





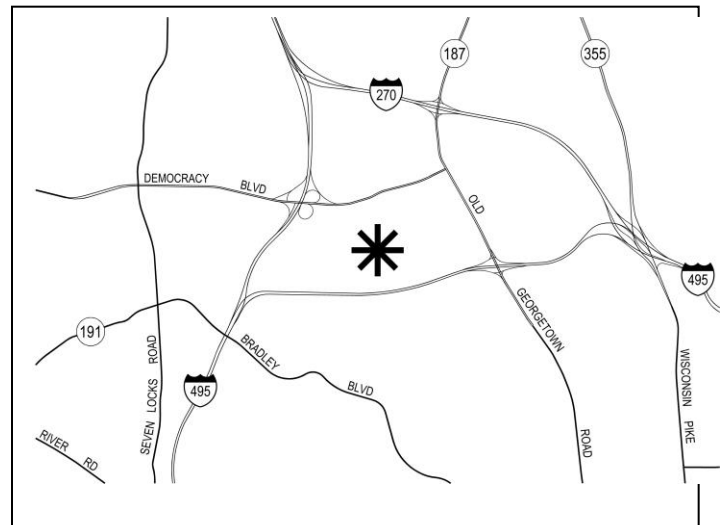
Fernwood, Preliminary Plan 120120190

-  Carlton W. Gilbert, Planner Coordinator, Area 2 Division, Carlton.Gilbert@montgomeryplanning.org, 301-495-4576
-  Joshua Sloan, Planner Supervisor, Area 2 Division, Joshua.Sloan@montgomeryplanning.org, 301-495-4597
-  Glenn Kreger, Chief, Area 2 Division, Glenn.Kreger@montgomeryplanning.org, 301-495-4653

Completed: 05/09/13

Description

- Request for resubdivision of one lot on 20,534 square feet of land, Lot 1, Block L, into two lots. Two new single-family detached dwelling units are proposed;
- Location: 9810 Fernwood Road, Bethesda MD;
- Current Zoning: R-90 in the North Bethesda/Garrett Park Master Plan;
- Applicant: Fariborz Honarpisheh;
- Filing Date: April 19, 2012.



Summary

Staff Recommendation: Approval of Preliminary Plan 120120190 with conditions.

The subject property (“Property”) is located in the northwest corner of the intersection of Fernwood Road and Inglemere Drive. The Property is described as Lot 1, Block L of the Fernwood Subdivision. The Property, comprising 20,534 square feet of land, is zoned R-90 and is improved with a two-story, single family dwelling. The Applicant is proposing a resubdivision of the property into two lots. The existing home will be removed and two new homes will be built. If approved, one of the new homes will front onto Fernwood Road (Lot 1) and the second home will face Inglemere Drive (Lot 2).

This application is a resubdivision and a finding that the proposed lots are of the same character as existing lots in the neighborhood is necessary for approval. Staff finds that the requested preliminary plan satisfies the resubdivision criteria as found in Section 50-29(b)(2) of the Subdivision Regulations.

RECOMMENDATION

Staff recommends Approval of Preliminary Plan 120120190, subject to the following conditions:

1. This Preliminary Plan is limited to two lots.
2. The Applicant must comply with the Tree Save Plan received by the Planning Department on April 11, 2013 or as amended by the Planning Department inspector at the time of the pre-construction meeting and inspections.
3. The Planning Board has accepted the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated March 1, 2013, and does hereby incorporate them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the MCDOT letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the preliminary plan approval.
4. Prior to recordation of plat, the Applicant must satisfy the provisions for access and improvements as required by MCDOT.
5. The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Services (MCDPS) – Water Resources Section in its stormwater management concept letter dated April 18, 2012, and does hereby incorporate them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Stormwater Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
6. The Applicant must relocate the Fernwood sidewalk five (5) feet from the edge of pavement/curb north of the existing Driveway, and replace Fernwood Road and gutter as necessary.
7. The Applicant must provide at-grade crossings of the sidewalks across the proposed two driveways from Fernwood Road and Inglemere Drive.
8. The Applicant must construct a five-foot wide sidewalk along the property frontage on Inglemere Drive, unless construction is waived by the Montgomery County Department of Permitting Services (MCDPS).
9. The record plat must show necessary easements.
10. The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board Resolution.
11. The Property is within the Walter Johnson High School Cluster area. The Applicant must make a School Facilities Payment to MCDPS at the middle and high school levels at the applicable unit rates for any building permit issued for a new residential unit. The timing and amount of the payment will be in accordance with Chapter 52 of the Montgomery County Code.

SITE DESCRIPTION

The Property is zoned R-90 and located on the west side of Fernwood Road at the intersection with Inglemere Drive in the North Bethesda/Garrett Park Master Plan area. The Property is 20,534 square feet and is developed with a one-family detached dwelling. The surrounding land uses are predominantly residential houses located in the R-90 zone. The topography is relatively flat. The Property is within the Cabin John Creek watershed – a Use I-P watershed. The site does not contain any streams, wetlands, or environmental buffers.

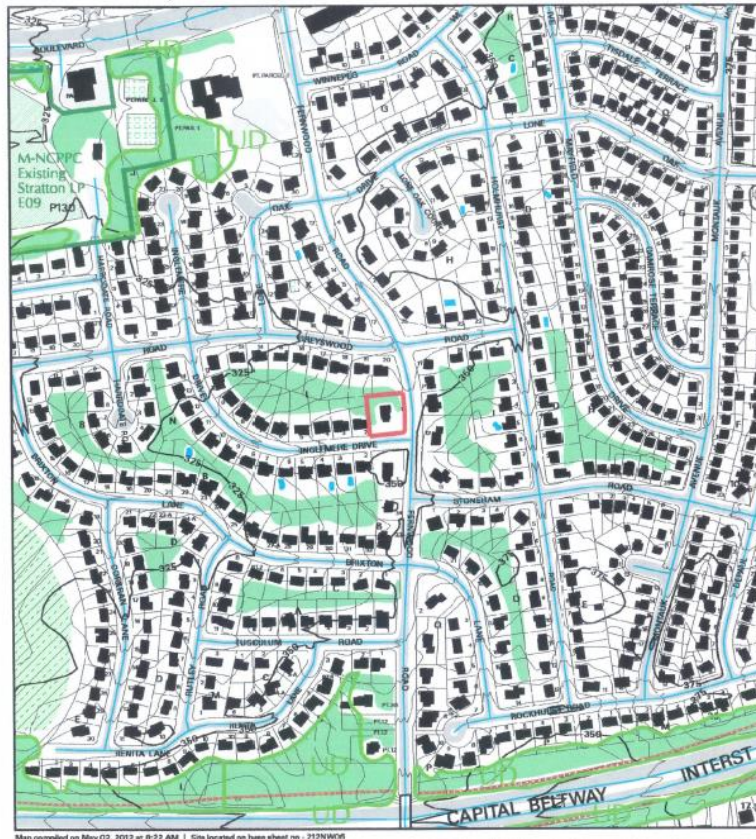


Figure 1: Vicinity Map

PROPOSAL

The Applicant proposes to resubdivide the existing lot into two lots for two one-family, detached dwellings. Lot 1 is proposed at 10,184 square feet in area and Lot 2 is proposed at 10,340 square feet in area. The existing driveway on Fernwood Road will be removed and new driveways from Fernwood Road and Inglemere Drive are proposed for the new single-family detached units.

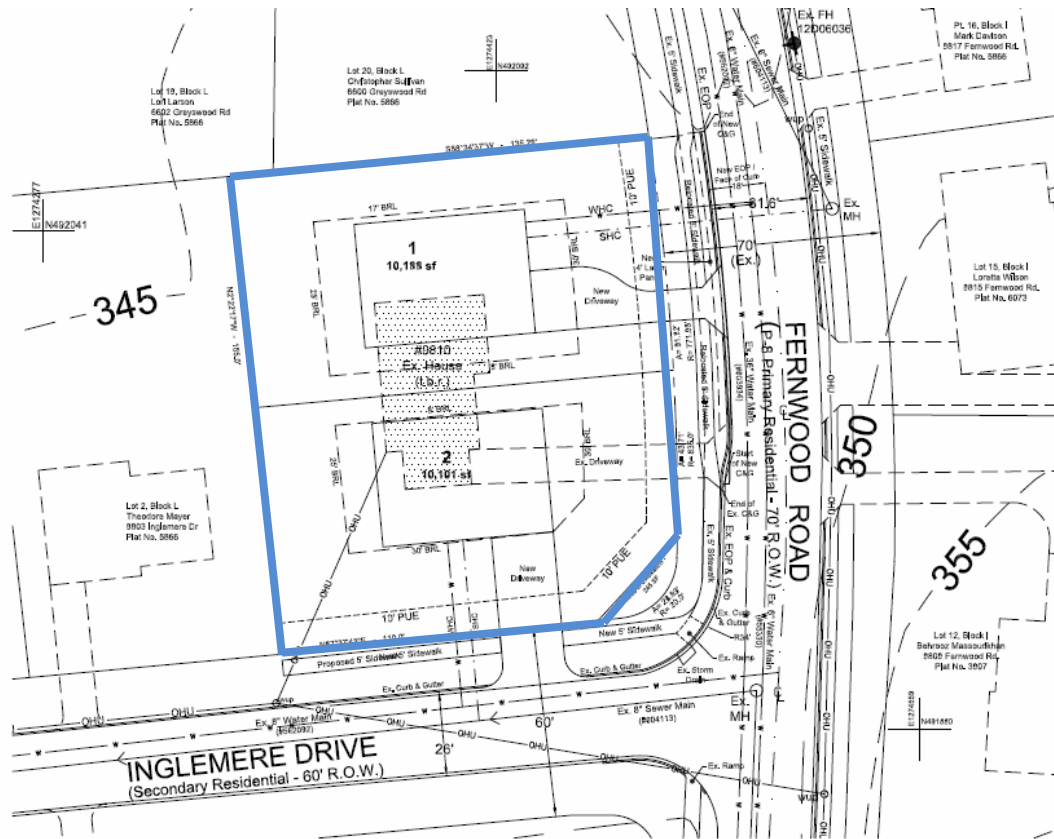


Figure 2: Preliminary Plan

COMMUNITY OUTREACH

The Applicant has complied with all submittal and noticing requirements, and staff has not received correspondence from any community groups or citizens as of the date of this report. A citizen who resides within the neighborhood contacted Staff via telephone and generally expressed concern that the proposed lots would not be of the same character as existing lots in the neighborhood. After a discussion with Staff, no further concerns were raised.

ANALYSIS AND FINDINGS

Master Plan

The Approved and Adopted North Bethesda/Garrett Park (1992) Master Plan confirmed the single-family residential (R-90) zone for the subject property. The Master Plan does not make any specific recommendations for the Property other than to confirm the zoning of the area. An objective of the Master Plan is the protection and reinforcement of the “integrity of existing residential neighborhoods” (p.33). The proposed development will add a new residential dwelling to the area built to the development standards of the zone, which is consistent with the Master Plan.

Transportation

The proposal will generate one additional (or two total) peak-hour vehicular trips within both the weekday morning peak period (6:30 to 9:30 a.m.) and the evening peak period (4:00 to 7:00 p.m.). A traffic study is not required to satisfy the Local Area Transportation Review (LATR) test because the proposed land use generates fewer than 30 peak-hour trips within the weekday morning and evening peak periods.

For the Transportation Policy Area Review (TPAR) test, the proposed land use will generate less than three (3) new weekday peak-hour trips. Therefore, the Applicant is not required to pay the transportation impact tax to satisfy the TPAR test.

Master-Planned Transportation Demand Management

The subject development is located outside the Bethesda Transportation Management District (TMD) and is not subject to any Traffic Mitigation Agreement nor required to participate in the Bethesda Transportation Management Organization.

Master-Planned Roadways and Bikeways

In accordance with the 1992 *North Bethesda/Garrett Park Master Plan* and 2005 *Countywide Bikeways Functional Master Plan*, Fernwood Road is designated as a Primary Residential Street, P-8, with a recommended 70-foot wide right-of-way and a Class II/III bikeway. The *Countywide Bikeways Functional Master Plan* recommends bike lanes, BL-4, along Fernwood Road. Inglemere Drive is a secondary residential street with a 60-foot wide right-of-way that is not listed in the *North Bethesda/Garrett Park Master Plan*. No dedications are required.

Available Transit Service

Ride-On route 47 operates on Fernwood Road from the Bethesda Metrorail Station, via Westfield Montgomery Mall, to the Rockville Metrorail Station with 30-minute headways on both weekdays and weekends. Bus stops are located along Fernwood Road, approximately 100 feet to the south and approximately 200 feet to the north.

Pedestrian Facilities

Fernwood Road has 5-foot-wide sidewalks with a 3-foot-wide green panel on both sides, but Inglemere Drive has no sidewalks along its entire length. Although a sidewalk is required on Inglemere Drive by County Code, the Montgomery County Department of Permitting Services (DPS) may waive this requirement.

The Fernwood Road/Inglemere Drive intersection does not have a marked pedestrian crossing. However, with the nearby signalized intersection with Fernwood Road at Greyswood Road, it is safer to walk the short distance of approximately 200 feet to the north rather than to create an unmarked pedestrian crossing at the Fernwood Road/Inglemere Drive intersection.



Figure 3: Aerial Map

Other Public Facilities and Services

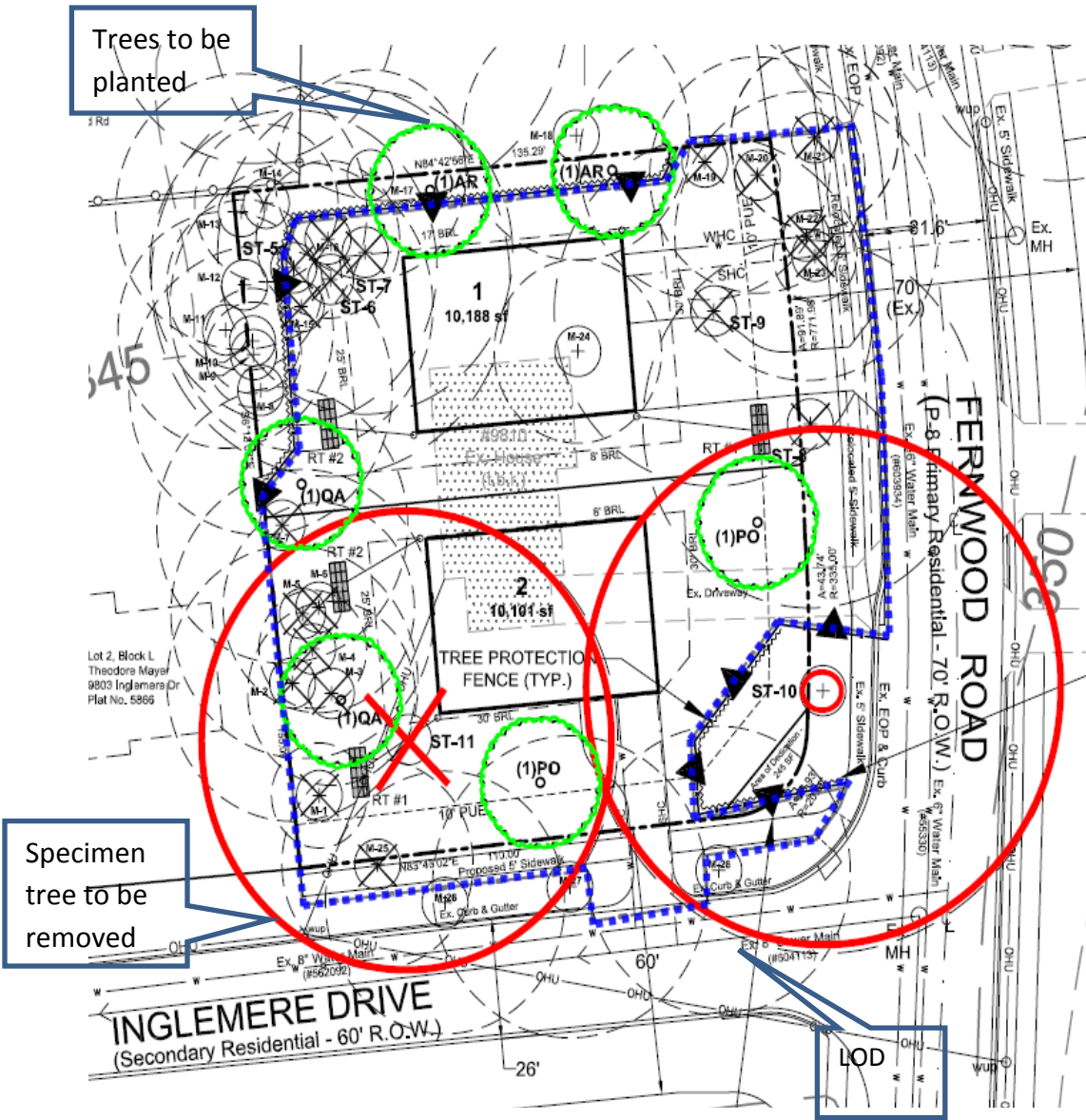
This developed area is served by existing public facilities, including roads, water, sewer, utilities, and emergency services. Other public facilities and services are available and will be adequate to serve the proposed dwelling units. The application meets the Montgomery County Fire and Rescue Service requirements for access, and police stations, firehouses and health services are currently operating within the standards set by the Subdivision Staging Policy currently in effect.

The Property is located in the Walter Johnson High School Cluster. Under the FY2013 Annual School Test, residential development in this cluster is required to make a School Facility Payment at the middle and high school levels.

Environment

This property is subject to the Chapter 22A Montgomery County Forest Conservation Law but is exempt (42012098E) from the requirements of submitting a forest conservation plan per Chapter 22A-5(s)(2). A Simplified Natural Resource Inventory/Forest Stand Delineation and Forest Conservation Exemption request (42012098E) was approved by Staff on January 25, 2012. This exemption is for an activity on a tract of land less than 1 acre that will not result in the clearing of more than 20,000 square feet of existing forest, or any existing specimen or champion tree, and reforestation requirements would not exceed 10,000 square feet. Because the Fernwood Preliminary Plan proposes the removal of and impacts to two specimen trees, however, this property is subject to Chapter 22A-6(b) the Tree Save Plan provision. This provision allows an activity or development that would otherwise be exempt under Section 22A-5, except that the proposed activity involves clearing of a specimen or champion tree, to submit for approval a tree save plan, which may require tree preservation or mitigation for loss of individual trees.

As depicted on the Tree Save Plan submitted on April 11, 2013, the Applicant proposes to remove five significant trees ranging from 25-29" DBH, one specimen tree of 35" DBH (Tree #ST-11), and to impact one specimen size tree 40" DBH (Tree #ST-10) located within the right-of-way of Fernwood Road (see image below). In order to mitigate for the size and character of the trees being removed on-site, the Applicant proposes to plant six native 3" caliper trees on the subject property. In addition, the Applicant proposes to implement tree protection measures such as tree protection fencing and root pruning to retain the 40" DBH specimen tree within the right-of-way of Fernwood Road and to protect a cluster of trees (M-8 to M-14) that straddle the property line along the northwestern boundary of the site. The Applicant has also reduced the limits of disturbance along the northern boundary of the site and provided tree protection measures for two off-site trees (M-17 and M-18) on a neighboring property.



↑NORTH Plan highlighting the specimen trees, tree plantings, and LOD

Stormwater Management Concept

The Department of Permitting Services (DPS) staff approved a stormwater management (SWM) concept for the project on April 18, 2012. The stormwater management concept meets required stormwater management goals via Environmental Site Design facilities such as drywells, rooftop disconnect, and non-rooftop disconnect practices.

Compliance with the Subdivision Regulations and Zoning Ordinance

The application has been reviewed for compliance with Chapter 50 of the Montgomery County Code, the Subdivision Regulations. The application meets all applicable sections, including the requirements for resubdivision, as discussed below. The lots meet all the dimensional requirements for frontage, width, and setbacks in the R-90 zone as specified in the Zoning Ordinance. A summary of this review is included in the table below.

Zoning Table for the R-90 Zone

| Development Standard | Requirement | Proposed for Approval by the Preliminary Plan |
|-----------------------------|---|--|
| Minimum Lot Area | 9,000 sq. ft. | 10,184 sq. ft. (Lot 1) 10,340 sq. ft. (Lot 2) |
| Minimum Lot Width | 75 ft. | 75 ft. minimum |
| Minimum Lot Frontage | 25 ft. | 75 ft. minimum |
| Minimum Setbacks: | | |
| Front | 30 ft. | Must meet minimum ¹ |
| Side | 8 ft. / 25 ft. total | Must meet minimum ¹ |
| Rear | 25 ft. | Must meet minimum ¹ |
| Maximum Height | 2.5 stories or 35 ft. to roof peak or 30 ft. to mean height | May not exceed maximum ¹ |

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

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

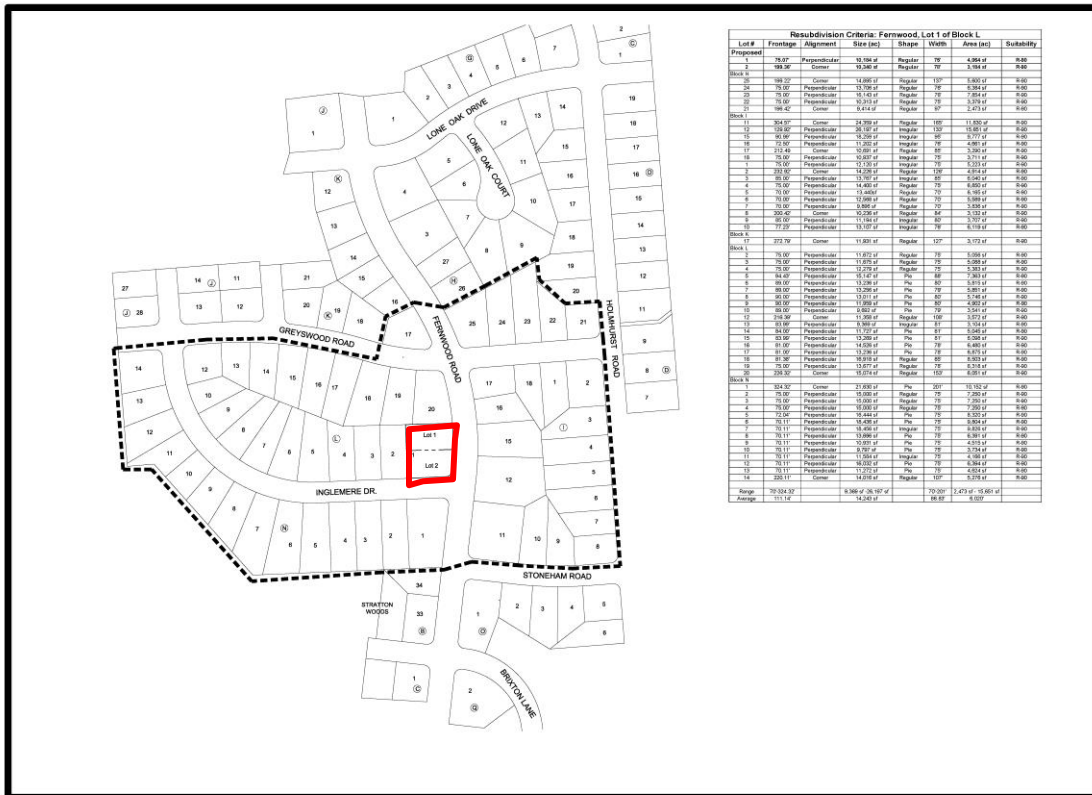
A. Statutory Review Criteria

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

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

B. Neighborhood Delineation

In administering Section 50-29(b)(2) of the Subdivision Regulations, the Planning Board must determine the appropriate “Neighborhood” for evaluating the application. In this instance, the Neighborhood selected by the applicant, and agreed to by Staff, consists of fifty-four lots. The Neighborhood includes platted lots in the R-90 zone in the vicinity of the Property. The Neighborhood does not contain any commercial uses and all residential lots share similar configurations, shape, and size and provides an adequate sample of the lot and development pattern of the area. A tabular summary of the area based on the resubdivision criteria is also included in Figure 4 below.



Frontage: In the Neighborhood of 54 existing lots, lot frontages range from 70 feet to 324 feet. Twenty-six of the lots have frontages of 75 feet or less. Twenty-eight lots have frontages of 77 feet or greater. Lot 1 will have a frontage of 75.07 feet and Lot 2 will have a frontage of approximately 130 feet. The proposed two lots will be of the same character as existing lots in the neighborhood with respect to frontage.

Alignment: Forty-three of the 54 existing lots in the Neighborhood are perpendicular in alignment, and the remaining 11 are corner lots. The proposed lots include a perpendicular alignment (Lot 1) and a corner alignment (Lot 2), similar in character as existing lots with respect to the alignment criterion.

Size: The size of the lots in the Neighborhood range from 9,369 square feet to 26,197 square feet. Seven of the existing lots are 10,340 square feet or smaller. Sixteen of the lots are 10,341 square feet to 12,568 square feet and 31 lots are 13,061 square feet to 26,197 square feet. At 10,184 and 10,340 square feet, the proposed lots will fall within the range of the existing lots in the delineated neighborhood. Therefore, the proposed size of Lots 1 and 2 are similar in character with the existing lots in the Neighborhood.

Shape: Twenty-five existing lots in the Neighborhood are rectangular, eighteen are trapezoidal, and eleven are irregular. The rectangular shape of the proposed lots will be in character with shapes of the existing lots in the Neighborhood.

Width: Lot widths in the Neighborhood range from 70 feet to 201 feet. The lot widths for the most part are evenly dispersed within the range. Thirty-nine lots are 75 feet to 85 feet in width and 12 lots are greater than 85 feet wide. Three existing lots, at 70 feet in width, are less than the 75-foot width requirement in the R-90 Zone. Therefore, the proposed lots, at 75 and 80 feet wide, will be in character with existing lots in the Neighborhood with respect to width.

Area: The buildable area of lots in the Neighborhood ranges from 2,473 square feet to 15,651 square feet. Proposed Lot 1 will have a buildable area of 4,064 square feet. Proposed Lot 2 will have a buildable area of 3,184 square feet. The proposed lots falls within the range and will be of the same character with existing lots in the Neighborhood.

Suitability for Residential Use: The existing and the proposed lots are zoned residential and the land is developed with residential use. The lots are, therefore, in character with the rest of the Neighborhood.

CONCLUSION

Section 50-29(b)(2) of the Subdivision Regulations specifies seven criteria with which re-subdivided lots must comply. They are street frontage, alignment, size, shape, width, area and suitability for residential use within the existing block, neighborhood, or subdivision. As set forth above, the proposed lots are of the same character as the existing lots in the defined neighborhood with respect to each of the resubdivision criteria, and therefore, comply with Section 50-29(b)(2) of the Subdivision Regulations. The proposed lots also meet all other requirements established in the Subdivision Regulations and the Zoning Ordinance, and substantially comply with the recommendations of the North Bethesda/Garrett Park Master Plan. Access and public facilities will be adequate to serve the proposed lots, and the application has been reviewed by other applicable County agencies, all of whom have recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

Attachments

- Attachment 1 – MCDOT Approval Letter
- Attachment 2 – Stormwater Concept Approval Letter
- Attachment 3 – Fire & Rescue Approval Letter
- Attachment 4 – Forest Conservation Plan Exemption Letter
- Attachment 5 – Tree Save Plan

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DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

March 1, 2013

Mr. Carlton Gilbert, Planner/Coordinator
Area 2 Planning Team
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan #120120190
Fernwood

Carlton
Dear Mr. Gilbert:

We have completed our review of the revised preliminary plan dated February 1, 2013. An earlier version of this plan was reviewed by the Development Review Committee at its meeting on June 11, 2012. 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. Dedicate right-of-way truncation at the Fernwood Road/Inglemere Drive intersection.
2. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. A storm drain study, with computations, has been submitted for our review and approval. The storm drain study analyzes the capacity of the existing downstream public storm drain system and the impact of the post-development ten (10) year storm runoff on same. The consultant's findings are that the existing 15" RCP is undersized to accommodate the pre- and post-development runoff. That study also indicates efficiency problems with the existing downstream inlet. The study does indicate the pre- and post development spreads are acceptable. Prior to approval of the record plat, the consultant will need to prepare plans that either:
 - A. Provide on-site private storm water retention system that accommodates the additional ten (10) year runoff being generated by this site (calculated by the consultant to be 0.4 cfs); or
 - B. Replace the existing downstream inlet and storm drain to handle the post-development ten (10) year storm runoff to that system.

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

4. Prior to approval of the record plat by the Department of Permitting Services, submit a completed, executed and sealed MCDOT Sight Distances Evaluation certification form, for the existing and proposed driveway(s), for our review and approval.
5. Relocate the Fernwood sidewalk five (5) feet from the edge of pavement/curb north of the existing driveway, replace Fernwood Road curb and gutter as necessary, and install a five (5) foot wide sidewalk along the Inglemere Drive frontage.
6. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
7. If the proposed development will alter or impact any existing County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Bruce Mangum of our Transportation Systems Engineering Team at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
8. Trees in the County rights of way – spacing and species to be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with Brett Linkletter, Chief of the Division of Highway Services, Tree Maintenance Section at (240) 777-7651.
9. 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. Across the Fernwood Road site frontage, widen the existing pavement to eighteen (18) feet from the centerline with curb and gutter (transitioned to meet the existing widened pavement, curb and gutter approaching Inglemere Drive), and relocated five (5) foot wide concrete sidewalk and handicap ramps in accordance with MCDOT Design Standard MC-212.01 (Primary Residential Road). We support allowing the existing sidewalk to remain adjacent to the curb, in the vicinity of the Fernwood Road/Inglemere Drive intersection, to minimize impact on the existing 41" red maple tree. Plant street trees.
 - B. Across the Inglemere Drive site frontage, construct five (5) foot wide concrete sidewalk and plant street trees in accordance with MCDOT Design Standard MC-2002.01 (Secondary Residential Street – No Designated Parking).
 - C. Provide improvements to the downstream public storm drain system in accordance with the MCDOT Storm Drain Criteria, if proposed by the applicant under comment no. 3 (B).
 - D. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.

Mr. Carlton Gilbert
Preliminary Plan No. 120120190
March 1, 2013
Page 3

- E. 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.

- F. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the MCDOT Division of Traffic Engineering and Operations.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Mr. David Adams, our Development Review Area Engineer for this part of the County, at david.adams@montgomerycountymd.gov or (240) 777-2197.

Sincerely,



Gregory M. Leck, Manager
Development Review Team

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Enclosure

cc: Fariborz Honarapisheh, 9810 Fernwood Road
David McKee, Benning & Associates, Inc.
Preliminary Plan notebook
Preliminary Plan folder

cc-e: Sam Farhadi; MCDPS RWPR
Brett Linkletter; MCDOT DHS
Dan Sanayi; MCDOT DTEO
Bruce Mangum; MCDOT DTEO
David Adams; MCDOT DTEO



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

April 18, 2012

Pete Staley
Benning & Associates, Inc.
8933 Shady Grove court
Gaithersburg, MD 20877

Re: Stormwater Management **CONCEPT** Request
for Fernwood
Preliminary Plan #:
SM File #: 242229
Tract Size/Zone: 0.47 / R-90
Total Concept Area: 0.47 Acres
Lots/Block: 1, 2 / L
Parcel(s):
Watershed: Cabin John Creek

Dear Mr. Staley:

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 proposes to meet required stormwater management goals via Environmental Site Design. Drywells, rooftop disconnect and non-rooftop disconnect practices will be utilized.

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

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

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

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

255 Rockville Pike, 2nd Floor • Rockville, Maryland 20850 • 240-777-6300 • 240-777-6256 TTY
www.montgomerycountymd.gov

montgomerycountymd.gov/311



240-773-3556 TTY



FIRE MARSHAL COMMENTS

DATE: 01-Mar-13
TO: Joshua Maisel - benninglandplan@aol.com
Benning and Associates
FROM: Marie LaBaw
RE: Fernwood - Resubdivision of Lot 1 Block L
120120190

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **01-Mar-13**. 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.



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

January 25, 2012

Fariborz Honarpisheh
9810 Fernwood Road
Bethesda, MD 20817

Re: Forest Conservation Exemption # 42012098E
Property Name: Fernwood, Lot 1, Block L
Action Taken: Confirmed 01/25/2012

Dear Fariborz Honarpisheh:

On January 12, 2012, the Development Applications and Regulatory Coordination staff of the Montgomery County Planning Department received a revised request for an exemption from the Forest Conservation Law for Fernwood Lot1, Block L. This forest conservation exemption request, a Chapter 22A-5(s)(2) exemption, is for an activity on a tract of land less than 1 acre that will not result in afforestation requirements in excess of 10,000 square feet and will not result in the clearing of 20,000 square feet of forest. This exemption request has been assigned exemption plan # 42012098E.

The exemption request is part of a to-be-filed preliminary plan of subdivision application for the property. This preliminary plan of subdivision application will require a Montgomery County Planning Board hearing and decision.

Forest Conservation Exemption # 42012098E for Fernwood, Lot 1, Block L is confirmed.

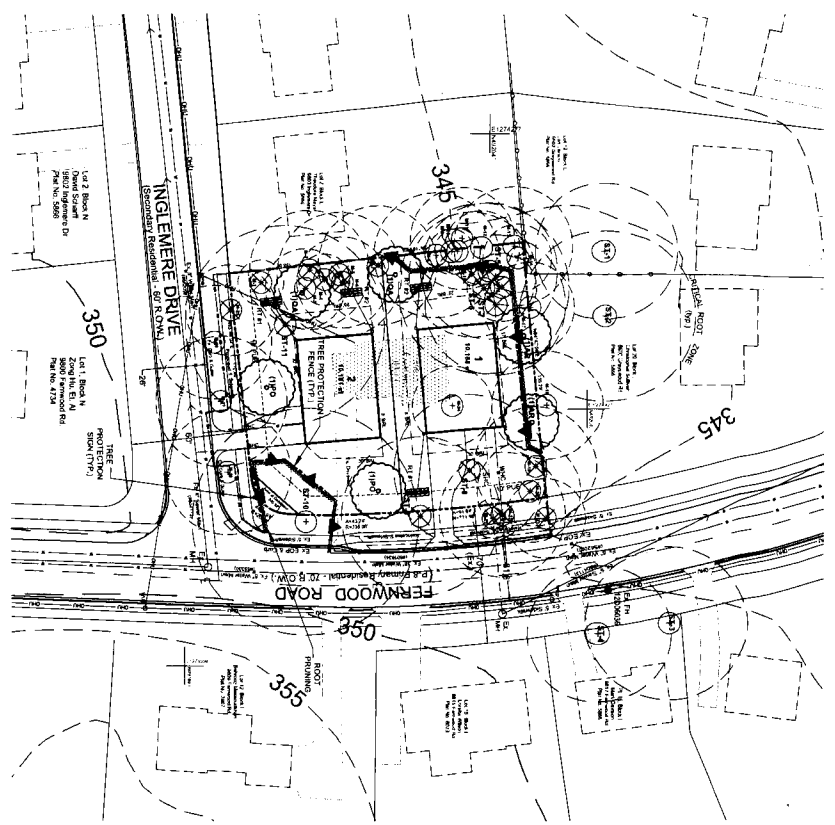
The "Exemption Narrative" note on the confirmed exemption plan declares "At this time.....no existing specimen trees are proposed for removal...". If, at the time of preliminary plan, a specimen tree(s) on the property is (are) proposed for removal, then a tree save plan must be submitted to include mitigation for the loss of the specimen tree(s). If applicable or required, this tree save plan will be reviewed by an Area 1 plan reviewer assigned to the project's preliminary plan application and Montgomery County Planning Board hearing presentation.

Any changes from the confirmed forest conservation exemption plan may constitute grounds to rescind or amend any approval actions taken and to take appropriate enforcement actions. If you have any questions regarding this letter please contact me at 301-495-4564.

Sincerely,

Stephen Peck
Planner and Inspector
Development Applications and Regulatory Coordination
MNCPPC - Montgomery County Planning Department

CC: Patrick Perry Benning & Associates Inc. 8933 Shady Grove Court Gaithersburg, MD 20877



NOTES:

1. AREA OF PROPERTY: 20,534 sq ft
2. EXISTING ZONING: R-30
3. NO OF LOTS PERMITTED: 2
4. NO OF LOTS DEVELOPED: 1
5. EXISTING SEWER & WATER SERVICE CATEGORIES: S-1, W-1
6. LOTS TO BE SERVED BY PUBLIC WATER AND SEPTIC SYSTEMS
7. UTILITIES TO BE PROVIDED BY: Washington Gas, Verizon, Pego

SIGNIFICANT TREE CHART

| TREE NUMBER | BOTANICAL NAME | COMMON NAME | SERIAL # (S) | TREE CONDITION | COMMENTS | STATUS | TREE PROTECTION MEASURES |
|-------------|-------------------|--------------|--------------|----------------|----------|--------|--------------------------|
| 1 | Aster multiflorus | Wood Aster | 1001 | Good | OK-NA | OK-NA | None |
| 2 | Ulmus americana | American Elm | 1002 | Good | OK-NA | OK-NA | None |
| 3 | Aster multiflorus | Wood Aster | 1003 | Good | OK-NA | OK-NA | None |
| 4 | Aster multiflorus | Wood Aster | 1004 | Good | OK-NA | OK-NA | None |
| 5 | Aster multiflorus | Wood Aster | 1005 | Good | OK-NA | OK-NA | None |
| 6 | Aster multiflorus | Wood Aster | 1006 | Good | OK-NA | OK-NA | None |
| 7 | Aster multiflorus | Wood Aster | 1007 | Good | OK-NA | OK-NA | None |
| 8 | Aster multiflorus | Wood Aster | 1008 | Good | OK-NA | OK-NA | None |
| 9 | Aster multiflorus | Wood Aster | 1009 | Good | OK-NA | OK-NA | None |
| 10 | Aster multiflorus | Wood Aster | 1010 | Good | OK-NA | OK-NA | None |
| 11 | Aster multiflorus | Wood Aster | 1011 | Good | OK-NA | OK-NA | None |

Indicates specimen trees

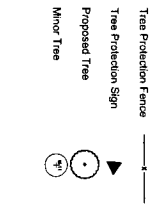
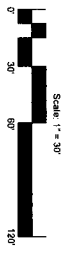
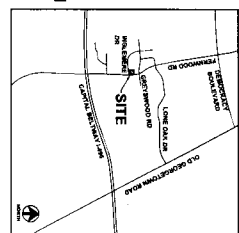
MINOR TREE CHART

| TREE NUMBER | BOTANICAL NAME | COMMON NAME | SERIAL # (S) | TREE CONDITION | COMMENTS | STATUS | TREE PROTECTION MEASURES |
|-------------|-------------------|-------------|--------------|----------------|----------|--------|--------------------------|
| 12 | Aster multiflorus | Wood Aster | 1012 | Good | OK-NA | OK-NA | None |
| 13 | Aster multiflorus | Wood Aster | 1013 | Good | OK-NA | OK-NA | None |
| 14 | Aster multiflorus | Wood Aster | 1014 | Good | OK-NA | OK-NA | None |
| 15 | Aster multiflorus | Wood Aster | 1015 | Good | OK-NA | OK-NA | None |
| 16 | Aster multiflorus | Wood Aster | 1016 | Good | OK-NA | OK-NA | None |
| 17 | Aster multiflorus | Wood Aster | 1017 | Good | OK-NA | OK-NA | None |
| 18 | Aster multiflorus | Wood Aster | 1018 | Good | OK-NA | OK-NA | None |
| 19 | Aster multiflorus | Wood Aster | 1019 | Good | OK-NA | OK-NA | None |
| 20 | Aster multiflorus | Wood Aster | 1020 | Good | OK-NA | OK-NA | None |

PLANT SCHEDULE - RECOMMENDED SPECIES LIST

| KEY | QUANTITY | SIZE | SCHEMATIC NAME | COMMON NAME | SPACING | COMMENTS |
|---------|----------|--------|----------------------|-------------|------------|----------|
| TREES 3 | 2 | 3" CAL | ALICE JAMES | RED MAPLE | AT SPACING | REB |
| PLS 2 | 2 | 3" CAL | PERNIXA EXCELSISSIMA | STYVIA | AT SPACING | REB |
| OS 1 | 2 | 3" CAL | OSMORHIZA HISSIDA | WINE PALM | AT SPACING | REB |

INTERNATIONAL SOCIETY OF ARBORICULTURE CERTIFIED ARBORIST # MA45142A
VICINITY MAP
SCALE: 1" = 200'



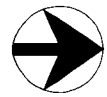
TREE SAVE NOTES:

1. THE EXACT PLANS FOR ROOT PRUNING SHALL BE DETERMINED AT THE PRE-CONSTRUCTION MEETING WITH THE MARYSG FOREST CONSERVATION RECOMMENDATIVE AND THE ON-SITE ARBORIST
2. PLANTING OF TREES SHOWN ON THIS PLAN IS ANTICIPATED FOR THE REMOVAL OF SPECIMEN TREE #11. THE PROPOSED TREE PLANTING LOCATIONS AND SPECIES SHOWN INSIDE THE CRZ ARE TO BE PLANTED PRIOR TO THE MARYSG FOREST CONSERVATION INSPECTOR'S FINAL INSPECTION
3. THE LIMITS-OF-DISTURBANCE SHOWN ON THIS PLAN IS FOR PRELIMINARY PLANNING PURPOSES AND IS SUBJECT TO CHANGES
4. TREE LOCATIONS SHOWN HEREON ARE PER A FIELD SURVEY COMPLETED IN MARCH 2013 BY THOMAS A MADDOX, P.E.S.

TREE SAVE PLAN
FERNWOOD
(Resubdivision of Lot 1, Block L)
Montgomery County, Maryland

B&A
Benning & Associates, Inc.
Land Planning Consultants
8933 Shady Grove Court
Gaithersburg, MD 20877
(301)948-0240

date: 3/4/2013
scale: 1" = 30'



| |
|--------------|
| Sheet 1 of 2 |
| Revisions |
| 3/15/13 |
| 4/1/13 |