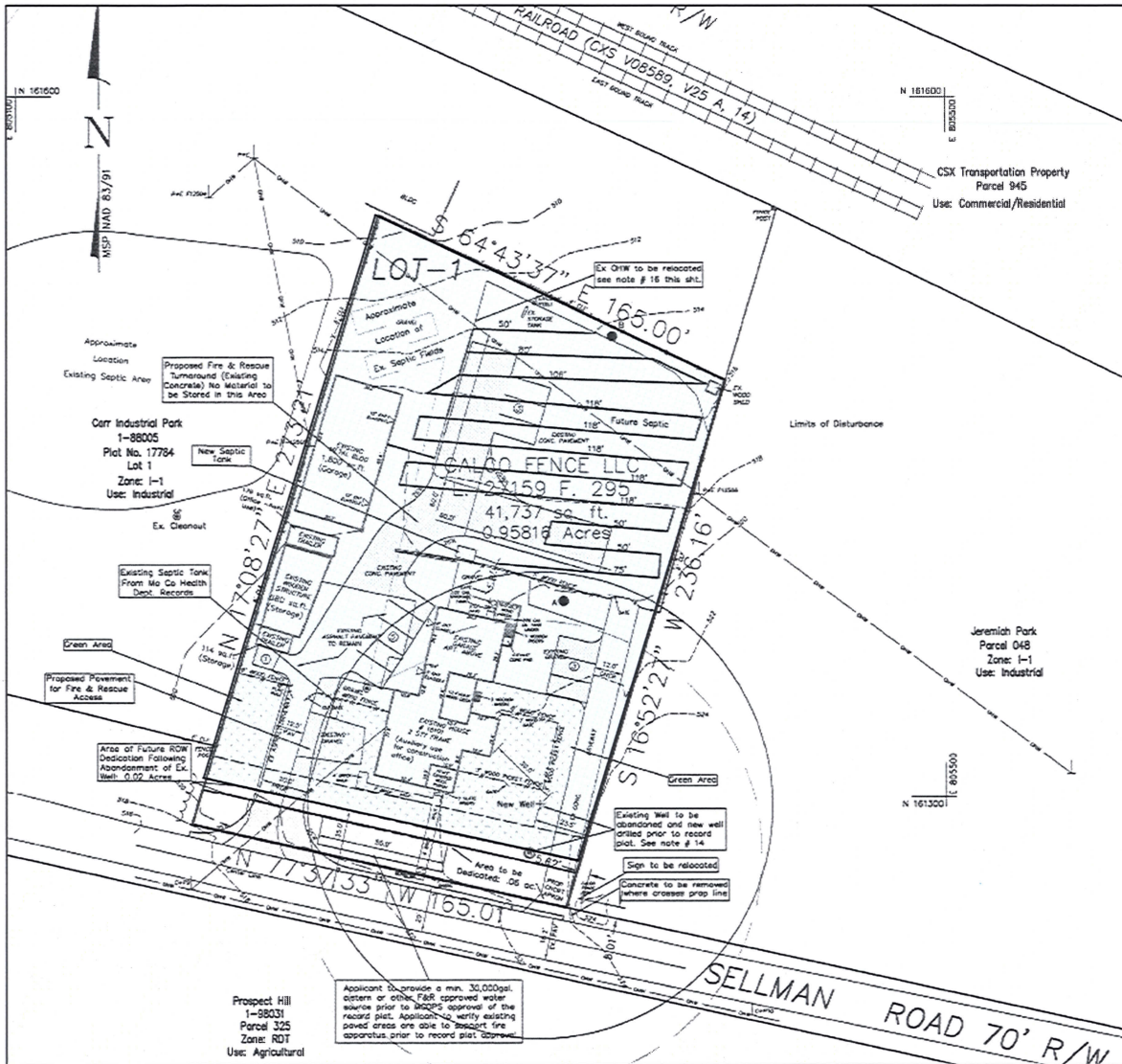


Figure 2: Preliminary Plan

PROJECT DESCRIPTION

The Property must be recorded if the Applicant wishes to obtain any new building permits for improvements desired in the future. For this preliminary plan, the Applicant proposes to record 1 lot, retain the existing uses and structures on the Property, abandon an existing well and construct a new well, construct a new septic field in addition to maintaining the existing septic field, widen the driveway near the western Property boundary to be 20-feet wide, and construct a T-turnaround in the rear portion of the site. Widening the driveway and constructing the turnaround satisfies the Montgomery County Fire and Rescue Service (MCFRS) requirements for adequate emergency vehicle access. MCFRS is also requiring, at a minimum, a 30,000 gallon cistern or other MCFRS approved water source prior to their approval of the record plat application. Dedication for Sellman Road is required along the Property frontage, and 3,360 square feet of dedication is shown on the preliminary plan. The proposed lot size after dedication is 0.90 acres.

ANALYSIS AND FINDINGS

Conformance to the Master Plan

Development of the Subject Property is guided by the Functional Master Plan for the Preservation of Agriculture and Rural Open Space. The Plan recommendation for this area is to “[c]onfirm existing commercial and industrial zoning in the Agricultural Reserve and Rural Open Space Areas, as shown on the fold out map included in this Plan” (p. 57). This recommendation is consistent with one of the overarching assumptions of the plan:

PROGRAM ASSUMPTION 8: Agricultural support services are important aspects to the continuance of farming. (p. 36).

Continuing the operation of this fencing company is consistent with the above recommendations and is compatible with adjacent uses. The existing house is used as an office building for this use. The apartment is used by a caretaker and this is a permitted use in the I-1 zone. The proposed Preliminary Plan for Calco Fence is consistent with the recommendations of the Functional Master Plan for the Preservation of Agriculture and Rural Open Space.

Public Facilities

Roads and Transportation Facilities

The proposed lot 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. The application was submitted for review prior to Policy Area Mobility Review requirements, which are, therefore, not applicable. Sellman Road is an unclassified, rural road. The preliminary plan includes right-of-way dedication to the full width required for rural roads (35 feet from

centerline), and no improvements other than an expanded driveway apron proposed within the public right-of-way. Sidewalks are not supported nor required in this area; development densities in the Preservation of Agriculture and Rural Open Space Master plan area generate little pedestrian traffic. Local roads may be used in these instances to safely accommodate pedestrians. Staff finds that proposed vehicle and pedestrian access for the subdivision will be safe and adequate with the proposed improvements.

Other Public Facilities and Services

The application has been reviewed by the Montgomery County Fire and Rescue Service who have determined that the Property will have adequate access for fire and rescue vehicles once the required improvements are implemented. Other public facilities such as police stations, firehouses and health services are operating within the standards set by the Growth Policy Resolution currently in effect. Electric and telecommunication facilities (Allegheny and Verizon) adequately serve the Subject Property and will continue to serve the existing uses on the site. The lot created by this application will have adequate emergency vehicle access, as well as public and private utilities and services.

Environment

Environmental Guidelines

The simplified NRI/FSD identifies the environmental constraints on the Subject Property and any areas of forest. There are no environmentally sensitive features on the site, therefore, the environmental guidelines are not applicable.

Forest Conservation

Per the County Forest Conservation Law, this Property is exempt from Article II under section 22A-5(s)(2), small property exemption. A forest conservation exemption was approved by Environmental Planning Staff on October 17, 2005.

Stormwater management

The MCDPS Stormwater Management Section approved an exemption from stormwater management requirements for the Subject Property on December 15, 2005.

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 I-1 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

This application pre-dates the requirement for sign posting on the Subject Property. Adjacent and confronting property owners and any applicable citizen associations were notified of the initial plan submission on August 15, 2006 and were also noticed on April 28, 2010 that the plan had become active again and that revisions had been submitted to MNCPPC for review. As of the date of this report, no citizen concerns have been brought to the attention of MNCPPC staff.

CONCLUSION

The proposed lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conforms to the recommendations of the Preservation of Agriculture and Rural Open Space 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 – Agency Correspondence

Attachment B – Stormwater Management exemption letter

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: Calco Fence				
Plan Number: 120070040				
Zoning: I-1				
# of Lots: 1				
# of Outlots: 0				
Dev. Type: Standard, Industrial				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	N/a	41,737 sq. ft. minimum	EG	6/14/10
Lot Width	N/a	160 ft. minimum	EG	6/14/10
Lot Frontage	N/a	160 ft. minimum	EG	6/14/10
Setbacks				
Front	10 ft. Min.	Must meet minimum ¹	EG	6/14/10
Side	N/a	Must meet minimum ¹	EG	6/14/10
Rear	N/a	Must meet minimum ¹	EG	6/14/10
Height	42 feet	May not exceed maximum ¹	EG	6/14/10
Coverage	10% min. green area	10% min. green area	EG	6/14/10
MPDUs	N/a		EG	6/14/10
TDRs	N/a		EG	6/14/10
Site Plan Req'd?	No		EG	6/14/10
FINDINGS				
<i>SUBDIVISION</i>				
Lot frontage on Public Street		Yes	EG	6/14/10
Road dedication and frontage improvements		Yes	Agency letter	8/30/06, 4/20/10
Environmental Guidelines		N/a	Staff memo	8/25/06
Forest Conservation		Exempt	Staff memo	8/25/06
Master Plan Compliance		Yes	Staff memo	8/25/06
Other (i.e., parks, historic preservation)				
<i>ADEQUATE PUBLIC FACILITIES</i>				
Stormwater Management		Exempt	Agency letter	12/15/05
Water and Sewer (WSSC)		N/a	EG	6/14/10
10-yr Water and Sewer Plan Compliance		N/a	EG	6/14/10
Well and Septic		Yes	Agency letter	4/1/10
Local Area Traffic Review		N/a	Staff memo	8/28/06
Policy Area Mobility Review		N/a	Staff memo	8/28/06
Transportation Management Agreement		No	Staff memo	8/28/06
School Cluster in Moratorium?		N/a	EG	6/14/10
School Facilities Payment		N/a	EG	6/14/10
Fire and Rescue		Yes	Agency letter	6/9/10
Other (i.e., schools)				

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



FIRE MARSHAL COMMENTS

DATE: 09-Jun-10
TO: Lauren Ireland
Macris, Hendricks & Glascock
FROM: Marie LaBaw
RE: Sellman Road (Calco Fence)
120070040

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **03-Jun-10**. 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.

DAVE
KIM
PAGE



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid Joyner
Director

MEMORANDUM

April 1, 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: Sellman Road
1-20070040

This is to notify you that the Well & Septic Section of MCDPS approved the plan received in this office on March 31, 2010.

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. Prior to DPS Well and Septic approval of the record plat, the existing well must be properly abandoned and sealed and the new well drilled and completed.
4. Prior to DPS Well and Septic approval of the record plat, the existing septic tank must be abandoned and replaced and all of the trenches to be located under pavement must be installed.
5. Prior to DPS Well and Septic approval of the record plat, the portion of overhead wire that extends over the proposed septic reserve area must be moved to outside the proposed septic reserve area.
6. Prior to DPS Well and Septic approval of the record plat, the applicant must enter into a declaration of covenants and restrictions on the property to be recorded in the land records.

If you have any questions, please contact Kim Beall at (240) 777-6315.

cc: Engineer
File



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

April 20, 2010

Arthur Holmes, Jr.
Director

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 #1-20070040
Calco Fence, Amendment

Dear Ms. Conlon:

As you requested, we have reconsidered the comments in our August 30, 2006 letter regarding the updated sight distance study. As a result, we wish to modify the following conditions of our prior approval for the above preliminary plan as follows (all conditions of that letter that are not mentioned herewith remain in effect as stated):

Condition 10 is to be modified as:

"The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference."

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Sam Farhadi at sam.farhadi@montgomerycountymd.gov or (240) 777-2197.

Sincerely,

Gregory M. Leck, P.E., Manager
Development Review Team
Division of Traffic Engineering and Operations

m:/subdivision/farhas01/preliminary plans/ 1-20070040, Calco Fence_Amendment.doc

Enclosures (1)

cc: H. Wayne Warner, Calco Fence
David Crowe, Macris, Hendricks & Glascock
Joseph Y. Cheung; DPS RWPPR
Sarah Navid; DPS RWPPR
Shahriar Etemadi; M-NCPPC TP
Sam Farhadi, DPWT DTEO
Preliminary Plan Folder
Preliminary Plans Note Book

Division of Traffic Engineering and Operations

100 Edison Park Drive, 4th Floor • Gaithersburg, Maryland 20878
Main Office 240-777-2190 • TTY 240-777-6013 • FAX 240-777-2080
trafficops@montgomerycountymd.gov



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: CALCO FENCE Preliminary Plan Number: 1-20070040

Street Name: SELLMAN ROAD Master Plan Road Classification: country PRIMARY

Posted Speed Limit: 40 mph

Street/Driveway #1 (EX. WEST) Street/Driveway #2 (EX. EAST)

Sight Distance (feet) OK?
 Right 325'+
 Left 375'+

Sight Distance (feet) OK?
 Right 340'+
 Left 375'+

Comments: MEETS MC COUNTY CRITERIA

Comments: MEETS MC COUNTY CRITERIA

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
<u>Arterial - 40</u>	<u>325'</u>
(45)	400'
Major - 50	475'
(55)	550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side-street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

*Source: AASHTO

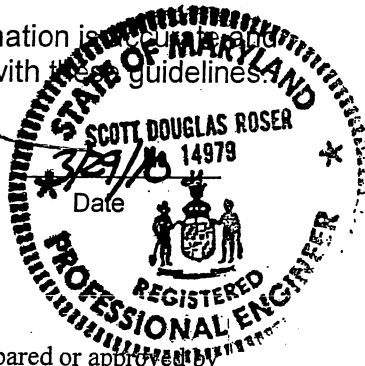
ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is true and correct and was collected in accordance with the guidelines.

Signature

14979

PLS/P.E. MD Reg. No.



Montgomery County Review:

Approved
 Disapproved:

By: gulesch
 Date: 4/20/10

Form Reformatted: March, 2000

I hereby certify that these documents were prepared or approved by me, and that I am a licensed Professional Engineer under the laws of the State of Maryland, License No. 14979, Expiration Date: 07-02-10



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

August 30, 2006

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 #1-20070040
Calco Fence

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 07/21/06. This plan was reviewed by the Development Review Committee at its meeting on 08/28/06. 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. Show/label all existing planimetric and topographic details specifically paving (width does not match the label), storm drainage, driveways adjacent and opposite the site on the preliminary plan.
2. Dedicate right of way for Sellman Road as necessary and improve it to country road standards.
3. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
4. Wells and septic systems cannot be located within the right of way nor slope or drainage easements.
5. Perform the necessary adjustments so driveway aprons do not cross the property lines.
6. Please coordinate with Department of Fire and Rescue about their requirements for emergency vehicle access.
7. 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.
8. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
9. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.



Division of Operations

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

Ms. Catherine Conlon
Preliminary Plan No. 1-20070040
Date August 30, 2006
Page 2

10. The sight distances study has not been accepted. Prior to approval of the record plat by DPS, the applicant's engineer will need to submit a revised sight distances certification. The revised form will need to reflect the updated sight distance when tree trimming and/or removal has been completed to achieve a minimum of three hundred and twenty five (325) feet of sight distance in each direction.

Tree removal/trimming along existing public rights of way is to be coordinated with the State Forester's Office of the Maryland Department of Natural Resources. They may be contacted at (301) 854-6060.
11. The parking layout plan will be reviewed by the Department of Permitting Services at the site plan or building permit stage, whichever comes first. To facilitate their review, that plan should delineate and dimension the proposed on-site travel lanes, parking spaces, curb radii, handicap parking spaces and access facilities, and sidewalks. The applicant may wish to contact Ms. Sarah Navid of that Department at (240) 777-6320 to discuss the parking lot design.
12. For safe simultaneous movement of vehicles, we recommend a driveway pavement width of no less than twenty four (24) feet to allow vehicles to enter and exit the site without encroaching on the opposing lanes. This pavement width will permit an inbound lane width of fourteen (14) feet and an exit lane width of ten (10) feet.
13. Curb radii for intersection type driveways should be sufficient to accommodate the turning movements of the largest vehicle expected to frequent the site. However Driveways curb returns should not cross the property lines. Also provide proper spacing between the driveways curb returns and public utilities features.

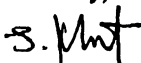
14. The parking lot travel lanes are to be designed to allow a WB-50 truck to circulate without crossing the centerline nor the curbline.
15. The applicant needs to submit a truck circulation plan for review by the M-NCPPC and MCDPS. This plan should delineate the proposed movements on-site between the anticipated access locations, the proposed truck loading spaces, and the proposed dumpsters. The truck circulation pattern and loading position should be designed for counter-clockwise entry and for a left-side backing maneuver. Passenger vehicle travel ways should be separated from the expected truck patterns and storage areas. The applicant may also need to provide documentation of their proposed delivery schedules.
16. On the site plan, delineate the location and dimensions of the proposed truck loading and/or dumpster spaces.
17. 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.
18. 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.
19. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
 - A. Street grading, paving, shoulders, side drainage ditches and appurtenances, and street trees along Sellman Road to improve it to country road standards.

Ms. Catherine Conlon
Preliminary Plan No. 1-20070040
Date August 30, 2006
Page 3

- B. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
- C. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
- D. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Section.

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., Senior Planning Specialist
Development Review Group
Traffic Engineering and Operations Section
Division of Operations

m:/subdivision/farhas01/preliminary plans/ 1-20070040, Calco Fence.doc

Enclosures (1)

cc: H. Wayne Warner, Calco Fence
Lauren Wirth, Macris, Hendricks & Glascock
Joseph Y. Cheung; DPS RWPPR
Christina Contreras; DPS RWPPR
Sarah Navid; DPS RWPPR
Shahriar Etemadi; M-NCPPC TP
Gregory Leck, DPWT TEOS
Preliminary Plan Folder
Preliminary Plans Note Book

Macris, Hendricks and Glascock, P.A.
Engineers • Planners • Surveyors • Landscape Architects

9220 Wightman Road, Suite 120
Montgomery Village, Maryland
20886-1279

Phone 301.670.0840
Fax 301.948.0693

www.mhgpa.com



December 7, 2005

Mr. Richard R. Brush, Manager
Montgomery County
Department Permitting Services
Water Resources Section
255 Rockville Pike
Rockville, MD 20850

Re: 18101 Sellman Road
MHG Project No. 2005.248

Dear Mr. Brush:

On behalf of our client, Mr. Wayne Warner, we hereby request an exemption from stormwater management requirements for the subject development. Earlier this year, our client completed construction a detached garage and made other improvements to his property, but was unaware that permitting was required. He received a Notice of Violation on 5/06/05 to obtain a sediment control permit. Dave Kuykendall of your office then communicated to the inspector that a sediment control permit was not required for the development. A copy of this notice is attached. Mr. Warner, however, now must obtain a building permit for the garage which in turn requires the property to go through the subdivision process to create a recorded lot. Stormwater management concept approval or an exemption of the site is therefore required.

The site is located on the north side of Sellman Road, just east of Beallsville Road and is the headquarters for Calco Fence, LLC. The site is tributary to the Little Monocacy River watershed which has a class I-P water use designation.

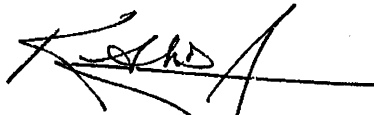
Elements on-site prior to the garage improvements include a single family home being used as a home for the site's caretaker, as well as storage sheds for fence construction equipment and material. Most of the remaining open area was covered by gravel. Some of this gravel area has now been converted to concrete and bituminous paving.

Mr. Richard R. Brush, Manager
MCDPS
Re: 18101 Sellman Road
December 7, 2005
Page 2 of 2

The detached garage occupies an area of 1,800 square feet; well below the 5,000 square foot maximum for a SWM exemption. In addition, because the work is now complete, it is difficult to differentiate between previously existing site elements and new improvements. Based on these factors, it is our belief that no stormwater management requirements should be enforced upon the site.

If you agree that the existing site is exempt from stormwater management requirements, please indicate so by signing below and return a copy of the signed letter to us. If you have comments, questions or require additional information, please contact us at your convenience.

Sincerely,



Kenneth D. Jones

Sellman Road, Parcel 5 as currently improved is exempt from stormwater management requirements

Signed: 

Date: 12/15/05

Title: MANAGER