



**Preliminary Plan 120110290: Beverly Farms**

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- BCB** Benjamin Berbert, Senior Planner Area 3, [Benjamin.berbert@montgomeryplanning.org](mailto:Benjamin.berbert@montgomeryplanning.org), 301-495-4644  
**RAW** Richard Weaver, Supervisor Area 3, [Richard.weaver@montgomeryplanning.org](mailto:Richard.weaver@montgomeryplanning.org), 301-495-4544  
**JAC** John Carter, Chief Area 3, [John.carter@montgomeryplanning.org](mailto:John.carter@montgomeryplanning.org), 301-495-4575

**Staff Report Date: 09/20/13**

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**Description**

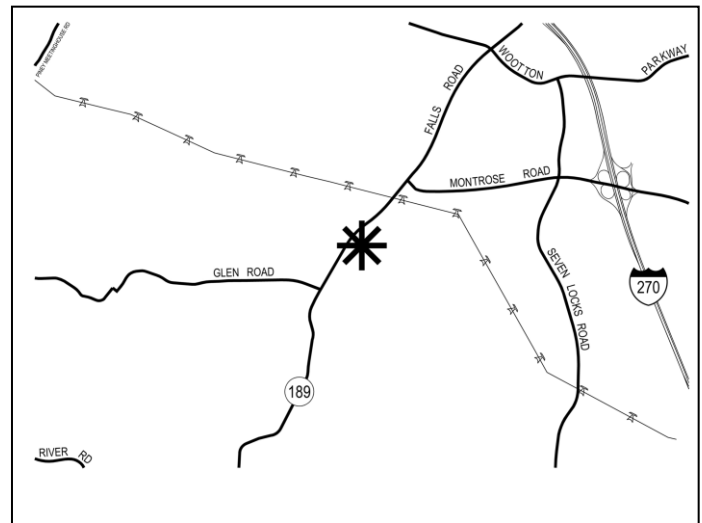
**Preliminary Plan 120110290: Beverly Farms**

Request to create two (2) lots; located at 8845 Tuckerman Lane, on the north side of Tuckerman Lane, approximately 250 feet west of the intersection with Judy Place, 0.95 acres, R-90 Zone, Potomac Subregion Master Plan

**Staff Recommendation:** *Approval with Conditions*

**Applicant:** Suzanne Dawkins

**Submitted:** 11/28/2012



**Summary**

- Two lots, with access to Tuckerman Lane
- Forest Conservation exemption with a tree save plan

**RECOMMENDATION:** Approval, subject to the following conditions:

1. This Preliminary Plan is limited to 2 lot(s) for 2 dwelling units.
2. The Applicant must comply with the preliminary forest conservation exemption No. 42011128E, and the Tree Save Plan approved 07/18/2011. If construction requires the removal or additional impacts of trees 5,7, 8, 14, 17 or 19, the Applicant must submit for approval a revised Tree Save Plan, including mitigation for impacts to the subject trees prior to building permit.
3. The Planning Board has accepted the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated June 14, 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 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(s), 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 Service (“MCDPS”) – Water Resources Section in its stormwater management concept letter dated July 24, 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 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. Prior to recordation of the plat the Applicant must satisfy requirements to ensure the construction of a five (5) foot wide sidewalk along the property frontage on Tuckerman Lane, unless construction is waived by MCDPS.
7. The certified Preliminary Plan must contain the following note:

“Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of building permits. 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.”

8. Prior to approval of the certified Preliminary Plan, the Applicant must make the following changes:
  - a. Modify the zoning standards table to show the minimum front setback in the R-90 zone as 30 feet, and acknowledge the Established Building Line front setback as 40 feet, per Section 59-A-5.33 of the Zoning Code.
  - b. Show the approximate location of a new fire hydrant, approximately 400 feet away from the existing hydrant to the northwest of the Subject Property on Tuckerman Lane, consistent with the Fire & Rescue Plan approved by the Fire Marshal.
9. The record plat must reflect common ingress/egress and utility easements over the shared driveway, and show all other necessary easements.
10. The Adequate Public Facility (APF) review for the preliminary plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board resolution.

## SITE DESCRIPTION

The property is located at 8845 Tuckerman Lane on the north side of Tuckerman Lane, approximately 250 feet west of Judy Place, or 1,000 feet east of Falls Road (“Property” or “Subject Property”) (Figure 1). The Property is identified on Tax Map FQ562 as a 0.95 acre unplatted parcel (Parcel 476), and it is zoned R-90 in the Potomac Subregion Master Plan. There is an existing dwelling on the Property, and the Property is mostly covered with the canopy of individual mature hardwood trees (Figure 2). There are no significant environmental features on the Property. The terrain is mostly flat, with less than a 10 foot elevation difference from the highest elevations along the western edge, and the lowest elevations in the northeastern corner. Although there is substantial tree canopy coverage, there is no existing forest on the Property because the understory is cleared. The Subject Property is in the W1 and S1 water and sewer categories allowing for public water and sewer services. The Property is in the Cabin John Creek watershed which is identified as a Use I-p watershed.



Figure 1



Figure 2

## PROJECT DESCRIPTION

This plan, designated Preliminary Plan 120110290, Beverly Farms ("Preliminary Plan" or "Application"), requests to subdivide the Property into two lots (Figure 3, Attachment A). Lot 32 as identified on the Preliminary Plan will be in the front, and is proposed to be approximately 19,285 square feet. Lot 33 will be located to the rear (northeast) of lot 32, and will be approximately 22,181 square feet. Frontage for lot 33 is provided by a 25 foot wide pipe stem and will include a driveway for access to Tuckerman Lane. The Application proposes that the two lots will share one driveway, designed to accommodate fire and rescue vehicles. The two lots will have access to public water and sewer, both located under Tuckerman Lane. Currently the Application shows the construction of a 5 foot wide sidewalk, as requested by MCDOT, however, the Applicant has expressed interest in obtaining a waiver for payment of fee-in-lieu of sidewalk construction from MCDPS.

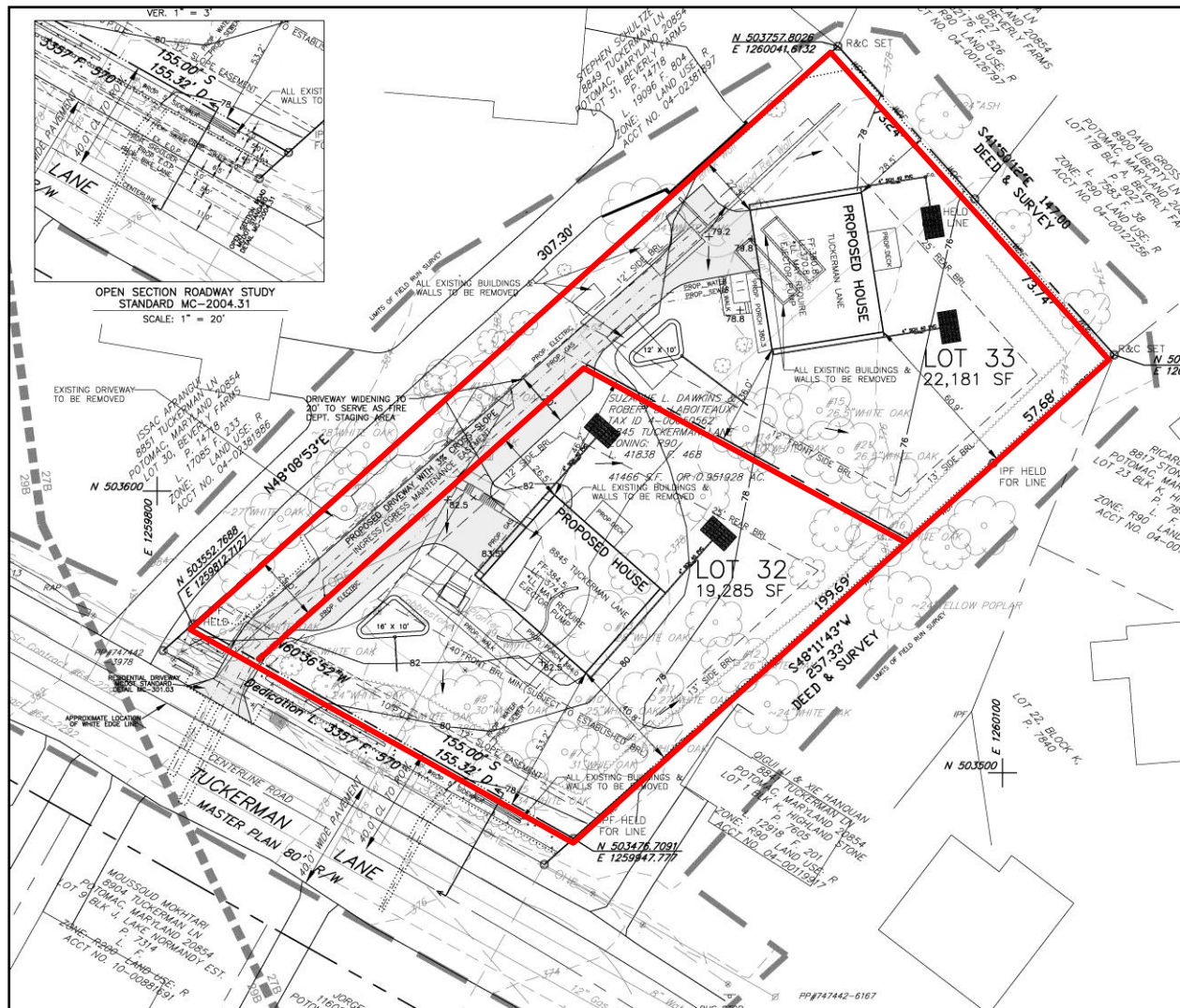


Figure 3

## ANALYSIS AND FINDINGS – Chapter 50

### Conformance to the Master Plan

The Preliminary Plan conforms with the recommendations of the 2002 Potomac Subregion Master Plan (“Master Plan”). The Subject Property is located in the Potomac Community Section of the Master Plan. The Master Plan notes that the Potomac community was mostly developed at the time of the Master Plan adoption, and has few general recommendations, except that residential infill development should continue on the remaining vacant properties similar to what exists in the area. The Preliminary Plan proposes two lots, both of which exceed the required minimum lot size for the R-90 Zone, and that continues a similar lot pattern established along this section of Tuckerman Lane.

The Master Plan designates Tuckerman Lane as an Arterial roadway, with two travel lanes and an 80 foot right-of-way. The road is built to full standards and the Master Plan right-of-way dedication has already been made by deed Liber 3357 Folio 570, therefore no further dedication or construction is

necessary. The Master Plan originally identified Tuckerman Lane to have a Class 1 off-road bike path (PB-3); however the 2005 Countywide Bikeways Functional Master Plan supersedes the local Master Plan and identifies this section of Tuckerman Lane as BL-23, an on-road bike lane. The existing pavement conditions along Tuckerman Lane provide for ample on-road bike facilities within the wide paved shoulders at the Property's frontage (Figure 4).



Figure 4, Credit – Google Street

## **Public Facilities**

### **Roads and Transportation Facilities**

The existing road and right-of-way conditions will be adequate to serve the subdivision. The proposed lots do not generate 30 or more vehicle trips during the morning or evening peak hours, therefore the Application is not subject to the Local Area Transportation Review. The Application also does not generate more than three vehicle trips during the morning or evening peak hours, making the Application exempt from the Transportation Policy Area Review. The Application has an approved site distance study for the shared driveway location shown on the Preliminary Plan.

The Property has frontage along Tuckerman Lane, and as previously described in the Master Plan Section of this report, the full 80 feet of right-of-way has been previously dedicated along the Property frontage. MCDOT requires that the Application provide sidewalks as a standard for properties that develop in the R-90 zone, and with frontage along an Arterial roadway. The Application proposes only two lots (one new) which would generate minimal pedestrian activity and there are no existing sidewalks in the vicinity or opportunities for new developments to contribute to any meaningful

connection or completion of a sidewalk system. However the Applicant will provide a five foot wide sidewalk along Tuckerman Lane as shown on the Preliminary Plan unless waived by MCDPS. As discussed in the Master Plan section, Tuckerman Lane is identified as BL-23 for on-road bike lanes and the existing road improvements adequately accommodate bicycles, requiring no further improvements for bicycle access.

#### Other Public Facilities and Services

Other public facilities and services are available and will be adequate to serve the proposed dwelling units. The Property is located in the W1 and S1 water and sewer service categories and will have access to the existing water and sewer lines that abut the Property within the Tuckerman Lane right-of-way. The Application was also reviewed by the Montgomery County Fire Marshal's office, and access for emergency apparatus was approved on July 21, 2011 (Attachment D) including the construction of a new fire hydrant along the north side of Tuckerman Lane just to the west of the Property. Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses and health services are currently operating within the standards set by the Growth Policy Resolution currently in effect. The Application is located in the Churchill High School cluster, which is not identified as a school moratorium area; and is not subject to a School Facilities Payment.

#### Environment

A forest conservation exemption, No. 42011128E, was approved under section 22A-5(s)(2) on July 18, 2011 for the Subject Property (Attachment B). The exemption covers any activity conducted on a tract less than 1 acre that does not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and where reforestation requirements would not exceed 10,000 square feet. The Property is 41,466 square feet, with an additional off-site disturbance area of 1,983 square feet shown in the right-of-way for a total net tract area of 43,429 square feet. This is just under the 43,560 square foot (1 acre) limit allowed under 22A-5(s)(2).

Forest is defined as a biological community dominated by trees and other woody plants (including plant communities, the understory, and forest floor) covering a land area which is 10,000 square feet or greater and at least 50 feet wide. The Subject Property has a canopy layer dominated by large trees; however the other aspects of a forest, such as the understory and herbaceous layers are not present. Therefore the Subject Property does not contain any forest. The Property does have six (6) specimen trees and the impacts of the proposed development will require a tree save plan under section 22A-6(b) of the Montgomery County Code. The currently submitted tree save plan shows trees 5, 7, 8, 14, 17 or 19 as saved but also indicates that final building locations and details may change at the time of building permit. The Applicant must submit an amended tree save plan including mitigation for impacts to specimen trees should tree 5, 7, 8, 14, 17 or 19 require removal or additional impacts not shown on the Tree Save Plan dated 07/18/2011 at the time of building permits. Additional impacts will be based on actual grading and construction activities and not the Limits of Disturbance (LOD) as shown on the Tree Save Plan dated 07/18/2011 because the existing Tree Save Plan shows all the specimen trees within the LOD but not as removed.

#### Stormwater Management

The MCDPS Water Resource Section approved the stormwater management concept for the Application on July 24, 2013 (Attachment E). The stormwater concept proposes using Environmental Site Design



standards including drywells, micro infiltration trenches and non-rooftop disconnections to meet stormwater management goals.

**Compliance with the Subdivision Regulations and Zoning Ordinance**

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The Application conforms to all applicable sections. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision in the R-90 Zone, taking into consideration the recommendations for the Potomac Community Section of the Master Plan.

The lots were reviewed for compliance with the dimensional requirements for the R-90 Zone as specified in the Zoning Ordinance. The lots as proposed will meet all the dimensional requirements for area, width and frontage, and a one-family detached dwelling can meet the setbacks in that zone. The Property has been analyzed for conformance with Section 59-A-5.33 of the Zoning Ordinance pertaining to Established Building Lines (EBL), which exists on Tuckerman Lane because the existing dwellings along its north side are all set back 40 feet from the front property lines, which exceeds the 30 foot minimum required/allowed in the R-90 Zone. The Preliminary Plan shows how a house on proposed lot 32, which fronts directly on Tuckerman Lane, can be located to meet the 40 foot EBL as well as side and rear yard setbacks. The setbacks, including the EBL, will be enforced by MCDPS at the time of building permit.

A summary of this review is included in Table 1. The Application has been reviewed by other applicable county agencies, all of whom have recommended approval of the Preliminary Plan.

**Table 1 – Development Standards R-90 Zone**

<b>PLAN DATA</b>	<b>Zoning Ordinance Development Standard</b>	<b>Proposed for Approval by the Preliminary Plan</b>
Minimum Lot Area	9,000 sq. ft.	9,000 sq. ft. or larger
Lot Width at BRL	75 ft. minimum	75ft. or wider
Lot Frontage	25 ft. minimum	25 ft. or wider
Setbacks		
Front	30 ft. Min.	See Established Building Line
Established Building Line	40 ft. Min	Must meet minimum <sup>1</sup>
Side	8 ft. Min./25 ft. total	Must meet minimums <sup>1</sup>
Rear	25 ft. Min.	Must meet minimum <sup>1</sup>
Maximum Residential DU per Zoning	4	2
MPDUs	N/A	No
TDRs	N/A	No
Site Plan Required	No	No

<sup>1</sup> As determined by MCDPS at the time of building permit.

**CITIZEN CORRESPONDENCE AND ISSUES**

This Application was submitted and noticed in accordance with all adopted Planning Board procedures. A sign referencing the Preliminary Plan Application was posted along the Property frontage with Tuckerman Lane. A presubmission meeting was held at the Subject Property on March 24, 2011 at 6:00 p.m.. Seven people were in attendance at the meeting including the current land owner, adjoining land

owners and other nearby residents according to the minutes of that meeting. Questions raised included the size of the houses, the process of subdivision and the conceptual project timeline. The meeting minutes indicate that the Applicant answered or addressed all concerns raised by the community and no major issues have since arisen.

### **CONCLUSION**

The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conform to the recommendations of the Potomac Subregion 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 Preliminary Plan. Therefore, approval of the Application with the conditions specified above is recommended.

### **Attachments**

- Attachment A – Preliminary Plan
- Attachment B – Forest Conservation Exemption Letter & amendment
- Attachment C – Tree Save Plan July 2011
- Attachment D – Fire Marshal approval
- Attachment E – MCDPS stormwater letter
- Attachment F – MCDOT letter

# Attachment A

## SOILS

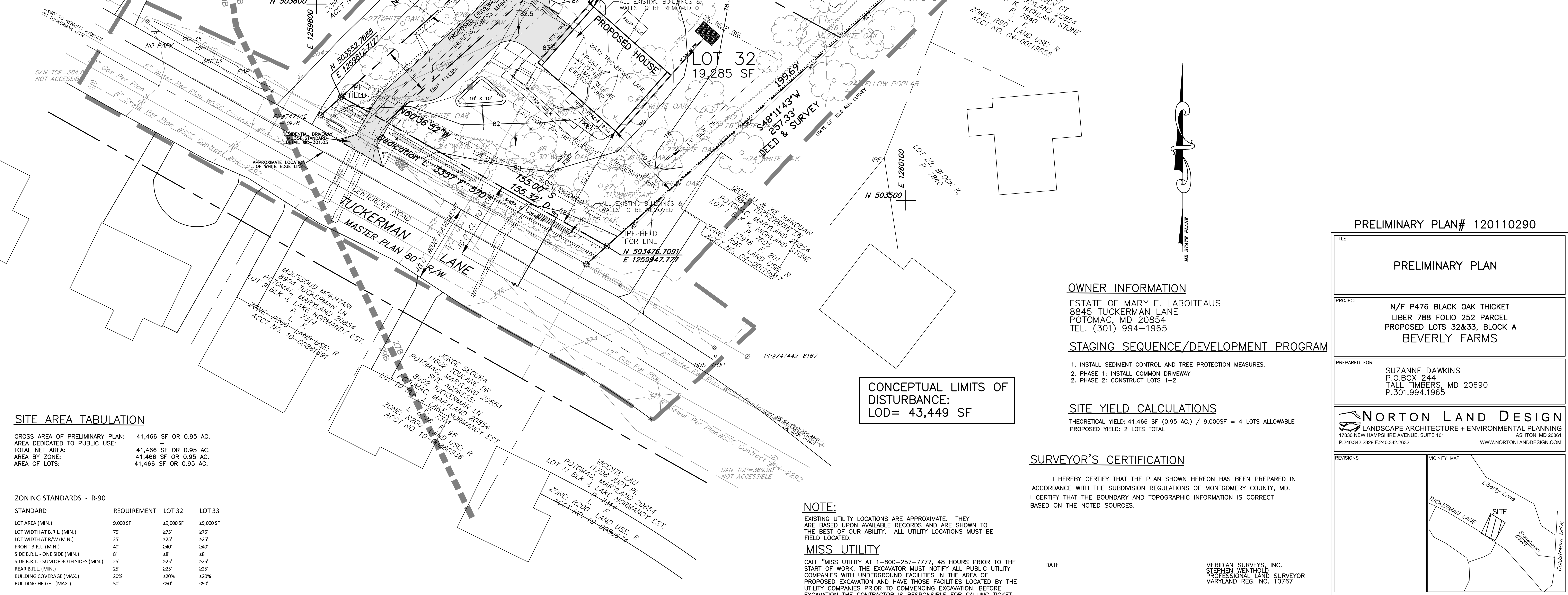
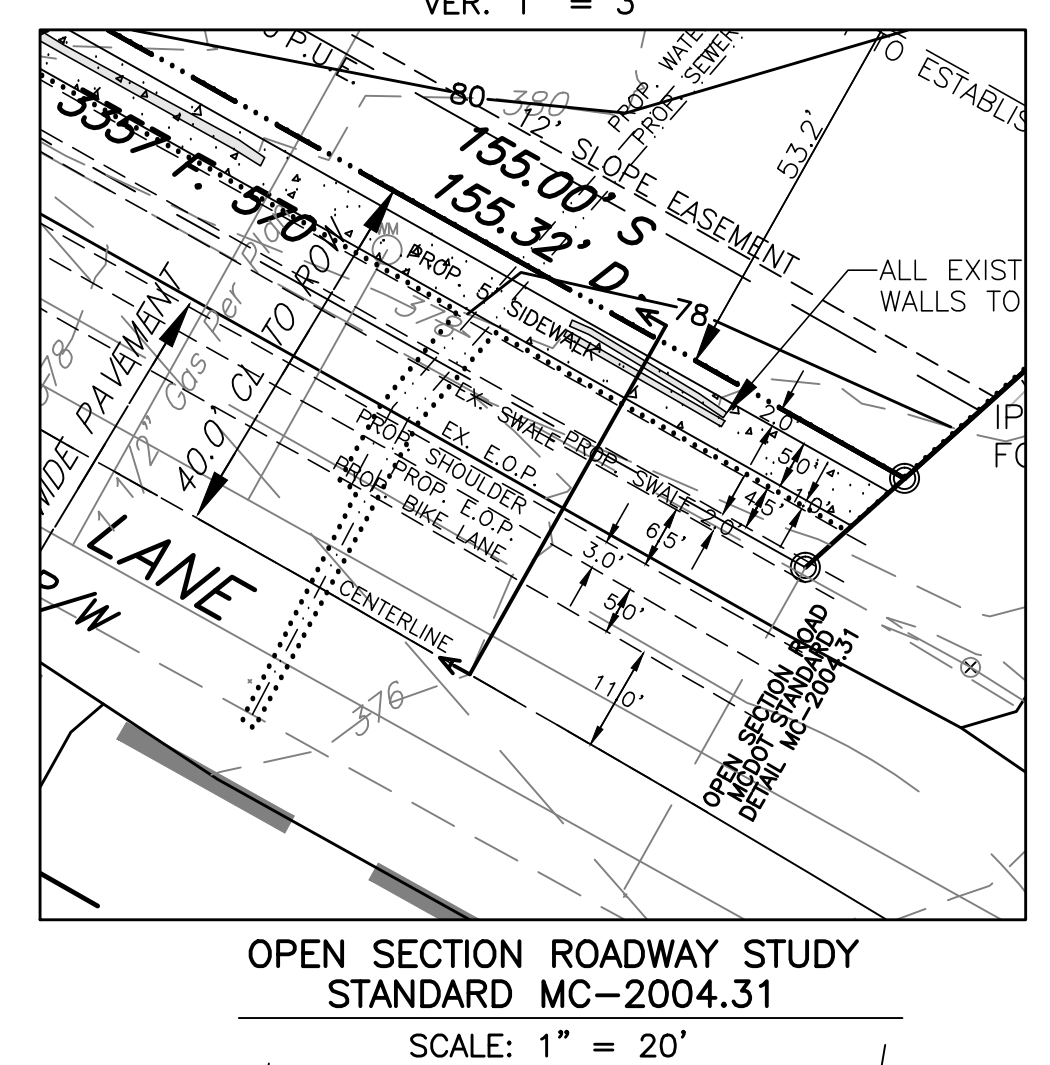
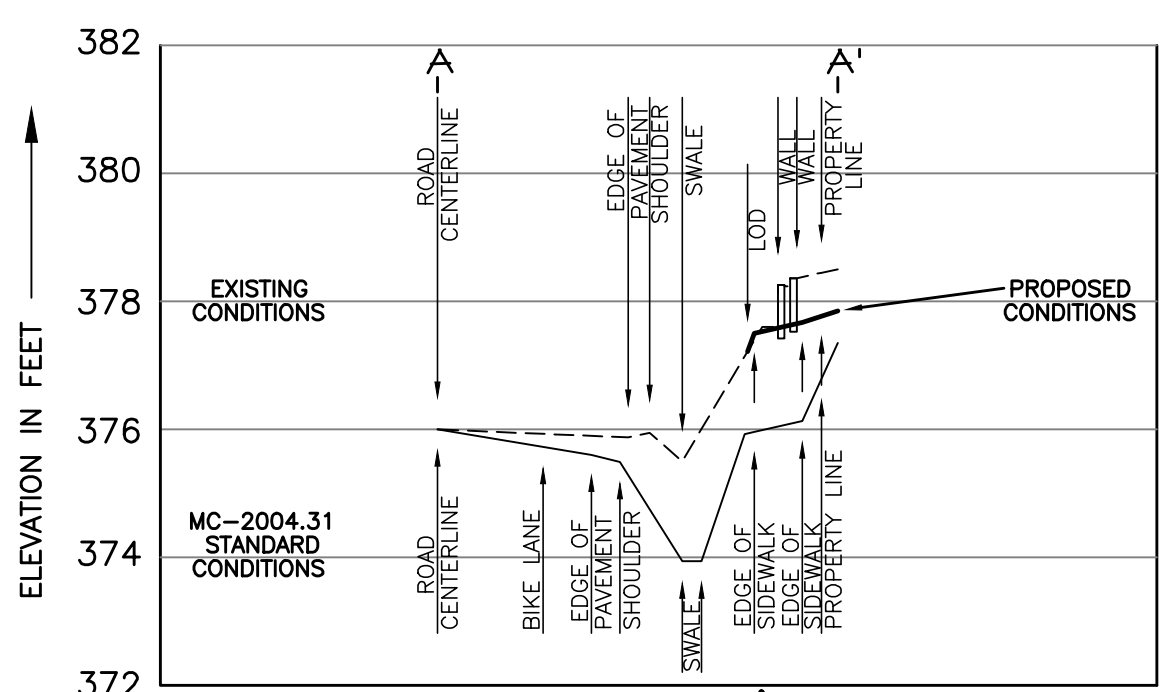
27B NESHAMINY SILT LOAM, 3 TO 8 PERCENT SLOPES (NON-HYDRIC)  
 THIS MODERATELY FINE-TEXTURED SOIL IS MODERATELY DEEP TO DEEP, WELL DRAINED AND MODERATELY SLOWLY PERMEABLE. AVAILABLE WATER CAPACITY IS MODERATE. PRODUCTIVITY IS MODERATE. EROSION HAZARD IS SLIGHT. CAPABILITY SUBCLASS IS Ie.

## GENERAL NOTES

- 1) WATER CATEGORY - W-1 SEWER CATEGORY - S-1
- 2) BOUNDARY INFORMATION BASED ON BOUNDARY SURVEY BY: MERIDIAN SURVEYS, INC., FREDERICK, MARYLAND AUGUST, 2012.
- 3) TOPOGRAPHIC INFORMATION SHOWN IS BY: MERIDIAN SURVEYS, INC., FREDERICK, MARYLAND
- 4) TOTAL TRACT AREA = 41,466 SF OR 0.95 AC.
- 5) PROPERTY SHOWN ON TAX MAP FQ562
- 6) PROPERTY SHOWN ON WSSC SHEET 215NW09
- 7) PROPERTY SHOWN ON MONTGOMERY COUNTY SOILS SURVEY MAP No. 29 SOIL TYPE(S): 27B, NESHAMINY SILT LOAM, 3 TO 85 SLOPES
- 8) FLOOD ZONE "C" PER H.U.D. FIRM MAPS, COMMUNITY PANEL No. 24031C 0341D
- 9) SITE IS LOCATED IN THE CABIN JOHN CREEK WATERSHED USE I-P.
- 10) LOCAL UTILITIES INCLUDE:  
 SEWER - WASHINGTON SUBURBAN SANITARY COMMISSION  
 WATER - WASHINGTON SUBURBAN SANITARY COMMISSION  
 ELECTRIC - PEPCO  
 TELEPHONE - VERIZON
- 11) ALL VISIBLE WELLS WITHIN 100 FEET OF THE PROPERTY HAVE BEEN SHOWN HEREON. THE SITE SHALL BE SERVED BY PUBLIC WATER AND SEWER
- 12) ALL STRUCTURES & DRIVEWAYS ON-SITE ARE TO BE REMOVED.
- 13) PROPERTY ADDRESS:  
 8845 TUCKERMAN LANE  
 POTOMAC, MD 20854
- 16) TAX ACCOUNT NO. 1600050562  
 PARCEL 476 LIBER 788 FOLIO 251  
 0.95 ACRES
- 17) NRI/FSO & EXEMPTION APPROVED 42011128E
- 18) SWM PENDING RE-APPROVAL UNDER STORMWATER MANAGEMENT CONCEPT #239834
- 19) THE BUILDING FOOTPRINTS SHOWN ON THE PRELIMINARY PLAN ARE ILLUSTRATIVE. FINAL BUILDING LOCATIONS WILL BE DETERMINED DURING THE BUILDING PERMIT PROCESS. PLEASE REFER TO THE ZONING DATA TABLE FOR DEVELOPMENT STANDARDS SUCH AS SETBACKS, BUILDING RESTRICTION LINES AND LOT COVERAGE FOR EACH LOT. OTHER LIMITATIONS FOR SITE DEVELOPMENT MAY ALSO BE INCLUDED IN THE CONDITIONS OF THE PLANNING BOARD'S APPROVAL.

## LEGEND

- SIGN
- POWER POLE
- LIGHT POLE
- GUY WIRE
- CLEAN OUT
- SANITARY MH
- FLAIR END SEC.
- STORM INVERT
- WATER VALVE
- WATER METER
- RETAINING WALL
- EDGE OF WALL
- OVERHEAD ELEC.
- OVERHANG
- BUILDING
- YARD INLET-GRATE
- SIDEWALK
- EDGE OF CONC.
- EDGE OF PAVEMENT
- CENTER LINE
- WOOD FENCE
- FENCE
- HEDGE
- WOODLINE
- RIPRAP
- EX. CONTOUR
- PROP. CONTOUR
- PROP. PROPERTY
- PROP. HOUSE
- PROP. UTILITY
- BUILDING RESTRICTION LINE (BRL)
- PROP. EASEMENT AREA
- LIMITS OF DISTURBANCE
- LIMIT OF SURVEY
- PROP. RAIN TANKS
- PROP. 4" SCHEDULE 40 PVC
- SOILS LINE



## SITE AREA TABULATION

GROSS AREA OF PRELIMINARY PLAN:	41,466 SF OR 0.95 AC.
AREA DEDICATED TO PUBLIC USE:	-
TOTAL NET AREA:	41,466 SF OR 0.95 AC.
AREA BY ZONE:	41,466 SF OR 0.95 AC.
AREA OF LOTS:	41,466 SF OR 0.95 AC.

## ZONING STANDARDS - R-90

STANDARD	REQUIREMENT	LOT 32	LOT 33
LOT AREA (MIN.)	9,000 SF	29,000 SF	29,000 SF
LOT WIDTH AT B.R.L. (MIN.)	75'	275'	275'
LOT WIDTH AT R/W (MIN.)	25'	225'	225'
FRONT B.R.L. (MIN.)	40'	240'	240'
SIDE B.R.L. - ONE SIDE (MIN.)	8'	38'	38'
SIDE B.R.L. - SUM OF BOTH SIDES (MIN.)	25'	225'	225'
REAR B.R.L. (MIN.)	25'	225'	225'
BUILDING COVERAGE (MAX.)	20%	≤20%	≤20%
BUILDING HEIGHT (MAX.)	50'	≤50'	≤50'

NOTE: SITE/ZONING DATA SUBJECT TO CHANGE BASED ON FINAL ARCHITECTURAL AND SITE DESIGNS.  
 \*FRONT SETBACK FOR PROPOSED LOT 32 APPROXIMATED BASED ON AVAILABLE RECORDS. ESTABLISHED BUILDING RESTRICTION LINE SURVEY WILL BE PERFORMED AT BUILDING PERMIT STAGE. FRONT SETBACK FOR PROPOSED LOT 33 COMBINED WITH SIDE SETBACK FOR PIPESTEM LOT. LOT WIDTH AT FRONT/SIDE SETBACK IS GREATER THAN 75'.  
 \*\*LOT COVERAGE SCALED PER LOT SIZE AND IS SUBJECT TO CHANGE PENDING ARCHITECTURAL FOOTPRINTS.

## OWNER INFORMATION

ESTATE OF MARY E. LABOITEAUS  
 8845 TUCKERMAN LANE  
 POTOMAC, MD 20854  
 TEL. (301) 994-1965

## STAGING SEQUENCE/DEVELOPMENT PROGRAM

1. INSTALL SEDIMENT CONTROL AND TREE PROTECTION MEASURES.
2. PHASE 1: INSTALL COMMON DRIVEWAY
3. PHASE 2: CONSTRUCT LOTS 1-2

## SITE YIELD CALCULATIONS

THEORETICAL YIELD: 41,466 SF (0.95 AC.) / 9,000SF = 4 LOTS ALLOWABLE  
 PROPOSED YIELD: 2 LOTS TOTAL

## SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON HAS BEEN PREPARED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, MD. I CERTIFY THAT THE BOUNDARY AND TOPOGRAPHIC INFORMATION IS CORRECT BASED ON THE NOTED SOURCES.

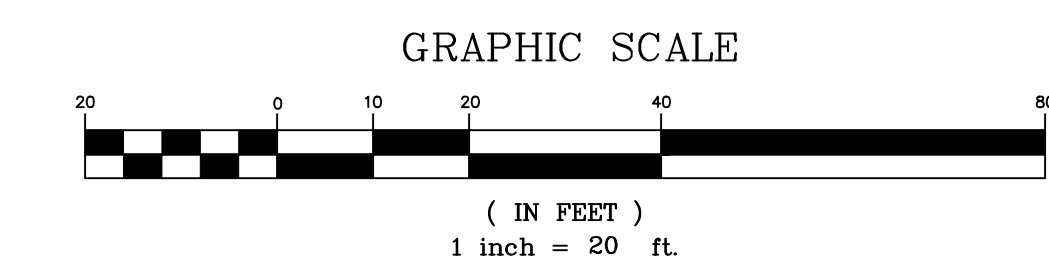
## NOTE:

EXISTING UTILITY LOCATIONS ARE APPROXIMATE. THEY ARE BASED UPON AVAILABLE RECORDS AND ARE SHOWN TO THE BEST OF OUR ABILITY. ALL UTILITY LOCATIONS MUST BE FIELD LOCATED.

## MISS UTILITY

CALL "MISS UTILITY AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF WORK. THE EXCAVATOR MUST NOTIFY ALL PUBLIC UTILITY COMPANIES WITH UNDERGROUND FACILITIES IN THE AREA OF PROPOSED EXCAVATION AND HAVE THOSE FACILITIES LOCATED BY THE UTILITY COMPANIES PRIOR TO COMMENCING EXCAVATION. BEFORE EXCAVATION THE CONTRACTOR IS RESPONSIBLE FOR CALLING TICKET CHECK AT 1-866-821-4226 TO VERIFY THAT ALL UTILITIES HAVE BEEN MARKED. 48 HOURS AFTER CALLING MISS UTILITY, THE EXCAVATOR IS RESPONSIBLE FOR COMPLIANCE WITH REQUIREMENTS OF CHAPTER 36A OF THE MONTGOMERY COUNTY CODE.

DATE \_\_\_\_\_  
 MERIDIAN SURVEYS, INC.  
 STEPHEN WENTHOLD  
 PROFESSIONAL LAND SURVEYOR  
 MARYLAND REG. NO. 10767



## PRELIMINARY PLAN# 120110290

TITLE	PRELIMINARY PLAN		
PROJECT	N/F P476 BLACK OAK THICKET LIBER 788 FOLIO 252 PARCEL PROPOSED LOTS 32&33, BLOCK A BEVERLY FARMS		
PREPARED FOR	SUZANNE DAWKINS P.O. BOX 244 TALL TIMBERS, MD 20690 P.301.994.1965		
LANDSCAPE ARCHITECTURE + ENVIRONMENTAL PLANNING 17830 NEW HAMPSHIRE AVENUE, SUITE 101 ASHTON, MD 20861 P.240.342.2329 F.240.342.2632 WWW.NORTONLANDDESIGN.COM			
REVISIONS	VICINITY MAP		
WATER CLASS	I	WATERSHED	CABIN JOHN CREEK
TRIBUTARY	N/A	FEMA FLOODPLAIN MAP PANEL #	24031C 0341D
TAX MAP	FQ562	200 SHEET	215NW09
SCALE	1"=20'	DATE	MARCH 2013
SCALE	1"=20'	PROJ. NO.	12-042
SCALE	1"=20'	SHEET NO.	1 OF 1

# Attachment B



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

March 10, 2011

8845 Tuckerman Lane, LLC  
108 W. Ridgeville Boulevard, suite 101  
Mount Airy, MD 21771

Re: Forest Conservation Exemption Number: 42011128E  
Name of Plan: Black Oak Thicket

Dear Sirs:

This letter is to inform you that your request for an exemption from submitting a forest conservation plan 42011128E, Black Oak Thicket, is **confirmed**. This plan approved on March 10, 2011 is in compliance with Chapter 22A-5.(s)(2) of the Forest Conservation Law. This exemption covers an activity conducted on a tract less than 1 acre that will not result in the clearing of more than a total of 30,000 square feet of existing forest, or any existing specimen or champion tree, and reforestation requirements would not exceed 10,000 square feet. Forest in any priority area on-site must be preserved

Any changes from the approved exemption request may constitute grounds to rescind or amend any approval actions taken and to take appropriate enforcement actions. If there are any subsequent modifications planned to the approved plan, a separate amendment must be submitted to M-NCPPC for review and approval prior to those activities occurring.

If you have any questions regarding these actions, please feel free to contact me at (301) 495-4546 or at [Joshua.Penn@montgomeryplanning.org](mailto:Joshua.Penn@montgomeryplanning.org)

Sincerely,

A handwritten signature in black ink that reads "Joshua Penn".

Joshua Penn  
2011.03.10  
15:49:27 -05'00'

Joshua Penn  
Senior Planner  
Area 3  
M-NCPPC

Cc: NRI/FSD 42011128E  
Jeffery Robertson

Z:\NRI\_FSD Exemptions\FY '11\42011128E\_BlackOakThicket\_jp.doc



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

July 18, 2011

8845 Tuckerman Lane, LLC  
108 W. Ridgeville Boulevard, suite 101  
Mount Airy, MD 21771

Re: Forest Conservation Exemption Number: 42011128E  
Name of Plan: Black Oak Thicket  
Revised Plan

Dear Sirs:

This letter is to inform you that your revised request for an exemption from submitting a forest conservation plan 42011128E, Black Oak Thicket, is **confirmed**. This plan approved on July 18, 2011 is in compliance with Chapter 22A-5(s)(2) of the Forest Conservation Law. This exemption covers an activity conducted on a tract less than 1 acre that will not result in the clearing of more than a total of 30,000 square feet of existing forest, or any existing specimen or champion tree, and reforestation requirements would not exceed 10,000 square feet. Forest in any priority area on-site must be preserved.

As per the revised plan dated July 18, 2011 the total tract area is 43,540 square feet (Lot 32 19,459; Lot 33 22,106; off-site 1,975) and the total tract area has been certified by a professional land surveyor. Any changes to the off-site Limits of Disturbance area may cause this property to lose its exemption status.

Any changes from the approved exemption request may constitute grounds to rescind or amend any approval actions taken and to take appropriate enforcement actions. If there are any subsequent modifications planned to the approved plan, a separate amendment must be submitted to M-NCPPC for review and approval prior to those activities occurring.

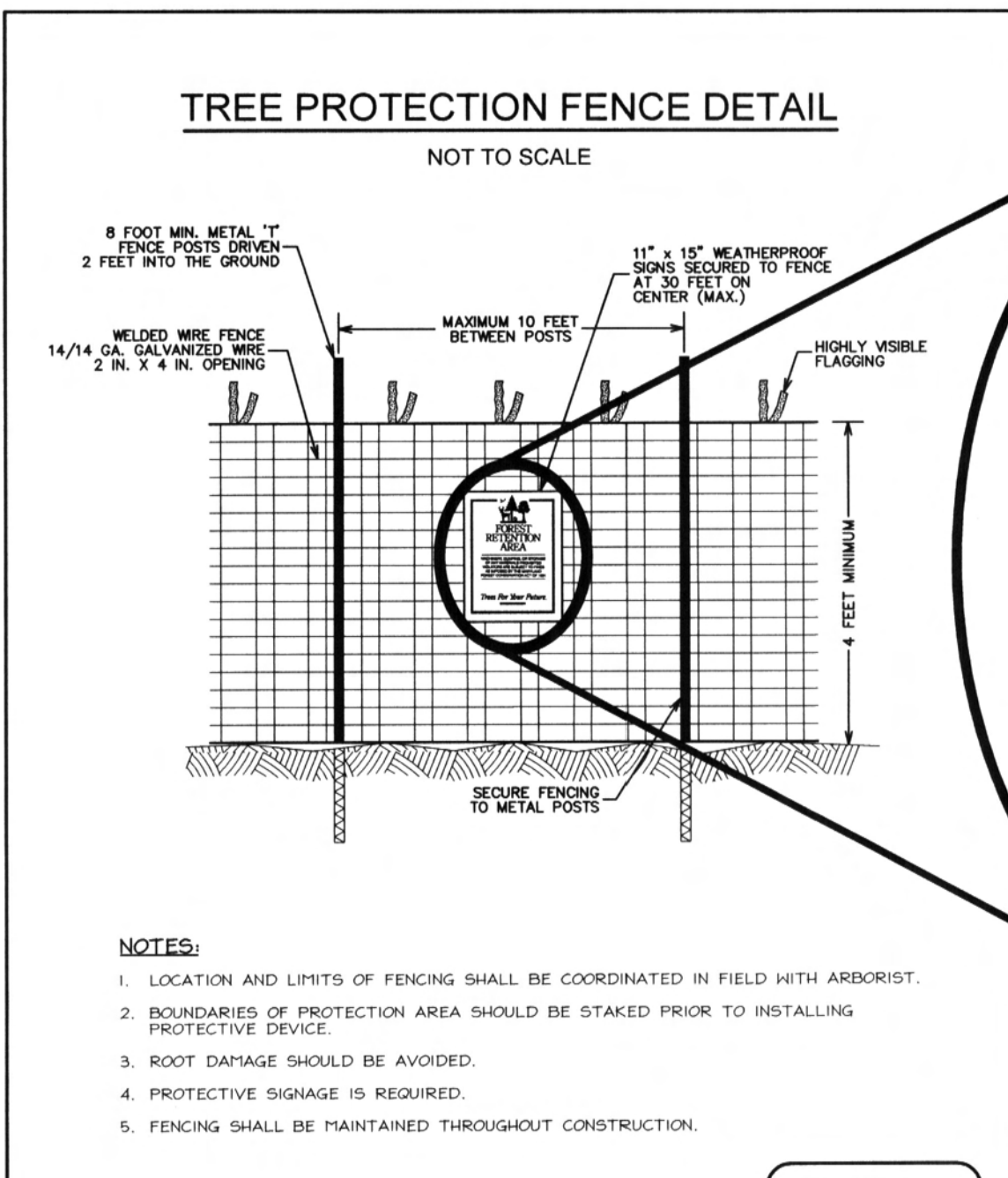
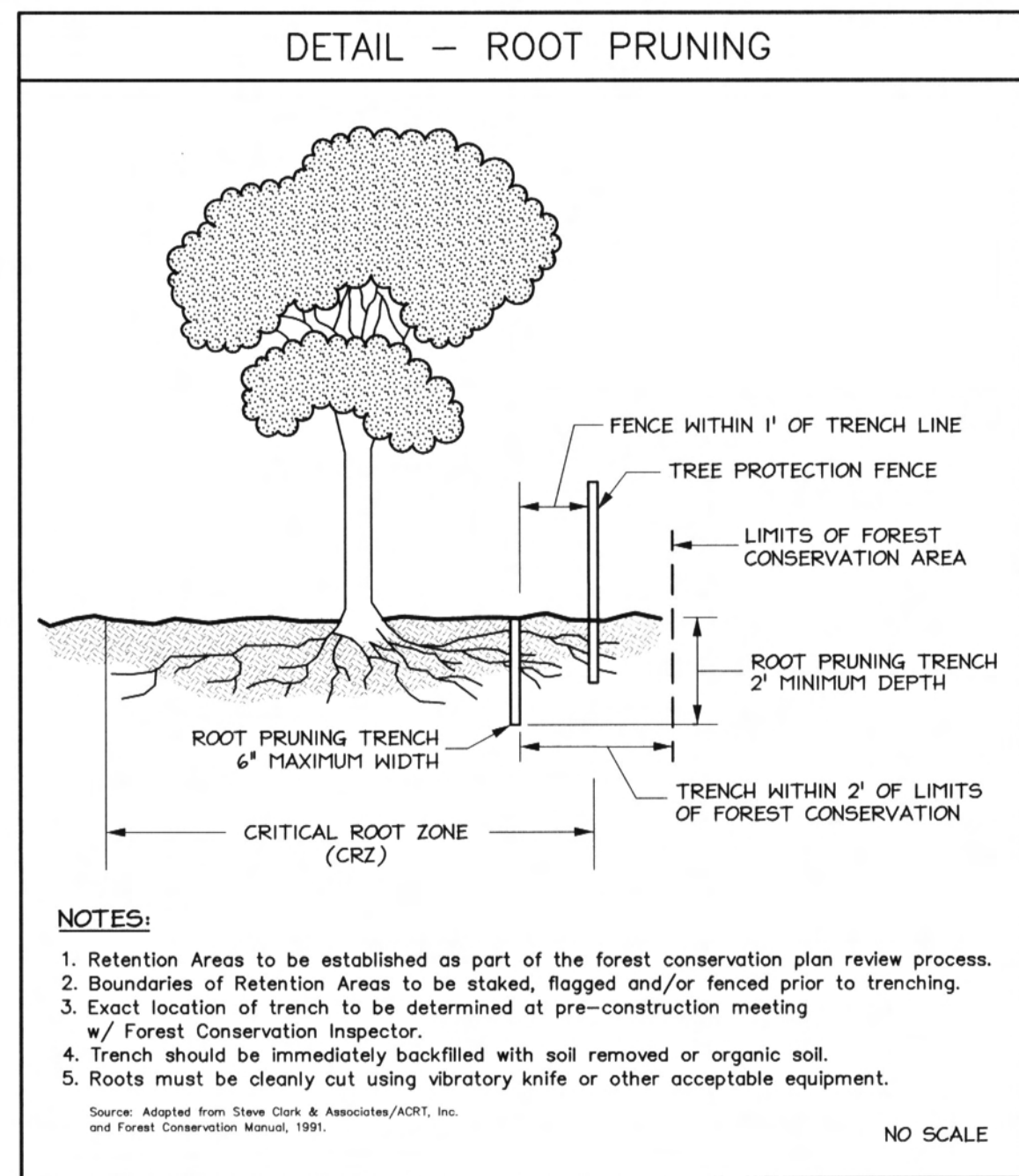
If you have any questions regarding these actions, please feel free to contact me at (301) 495-4546 or at [Joshua.Penn@montgomeryplanning.org](mailto:Joshua.Penn@montgomeryplanning.org)

Sincerely,

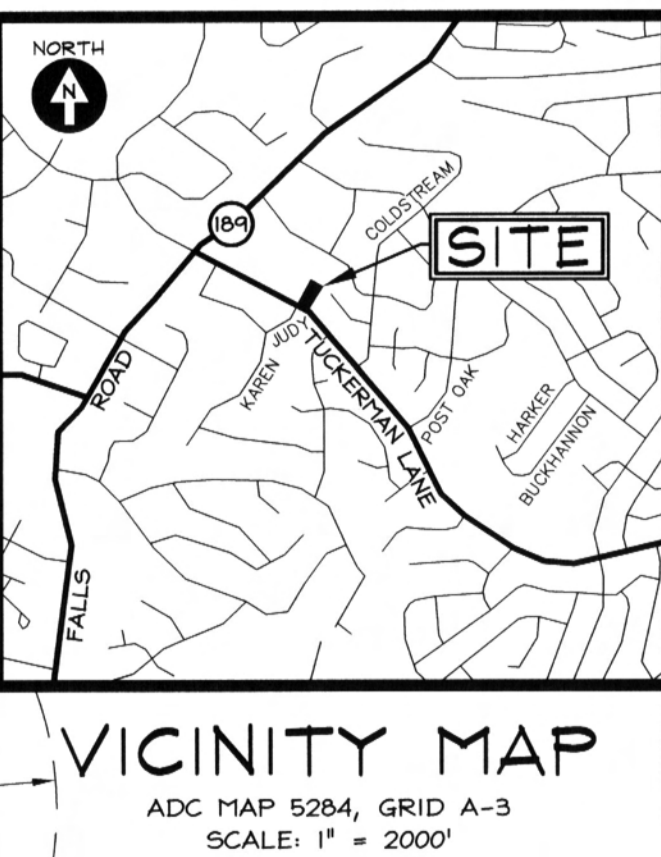
A handwritten signature in cursive script that reads "Joshua Penn".

Joshua Penn  
Senior Planner  
Area 3  
M-NCPPC

Cc: NRI/FSD 42011128E  
Jeffery Robertson



**NOTE:**  
THE PROPOSED BUILDING FOOTPRINTS SHOWN HEREON ARE FOR GRAPHICAL REPRESENTATION. FINAL BUILDING LOCATIONS WILL BE DETERMINED DURING THE BUILDING PERMIT PROCESS AND WILL CONFORM TO THE STANDARDS OF THE ZONE INCLUDING LOT COVERAGE, HEIGHT, SETBACKS, ETC.



### GENERAL NOTES

- ZONING: R-30  
MIN. LOT AREA = 9,000 SQ FT  
MIN. LOT WIDTH AT R/W = 25 FT  
MIN. LOT WIDTH AT B.R.L. = 75 FT  
FRONT B.R.L. = 42.6 FT (APPROXIMATE)  
REAR B.R.L. = 25 FT  
SIDE B.R.L. = 9 FT MIN. EACH SIDE,  
25 FT MIN. TOTAL
- WATER CATEGORY - 1 SEWER CATEGORY - 1
- BOUNDARY INFORMATION BASED ON AVAILABLE RECORDS.
- TWO-FOOT CONTOUR DATA BASED ON A SURVEY PERFORMED BY CAS ENGINEERING, DATED JANUARY, 2011. FIVE-FOOT CONTOUR DATA BASED ON AVAILABLE RECORDS.
- TOTAL LOT AREA: PARCEL P476 = 41,565 SQ. FT. (0.954 ACRES)
- PROPERTY SHOWN ON TAX MAP F0562, PARCEL P476.
- PROPERTY SHOWN ON WSSC 200' SHEETS 215 NH 09.
- PROPERTY SHOWN ON MONTGOMERY COUNTY SOILS SURVEY MAP No. 23. SOIL TYPE(S): 27B. HYDROLOGIC SOIL GROUP "B".
- FLOOD ZONE "X" PER F.E.M.A. FIRM MAPS, COMMUNITY PANEL NUMBER 2403C 034ID.
- SITE IS LOCATED IN THE CABIN JOHN CREEK WATERSHED (USE I-P).
- LOCAL UTILITIES INCLUDE:  
SEWER & WATER - WASHINGTON SUBURBAN SANITARY COMMISSION  
ELECTRIC - PEPCO  
TELEPHONE - VERIZON  
GAS - WASHINGTON GAS
- PER APPROVED NRI/FSD, AREA OF TREE COVER ON-SITE DOES NOT MEET DEFINITION OF A FOREST. PROJECT EXEMPT FROM FOREST CONSERVATION REQUIREMENTS PER FOREST CONSERVATION EXEMPTION CONFIRMATION LETTER DATED MARCH 10, 2011

### SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE TOTAL AREA TO BE DISTURBED AS SHOWN ON THESE PLANS HAS BEEN DETERMINED TO BE 42,430 SQUARE FEET. THE OFFSITE PORTION OF THE TOTAL LIMITS OF DISTURBANCE IS EQUAL TO 1,975 SQUARE FEET.

DATE: July 14, 2011  
DAVID JOHN RITCHIE  
PROFESSIONAL LAND SURVEYOR  
MARYLAND REG. NO. 21172  
EXP. DATE 06/26/2013

### TREE DATA

TREE No.	COMMON NAME	BOTANICAL NAME	D.B.H. (IN)	CONDITION / COMMENTS
1	White Oak	Quercus alba	26.5	Good, power lines
2	White Oak	Quercus alba	26	Fair/Poor, hollowing, root damage, dieback
3	White Oak	Quercus alba	24	Fair, power lines, root damage at wall
4	White Oak	Quercus alba	25.5	Fair, power lines, root damage at wall
5*	White Oak	Quercus alba	34	Good, power lines
6	White Oak	Quercus alba	25.5	Good
7*	White Oak	Quercus alba	31	Good
8*	White Oak	Quercus alba	30	Good
9	White Oak	Quercus alba	27	Fair/Poor, hollowing, deadwood over house
10	White Oak	Quercus alba	25	Good
11	White Oak	Quercus alba	27	Fair/Poor, hollowing
12	White Oak	Quercus alba	28	Good/Fair, slight deadwood, ivy
13	White Oak	Quercus alba	28	Good
14*	White Oak	Quercus alba	30	Good
15	White Oak	Quercus alba	28.5	Good
16	White Oak	Quercus alba	25	Good
17*	White Oak	Quercus alba	34	Fair, root damage
18	White Oak	Quercus alba	27	Fair/Poor, probable root damage, dieback
19*	White Oak	Quercus alba	35	Fair/Poor, probable root damage, dieback
20	White Oak	Quercus alba	25	Good
21	White Oak	Quercus alba	28.5	Good

\* DENOTES SPECIMEN TREE, NUMBERS PROVIDED FOR REFERENCE ONLY. TREES ARE NOT PHYSICALLY TAGGED ON SITE.

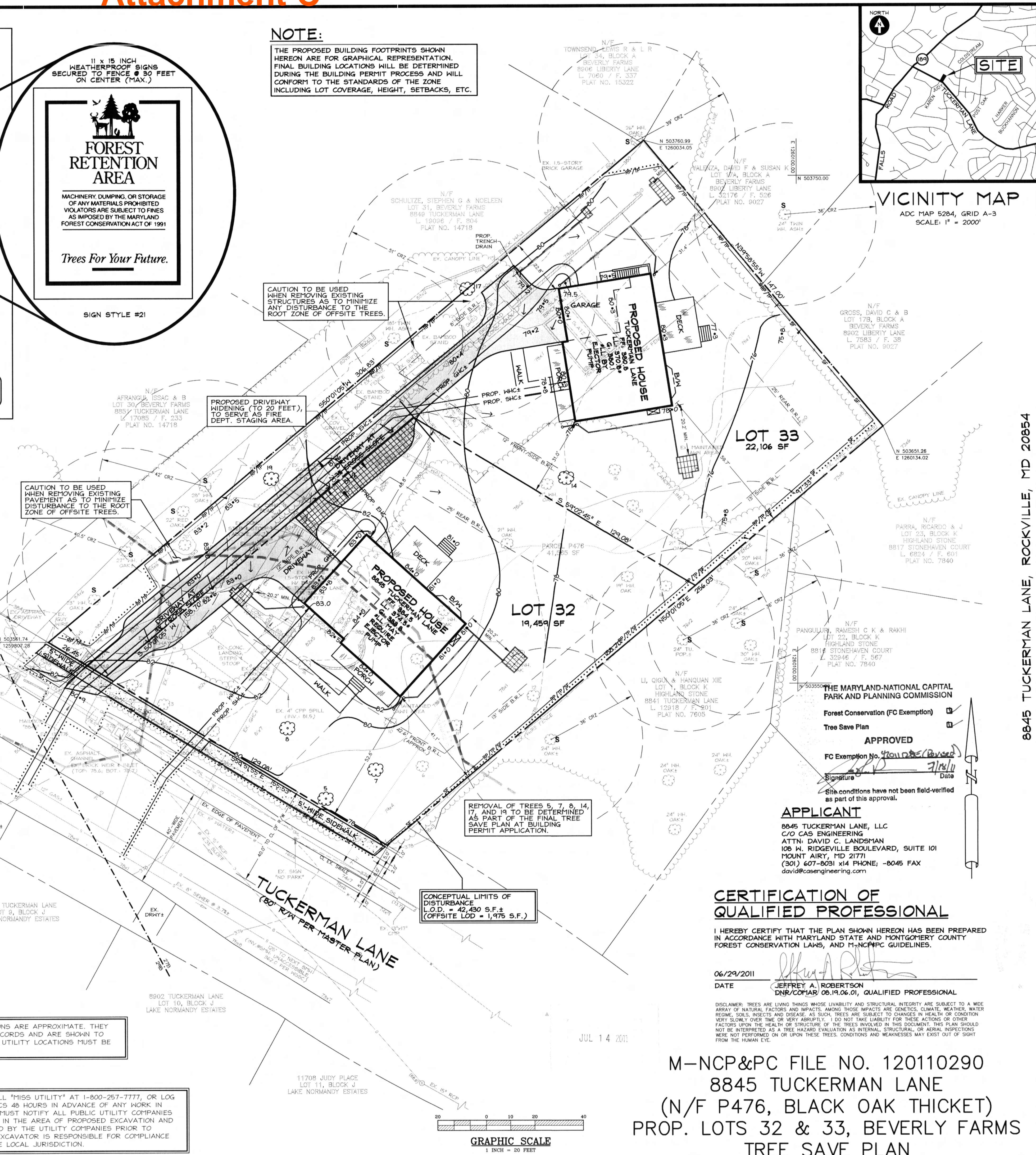
### LEGEND

EXISTING FEATURES	PROPOSED FEATURES
EX. STORM DRAIN WITH MANHOLE	PROP. WHC - PROP. WATER-HOUSE CONNECTION
EX. SEWER LINE WITH CLEANOUT	PROP. SHC - PROP. SEWER-HOUSE CONNECTION
EX. SEWER MANHOLE AND INVERT	PROP. EHC - PROP. ELECTRIC-HOUSE CONNECTION
EX. WATER LINE WITH VALVE	PROP. GHC - PROP. GAS-HOUSE CONNECTION
EX. GAS LINE WITH VALVE	PROP. G2 - PROP. CONTOUR WITH ELEVATION
EX. OVERHEAD UTILITY WITH POLE	PROP. SE - PROP. SPOT ELEVATION
EX. UNDERGROUND UTILITY LINE	PROP. SF - PROP. SURFACE FLOW DIRECTION
EX. TWO- AND TEN-FOOT CONTOURS	PROP. DS - PROP. DOWNSPOUT
EX. SPOT ELEVATION	PROP. 4" - PROP. 4" PVC PIPE
EX. CHAIN LINK OR WIRE FENCE	PROP. RD - PROP. RAINKANT DRYWELL
EX. WOOD FENCE	PROP. DD - PROP. DRAINAGE DIVIDE
EX. STONE WALL	PROP. RP/TP - PROP. ROOT PRUNING AND TREE PROTECTION FENCE
EX. WOOD WALL	PROP. RP/TP/SF - PROP. ROOT PRUNING, TREE PROTECTION FENCE AND SILT FENCE
EX. BRICK WALL	PROP. SF - PROP. SILT FENCE
EX. DRAINAGE DIVIDE	PROP. LD - PROP. LIMITS OF DISTURBANCE
EX. SOILS CONTOUR	
EX. AERIAL EXTENT OF CANOPY (APPROX.)	
EX. DECIDUOUS TREE (>= 24" DBH)	
EX. SPECIMEN TREE (>= 30" DBH)	

NOTE: EXISTING UTILITY LOCATIONS ARE APPROXIMATE. THEY ARE BASED UPON AVAILABLE RECORDS AND ARE SHOWN TO THE BEST OF OUR ABILITY. ALL UTILITY LOCATIONS MUST BE FIELD VERIFIED.

### MISS UTILITY

FOR LOCATION OF UTILITIES, CALL "MISS UTILITY" AT 1-800-257-7777, OR LOG ON TO WWW.MISSUTILITY.NET/ITCS 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY. THE EXCAVATOR MUST NOTIFY ALL PUBLIC UTILITY COMPANIES WITH UNDER GROUND FACILITIES IN THE AREA OF PROPOSED EXCAVATION AND HAVE THOSE FACILITIES LOCATED BY THE UTILITY COMPANIES PRIOR TO COMMENCING EXCAVATION. THE EXCAVATOR IS RESPONSIBLE FOR COMPLIANCE WITH THE REQUIREMENTS OF THE LOCAL JURISDICTION.



8845 TUCKERMAN LANE, ROCKVILLE, MD 20854

N/F P476, BLACK OAK THicket  
LIBER 786 / FOLIO 251, 33, BLOCK A  
PROPOSED LOTS 32 & 33, BLOCK A  
**BEVERLY FARMS**  
ROCKVILLE (4TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

TAX MAP: F0562  
WSSC GRID: 215 NH 09

**ENGINEERING**  
A DIVISION OF CAS ENTERPRISES, INC.  
108 West Ridgeville Blvd., Mount Airy, MD, 21771  
DC Metro (301) 607-8031 FAX (301) 607-8045

# Attachment D



## FIRE MARSHAL COMMENTS

**DATE:** 21-Jul-11  
**TO:** James Ochs - jim@casengineering.com  
CAS Engineering  
**FROM:** Marie LaBaw  
**RE:** Beverly Farms  
120110290

---

### PLAN APPROVED

1. Review based only upon information contained on the plan submitted 20-Jul-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.

**\*\*\* Performance review \*\*\***

RAL NOTES

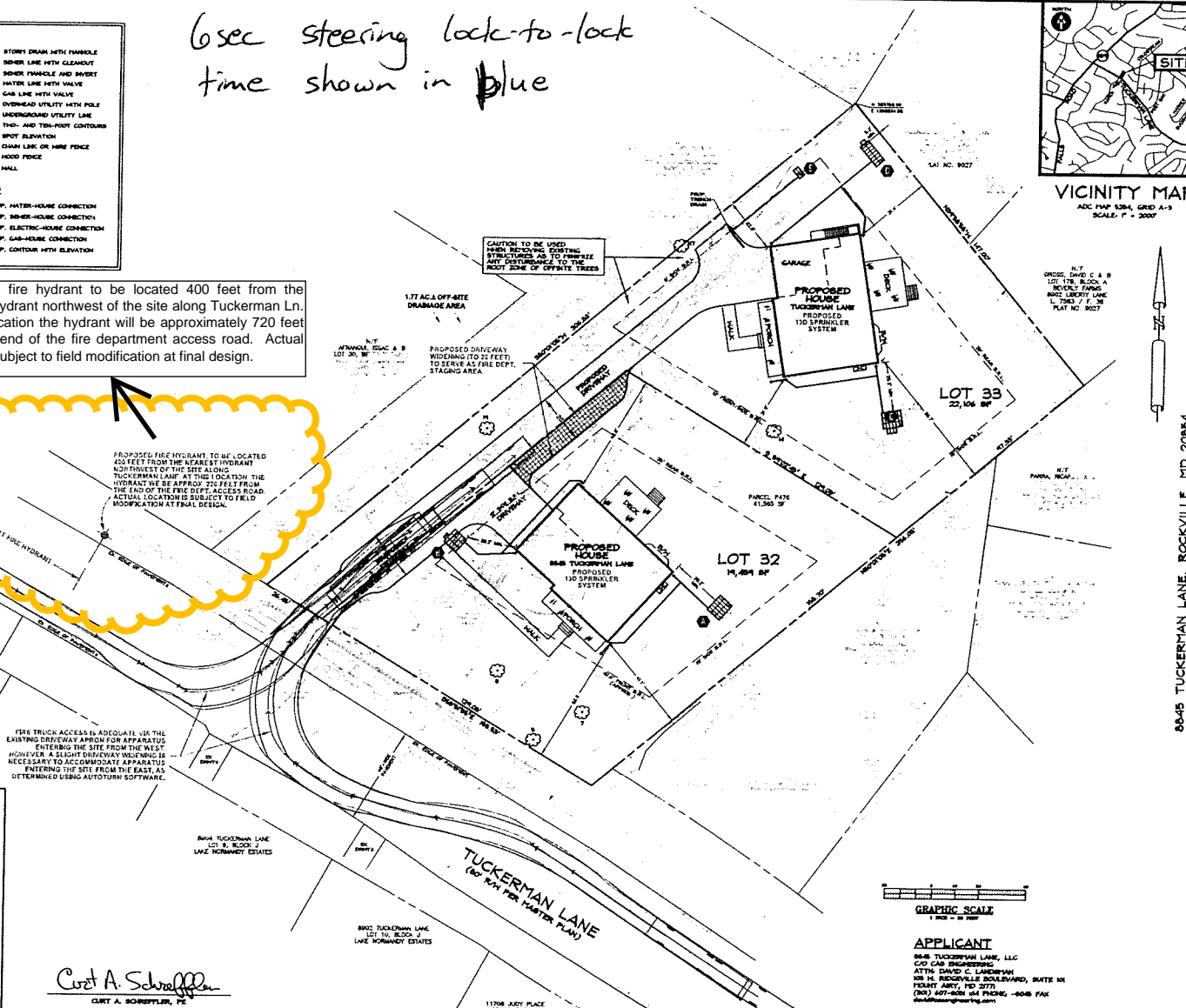
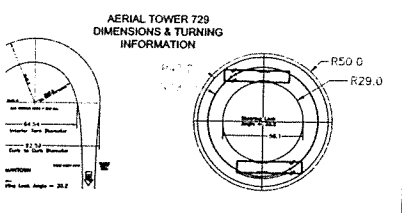
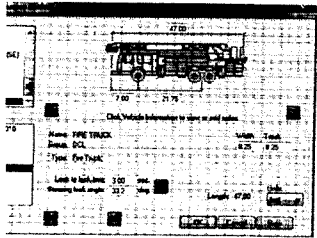
CATEGORY - I - SEWER CATEGORY - I  
 INFORMATION BASED ON AVAILABLE RECORD.  
 1. CONTAIN DATA BASED ON A SURVEY PERFORMED BY  
 [NAME], DATED JANUARY, 2011. FIVE-FOOT CONTINUED DATA  
 AVAILABLE RECORD.  
 2. AREA: PARCEL P476 - 0.444 AC. (0.204 ACRES)  
 3. BOUNDARY: TUCKERMAN LANE, PARCEL P476.  
 4. BOUNDARY: N/F P. 720, SHEETS 276 & 277.  
 5. BOUNDARY: N/F P. 720, SHEETS 276 & 277.  
 6. BOUNDARY: N/F P. 720, SHEETS 276 & 277.  
 7. BOUNDARY: N/F P. 720, SHEETS 276 & 277.  
 8. BOUNDARY: N/F P. 720, SHEETS 276 & 277.  
 9. BOUNDARY: N/F P. 720, SHEETS 276 & 277.  
 10. BOUNDARY: N/F P. 720, SHEETS 276 & 277.  
 11. BOUNDARY: N/F P. 720, SHEETS 276 & 277.  
 12. BOUNDARY: N/F P. 720, SHEETS 276 & 277.  
 13. BOUNDARY: N/F P. 720, SHEETS 276 & 277.  
 14. BOUNDARY: N/F P. 720, SHEETS 276 & 277.  
 15. BOUNDARY: N/F P. 720, SHEETS 276 & 277.  
 16. BOUNDARY: N/F P. 720, SHEETS 276 & 277.  
 17. BOUNDARY: N/F P. 720, SHEETS 276 & 277.  
 18. BOUNDARY: N/F P. 720, SHEETS 276 & 277.  
 19. BOUNDARY: N/F P. 720, SHEETS 276 & 277.  
 20. BOUNDARY: N/F P. 720, SHEETS 276 & 277.

LEGEND

- EXISTING FEATURES**
- EX. STORY DRAIN WITH MANHOLE
  - EX. SEWER LINE WITH CLEANOUT
  - EX. SEWER MANHOLE AND INVERT
  - EX. WATER LINE WITH VALVE
  - EX. GAS LINE WITH VALVE
  - EX. OVERHEAD UTILITY WITH POLE
  - EX. UNDERGROUND UTILITY LINE
  - EX. TWO- AND TEN-FOOT CONTOURS
  - EX. SPOT ELEVATION
  - EX. CHAIN LINK OR WIRE FENCE
  - EX. HOOD FENCE
  - EX. MOUND
  - EX. HALL
- PROPOSED FEATURES**
- PROP. HMC - PROP. WATER-HOUSE CONNECTION
  - PROP. IMC - PROP. SEWER-HOUSE CONNECTION
  - PROP. EHC - PROP. ELECTRIC-HOUSE CONNECTION
  - PROP. GAC - PROP. GAS-HOUSE CONNECTION
  - PROP. COT - PROP. CONTAINMENT SYSTEM

6sec steering lock-to-lock  
time shown in blue

Proposed fire hydrant to be located 400 feet from the nearest hydrant northwest of the site along Tuckerman Ln. At this location the hydrant will be approximately 720 feet from the end of the fire department access road. Actual location subject to field modification at final design.



**NOTE:**  
 THE PROPOSED BUILDING FOOTPRINTS SHOWN  
 HEREIN ARE FOR GRAPHICAL REPRESENTATION.  
 FINAL BUILDING LOCATIONS WILL BE DETERMINED  
 DURING THE BUILDING PERMIT PROCESS AND WILL  
 CONFORM TO THE STANDARDS OF THE ZONING  
 INCLUDING LOT COVERAGE, HEIGHT, SETBACKS, ETC.



# Attachment E



## DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

July 24, 2013

Diane R. Schwartz Jones  
Director

Michael A. Norton  
Norton Land Design  
17830 New Hampshire Avenue, Suite 101  
Ashton, Maryland 20861

Re: Stormwater Management **CONCEPT** Request  
for Beverly Farms Concept Reconfirmation  
Preliminary Plan #: 120110290  
SM File #: 239834  
Tract Size/Zone: 0.95 Acres / R-90  
Total Concept Area: 0.95 Acres  
Lots/Block: 32 & 33 / A  
Parcel(s):  
Watershed: Cabin John Creek

Dear Mr. Norton:

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 using environmental site design (ESD) via drywells, micro infiltration trenches and non-rooftop disconnect.

The following **item(s)/condition(s)** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. The maximum drainage to one drywell or micro infiltration trench is 1,000 square feet.

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

---

255 Rockville Pike, 2nd Floor • Rockville, Maryland 20850 • 240-777-6300 • 240-777-6256 TTY  
[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)



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 Ellen Rader at 240-777- 6336.

Sincerely,



Mark C. Etheridge, Manager  
Water Resources Section  
Division of Land Development Services

RRB: 11a CN239834.BeverlyFarmsRecononfirmation.EBR

cc: C. Conlon  
SM File # 239834

ESD Acres:	0.95
STRUCTURAL Acres:	0
WAIVED Acres:	0

# Attachment F



## DEPARTMENT OF TRANSPORTATION

Isiah Leggett  
County Executive

June 14, 2013

Montgomery County RECEIVED Arthur Holmes, Jr.  
Director

Mr. Benjamin Berbert, Senior Planner  
Area 3 Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

★ JUN 24 2013 ★  
Planning Department

RE: Preliminary Plan No. 1-20110290  
Beverly Farms

Dear Mr. Berbert:

We have completed our review of the unsigned March 2013 preliminary plan (received March 11, 2013). This plan is a revision to the plan reviewed by the Development Review Committee at its meeting on January 14, 2013. 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 the Department of Permitting Services 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. Full width dedication of Tuckerman Lane in accordance with the master plan.
2. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. Provide an ingress/egress easement and covenant for maintenance of the common driveway.
4. We accept the findings of the stormwater management and drainage analyses, which find the 15" RCP adequately sized and the open drainage facilities serving study points B and C to be capable of supporting drainage at non-erosive velocities.
5. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.

### 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. Benjamin Berbert  
Preliminary Plan No. 1-20110290  
June 14, 2013  
Page 2

6. Provide an ingress/egress easement and covenant for maintenance of the common driveway.

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.

7. The owner will be required to furnish this office with a recorded covenant whereby said owner agrees to pay a prorata share for the future construction or reconstruction of Tuckerman Lane, whether built as a Montgomery County project or by private developer under permit, prior to DPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
8. Relocation of utilities along existing roads to accommodate the required roadway modifications shall be the responsibility of the applicant.
9. If the proposed development will alter any existing County-maintained 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.
10. 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.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at [greg.leck@montgomerycountymd.gov](mailto:greg.leck@montgomerycountymd.gov) or (240) 777-2197.

Sincerely,  
  
Gregory M. Leck, Manager  
Development Review Team

Mr. Benjamin Berbert  
Preliminary Plan No. 1-20110290  
June 14, 2013  
Page 3

cc: Suzanne Dawkins Owner  
Mary Laboiteaux Owner  
Curt Schreffler CAS Engineering  
David Landsman CAS Engineering  
Michael Norton Norton Land Design  
John Carter M-NCPPC Area 3  
Richard Weaver M-NCPPC Area 3  
Ki Kim M-NCPPC Area 3  
Catherine Conlon M-NCPPC DARC  
Preliminary Plan folder  
Preliminary Plan letters notebook

cc-e: Atiq Panjshiri MCDPS RWPR  
Sam Farhadi MCDPS RWPR  
Mark Etheridge MCDPS WRM  
Bill Campbell MCDPS WRM  
Marie LaBaw MCFRS  
Dan Sanayi MCDOT DTEO  
Fred Lees MCDOT DTEO  
Will Haynes MCDOT DTEO  
Kyle Liang MCDOT DTEO  
Bruce Mangum MCDOT DTEO  
Andrew Bossi MCDOT DTEO