



Preliminary Plan, 120110150: Stoney Creek Road

KH Katherine Holt, Senior Planner, Area 3, Katherine.Holt@montgomeryplanning.org, 301-495-4549

RAW Richard Weaver, Acting Supervisor, Area 3, Richard.Weaver@montgomeryplanning.org, 301-495-4544

JAC John Carter, Chief, Area 3, 301-495-4575

Completed: 04/20/12

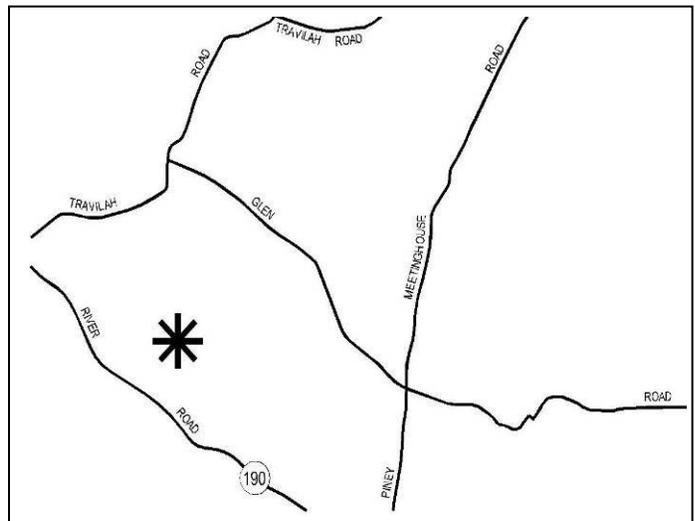
Description

Preliminary Plan No. 120110150: Stoney Creek Road

Four (4) one-family detached residential lots requested; located at 12010 Stoney Creek Road on the west side of Stoney Creek Road; RE-2 zone; 17.29-acres, 2002 Potomac Subregion Master Plan.

Staff Recommendation: Approval with conditions and adoption of the Resolution.

Review Basis: Chapter 50 and Chapter 22A
Applicant: Donald and Carol Dell
Date Submitted: 2/15/11



Summary

This application is a request to create four lots on a 17.29-acre parcel zoned RE-2. The property is located at 12010 Stoney Creek Road on the west side of the road in the 2002 Potomac Subregion Master Plan area. Access to the property is from Stoney Creek Road, a rustic road. The existing house and all but three of the accessory buildings on the property will be removed. There will be two driveways constructed with two lots each sharing one of the new driveways. The lots will be served by private well and septic.

Staff considered the following concerns in the review of this application:

- Rustic Road designation for Stoney Creek Road
- Tree Variance and the protection of Specimen Trees
- Forest Conservation
- Extensive stream valley buffers that limited developable areas
- Eroded drainage channel

Staff believes that all of the issues are adequately addressed by this Preliminary Plan and that it conforms to master plan and Chapter 50 requirements. Staff has received no correspondence on the application from interested parties.

RECOMMENDATION: Approval with conditions and adoption of the Resolution.

- 1) Approval under this Preliminary Plan is limited to four (4) one-family detached residential lots.
- 2) The Applicant must comply with the conditions of approval for the Preliminary Forest Conservation Plan No. 120110150. Conditions are:
 - a. The final forest conservation plan must be consistent with the Preliminary Forest Conservation Plan and address the following:
 - i. A revised limit of disturbance to accommodate repair of the eroded channel as specified in a Soil Erosion and Sediment Control/Stormwater Management Plan required by the Montgomery County Department of Permitting Services – Water Resources Section approval letter dated March 17, 2011.
 - ii. Show the removal of all impervious surfaces (including gravel) within the Category I conservation easement area and revise the limit of disturbance to accommodate those changes.
 - b. The Final Forest Conservation Plan must be approved prior to recordation of the plat.
 - c. A Category I conservation easement must be shown on the record plat over all areas specified in the Final Forest Conservation Plan.
 - d. The Applicant must remove all impervious surfaces (including gravel) within the Category I conservation easement area prior to the issuance of building permits.
- 3) The Planning Board has accepted the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letter dated March 22, 2011, and does hereby incorporate them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 4) The Applicant must satisfy the provisions for access and improvements as required by MCDOT prior to recordation of the plat(s).
- 5) The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Services (MCDPS) – Water Resources Section in its letter dated March 17, 2011, and does hereby incorporate them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 6) The Planning Board has accepted the recommendations of the MCDPS – Well and Septic Section in its letter dated September 22, 2011, and does hereby incorporate them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations set forth in the letter, which may be amended by MCDPS – Well and Septic Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.

- 7) The Applicant must dedicate and show on the record plat(s) the dedication of their portion of the 70 foot wide right-of-way for Stoney Creek Road as measured from the opposite right-of-way line.
- 8) The record plat must reflect common ingress/egress and utility easements over all shared driveways.
- 9) The approved 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 at the time of issuance of building permit(s). 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.”

SITE DESCRIPTION

Preliminary Plan No. 120110150 (“Application” or “Preliminary Plan”) is a request to subdivide a property identified as P165 on Tax Map EQ52; located at 12010 Stoney Creek Road and consisting of 17.29-acres, zoned RE-2 (“Property” or “Subject Property”) into four one-family detached residential lots. The Property is within the 2002 Potomac Master Plan area (“Master Plan”). As depicted in figures 1 and 2 below, the Property is surrounded by one-family detached dwellings in the RE-2 zone. Stoney Creek Road borders the Property on the east side. The Property currently has a one-family detached dwelling with various accessory structures such as barns and a riding rink. Access to the house is provided by an existing driveway to Stoney Creek Road which is designated as a rustic road in the 2002 Potomac Subregion Master Plan.

The Subject Property is located within the Sandy Branch subwatershed of Watts Branch, which is classified as Use I/I-P. The Property is gently rolling near the road, and then slopes steeply into the Stoney Creek stream valley that runs through its western portion. There is a large, severely eroded drainage swale near the center of the Property, leading down to the creek.

The Property has existing forest that covers approximately 4.7 acres and is identified as high priority for retention. The majority of the forest is located in the stream valley and on the steep slopes associated with Stoney Creek. The easternmost portions are cleared of forest and were used for apparent equestrian uses. There are ten specimen trees located primarily in the cleared area of the Property.



Figure 1 - Subject Property

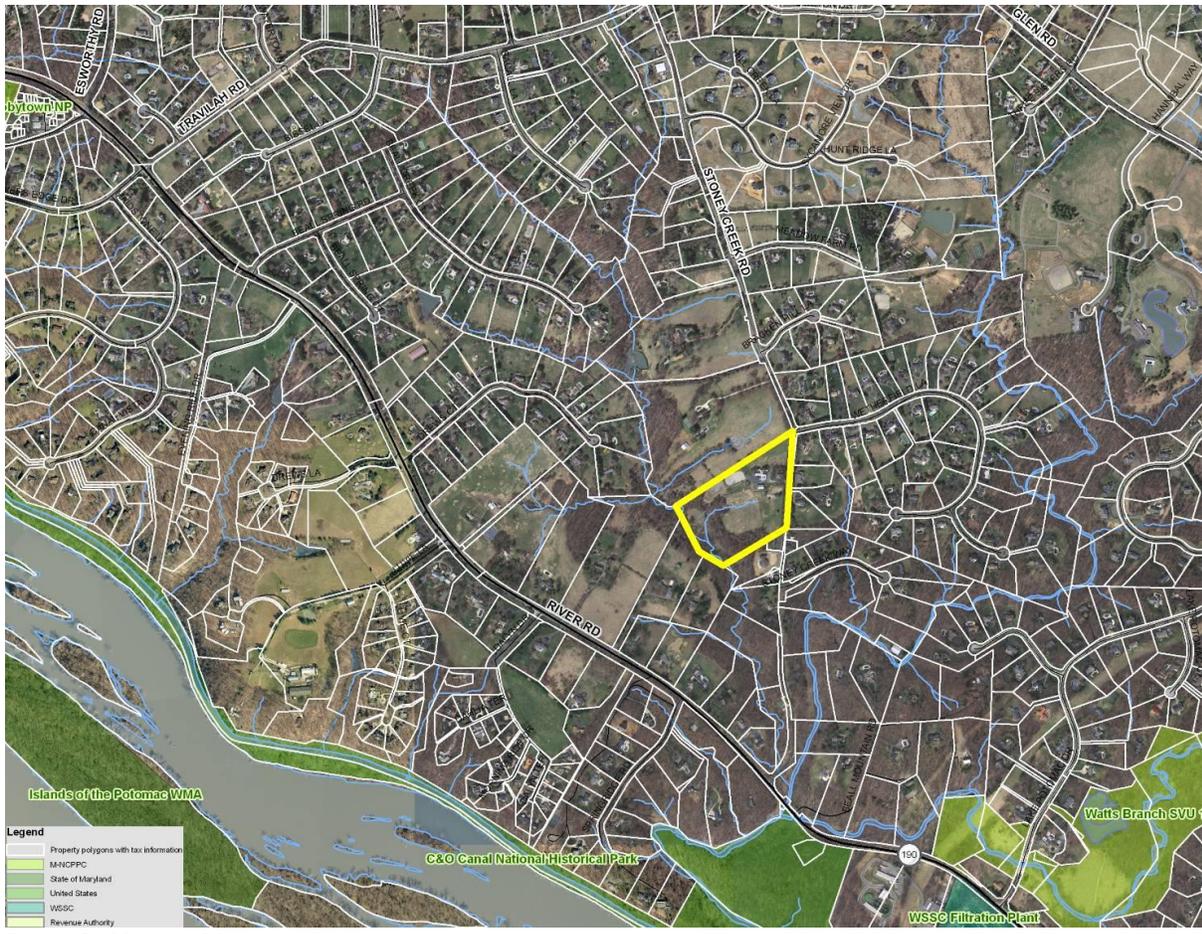


Figure 2 - Vicinity Map

PROJECT DESCRIPTION¹

The Applicant proposes to remove the existing dwelling unit and all of the accessory structures except three accessory structures to create four one-family detached residential lots for which the plan shows four one-family dwelling units (See Figure 3). Lot 1 at 2.1 acres and Lot 2 at 3.0 acres will share a single driveway to Stoney Creek Road and utilize the existing driveway cut located on Lot 2. Lot 3 at 5.0 acres and Lot 4 at 6.5 acres, will access Stoney Creek Road via a new shared driveway located on proposed Lot 4. All lots will be served by new septic reserve areas approved by MCDPS – Well and Septic Section on September 22, 2011. Of the 4.71 acres of existing forest, 0.37 acres will be removed, or otherwise not protected in easement, to create a usable rear yard for the home on Lot 4.

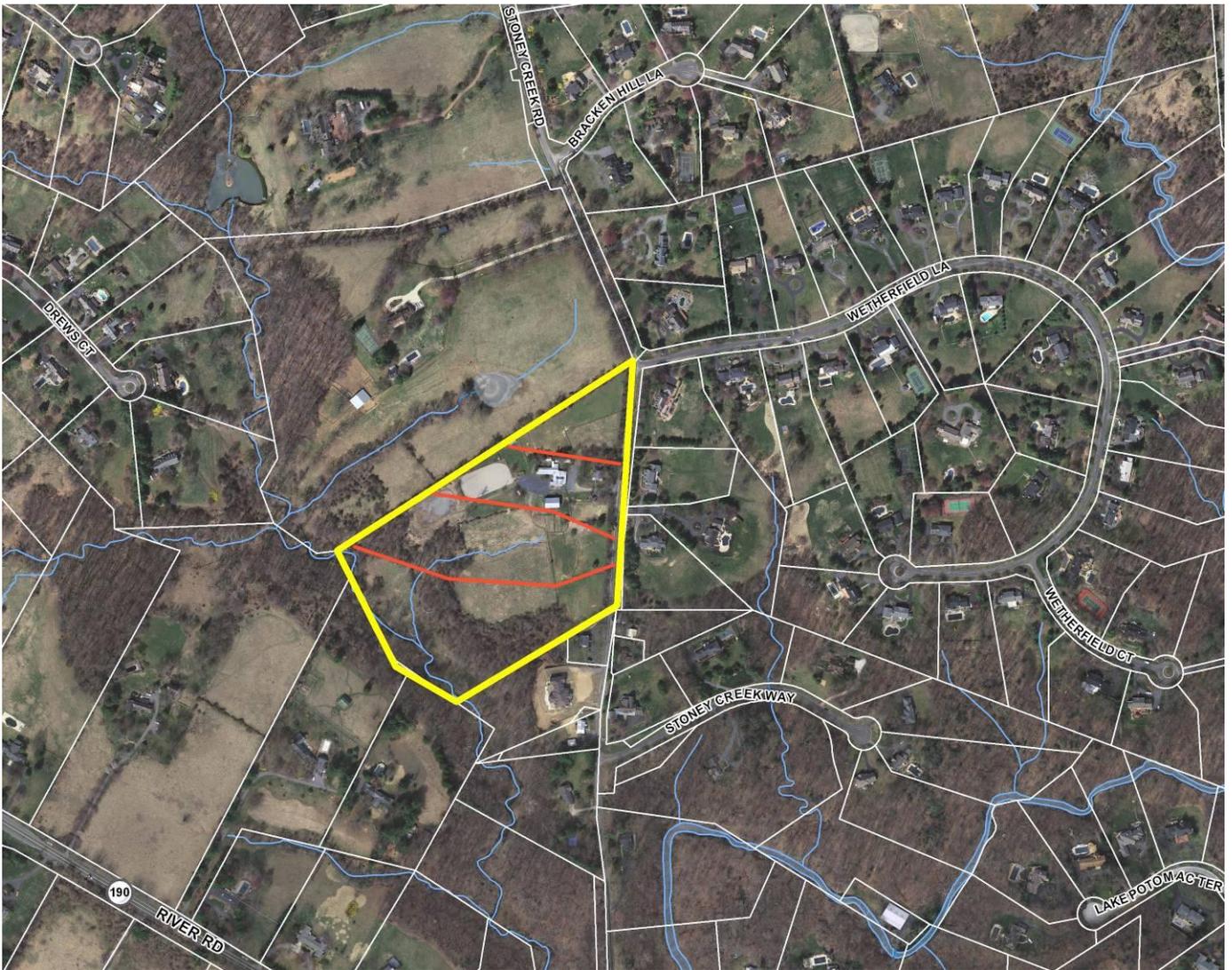


Figure 3 - Proposed Lot Lines

¹ See attached Preliminary Plan dated February 2011.

ANALYSIS AND FINDINGS

Conformance to the Master Plan

The Property is located in the Travilah community area as shown on page 5 of the 2002 Potomac Subregion Master Plan (“Master Plan”). The Master Plan provides overarching recommendations for the general vicinity of the Property but does not specifically address this particular Property. The Master Plan provides the following on the Travilah community area:

“This central and southern portion of the Potomac Subregion is a low-density area that acts as a transition from the higher densities of Potomac and North Potomac to lower densities in Darnestown and the natural environment of the Potomac River” (p. 80).

The Property is not within the sewer service envelope recommended by the Master Plan and is appropriately served by private, on-site septic systems. The Master Plan recommends that the Property and neighboring properties continue to be zoned RE-2. This zone provides the low density transition envisioned by the Master Plan. The Application does requests lots that conform to the RE-2 zoning standards in conformance with the Master Plan recommendation.

The Property is also located in the Watts Branch Watershed and specifically within the Stoney Creek Subwatershed. For this area, the Master Plan states,

“Other notable features in the Watts Branch watershed are the Stoney Creek subwatershed, with the highest water quality in the Subregion;...” (p. 16).

The Master Plan has many references regarding impacts of extending sewer service and potential negative impacts to environmental resources. Most notably the Master Plan advises that community sewer allows the potential for maximum density under the zone increasing imperviousness. The Master Plan recommends that areas zoned for low density development (RE-1, RE-2, and RC) and not already approved for service, be excluded from extension of community sewer service (p. 23).

The Master Plan identifies Stoney Creek Road as a rustic road with a minimum right-of-way width of 70-feet and two travel lanes. The road has outstanding natural features and follows its historic alignment.

The Rustic Roads Advisory Committee (RRAC) reviewed and commented on the Application and recognized the roadside vegetation “hedgerow” as the most significant natural feature on the Property that contributed to the rustic nature of Stoney Creek Road. The RRAC supported minimizing impact to the hedgerow by sharing driveways to the extent possible. The Application uses the existing driveway cut for one new driveway and identifies another access point for a second new driveway. The RRAC supported these locations, finding that the concept of sharing driveways minimized impact to the hedgerow and protected the road’s rustic character to the extent possible.

Staff concludes that the Application is in substantial conformance with the 2002 Potomac Subregion Master Plan.

Public Facilities

Roads and Transportation Facilities

The Local Area Transportation Review (LATR) guidelines require a traffic study to be performed if the development generates 30 or more peak-hour trips. The Application is expected to generate four morning peak hour trips and five evening peak hour trips, far below the 30-trip threshold. Therefore, no LATR is required. The Property is located in the Rural Policy Area where there is no Policy Area Mobility Review (PAMR) mitigation requirement.

The Applicant will be required to dedicate their portion of road frontage to bring the right-of-way width to 70 feet from the opposite property line. MCDOT will not require the Applicant to construct any significant safety improvements to Stoney Creek Road finding that the road will continue to operate in a safe and efficient manner while still retaining its rustic road characteristics. There are currently no sidewalks along Stoney Creek Road. No sidewalks will be required along this Property's frontage because the rustic road designation severely limits the ability to make significant frontage improvements and the Property is located in the Rural Policy Area. Access to the lots will be via the two shared driveways per the above discussion. MCDOT approved the site distance evaluations for the two driveways locations. The Department of Fire and Rescue Services reviewed the Application and verified that the driveways conform to their standards for fire and emergency apparatus access. The Application will provide adequate and safe vehicular and pedestrian access.

Other Public Facilities and Services

Other public facilities and services are available and will be adequate to serve the proposed lots. A well and septic system is proposed to serve each new dwelling unit on each lot. The existing wells on Lot 2 must be properly abandoned and sealed prior to permit approvals². Gas, electrical and telecommunications services are available to serve the proposed lots. The Application was reviewed by the Montgomery County Fire and Rescue Services, which approved the submitted plans on December 21, 2011, finding that the Application has adequate access for emergency vehicles. Other public facilities and services, such as schools, police stations, and health services are currently operating within the standards set by the Subdivision Staging Policy currently in effect. The Application is located in the Winston Churchill School Cluster which is operating at acceptable classroom levels. The Application is not subject to the School Facilities Payment³.

Environment

Natural Resource Inventory/Forest Stand Delineation (NRI/FSD)

This Property is subject to the Montgomery County Forest Conservation Law. NRI/FSD #420090920 was approved on January 15, 2009.

Preliminary Forest Conservation Plan⁴

As required by the County Forest Conservation Law (Section 22A of the County Code), a Preliminary Forest Conservation Plan (PFCP) for the project was submitted with the Preliminary Plan application.

² Per MCDPS Well and Septic Section memo dated Sept. 22, 2011.

³ Per 2009-2011 County Growth Policy

http://www.montgomeryplanning.org/research/growth_policy/growth_policy09/documents/schooltestresultsFY11.pdf

⁴ See attached Forest Conservation Plan dated February 23, 2012.

The PFCP proposes to retain 4.31 acres and clear 0.37 acres of existing on-site forest. The large area of stream valley buffer will be placed in a Category I conservation easement to protect the steep slopes and forest resources. The amount of retained forest stays well above the forest conservation threshold for the Property; therefore, there is no reforestation requirement.

The Applicant is required to remove any of the existing gravel or asphalt surfaces that are within the proposed Category I conservation easement. The Final Forest Conservation Plan must revise the limits of disturbance from that shown on the Preliminary Forest Conservation Plan to accommodate any work activity needed to remove these surfaces.

The Application conforms to Chapter 22A, the Montgomery County Forest Conservation Law and adequately protects all sensitive environmental features on the Property by applying stream valley buffers as prescribed in the Planning Board adopted, *Environmental Guidelines*. As a condition of the Preliminary Forest Conservation plan, the record plat must show a Category I conservation easement on all areas specified on the Final Forest Conservation Plan for perpetual protection of sensitive features.

Variance Request for Impacts to or Removal of Trees that are at least 30 inches, DBH (Section 22A-12(b) (3) (C))

Section 22A-12(b) (3) of the County Forest Conservation Law identifies certain individual trees as high priority for retention and protection. Any impact to these trees, including removal of the subject tree or any disturbance within the tree's critical root zone (CRZ) requires a variance. An Applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. The law requires no impact to trees that measure 30 inches or greater diameter at breast height (DBH); trees that are part of a historic site or designated with a historic structure; trees that are designated as a national, State, or County champion; trees that are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species. The Applicant submitted a variance request for the impacts to five trees within the proposed layout of the subdivision as part of the Application's initial submittal. A revised variance request reflects the currently proposed layout⁵. The Applicant proposes to remove two trees that are 30 inches and greater DBH, and to impact, but not remove, three other trees also 30 inches and greater DBH. These trees are identified as follows:

Tree #4 – 27"/30" Mulberry (split trunk/hazard, rotting, fair condition; to be removed)

Tree #5 – 35" Black Walnut (CRZ impact was minimized; tree preserved)

Tree #6 – 31" Black Cherry (CRZ impact was minimized; tree preserved)

Tree #9 – 34" Black Locust (within public utility easement, poor condition, rot, fungus; to be removed)

Tree #10 – 36" Mulberry (CRZ impact was minimized; to be preserved)

In accordance with Section 22A-21(c), the Planning Board referred a copy of the variance request to the County Arborist. The Arborist elected not to review the request⁶.

⁵ Applicant letter dated December 12, 2011 attached.

⁶ Arborist letter dated February 24, 2012 attached.

Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, in order for a variance to be granted. Staff has made the following determinations in the review of the variance request and the proposed Forest Conservation Plan:

- (1) Approval of the variance will not confer on the Applicant a special privilege that would be denied to other applicants:

Granting the variance will not confer a special privilege on the Applicant as disturbance and removal of the specified trees are due to the development of the site. The Property has a substantial area that is considered environmentally sensitive, including the stream, stream valley, steep slopes and the forest resource. The frontage road, Stoney Creek, is a rustic road which has a 70 foot wide right-of-way and for which the developer must provide dedication. The number of driveway access points was minimized to meet goals of the Master Plan's rustic road designation. Because of this, internal driveways tend to be longer to connect to the two access points. Further, the Property has no access to public sewer and must rely on septic systems including a minimum reserve area of 10,000 square feet per lot to meet County standards for septic disposal. These restrictions leave a limited area available for development of four homes as allowed under the density provisions of the RE-2 zone.

The variance trees and/or their critical root zones lie within the necessary developable area of the Property and are affected by grading required for the new homes or for the typical infrastructure required to serve them. Granting a variance request to allow the trees to be disturbed is not unique to this Applicant and confers no special privilege.

- (2) Approval of the variance is not based on conditions or circumstances which result from the actions by the Applicant:

The requested variance is not based on conditions or circumstances which are the result of actions of the Applicant. The Property is located on a rustic road with rolling topography which limits where access can be provided due to sight distance limitations. As discussed, the Property's existing access point is to be maintained in its current location with a second access point recommended by the RRAC and approved by MCDOT. These points of access determine, to some degree, where development should occur on the Property. While the lots are located in the most developable portions of the Property, this area is constrained by the longer driveways, septic reserve areas and other infrastructure required by building codes. A significant portion of the Property (5.81 acres), within the environmental buffer will be protected with a Category I conservation easement and is not available for development purposes.

- (3) Approval of the variance is not based on a condition relating to land or building use, either permitted or nonconforming, on a neighboring property:

The requested variance is not a result of land or building use on a neighboring property.

- (4) Approval of the variance will not violate State water quality standards or cause measurable degradation in water quality:

The MCDPS approved a Stormwater Management Concept on March 17, 2011⁷. The approval confirms that the goals and objectives of the current State water quality standards have been met for the proposed improvements to the Property. In addition, there are no impacts to trees or forest within environmental buffers. Existing erosion on the Property will be corrected as a requirement of sediment and erosion permits.

In conformance with the above findings, staff recommends that the Planning Board approve the Applicant's request for a forest conservation variance to remove two trees (Tree #4 and Tree #9) both of which are suffering from rot and in otherwise declining health, with one tree in the proposed public utility easement. Staff also recommends that the forest conservation variance be approved for the impact to three trees. The Applicant has responded to staff's suggestions to minimize impact to the other three trees (Tree #5, #6, and #10) by moving utilities, shifting limits of disturbance and proposing stress reduction measures to improve their survival.

Mitigation for Trees Subject to the Variance Provisions

Staff does not recommend that compensation be required beyond the forest retention plan requirement for the removal of the 34" Black Locust and 27"/30" Mulberry trees. They are in substantially poor health and pose a hazard threat to life or property if left in their current state.

Stormwater Management Concept

The MCDPS Stormwater Management Section conditionally approved the stormwater management concept for the project on March 17, 2011. The concept requires that the severe erosion on proposed Lot 3 must be repaired and safe conveyance of the flows provided. Staff has recommended that the Final Forest Conservation Plan show the appropriate limit of disturbance to allow the work to be done in the area of the eroded channel. Environmental Site Design was integrated on-site using techniques such as overall site design and shared minimum-width driveways. Other on-site water quality mitigation will be provided through non-rooftop disconnects and dry wells.

Compliance with the Subdivision Regulations and Zoning Ordinance

The Application was reviewed for compliance with the Montgomery County Code, Chapter 50 in the Subdivision Regulations. The Application meets all applicable sections. The proposed lots size, width, shape and orientation are appropriate for the location of the subdivision. Based on a review of the local area development map, figure 3, the lots are comparable in size, width, shape and orientation to existing properties fronting on to Stoney Creek Road in the general area.

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 was reviewed by other applicable county agencies, all of whom have recommended approval of the Preliminary Plan.

⁷ Letter attached.

Citizen Correspondence and Issues

The Applicant notified adjacent and confronting property owners of the pre-submission meeting, as required, held on December 9, 2010 at 7 p.m. at the Travilah Baptist Church, 12811 Glen Road. Three people attended the pre-submission meeting. To date, staff has not received any correspondence regarding the application.

CONCLUSION

The Application meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conforms to the recommendations of the 2002 Potomac Subregion Master Plan. Access and public facilities will be adequate to serve the proposed lots, and the Application was 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 – Proposed Development Plan

Attachment B – Tree Variance Request

Attachment C – Arborist's Letter

Attachment D – Agency Correspondence

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: Stoney Creek Road				
Plan Number: 120110150				
Zoning: RE-2				
# of Lots: 4				
# of Outlots: 0				
Dev. Type: Standard, Residential				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	87,120 sq. ft.	91,476 sq. ft. is min. proposed	XH	5/9/11
Lot Width	150 ft.	205 ft. is min. proposed	XH	5/9/11
Lot Frontage	25 ft.	92 ft. is min. proposed	XH	5/9/11
Setbacks				
Front	50 ft. Min.	Must meet minimum ¹	XH	5/9/11
Side	17 ft. Min./35 ft. total	Must meet minimum ¹	XH	5/9/11
Rear	35 ft. Min.	Must meet minimum ¹	XH	5/9/11
Height	50 ft. Max.	May not exceed maximum ¹	XH	5/9/11
Max Resid'l d.u. or Comm'l s.f. per Zoning	8 dwelling units	4 dwelling units	XH	5/9/11
MPDUs	N/A	N/A	XH	5/9/11
TDRs	N/A	N/A	XH	5/9/11
Site Plan Req'd?	N/A	N/A	XH	5/9/11
FINDINGS				
<i>SUBDIVISION</i>				
Lot frontage on Public Street		Yes	XH	5/9/11
Road dedication and frontage improvements		Yes	Agency letter	3/22/11
Environmental Guidelines		Yes	Katherine Nelson	3/19/12
Forest Conservation		Yes	Katherine Nelson	3/19/12
Master Plan Compliance		Yes	XH	5/6/11
Other (i.e., parks, historic preservation)		N/A	Josh Silver	4/20/11
<i>ADEQUATE PUBLIC FACILITIES</i>				
Stormwater Management		Yes	Agency letter	3/17/11
Water and Sewer (WSSC)		N/A	XH	3/19/12
10-yr Water and Sewer Plan Compliance		Yes	Agency comments	9/22/11
Well and Septic		Yes	Agency letter	9/22/11
Local Area Traffic Review		N/A	Ki Kim	4/20/11
Policy Area Mobility Review		N/A	Ki Kim	4/20/11
Transportation Management Agreement		N/A	Ki Kim	4/20/11
School Cluster in Moratorium?		No	XH	3/19/12
School Facilities Payment		No	XH	3/19/12
Fire and Rescue		Yes	Agency letter	12/21/11

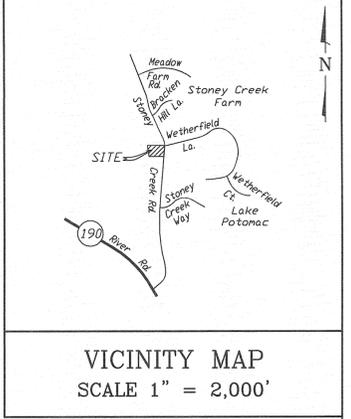
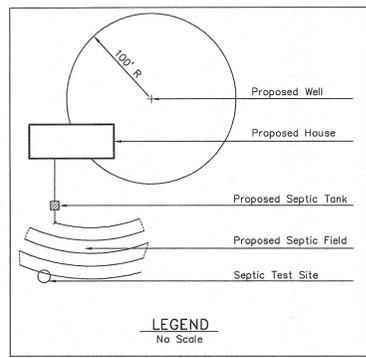
¹ As determined by MCDPS at the time of building permit.

SEPTIC DESIGN CHART

LOT	SITE	TIME (MIN.)	DEPTH	SITE	TIME (MIN.)	DEPTH	SITE	TIME (MIN.)	DEPTH	AVG. TIME (MIN.)	DEPTH OF STONE	INITIAL TRENCH	TOTAL TRENCH	NUMBER OF BEDROOMS
1	1A	11	3.5'x12.5'	1B	24	3'x11'	1C	16	3.5'x13'	17	4	277'	1109'	6
2	A	9	3'x13.5'	B	7	3.5'x11.5'	C	19	4'x11.5'	14	4	217'	1000'	6
3	3A	13	2.5'x9.5'	3B	14	2.5'x11'	3C	16	3'x13'	14	4	217'	1000'	6
4	4A	9	2.5'x11.5'	4B	20	2.5'x9.5'	-	-	-	15	4	217'	1000'	6

LEGEND

- Limits of Disturbance
- Limits of Developable Area
- Property Line
- Proposed Dedication
- Proposed Treeline
- Soils Group Boundary
- Stream Valley Buffer



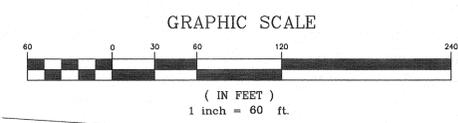
- NOTES**
- Topography from M-NCP&PC 200 sheet 5' contour intervals and 2' field survey by this office.
 - Boundary information from Montgomery County tax map EQ342, 343, 562, 563 deeds and plats of record.
 - Water and sewer category W-3 and S-6, respectively. Waiver requested for use of interim wells. Existing hand pump well near existing house to be abandoned and sealed.
 - The property is zoned RE-2.
 - Number of lots proposed by this plan: 4
 - A Natural Resources Inventory Map/Forest Stand Delineation Plan was approved on 1-15-08, # 420090920.
 - This site is within the Potomac Subregion Master Plan. There is no drainage to a public storm drain system.
 - The site drains to the Watts Branch Watershed. The State of Maryland has designated this portion of the watershed as Class I-P.
 - This plan is not for construction purposes.
 - Property lines and areas are subject to adjustment at final plat computations.
 - Building locations and grading are graphical representations. Final building location and grading to be computed at Building Permit phase.
 - Servicing utility companies include:
Water & Sewer: On-Site Private Wells & Septic
Electric: PEPCO
Telephone: Verizon
Natural Gas: Washington Gas
 - Building footprints shown on this Preliminary Plan of Subdivision 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.

AREA TABULATION

TOTAL SITE AREA	17.29 Ac. +/-
PROPOSED ROAD DEDICATION	0.69 Ac. +/-
NET SITE AREA	16.60 Ac. +/-

DEVELOPMENT STANDARDS (RE-2)
(Chapter 59-C-1.32)

	Required/Permitted	Proposed
Density of development:	1 d.u./2 ac.	1 d.u./4.32 ac. + -
Net Lot Area (59-C-1.322(a)):	87,120 s.f. min.	87,120 s.f. min.
Lot Width (59-C-1.322(b)):	-At Street Line: 25 ft. min.	25 ft. min.
-At BRL: 150 ft. min.	150 ft. min.	150 ft. min.
Setback From Street (59-C-1.323(a)):	50 ft. min.	50 ft. min.
Yard Requirements (59-C-1.323(b)):		
-side yard	17 ft. min. one side	17 ft. min. one side
-rear yard:	35 ft. min. total	35 ft. min. total
Building Height (59-C-1.327):	35 ft. min.	35 ft. min.
Building Coverage (59-C-1.328):	50 ft. max.	50 ft. max.
	25% max.	25% max.



PERCOLATION CERTIFICATE

I hereby certify that the septic test sites as shown on this plan have been surveyed.

Date: 2/4/11
By: Barry E. Hoyle
Professional Land Surveyor
Maryland Reg. No. 21135

SURVEYOR'S CERTIFICATE

I hereby certify that the boundary shown hereon is correct based on existing deeds and plats recorded among the Land Records of Montgomery County, Maryland, subject to change upon completion of a final survey. Topography from sources noted hereon.

Date: 2/4/11
By: Barry E. Hoyle
Professional Land Surveyor
Maryland Reg. No. 21135

TAX MAP EQ342,343,562,563
215 NW 12,13
WSSC 216 NW 12,13

PREPARED FOR
Mr. & Mrs. Donald L. Dell
12200 Stoney Creek Road
Potomac, Md. 20854
Phone: 202 721-9501

PRELIMINARY PLAN OF SUBDIVISION
DELL PROPERTY
STONEY CREEK ROAD
PARCEL P165
6TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

MHG Macris, Hendricks & Glascock, P.A.
Engineers ■ Planners
Landscape Architects ■ Surveyors

9220 Wightman Road, Suite 120
Montgomery Village, Maryland 20886-1279
Phone 301.670.0840
Fax 301.948.0693
www.mhga.com

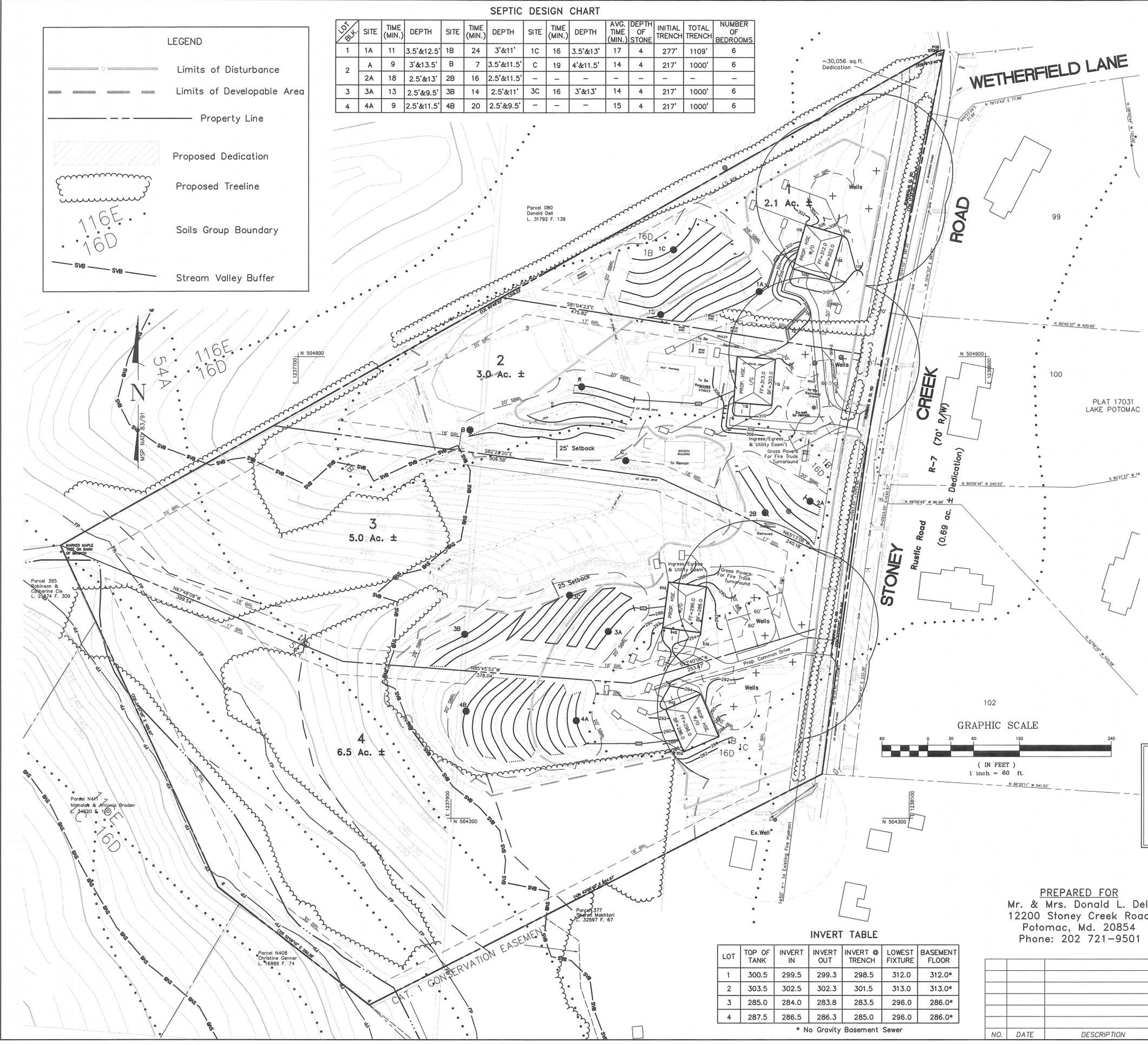
Proj. Mgr. DAC	Designer DAC
Date Feb., 2011	Scale 1"=60'
Project No. 06-187	Sheet 1 of 1

INVERT TABLE

LOT	TOP OF TANK	INVERT IN	INVERT OUT	INVERT @ TRENCH	LOWEST FIXTURE	BASEMENT FLOOR
1	300.5	299.5	299.3	298.5	312.0	312.0*
2	303.5	302.5	302.3	301.5	313.0	313.0*
3	285.0	284.0	283.8	283.5	296.0	286.0*
4	287.5	286.5	286.3	285.0	296.0	286.0*

* No Gravity Basement Sewer

NO.	DATE	DESCRIPTION	BY



006167\mwp\PE_12_01.dwg, 24x36 Border, 2/4/2011 7:21:53 AM, Copyright © 2011 Macris, Hendricks & Glascock, P.A.



LEGEND

- Tree
- Specimen Tree
- Tree to be Removed
- Category I Forest Conservation Easement
- Forest Saved and Placed in Easement
- Unimproved Dedication
- Forest Removed
- Critical Root Zone
- Limit of Disturbance
- Tree Line
- Stream
- Stream Valley Buffer
- Floodplain
- Tree Protection Fencing & Root Pruning

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
FOREST CONSERVATION PLAN
 SUBMITTED FOR PLANNING BOARD APPROVAL

Plan No. 12011 0150
 Signature: [Signature] Date: 3/16/12

VICINITY MAP
 SCALE 1" = 2,000'

TREE PRESERVATION AND STRESS REDUCTION MEASURES

ID #	PRESERVATION	RP	DRF	CA	SP	MB
5	35" Black Walnut	X	X	X	X	X
6	31" Black Cherry	X	X	X	X	X
10	36" Mulberry	X	X	X	X	X

* STRESS REDUCTION MEASURES MAY BE CHANGED PER MNCPPC FOREST CONSERVATION INSPECTOR AND ARBORIST/MD LICENSED TREE EXPERT AT PRE-CONSTRUCTION MEETING.

TERMINOLOGY

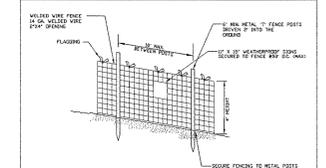
(RP) ROOT PRUNING IS TO BE PERFORMED OUTSIDE THE TREE PROTECTION FENCE WITHIN THE CRITICAL ROOT ZONE. IT IS TO BE ACCOMPLISHED BY A VIBRATORY PLOW WITH A SERRATED CUTTING EDGE OR A ROOT CUTTER WITH A 36" WHEEL TO A DEPTH OF 8". CHAIN DRIVEN TRENCHERS ARE NOT ACCEPTABLE. (SEE DETAIL).

(DRF) DEEP ROOT FERTILIZE UTILIZING A HYDRAULIC PUMP TO INJECT A LIQUID SOLUTION OF 30-10-7 ARBORICULTURAL GRADE FERTILIZER AND A BIROOT STIMULATOR SUCH AS "ROOTS" OR "ESSENTIAL".

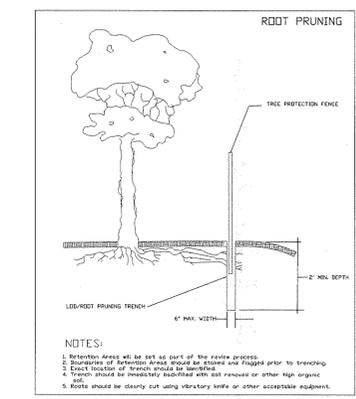
(CA) CORE AERATION IS TO BE DONE WITH A HAND-HELD MANUAL PUNCH CORE AERATOR AT 2 HOLES PER SQ. FT. THROUGHOUT ROOT ZONE. INCORPORATE AN ORGANIC PRODUCT (LEAFGROW) AND AN INORGANIC PRODUCT (SAND OR SOLITE) DURING THE AERATION PROCESS.

(SP) SANITATION PRUNE TO REMOVE ALL DEAD OR DYING LIMBS GREATER THAN ONE INCH ON A TREE TO IMPROVE ITS HEALTH AND APPEARANCE. THIN CROWN WHERE NECESSARY TO REDUCE CANOPY DENSITY BY MAXIMUM TWENTY-FIVE PERCENT TO COMPENSATE FOR ROOT LOSS AND CONSTRUCTION STRESS.

(MB) MULCH BEDS ARE TO BE 2-4" SHREDED HARDWOOD MULCH, SHREDED PINE BARK MULCH, OR COMPOSTED WOOD CHIPS. FRESHLY CUT WOODCHIPS ARE NOT ACCEPTABLE.



- NOTES**
- PRACTICE MAY BE COMBINED WITH SEDIMENT CONTROL FENCING
 - LOCATION AND LIMITS OF FENCING SHALL BE CORROBORATED IN FIELD WITH ARBORIST
 - PROVISIONS OF PROTECTION AREN'T TO BE STAKED PRIOR TO INSTALLING PROTECTIVE BELT
 - ROOT DAMAGE SHOULD BE AVOIDED
 - PROTECTIVE SIGNAGE IS REQUIRED
 - FENCING SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION



* Root Prune at LOD unless otherwise noted

FOREST CONSERVATION WORKSHEET
 Stoney Creek Road

NET TRACT AREA:	6-Aug-02
A. Total tract area	17.28
B. Land dedication acres (parks, county facility, etc.)	0.00
C. Land dedication for roads or utility (not being constructed by this plan)	0.60
D. Area to remain in commercial agricultural production/uses	0.00
E. Other deductions (specify)	0.00
F. Net Tract Area	16.68

LAND USE CATEGORY (from Forest Technical Manual)
 Input the number "1" under the appropriate land use, until only one entry

ARA	MDR	DA	HRF	RPO	GA
0	1	0	0	0	0

EXISTING FOREST COVER

I. Existing forest cover	4.68
J. Area of forest above afforestation threshold	1.34
K. Area of forest above conservation threshold	0.51

BREAK EVEN POINT

L. Forest retention above threshold with no mitigation	4.27
M. Clearing permitted without mitigation	0.41

PROPOSED FOREST CLEARING

N. Total area of forest to be cleared	0.37
O. Total area of forest to be retained	4.31

PLANTING REQUIREMENTS:

P. Reafforestation for clearing above conservation threshold	0.09
Q. Reafforestation for clearing below conservation threshold	0.00
R. Check for retention above conservation threshold	0.14
S. Total reafforestation required	0.00
T. Total reafforestation required	0.00
U. Check for landscaping (trees and shrubs 20% of "S")	0.00
V. Total reafforestation and afforestation required	0.00

CATEGORY I FOREST CONSERVATION EASEMENT: 6.44 ACRES

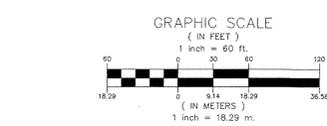
Soil Key:
 1B: Gaila silt loam, 3 to 8 percent slopes
 1C: Gaila silt loam, 8 to 15 percent slopes
 16D: Brinklow-Blocktown channery silt loams, 15 to 25 percent slopes (Erodible Soil)
 54A: Hatboro silt loam, 0 to 3 percent slopes (Frequently flooded), HYDRIC
 116E: Blocktown channery silt loam, 25 to 45 percent slopes (Very rocky, erodible soil)

TREE LIST

ID	COMMON NAME	SIZE	BOTANICAL NAME	CONDITION/REMARKS
1	Hull Poplar	33"	Liriodendron tulipifera	Good - Off-site
2	Silver Maple	36"	Acer saccharinum	Good - Off-site
3	Red Cedar	26"	Juniperus virginiana	Good
4	Mulberry	27-30"	Morus spp.	Fair - Heavy vines, weak structure, rotting, in danger of splitting apart
5	Black Walnut	36"	Juglans nigra	Good
6	Black Cherry	31"	Prunus serotina	Good
7	Mulberry	22"	Morus spp.	Good - Measured at 1'
8	Black Locust	17"	Robinia pseudoacacia	Good
9	Black Locust	34"	Robinia pseudoacacia	Poor - Heavy vines, fungus, rotting
10	Mulberry	36"	Morus spp.	Good - Measured at 1'
11	Black Cherry	32"	Prunus serotina	Poor - Off-site, heavy vines, die-off, poor structure, 5 to 6 co-dominant holes above 7'
12	Black Cherry	36"	Prunus serotina	Fair to Good - Heavy Oriental Bittersweet & grapevine
13	Mulberry	24"	Morus spp.	Good
14	Willow Oak	45"	Quercus phellos	Good - Off-site

FOREST CONSERVATION TABLE

DESCRIPTION	SIZE
Total Tract Area	17.29 Acres
Tract remaining in Agricultural Use	0.00 Acres
Road & utility ROW (unimproved)	0.60 Acres
Existing Forest	4.68 Acres
Total Forest Retention	4.31 Acres
Land Use Category	MDR
Afforestation Threshold	20 %
Reforestation Threshold	25 %
Forest in Wetlands Retained	0.00 Acres
Forest in 100-year Floodplain Retained	0.00 Acres
Stream Valley Buffer Retained	3.61 Acres
Forest in other Priority Areas Retained	0.00 Acres
Stream Valley Buffer Length	1,184 Feet
Average Width	302 Feet
Total Environmental Buffer	5.81 Acres
Env. Buffer w/in Channrt. Easement	5.81 Acres



QUALIFIED PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT AND THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF EXISTING STATE AND COUNTY FOREST CONSERVATION LEGISLATION.

DATE: 2/22/12
 LAUREN E. IRELAND
 RECOGNIZED AS QUALIFIED PROFESSIONAL BY MD. DEPT. OF NATURAL RESOURCES COMAR 08.19.06.01

PREPARED FOR
 Mr. & Mrs. Donald L. Dell
 12200 Stoney Creek Road
 Potomac, Md. 20854
 Phone: 202 721-9501

TAX MAP EQ342,343,562,563 WSSC 216 NW 12,13

PRELIMINARY FOREST CONSERVATION PLAN
 DELL PROPERTY
STONEY CREEK ROAD
 PARCEL P165
 6TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

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

9220 Wightman Road, Suite 120
 Montgomery Village, Maryland
 20889-1279
 Phone: 301.670.0840
 Fax: 301.948.0693
 www.mhga.com

Proj. Mgr. Designer
 DAC LEI
 Date Scale
 1/25/08 1"=60'
 Project No. Sheet
 06.187 1 of 1

STORMWATER MANAGEMENT SUMMARY

Project: Stoney Creek Road
 MHG Proj. No.: 2006.187
 SM File #:
 Date: December 2010

OVERALL SITE INFORMATION

Background

The subject property is a 17.29 acre parcel with 0.69 acres of road dedication and is located along Stoney Creek Road south of Wetherfield Lane. The property is zoned RE-2 and currently contains a number of existing structures including a house, stables, and auxiliary farm structures. Two gravel lots are also currently located on the subject property. The gravel lots and one of the existing structures lie outside the development area while the rest of the existing site improvements will be removed in conjunction with the proposed development.

Proposed development is for four (4) single family residential lots each to include a house and driveway. New wells and septic fields are proposed to serve the houses.

Drainage

The site drains to Stoney Creek, a tributary of Watts Branch in the Watts Branch Watershed. Watts Branch and its tributaries are designated class I-P waters by the State of Maryland.

Runoff from the site flows down a steep slope away from Stoney Creek Road to the southwest. The site is largely pervious under both existing and proposed conditions and has a forested stream valley buffer that runs along the rear of the proposed lots. The drainage pattern near Stoney Creek Road will be unchanged by the proposed development except for the minor increase in impervious area due to the proposed driveway aprons. In general, runoff in the right-of-way will remain in the right-of-way and runoff on the subject property will flow to the stream at the rear of the property.

A FEMA mapped 100-year floodplain exists around Stoney Creek and includes approximately 1.88 acres of the subject property. The floodplain is within the stream valley buffer.

STORMWATER MANAGEMENT

ESD^{MDP}

Stormwater management for the proposed site is designed such that environmental site design (ESD) techniques have been integrated to the maximum extent practicable (MEP). A variety of ESD techniques have been incorporated into the site design for each lot as well as the overall development layout including better site design techniques such as shared driveways with minimum widths. The use of ESD practices is further summarized below.

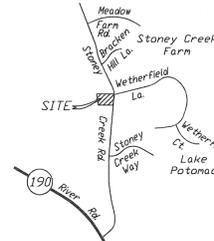
Dry Wells: The majority of the stormwater management is provided in dry wells that are connected to the downspouts of the proposed houses. Each dry well is designed to manage a maximum 1,000 square foot roof area for a 2.6" rain event and is set back from conflicting site elements such as septic fields, wells, property lines, and underground structures.

Reinforced Turf: Hard paving is limited to areas that are expected to receive frequent traffic and that are necessary for typical access to each house. Reinforced turf is proposed in areas that require wider paving sections for emergency access and maneuverability of emergency vehicles.

Non-Rooftop Disconnection: Runoff over the paved driveway areas generally flows across the width of the pavement and then over a pervious area with a relatively flat slope and width that is greater than the pavement width. This flow characteristic is not possible for the entire length of each driveway, but is typical of the majority of each driveway. Where this sheet flow type disconnection is not achievable, the runoff still flows across a lengthy pervious area before reaching the existing stream at the rear of each lot. All runoff from the development area flows over hundreds of lineal feet of vegetated area including forested buffer area before entering the receiving stream.

LEGEND

- Property Line
- Limits of Disturbance
- Proposed Contours
- Existing Contours
- Grass Pavers
- Proposed Private Drive
- Drywell
- Non-Rooftop Disconnection Flow Path (>Impervious Flow Path)
- Soil Boundary



VICINITY MAP
 SCALE 1" = 2,000'

NOTES

1. Topography from M-NCP&PC 200 sheet 5' contour intervals and 2' field survey by this office.
2. Boundary information from Montgomery County tax map EQ342, 343, 562, 563 deeds and plats of record.
3. Water and sewer category W-6 and S-6, respectively.
4. The property is zoned RE-2.
5. Number of lots proposed by this plan: 4
6. A Natural Resources Inventory Map/Forest Stand Delineation Plan was approved on 1-15-09, # 420090920.
7. This site is within the Potomac Subregion Master Plan.
8. The site drains to the Watts Branch Watershed. The State of Maryland has designated this portion of the watershed as Class I-P.
9. This plan is not for construction purposes.
10. Property lines and areas are subject to adjustment at final plot computations.
11. Building locations and grading are graphical representations. Final building location and grading to be computed at Building Permit phase.
12. Servicing utility companies include:
 Water & Sewer: On-Site Private Wells & Septic
 Electric: PEPCO
 Telephone: Verizon
 Natural Gas: Washington Gas

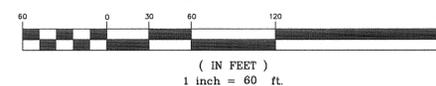
AREA TABULATION

TOTAL SITE AREA	17.29 Ac. +/-
PROPOSED ROAD DEDICATION	0.69 Ac. +/-
NET SITE AREA	16.60 Ac. +/-

DEVELOPMENT STANDARDS (RE-2)
 (Chapter 59-C-1.32)

	Required/Permitted	Proposed
Density of development:	1 d.u./2 ac.	1 d.u./4.32 ac. +/-
Net Lot Area (59-C-1.322(a)):	87,120 s.f. min.	87,120 s.f. min.
Lot Width (59-C-1.322(b)):		
-At Street Line:	25 ft. min.	25 ft. min.
-At BRL:	150 ft. min.	150 ft. min.
Setback From Street (59-C-1.323(a)):	50 ft. min.	50 ft. min.
Yard Requirements (59-C-1.323(b)):		
-side yard:	17 ft. min. one side 35 ft. min. total	17 ft. min. one side 35 ft. min. total
-Rear yard:	35 ft. min.	35 ft. min.
Building Height (59-C-1.327):	50 ft. max.	50 ft. max.
Building Coverage (59-C-1.328):	25% max.	25% max.

GRAPHIC SCALE



TAX MAP EQ342,343,562,563

WSSC 216 NW 12,13

SWM CONCEPT & SITE DEVELOPMENT PLAN
DELL PROPERTY
STONEY CREEK ROAD
 PARCEL P165
 6TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

MHG Macris, Hendricks & Glascock, P.A.
 Engineers ■ Planners
 Landscape Architects ■ Surveyors

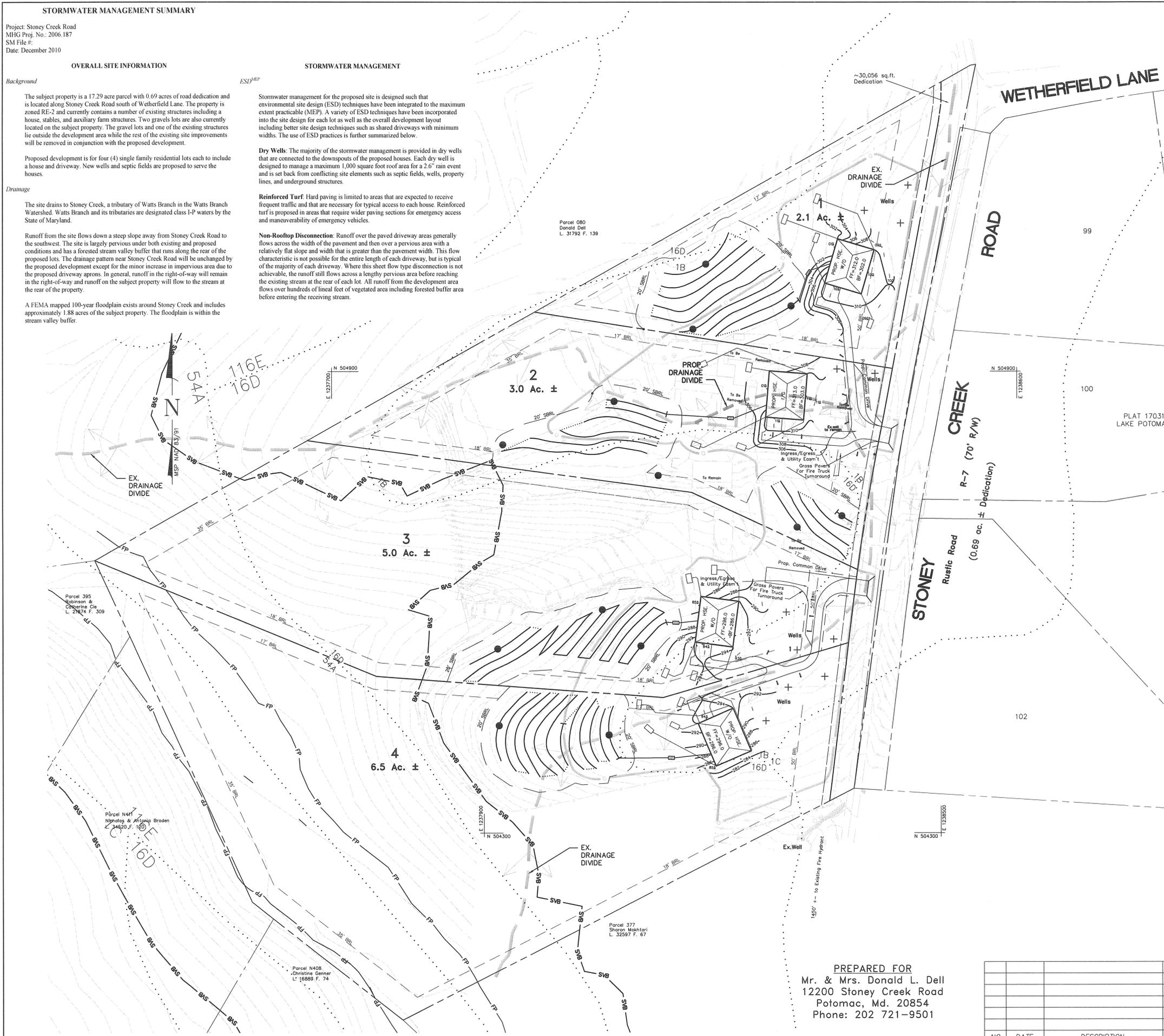
9220 Wightman Road, Suite 120
 Montgomery Village, Maryland
 20886-1279

Phone 301.670.0840
 Fax 301.948.0693
 www.mhga.com

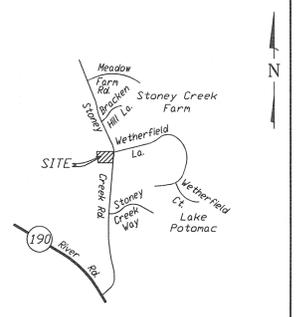
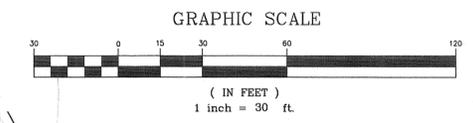
Proj. Mgr. DAC	Designer PCW
Date 12/16/2010	Scale 1"=60'
Project No. 06-187	Sheet 1 of 2

PREPARED FOR
 Mr. & Mrs. Donald L. Dell
 12200 Stoney Creek Road
 Potomac, Md. 20854
 Phone: 202 721-9501

NO.	DATE	DESCRIPTION	BY



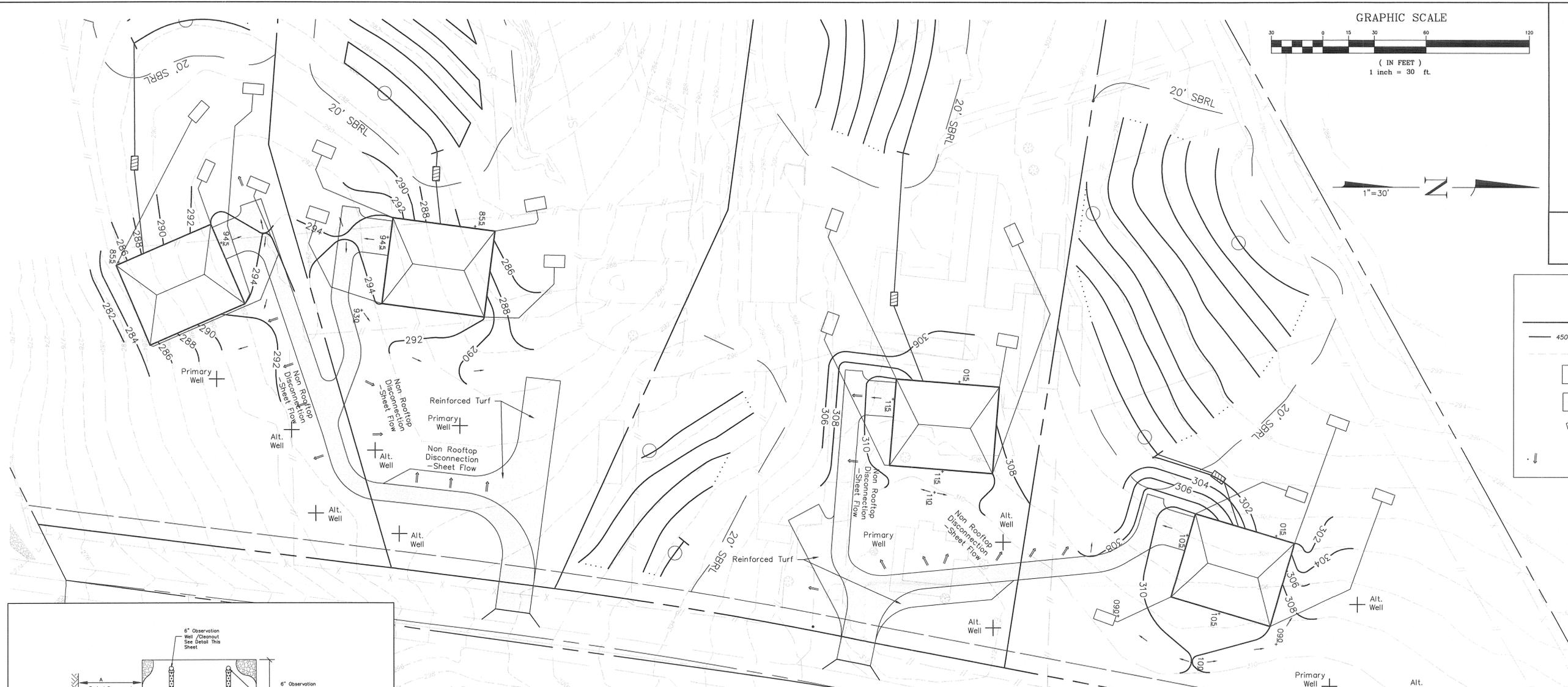
I:\06187\06187_S1_01.dwg, SWM CONCEPT SHEET (1), 12/16/2010 9:07:06 AM, workspace: COPYRIGHT ©2010 MACRIS, HENDRICKS & GLASCOCK, P.A.



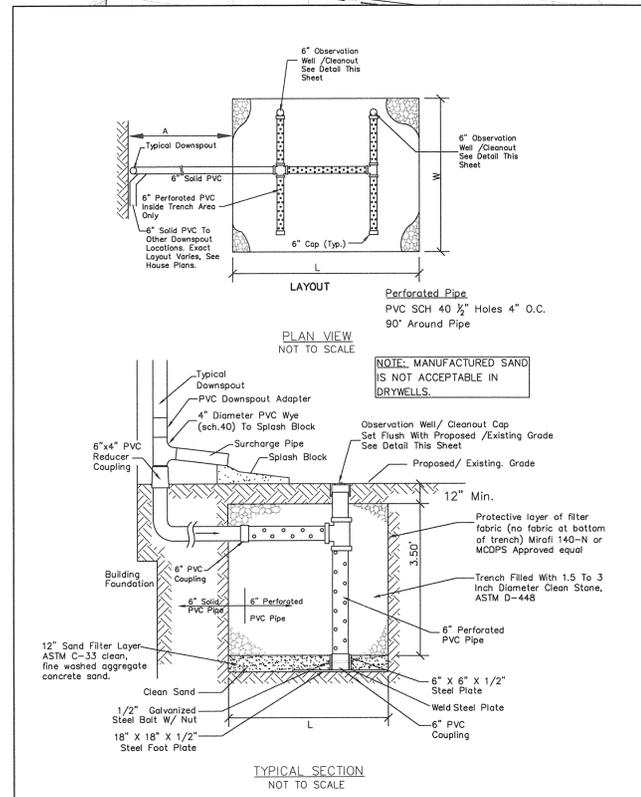
VICINITY MAP
SCALE 1" = 2,000'

LEGEND

- Property Line
- 450 Proposed Contours
- Existing Contours
- Grass Pavers
- Proposed Private Drive
- Drywell
- Non-Rooftop Disconnection Flow Path (>Impervious Flow Path)



STONEY CREEK ROAD
Rustic Road
R-7 (70' R/W)
(0.69 ac. ± Dedication)



NOTE: MANUFACTURED SAND IS NOT ACCEPTABLE IN DRYWELLS.

TAX MAP EQ342,343,562,563 WSSC 216 NW 12,13

SWM CONCEPT & SITE DEVELOPMENT PLAN
DELL PROPERTY
STONEY CREEK ROAD
PARCEL P165
6TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

MONTGOMERY COUNTY
DEPARTMENT OF PERMITTING SERVICES
WATER RESOURCES

DRYWELL FOR ROOF DRAIN

DATE: 11/03
SCALE: NONE

PREPARED FOR
Mr. & Mrs. Donald L. Dell
12200 Stoney Creek Road
Potomac, Md. 20854
Phone: 202 721-9501

NO.	DATE	DESCRIPTION	BY

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

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

Phone 301.670.0840
Fax 301.948.0693
www.mhgpa.com

Proj. Mgr. DAC	Designer PCW
Date 12/16/2010	Scale 1"=30'
Project No. 06-187	Sheet 2 of 2

11/08/09/hmg/gsc_11_01.dwg, SW CONCEPT SHEET (2), 12/16/2010 9:09:43 AM, wssscac, COPYRIGHT ©2010 MACRIS, HENDRICKS & GLASCOCK, P.A.

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 12, 2011

Maryland National Capital Park & Planning Commission
Environmental Planning Division
Attn: Mark Pfefferle
8787 Georgia Avenue
Silver Spring, MD 20910

Re: Stoney Creek Road FCP
MHG Project No. 06.187

To Whom It May Concern:

On behalf of Mr. & Mrs. Dell, the applicants of the above referenced Forest Conservation Plan, we hereby request a variance for impacts on five specimen trees, as required by the revisions to the Maryland Forest Conservation Act, effective October 1, 2009, outlined in Senate Bill 666. In accordance with Chapter 22A-21(b) of the Montgomery County Code, the proposed impacts to five specimen trees, two of which are proposed for removal, would satisfy the variance requirements.

1. *Describe the special conditions peculiar to the property which would cause the unwarranted hardship;*

The subject property consists of the 17.29 acre Parcel 165, located at 12010 Stoney Creek Road. The parcel currently consists of a single family home and associated farm structures. There are 4.68 acres of existing forest onsite and a significant portion of the property has steep slopes and highly erodible soils. Stoney Creek crosses the western portion of the property, and its associated stream valley buffer encompasses 5.81 acres of the site. The steep slopes, highly erodible soils, forests, stream, and environmental buffers located on the property severely decrease the buildable area of the site.

In addition to the above described environmental limiting factors, the property is located in water and sewer category 6. This category requires the use of septic fields and wells to serve the proposed houses. The septic fields and wells take up additional onsite buildable area. As a result of the environmental limitations and well and septic requirements, it would be extremely difficult, if not impossible, to avoid impacts on specimen trees while creating four single-family lots and their associated houses.

2. *Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas;*

Permitted density in the RE-2 zone is 1 dwelling unit for every two acres. Due to the large amount of environmental buffers on the property, the proposed density is significantly less than is permitted; 1 dwelling unit per 4.32 acres. Specimen trees are scattered throughout the

remaining developable portion of the site. Impact to the specimen trees has been reduced to the best of our ability, with only two being slated for removal. The need for adequate fire and rescue access and turnaround contributes to the impact to the trees; both of which are in poor or fair condition and would represent a potential hazard if they were to remain following development-related disturbance to their critical root zones. If impact to these trees were to be avoided altogether, it would be impossible to develop the property at even this level of diminished density. This creates a significant disadvantage for the applicant and deprives the applicant of the rights enjoyed by the neighboring and/or similar properties not subject to this approval process.

3. *Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance;*

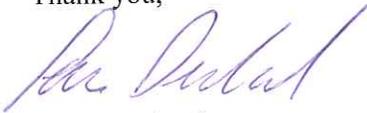
A Stormwater Management Concept (revised version) was approved by the Department of Permitting Services on March 17, 2011. The approval of DPS confirms that the goals and objectives of the current state water quality standards have been met for the proposed improvements to the site. A copy of the Stormwater Management Concept and Site Development Plan is attached.

4. *Provide any other information appropriate to support the request.*

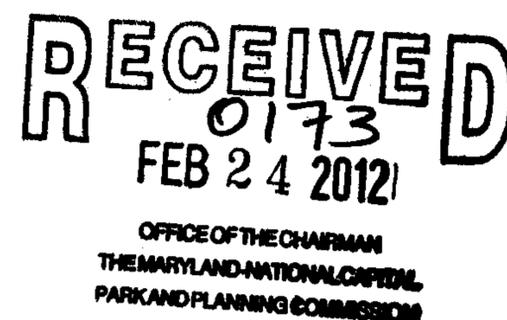
A copy of the Preliminary Forest Conservation Plan has been provided as part of this variance request. The specimen trees slated for removal are indicated on the plan. Please let us know if any other information is necessary to support this request.

Please contact me via email, at lireland@@mhgpa.com, or by phone, at (301) 670-0840 should you have any additional comments or concerns.

Thank you,



Lauren Ireland



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett
County Executive

Robert G. Hoyt
Director

February 24, 2012

Françoise Carrier, Chair
Montgomery County Planning Board
Maryland National Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

RE: Stoney Creek -- Revised, DAIC 120110150, NRI/FSD application accepted on 12/1/2008

Dear Ms. Carrier:

Based on a review by the Maryland National Capital Park & Planning Commission (MNCPPC), the application for the above referenced request is required to comply with Chapter 22A of the Montgomery County Code. As stated in a letter to Royce Hanson from Bob Hoyt, dated October 27, 2009, the County Attorney's Office has advised me that the specific provisions pertaining to significant trees in the State's Forest Conservation Act do not apply to any application that was submitted before October 1, 2009. Since this application was submitted before this date, I will not provide a recommendation pertaining to the approval of this request for a variance.

If you have any questions, please do not hesitate to contact me directly.

Sincerely,

Laura Miller
County Arborist

cc: Robert Hoyt, Director
Walter Wilson, Associate County Attorney
Mark Pfefferle, Acting Chief



FIRE MARSHAL COMMENTS

DATE: 21-Dec-11
TO: David Crowe
Macris, Hendricks & Glascock
FROM: Marie LaBaw
RE: Stoney Creek Road
720090070 120110150

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **21-Dec-11** .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.



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid
Director

MEMORANDUM

September 22, 2011

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

FROM: Hadi Mansouri, Acting Director 
Department of Permitting Services

SUBJECT: Status of Preliminary Plan: Stoney Creek Road
1-20110150

This is to notify you that the Well & Septic Section of MCDPS approved the plan received in this office on April 6, 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 areas as they are shown on this plan.
3. All existing wells on lot 2 must be properly abandoned and sealed prior to permit approvals.

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

cc: Surveyor
File



Isiah Leggett
County Executive

DEPARTMENT OF PERMITTING SERVICES
ZONING

Carla Reid
Director

March 21, 2011

Project Name: Stoney Creek Road
Preliminary Plan #:
Applicant: Donald & Carole Dell
Engineer: Macris Hendricks & Glascock, PA
Zone: RE-2
Number of Lots (Acres): 4 Lots (1729 Acres)
Zoning Reviewer: Mark Beall

Development Standards on Submitted Plan(s):

Standard	Required	Proposed
Front:	50'	50'
Rear:	35'	35'
Sides:	17' & Total 35'	17' & Total 35'
Height:	50'	50'
Building Coverage:	25%	25%
FAR	N/A	N/A

- Plan(s) meets zoning requirements.
- Plan(s) meets zoning requirements, but see comments below.
- Plan(s) do not meet zoning requirements. See comments below.

Comments:

***Note-**When applying for a building permit please identify both the BRL approved on the certified site plan and the dimensions from the structure to the property lines on all four sides.

Mark Beall: (240) 777-6298 or Laura Bradshaw: (240)777-6296
255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850-4166.



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid
Director

March 17, 2011

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

Re: Revised Stormwater Management **CONCEPT**
Request for Stoney Creek Road
Preliminary Plan #: 120110150
SM File #: 239305
Tract Size/Zone: 17.29 acres/RE-2
Total Concept Area: 4.9 acres
Lots/Block: 1-4
Parcel(s): P165
Watershed: Watts Branch

Dear Mr. Wroe:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of Storm Water Management designed according to the revised Chapter 5 of the MDE Storm Water Manual.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage; item 5 must be completed prior to Record Plat approval:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. Prior to Record Plat approval the extensive erosion on proposed lot 3 must be repaired and safe conveyance of the flows provided.

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
M. Pfefferle
SM File # 239305

QN -onsite; Acres: 4.9
QL - onsite; Acres: 4.9
Recharge is provided

MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES
255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850-4153

Date: March 15, 2011

MEMO TO: Catherine Conlon, Supervisor for
Development Review Committee, MNCPPC

FROM: William Campbell, Senior Permitting Services Specialist
Division of Land Development Services, MCDPS

SUBJECT: Stormwater Management Concept Plan/Floodplain Review
Preliminary Plan 120110150 Stoney Creek Road
Subdivision Review Meeting March 21, 2011 SWM File # 239305

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

SM CONCEPT PLAN PROPOSED:

- On-site:** CPv WQv Both
 CPv < 2cfs, not required
 Waiver: CPv WQv Both
 On-site/Joint Use Central (Regional): waived to
 Existing Concept: Approved Date, March 2, 2011 revised March 15, 2011
 Other

Type Proposed:

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

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

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

SUBMISSION ADEQUACY COMMENTS:

- Downstream notification is required.
 The following additional information is required for review: _____

RECOMMENDATIONS:

- Approve as submitted with conditions (see approval letter).
 Incomplete; recommend not scheduling for Planning Board at this time.
 Hold for outcome of the SWM Concept review.
 Comments/Recommendations: As noted in the revised concept approval letter, the severe erosion on proposed lot 3 must be repaired and safe conveyance of the flows provided prior to record plat approval.

cc: Steve Federline, Environmental Planning Division, MNCPPC

bll:DRC.3/03



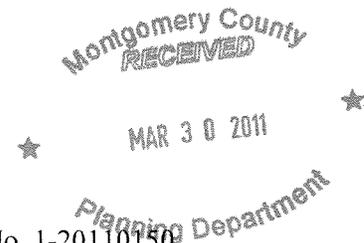
DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

March 22, 2011

Arthur Holmes, Jr.
Director

Mr. John Carter, Team Leader Area 3
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760



RE: Preliminary Plan No. 1-20110150
Stoney Creek Road

Dear Mr. Carter:

We have completed our review of the preliminary plan dated February 4, 2011. This preliminary plan was reviewed by the Development Review Committee at its meeting on March 21, 2011. 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. Necessary dedication for Stoney Creek Road in accordance with the Master Plan.
2. Stoney Creek Road is classified as a "Rustic" under Section 49-78 of the Montgomery County Code. As such, every effort must be made to preserve the existing topographic features, including man-made improvements and vegetation.

Although the locations of proposed driveways are acceptable to MCDOT operationally, since access points will be from a road included in the Rustic Roads Program, the Rustic Roads Committee may have comments about road width and material. Prior to issuance of building (access) permits, the applicant should consult with them and incorporate their comments into their permit plans.

3. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
4. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by each common driveway.
5. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.

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

Mr. John Carter
Preliminary Plan No. 1-20110150
Date March 22, 2011
Page 2

6. Record plat to reflect denial of access along the site frontage except for approved locations.
7. Private common driveways and private streets shall be determined through the subdivision process as part of the Planning Board's approval of a preliminary plan. The composition, typical section, horizontal alignment, profile, and drainage characteristics of private common driveways and private streets, beyond the public right-of-way, shall be approved by the Planning Board during their review of the preliminary plan. Also homeowners' documents should establish each driveway user's (property owner's) rights & responsibilities with respect to use, maintenance, & liability of the common driveway.
8. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Sam Farhadi, our Development Review Area engineer for this vicinity at (240) 777-2197.

Sincerely,



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

m:/subdivision/farhas01/preliminary plans/ 1-20110150, Stoney Creek Road.doc

Enclosures (1)

cc: Donald and Carole Dell
David Crowe, Macris, Hendricks and Glascock
Jody Kline, Miller, Miller & Canby
Henry Emery; DPS RWPPR
Sarah Navid; DPS RWPPR
Cathy Conlon, MNCPPC
Richard Weaver, MNCPPC
Ki Kim; MNCPPC
Greg Leck, DOT TEO
Preliminary Plan Folder
Preliminary Plans Note Book



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

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: DELL PROPERTY Preliminary Plan Number: 1- 20110150

Street Name: STONE CREEK ROAD Master Plan Road Classification: 70' RIW

Posted Speed Limit: 30 mph

Street/Driveway #1 (30' N. OF C+P POLE 205) Street/Driveway #2 (25' N. OF C+P POLE 195)

Sight Distance (feet) OK?
 Right 400'+
 Left 250'+

Sight Distance (feet) OK?
 Right 400'+
 Left 250'+

Comments: SIGHT DISTANCE REQUIREMENTS ARE MET FOR PROPOSED DRIVEWAY #1 Comments: SIGHT DISTANCE REQUIREMENTS ARE MET FOR PROPOSED DRIVEWAY #2

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'
Arterial - 40	325'
(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 accurate and was collected in accordance with these guidelines.

Steph G. C 12-20-10
 Signature Date

16905
 PLS/P.E. MD Reg. No.

Montgomery County Review:	
<input checked="" type="checkbox"/>	Approved
<input type="checkbox"/>	Disapproved:
By:	<u>guel</u>
Date:	<u>3/22/11</u>