



Woodside Park, Preliminary Plan, 120070230

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PAK Robert Kronenberg, Chief, robert.kronenberg@montgomeryplanning.org (301) 495-2187

Description

Staff Report Date: 06/27/14

- Address: 9206 Watson Road
- Zone: R-60
- Size: 1.48 acres
- Master Plan: North & West Silver Spring (2000)
- Request: Subdivide Parcel C into 5 lots and 2 outlots
- Applicant: Mary Jane Checchi
- Filing Date: October 11, 2006



Summary

- Staff recommendation: **Approval with conditions** of submitted Preliminary Plan of Subdivision and approval of a waiver from one of the seven resubdivision criteria (frontage) under Section 50-38 (a) (1) of the Subdivision Regulations.
- The applicant is requesting to resubdivide one parcel into 5 one family lots and two outlots.

RECOMMENDATION: Approval of Woodside Park, Preliminary Plan No. 120070230, including a waiver pursuant to Section 50-38 to permit two of the proposed lots to have the smallest frontages in the resubdivision neighborhood, subject to the following conditions:

- 1) Approval under this Preliminary Plan is limited to 5 lots for 5 one family dwelling units and two outlots.
- 2) 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 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.
- 3) 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 April 10, 2014, and hereby incorporates them as conditions of the Preliminary Plan approval. 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.
- 4) The Planning Board has accepted the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated May 15, 2014, and amended by email on June 6, 2014, and hereby incorporates 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.
- 5) Prior to issuance of the first building permit, the Applicant must satisfy the Transportation Policy Area Review ("TPAR") test by making a TPAR Mitigation Payment, pursuant to the 2012-2016 Subdivision Staging Policy. The amount of this payment will be equal to 25 percent of the General District Impact Tax. The timing and amount of the payment will be in accordance with Chapter 52 of the Montgomery County Code.
- 6) The Applicant must comply with County Council Resolution No. 17-743 with respect to the abandonment of Edgevale Road.
- 7) The record plat for this subdivision must include the incorporation of the former portion of the Edgevale Road right-of-way into Outlot A and Outlot B.
- 8) The record plat must reflect common ingress/egress and utility easements over the entire width of the abandoned portion of Edgevale Road. The ingress/egress easements must protect perpetual motorized access to 1102 Edgevale Road as well as non-motorized public access over the full extent of the abandoned right-of-way.
- 9) The Subject Property is within the Einstein High School cluster area. The Applicant must make a school facility payment to MCDPS at the high school level at the single-family detached unit rate for the four (4) net new units for which a building permit is issued. The timing and amount of the payment will be in accordance with Chapter 52 of the Montgomery County Code.

- 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 this Resolution.
- 11) The applicant must comply with the Tree Save Plan approved by Staff on June 25, 2014. If construction requires any modifications to the approved Tree Save Plan, the Applicant must receive Staff approval of a revised Tree Save Plan prior to issuance of sediment and erosion control permits, and must comply with the revised Tree Save Plan.

PROJECT HISTORY

Originally, this preliminary plan application was submitted in October, 2006 for 6 lots. Issues identified at the time of the Development Review Committee (DRC) meeting in November, 2006, included: the number of lots and their layout, environmental features, road and pathway connections. The applicant met with the neighborhood residents after the DRC meeting and has been working to resolve the issues identified at that time. The Preliminary Plan application was resubmitted in 2011 with the following issues resolved: the number of lots was reduced to five with two outlots, Edgevale Road was abandoned by Council County resolution No. 17-743 in May 2013, tree retention has been addressed through mitigation and protection measures.

SITE DESCRIPTION

The subject property is identified as Part of Parcel C, and contains approximately 1.48 acres of land. The site is irregular in shape and has approximately 156 feet of frontage along Watson Road a 105 feet of frontage along the improved portion of Edgevale Road and 76 feet of frontage on Greyrock Road. Because Parcel C has frontage on all roadways it is defined as a thru lot. Edgevale Road is improved for only 30 feet along the property's frontage; the remaining portion of this roadway is unimproved. In its unimproved condition, the right-of-way contains vegetation, large trees and a path created over time by residents walking from one point in the neighborhood to another. This path serves as an "unofficial" pedestrian link in the surrounding neighborhood.

The property is zoned R-60 and developed with a large older single family house that is vacant. The site contains many large trees and extensive vegetation. The surrounding properties are also zoned R-60 and developed with one family detached dwelling units. The property is in the Sligo Creek watershed.



Vicinity Map Preliminary Plan 120070230 (subject site outlined in blue)

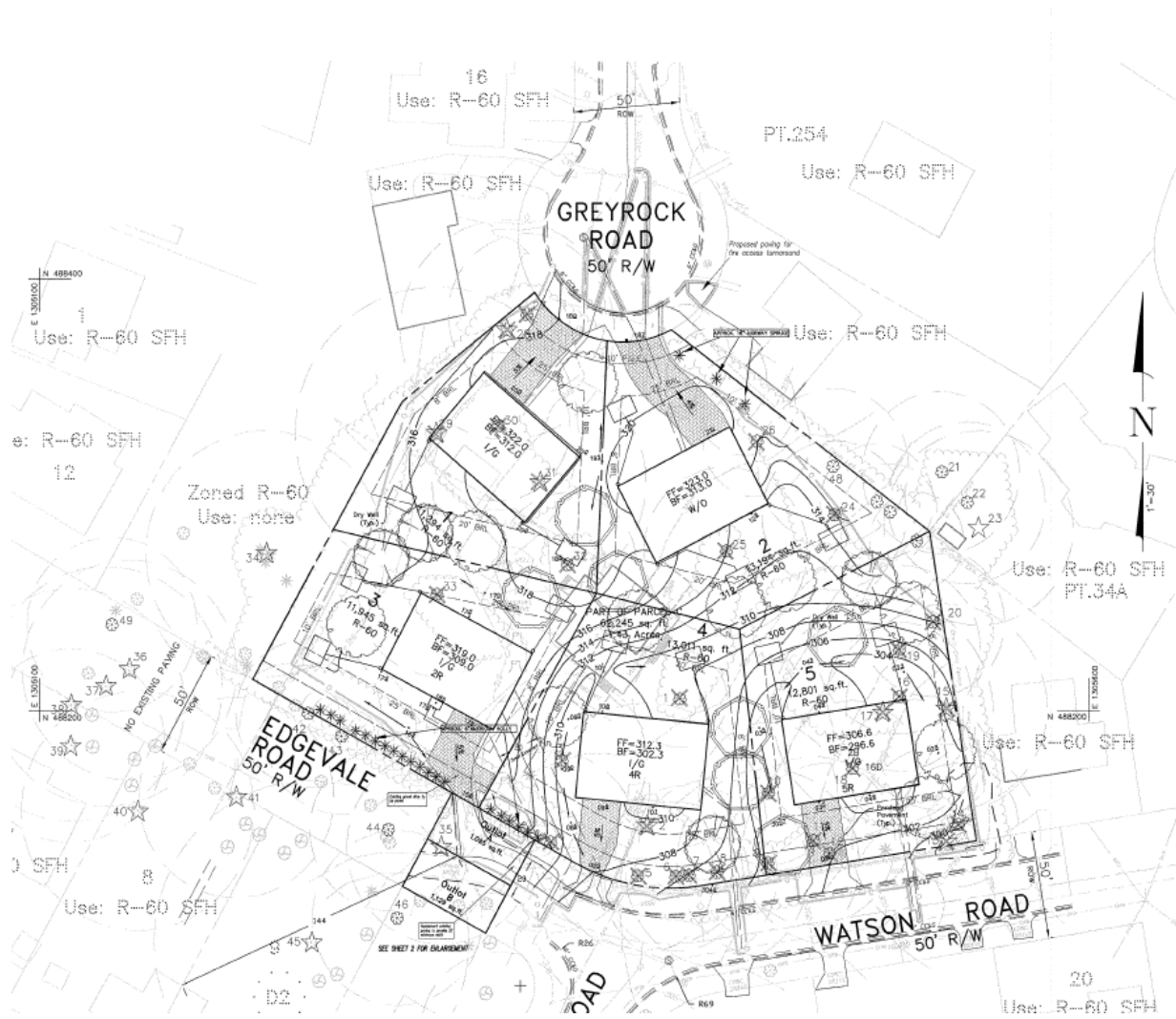
PROJECT DESCRIPTION

The applicant is proposing to subdivide the subject site into 5 one family lots and two outlots. The five lots will range in size from 11,294 to 13,011 square feet. The two outlots will be created from a portion of the Edgevale Road right-of-way abandoned by County Council Resolution in May 2013. Under this application, Outlot A will consist of 1,095 square feet and Outlot B will contain approximately 1,129

square feet. Outlot A will provide access to proposed Lot 3, while Outlot B will provide vehicular access to 1102 Edgevale Road, directly south and across the Edgevale right-of-way from the site. The remainder of Edgevale Road is an unimproved and was left in its unimproved state.

The applicant has also submitted a waiver request from Section 50-29-(b) (2) of the Subdivision Regulations for lot frontage of proposed Lots 1 and 2 to be located on Greyrock Road. Greyrock Road terminates in a cul-de-sac at the proposed Lots 1 and 2.

Proposed Preliminary Plan



ANALYSIS AND FINDINGS

Conformance to the Master Plan

The property is located in the North and West Silver Spring Master Plan which does not specifically address the subject property. The Sector Plan recommends retention of existing zoning

throughout the Sector Plan area in the absence of a specific recommendation for change on a particular property. In the case of the subject property, the Sector Plan calls for retention of the existing R-60 zoning. The proposed subdivision complies with the recommendations adopted in the Sector Plan as it proposes one-family residential development consistent with surrounding development patterns and the current zoning designation. The proposed residential lots will be similar to surrounding lots with respect to dimensions, orientation, and shape. The proposed subdivision will not alter the existing pattern of development or land use and is in substantial conformance with the Sector Plan recommendation to maintain the existing land use.

Public Facilities

Access and Circulation

Currently, the existing one-family dwelling unit located at 9206 Watson Road has vehicular access from Watson Road from one existing residential driveway. Future vehicular access to the proposed subdivision will be via two new residential driveways (for a total of three driveways) on Watson Road and two new residential driveways on Greyrock Road. There are no existing sidewalks within the neighborhood and none are proposed on either Watson Road or Greyrock Road as part of this preliminary plan application.

The County Council Resolution No 17-743, abandoned a portion of Edgevale Road, along the property's frontage subject to the applicant's grant of ingress/egress and utility easements to the owner of 1102 Edgevale Road and Montgomery County, respectively. The abandonment is discussed more fully under the text entitled, "Abandonment of Edgevale Road".

Master Plan Roadways and Pedestrian/Bikeway Facilities

The 2000 Approved and Adopted North and West Silver Spring Master Plan designated Dale Drive (A-30), an arterial and the nearest master planned roadway, is located approximately 300 feet south of the site. Site access points on Watson Road are accessed directly from Dale Drive, via Watson Road, while Greyrock Road is accessed indirectly from Dale Drive via Harvey Road and Greyrock Road. Both Watson Road and Greyrock Roads are publicly maintained tertiary residential streets with 50 feet of right-of-way.

Neither the North and West Silver Spring Master Plan nor the 2005 Bikeways Functional Master Plan makes any specific recommendations for either roadway. However, Watson and Greyrock Roads are appropriate for local bicycle access to the site due to their low vehicular speed and low traffic volume. Specific transit routes near the site include:

- Montgomery County RideOn Bus Routes 3, 8, 9, 13, 14, 21, 22
- WMATA Metrobus Routes Z6, Z8

Abandonment of Edgevale Road

The Planning Board considered the applicant's request to abandon Edgevale Road (AB-735), an unimproved tertiary residential road, on October 11, 2012 and voted 4-0 to support approval of the requested abandonment with the following condition:

- “The proposed 45-foot long Edgevale Road abandonment will become effective with the recordation of a plat for properties that incorporate the abandoned 50-foot wide right-of-way. The plat must include an easement granted to Montgomery County that provides perpetual access to pedestrians and non-motorized vehicles over an appropriate portion of the abandoned area as determined at preliminary plan review.”

Subsequent to the Planning Board’s recommendation (Attachment A), the County Council approved the abandonment request, on May 11, 2013, via Council Resolution 17-743 (Attachment B) which stated the following:

1. The Applicants must record a new record plat incorporating the former right-of-way into the appropriate properties and include an easement granted to Montgomery County that provides perpetual access to pedestrians and non-motorized vehicles over an appropriate portion of the abandoned area as determined by the Montgomery County Planning Board.
2. The Applicants must grant easements to the County for maintenance of any storm drainage facilities and any public utility affected and/or relocate these facilities and grant easements, as applicable.
3. The abandonment is conditioned upon the Planning Board’s approval of Preliminary Plan 120070230.
4. The abandonment is conditioned upon maintaining the vehicular access to 1102 Edgevale Road from Edgevale Road.
5. The County Attorney must record among the Land Records of Montgomery County, Maryland, a copy of this resolution approving the abandonment of the subject area.
6. Any person aggrieved by the action of the Council for abandonment may appeal to the Circuit Court within 30 days after the date such action is taken by Council.

Adequate Public Facilities Review

The applicant submitted a transportation statement, dated June 6, 2013 that summarized the proposed development’s estimated impact of five morning peak-hour and six evening peak-hour vehicular trips. As a result of this limited impact, the proposed development satisfies the Local Area Transportation Policy Review (LATR) without further analysis. As a development within the Silver Spring – Takoma Park Policy Area, a transportation impact tax payment, equal to 25% of the general district impact tax, is required to satisfy the Transportation Policy Area Review (TPAR). Upon payment of the TPAR impact fee, the proposed development will satisfy the LATR and TPAR requirements of the APF review and will provide safe, adequate, and efficient site access.

Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the proposed development. The property will be served by public water and sewer systems. The application has been reviewed by the Montgomery County Fire and Rescue Service who has determined that the subject property has appropriate access for fire and rescue vehicles.

The property is located in the Einstein High School Cluster. There is an existing single-family dwelling on the site. The existing structure is subtracted from the total number of new units proposed by this application, resulting in the net number of new units. The net number of new units is used in the

application of the Adequate Public Facility Ordinance for schools, as the net represents the number of units new to the school system. According to the FY2015 Annual School Test, a school facility payment will be required on four (4) new net residential units. Other public facilities and services, such as police stations, firehouses and health services are available to serve the existing dwelling units. Electrical, gas, and telecommunications services are also available to serve the property.

Environment

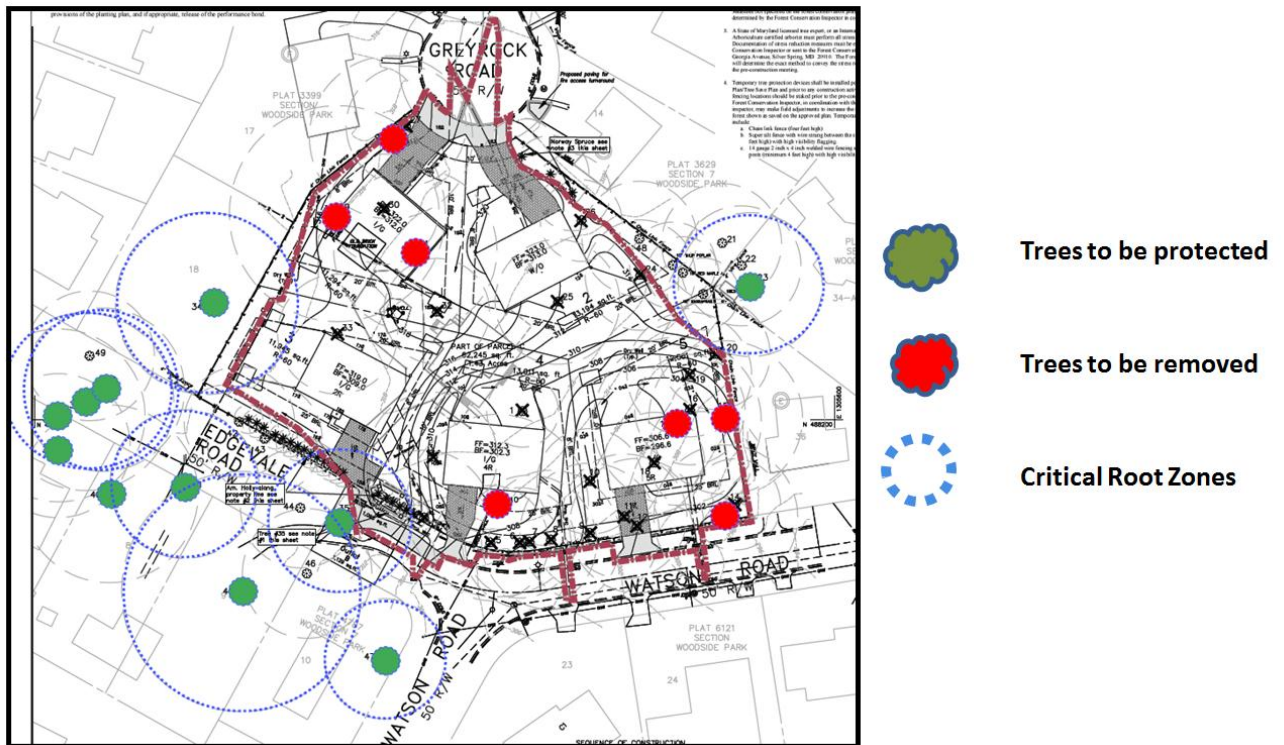
Forest Conservation Exemption

This property is subject to the Chapter 22A Montgomery County Forest Conservation Law but received an exemption (42007039E) from the requirements of submitting a Forest Conservation Plan per Chapter 22A-5(s)(1). A Simplified Natural Resource Inventory/Forest Stand Delineation and Forest Conservation Exemption request (42007039E) was approved by Staff on October 10, 2006. This exemption is for an activity on a tract of land less than 1.5 acres 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. In accordance with Chapter 22A-6(b) an activity or development that would be exempt under Section 22A-5, except that the proposed activity involves clearing of a specimen or champion tree, requires approval of a Tree Save Plan, which may require tree preservation or mitigation for loss of individual trees.

As shown on the Forest Conservation Exemption Plan, the applicant is proposing to remove specimen trees. The submitted Preliminary Plan shows the removal of seven (7) onsite specimen trees (≥ 30 " dbh) with impacts to the critical root zones of three (3) offsite specimen trees. The Plan will also remove eleven (11) significant trees ranging from 25-29" DBH.

As mitigation for the loss of the size and character of the on-site specimen trees being removed, the applicant submitted a Tree Save Plan which proposed planting: two (2) native 3" caliper hardwood canopy trees and two (2) native understory trees on each proposed lot and one (1) additional native 3" caliper hardwood canopy tree within the subdivision. As shown on the approved Tree Save Plan, the applicant will implement tree protection measures such as tree protection fencing and root pruning to the critical root zones of trees 23, 34, 35, 42, 43, 44 and 48. The following graphic illustrates specimen trees on site and their ultimate disposition under this application.

Onsite Specimen Trees



Staff recommends approval of the submitted Preliminary Plan with the recommended environmental conditions specified at the beginning of the staff report.

Stormwater Management

The Department of Permitting Services (DPS) approved a stormwater management concept (SWM) (228763) for this project on April 10, 2014. The stormwater management concept meets required stormwater management goals using pervious pavement surfaces and dry wells for treating residential building runoff. A copy of the DPS letter is included as Attachment C.

Compliance with the Subdivision Regulations and Zoning Ordinance

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations. The application meets all applicable sections, including the requirements for resubdivision as discussed in the subsequent sections. The proposed lot sizes, shape, orientation, alignment, width and area are appropriate for the location of the subdivision given the recommendations of the North and West Silver Spring Master Plan for retention of the existing R-60 zoning and one-family residential development consistent with surrounding development patterns.

The lots were reviewed for compliance with the dimensional requirements for the R-60 zone as specified in the Zoning Ordinance. The lots as proposed will meet all the dimensional requirements for area, width, and setbacks in that zone. A summary of this review is included in attached Table 1. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

Table 1: Preliminary Plan Data Table

PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan
Minimum Lot Area	6,000 sq. ft.	11,294 sq. ft.
Min. Lot Width	60 ft.	61 ft. minimum
Min. Lot Frontage	25 ft.	33 ft. minimum
Min. Setbacks		
Front	25 ft. ¹	30 ft ¹
Side	8 ft. Min./18 ft. total	Must meet minimum ²
Rear	20 ft. Min.	Must meet minimum ²
Maximum Residential Dwelling Units per Zoning	7	5
MPDUs	N/a	N/a
TDRs	N/a	N/a
Site Plan Required	No	N/a

¹ As determined by Section 59-A-5.33 (c) of the Zoning Ordinance that allows calculation of the established building line by averaging the setback of two adjoining residential lots.

² Final number to be 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 each of the proposed lots complies with all seven of the resubdivision criteria, set forth in Section 50-29(b)(2) of the Subdivision Regulations, which states:

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

B. Neighborhood Delineation

In administering Section 50-29(b)(2) of the Subdivision Regulations, the Planning Board must determine the appropriate “neighborhood” for evaluating the application. In this instance, the Neighborhood selected by the applicant, and agreed to by staff, consists of 68-lots (See Attachment D). The neighborhood includes platted lots in the R-60 zone and in the vicinity of Watson, Edgevale and Harvey and Greyrock Roads and Dale Drive. The proposed lots will share several access points on these four roadways. The designated neighborhood provides an adequate sample of lots and development

patterns in the area. A tabular summary of the area based on the resubdivision criteria is included in Attachment E.

C. Analysis

Comparison of the Character of Proposed Lots to Existing

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

Size: Lot sizes in this neighborhood of 68 lots ranges from 6,365 square feet to 12,466 square feet. Thirty-four lots fall within the 6,000 square feet to 10,000 square feet range. Twenty-six lots are between 10,000 and 14,000 square feet. Six lots fall within the range of 14,000 to 18,000 square feet with the remaining two lots range from 18,000 to 19,417 square feet. All five of the proposed lots will fall within the 10,000 to 14,000 square foot range. **The proposed lot sizes are in character with the size of existing lots in the neighborhood.**

Buildable Area: The buildable area for lots in the delineated neighborhood range from 1,911 square feet to 14,466 square feet. Twenty three lots have buildable areas of between 1,000 and 4,000 square feet. Thirty-eight lots have buildable areas between 4,000 square feet and 8,000 square feet. Six lots will fall between 8,000 and 12,000 square feet. The remaining one lot has a buildable area in excess of 12,466 square feet. Buildable areas for all five proposed lots range between 5,665 square feet and 7,249 square feet. The proposed lots will fall within the 4,000 to 8,000 square foot range for buildable area which contains the largest number of existing lots in the neighborhood. **The proposed lots will be of the same character as other lots in the neighborhood with respect to buildable area.**

Frontage: The delineated neighborhood contains 68 lots, with lot frontages ranging from 50 feet to 207 feet. Frontage for thirty-two lots ranges from 50 feet to 75 feet, twenty lots have frontage between 75 feet and 100 feet; two lots have frontage between 100 and 125 feet while six lots have frontage between 125 and 150 feet. The remaining eight lots have frontage in excess of 150 feet. Proposed Lot 5 will have frontage of 101 feet, proposed Lot 3 will have frontage of 123 feet while frontage for proposed Lot 4 will be 146 feet. These three lots will be of the same character as other lots in the neighborhood with respect to lot frontage. Proposed Lots 1 and 2 will have frontage on Greyrock Road of 43 feet and 33 feet, respectively. The smaller frontage for both lots is the result of the property's location on an existing cul-de-sac, Greyrock Road. **As discussed below, Staff recommends a waiver under 50- 38 (a)(1) for proposed lots 1 and 2.**

Shape: The 68 lots in the neighborhood consist of the following shapes: fifty-five lots are rectangular and thirteen lots are irregular. Proposed Lots, 3, 4, and 5 will be rectangular while proposed Lots 1 and 2 will be irregularly shaped, which is not uncommon for lots fronting on a

cul-de-sac. **The shapes of the proposed lots will be in character with shapes of the existing lots.**

Alignment: Of the 68 lots in the neighborhood, fifty-two lots are perpendicular and sixteen are corner lots. Proposed Lots 3, 4, and 5 will be perpendicular while proposed Lots 1 and 2 will be radial. Proposed Lots 1 and 2 will be located on an existing cul-de-sac which necessitates this radial alignment. A radial alignment is commonly associated with lots that will front on cul-de-sac and does not create a unique or unusual situation in the delineated neighborhood for the subject subdivision. **The proposed lots are of the same character as existing lots with respect to the alignment criteria.**

Width: Lots in the neighborhood range from approximately 55 feet to 144 feet in width at the building line. Twenty four lots are between 55 to 75 feet in width, thirty three lots range from 75 feet to 100 feet in width, seven lots fall within 100 feet to 125 feet in width and the remaining four lots are in excess of 125 feet in width. Lots 1 and 2 will be 68 feet and 61 feet in width, respectively. Lot 5 will be 100 feet in width lot 3 will be 123 feet in width while Lot 4 will be 131 feet in width. **The proposed lots will be in character with existing lots in the neighborhood with respect to width.**

Suitability for Residential Use: The existing and the proposed lots are zoned residential. Currently, a one family detached house is contained on the property and the land suitable for residential use. The proposed lots will be in character with the existing lots in the neighborhood with respect to suitability for residential uses.

D. Subdivision Regulations Waiver 50-38(a)(1)

As submitted, proposed Lots 1 and 2 meet the minimum dimensional standard of the 25 feet for street frontage as specified in the R-60 Zone. However, if these lots are approved, each lot will have the smallest lot frontages per application of the resubdivision criteria of existing lots within the Neighborhood. Staff recommends a Subdivision Regulation Waiver pursuant to Section 50-38(a) (1) of the Subdivision Regulations to provide relief from this one of the seven Resubdivision Criteria (frontage) found within 50-29(b) (2) of the Subdivision Regulations. The applicant has submitted a waiver request which is included as Attachment F. The Planning Board has the authority to grant such a waiver pursuant to Section 50-38(a)(1) of the Subdivision Regulations provided certain findings can be made. The section states:

“The Board may grant a waiver from the requirements of this Chapter upon a determination that practical difficulties or unusual circumstances exist that prevent full compliance with the requirements from being achieved, and that the waiver is: 1) the minimum necessary to provide relief from the requirements; 2) not inconsistent with the purposes and objectives of the General Plan; and 3) not adverse to the public interests.”

The waiver request for proposed Lots 1 and 2 is justified by the practical difficulty of the site’s location on Greyrock Road, a cul-de-sac. The diameter of this cul-de-sac is substandard in size, 70 feet, when compared to the normal diameter of 90 feet for a cul-de-sac built today. Additionally, lots located on cul-de-sacs are often smaller at the front but fan out to a wedge or

irregular shape and have more square footage than a rectangular lot that is sited perpendicular to a roadway.

As proposed, Lots 1 and 2 meet the frontage requirements for the R-60 Zone of 25 feet, but are below the range for frontage within the established Neighborhood. Frontage for Lot 1 will be 42 feet and frontage for Lot 2 will be 32 feet. Typically, the Board does not approve lots that are below any range of the seven resubdivision criteria within a delineated neighborhood. However in this instance, the lower frontage for proposed lots 1 and 2 is due to the existing condition of their location on a substandard cul-de-sac. Lot 1 will be 11,294 square feet while Lot 2 will be 13,194 square feet in size which are comfortably in the Neighborhood range. Given the practical difficulty of the subdivision's location on a substandard cul-de-sac, a waiver of Section 50- 38(a) (1) of the Subdivision Regulations is warranted.

The requested waiver is the minimum needed to permit development of the two proposed lots and is not inconsistent with the purposes and objectives of the General Plan. The Preliminary Plan substantially conforms to the North and West Silver Spring Master Plan which recommends retention of the R-60 Zoning and its one family residential development patterns. The waiver is not adverse to the public interest because the development of two lots is more in keeping with the existing patterns of development in the Neighborhood.

Therefore, all required findings can be made pursuant to Section 50-38 (a) (1) and staff recommends approval of the waiver request from Section 50 29 (b) (2) of the Subdivision Regulations for frontage, for proposed Lots 1 and 2.

Citizen Correspondence and Issues

Originally, this application was submitted in 2006 and reviewed at a DRC in 2006. After the DRC meeting, the applicant conducted meetings with the adjoining property owners and residents of the nearby community. The issues raised at that meeting were the number of proposed lots, the extension of Edgevale Road to Harvey Road, and tree retention. During this time period, the applicant has worked with the surrounding neighborhood to resolve these concerns. Written notice of this public hearing on July 10, 2014 was given by the staff. Letters from the neighborhood have been received in support of the subject application. The applicant also submitted a letter to Planning Board requesting support of the application. Attachment G contains all letters.

CONCLUSION

Section 50-29(b)(2) of the Subdivision Regulations specifies seven criteria with which resubdivided lots must comply. They are street frontage, alignment, size, shape, width, area and suitability for residential use within the existing block, neighborhood or subdivision. As set forth above, the five proposed lots are of the same character as the existing lots in the defined neighborhood with respect to six of the subdivision criteria, a waiver of one of these criteria (frontage) for two of the lots is justified by the location of the property at the end of existing cul-de-sac and the applicant's desire to retain the existing pattern of development in the neighborhood.

The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conform to the recommendations of the North and West Silver

Spring 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 at the beginning of this staff report and the requested waiver from the Subdivision Regulations is recommended.

Attachments

Attachment A – Planning Board Letter for Edgevale Road Abandonment

Attachment B– County Council Resolution No. 17-743

Attachment C- MCDPS Stormwater Management Concept Approval Letter

Attachment D – Neighborhood Map

Attachment E – Resubdivision Data Table

Attachment F – Applicant’s Waiver Request

Attachment G – Letters Supporting Application



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

OFFICE OF THE CHAIR

October 16, 2012

Mr. Michael S. Cassidy
Montgomery County Department of Transportation
101 Monroe Street, 10th Floor
Rockville, Maryland 20850-4168

RE: Abandonment Request No. AB-735
Request to abandon a 45-foot section of Edgevale Road
Woodside Park Subdivision, Silver Spring

Dear Mr. Cassidy:

The Planning Board considered the referenced abandonment request during our regularly scheduled meeting on October 11, 2012, and voted 4-0, Commissioner Norman Dreyfuss being absent, to support approval of the requested abandonment request with the following condition:

- "The proposed 45-foot long Edgevale Road abandonment will become effective with the recordation of a plat for properties that incorporate the abandoned 50-foot wide right-of-way. The plat must include an easement granted to Montgomery County that provides perpetual access to pedestrians and non-motorized vehicles over an appropriate portion of the abandoned area as determined at preliminary plan review."

Please feel free to contact Cherian Eapen with the Area 1 Team of the Planning Department at 301-495-4539 if you have any questions regarding this letter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Françoise M. Carrier".

Françoise M. Carrier
Chair

cc: Cherian Eapen
Cathy Conlon
✓ Kathy Reilly
Robert Kronenberg
Carol Rubin
Greg Leck, MCDOT
CTRACK #2012-0775

ltr to MCDOT re CTRACK 2012-0775 AB-735 Chair Letter.doc

Resolution No.: 17-743
Introduced: May 14, 2013
Adopted: May 14, 2013

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: DOT Docket No. AB735
Abandonment - Edgevale Road
Woodside Park Subdivision, Silver Spring

Background

1. By letter dated June 4, 2012 from Ms. Mary Jane Checchi and Mr. Vincent A. Checchi, the Applicants, a request was made for the County to abandon a portion of Edgevale Road in the Woodside Park Subdivision of Silver Spring. By way of a letter dated September 18, 2012, Dr. Marc E. Johnson and Ms. Sarah R. Knight (the "Co-Applicant") joined the request. The portion of Edgevale Road right-of-way for which abandonment is sought adjoins property owned by the Applicants.
2. A Public Hearing to consider the abandonment proposal was held on October 17, 2012 by the designee of the County Executive.
3. Verizon had no objection.
4. Washington Gas had no objection.
5. Washington Suburban Sanitary Commission objected unless an easement of sufficient width is granted.
6. PEPCO did not respond within 60 days and therefore, concurrence is presumed.
7. The Montgomery County Police Department did not respond within 60 days and therefore, concurrence is presumed.
8. The Montgomery County Planning Board recommended approval conditioned upon: "The proposed 45-foot long Edgevale Road abandonment will become effective with the recordation of a plat for properties that incorporate the abandoned 50-foot wide right-of-way. The plat must include an easement granted to Montgomery County that provides perpetual access to pedestrians and non-motorized vehicles over an appropriate portion of the abandoned area as determined at preliminary plan review."

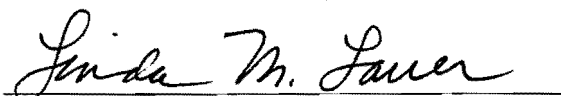
9. The Department of Transportation (DOT) recommended approval conditioned upon: a) the Applicant must grant easements to the County for the maintenance of storm drainage facilities and any public utility affected and/or relocate these facilities and grant easements, as applicable; b) the Applicant must file a new record plat incorporating the former portion of the right-of-way into appropriate lots as directed by the Montgomery County Planning Board in conjunction with Preliminary Plan No. 120070230; and c) the Planning Board's approval of Preliminary Plan No. 120070230.
10. The Department of Fire and Rescue Services conditioned its approval upon the maintenance of vehicular access to 1102 Edgevale Road.
11. The County Executive recommends approval of the proposed abandonment.

Action

The County Council for Montgomery County, Maryland, finds that a portion of Edgevale Road as described on the attached Schedules A and B prepared by MHG in the Woodside Park Subdivision of Silver Spring proposed for abandonment is no longer necessary for public use, pursuant to Section 49-63 of the Montgomery County Code, and approves the abandonment subject to the following conditions which must be satisfied at Applicant's sole cost and expense prior to the abandonment becoming effective:

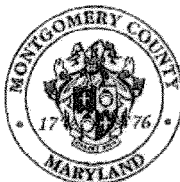
1. The Applicants must record a new record plat incorporating the former right-of-way into the appropriate properties and include an easement granted to Montgomery County that provides perpetual access to pedestrians and non-motorized vehicles over an appropriate portion of the abandoned area as determined by the Montgomery County Planning Board.
2. The Applicants must grant easements to the County for the maintenance of any storm drainage facilities and any public utility affected and/or relocate these facilities and grant easements, as applicable.
3. The abandonment is conditioned upon the Planning Board's approval of Preliminary Plan No. 120070230.
4. The abandonment is conditioned upon maintaining the vehicular access to 1102 Edgevale Road from Edgevale Road.
5. The County Attorney must record among the Land Records of Montgomery County, Maryland, a copy of this Resolution approving the abandonment of the subject area.
6. Any person aggrieved by the action of the Council for abandonment may appeal to the Circuit Court within 30 days after the date such action is taken by Council.

This is a correct copy of Council Action.


Linda M. Lauer, Clerk of the Council



39°03'00" 215 NE
 39°02'15" 214 NE
 39°01'30" 213 NE Joins Map 5287
 39°00'45" 212 NE
 39°00'00" 211 NE



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

April 10, 2014

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

Re: Stormwater Management **CONCEPT** Request
for Woodside Revised
Preliminary Plan #: 120070230
SM File #: 228763
Tract Size/Zone: 1.48 Ac./R-60
Total Concept Area: 1.53
Parcel(s): Part of Parcel C
Watershed: Sligo Creek

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 proposes to meet required stormwater management goals via ESD with the use of drywells and permeable pavement.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. Use MCDPS latest design criteria for the drywells and permeable pavement at time of plan submittal.
5. Provide conduit in PUE under all permeable driveways as required by the dry utility companies.

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

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



Mr. Pearce Wroe
April 10, 2014
Page 2

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 David Kuykendall at 240-777-6332.

Sincerely,



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

MCE: me CN228763 Woodside Revised.DWK

cc: C. Conlon
SM File # 228763

ESD Acres:	1.53
STRUCTURAL Acres:	0.00
WAIVED Acres:	0.00

ATTACHMENT D



ATTACHMENT E

DATA TABLE
BASE INFORMATION

SUBDIVISION	LOT/BLOCK	FRONTAGE	SIZE	BUILDABLE/A REA	WIDTH @ BRL	SHAPE	ALIGNMENT
Woodside Park	12/F	164	9,967	3,252	86	Rectangular	Corner
Woodside Park	36/G	87	8,281	3,331	86	Trapezoid	Perpendicular
Woodside Park	23/C	140	11,406	3,800	107	Irregular	Corner
Proposed Lot 1		42	11,294	5,975	68	Trapezoid	Cul-de-sac
Proposed Lot 2		32	13,194	7,249	61	Trapezoid	Cul-de-sac
Proposed Lot 3		123	11,944	5,665	123	Rectangular	Perpendicular
Proposed Lot 4		146	13,011	6,654	131	Rectangular	Perpendicular
Proposed Lot 5		101	12,801	6,765	100	Rectangular	Perpendicular
Woodside Park	3/F	68	8,718	3,997	64	Rectangular	Perpendicular
Woodside Park	8/E	63	8,351	3,943	64	Rectangular	Perpendicular
Woodside Park	14/G	67	11,464	5,847	65	Rectangular	Cul-de-sac
Woodside Park	6/E	51	19,417	12,466	65	Trapezoid	Perpendicular
Woodside Park	9/E	66	7,996	3,643	66	Rectangular	Perpendicular
Woodside Park	1/F	70	9,352	4,381	68	Rectangular	Perpendicular
Woodside Park	24/E	66	8,847	4,076	69	Rectangular	Perpendicular
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Woodside Park	20/C	79	11,767	5,972	76	Trapezoid	Perpendicular
Woodside Park	15/F	85	7,284	2,847	77	Rectangular	Perpendicular
Woodside Park	22/E	78	9,972	4,936	78	Rectangular	Perpendicular
Woodside Park	7/E	71	13,690	7,735	78	Rectangular	Perpendicular
Woodside Park	17/F	64	13,113	7,097	79	Irregular	Cul-de-sac
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Woodside Park	9/D2	n/a	n/a	n/a	n/a	Rectangular	Perpendicular
Woodside Park	25/E	69	9,414	3,846	72	Rectangular	Perpendicular
Woodside Park	26/E	52	13,376	7,401	65	Trapezoid	Perpendicular
Woodside Park	27/E	54	13,008	6,703	55	Trapezoid	Perpendicular
Woodside Park	28/E	68	10,246	5,794	73	Rectangular	Perpendicular
Woodside Park	29/E	73	9,685	5,229	75	Rectangular	Perpendicular
Woodside Park	7/G	132	17,857	10,063	127	Rectangular	Perpendicular
Woodside Park	16/G	65	10,499	5,682	71	Rectangular	Perpendicular
Woodside Park	12/G	105	11,260	5,227	85	Rectangular	Perpendicular
Woodside Park	13/G	117	9,177	3,675	98	Rectangular	Perpendicular
Woodside Park	33C/E	73	7,993	3,208	73	Rectangular	Perpendicular
Woodside Park	31/E	51	15,576	8,867	64	Trapezoid	Perpendicular

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BASE INFORMATION**

SUBDIVISION	LOT/BLOCK	FRONTAGE	SIZE	BUILDABLE/A REA	WIDTH @ BRL	SHAPE	ALIGNMENT
Woodside Park	1/G	71	9,576	4,326	71	Rectangular	Perpendicular
Woodside Park	33A/E	197	17,592	7,391	105	Rectangular	Cul-de-sac
Woodside Park	33D/E	78	7,895	3,225	84	Rectangular	Perpendicular
Woodside Park	32/E	58	10,257	5,294	71	Trapezoid	Perpendicular
Woodside Park	34C/E	89	12,807	6,138	91	Rectangular	Perpendicular
Woodside Park	30/E	66	13,518	7,465	77	Rectangular	Perpendicular
Woodside Park	18/E	128	8,970	9,981	130	Rectangular	Perpendicular
Woodside Park	1/D1	134	14,431	7,589	116	Rectangular	Corner
Woodside Park	23/D1	80	10,805	5,472	97	Trapezoid	Corner
Woodside Park	5/D2	68	9,719	4,703	85	Rectangular	Corner
Woodside Park	1/D2	54	8,994	4,385	73	Rectangular	Corner
Woodside Park	16/C	69	7,551	3,086	83	Rectangular	Corner
Woodside Park	22/C	80	8,306	3,598	81	Trapezoid	Perpendicular
Woodside Park	1/C	68	6,365	1,911	93	Rectangular	Corner
Woodside Park	10/A	76	10,086	4,533	108	Rectangular	Corner
Woodside Park	15/B	89	8,402	2,795	118	Rectangular	Corner
Woodside Park	5/B	75	15,318	9,051	76	Irregular	Perpendicular
Woodside Park	6/B	80	13,126	7,598	80	Trapezoid	Perpendicular

RANK BY FRONTAGE

SUBDIVISION	LOT/BLOCK	FRONTAGE	SIZE	BUILDABLE/A REA	WIDTH @ BRL	SHAPE	ALIGNMENT
Proposed Lot 2		32	13,194	7,249	61	Trapezoid	Cul-de-sac
Proposed Lot 1		42	11,294	5,975	68	Trapezoid	Cul-de-sac
Woodside Park	6/E	51	19,417	12,466	65	Trapezoid	Perpendicular
Woodside Park	31/E	51	15,576	8,867	64	Trapezoid	Perpendicular
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Woodside Park	25/E	69	9,414	3,846	72	Rectangular	Perpendicular
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Woodside Park	33C/E	73	7,993	3,208	73	Rectangular	Perpendicular
Woodside Park	14/F	74	7,221	2,611	71	Rectangular	Perpendicular
Woodside Park	5/F	74	8,735	3,945	72	Rectangular	Perpendicular
Woodside Park	4/F	74	9,747	4,645	73	Rectangular	Perpendicular
Woodside Park	23/E	74	9,443	4,389	74	Rectangular	Perpendicular
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Woodside Park	6/F	89	6,919	2,261	80	Trapezoid	Perpendicular
Woodside Park	34C/E	89	12,807	6,138	91	Rectangular	Perpendicular
Woodside Park	15/B	89	8,402	2,795	118	Rectangular	Corner
Proposed Lot 5		101	12,801	6,765	100	Rectangular	Perpendicular
Woodside Park	12/G	105	11,260	5,227	85	Rectangular	Perpendicular
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RANK BY FRONTAGE

SUBDIVISION	LOT/BLOCK	FRONTAGE	SIZE	BUILDABLE/A REA	WIDTH @ BRL	SHAPE	ALIGNMENT
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Woodside Park	21/C	131	10,318	4,418	111	Trapezoid	Corner
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Woodside Park	1/D1	134	14,431	7,589	116	Rectangular	Corner
Woodside Park	23/C	140	11,406	3,800	107	Irregular	Corner
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Proposed Lot 4		146	13,011	6,654	131	Rectangular	Perpendicular
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Woodside Park	33A/E	197	17,592	7,391	105	Rectangular	Cul-de-sac
Woodside Park	8/G	204	11,565	4,542	95	Rectangular	Corner
Woodside Park	35/E	207	11,761	4,675	98	Rectangular	Corner
Woodside Park	9/D2	n/a	n/a	n/a	n/a	Rectangular	Perpendicular

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Woodside Park	9/D2	n/a	n/a	n/a	n/a	Rectangular	Perpendicular

RANK BY BUILDABLE AREA

SUBDIVISION	LOT/BLOCK	FRONTAGE	SIZE	BUILDABLE/A REA	WIDTH @ BRL	SHAPE	ALIGNMENT
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Woodside Park	6/D2	193	9,692	3,503	88	Rectangular	Corner
Woodside Park	7/D2	70	7,958	3,598	70	Rectangular	Perpendicular
Woodside Park	22/C	80	8,306	3,598	81	Trapezoid	Perpendicular
Woodside Park	9/E	66	7,996	3,643	66	Rectangular	Perpendicular
Woodside Park	13/G	117	9,177	3,675	98	Rectangular	Perpendicular
Woodside Park	23/C	140	11,406	3,800	107	Irregular	Corner
Woodside Park	25/E	69	9,414	3,846	72	Rectangular	Perpendicular
Woodside Park	16/F	83	8,902	3,885	83	Rectangular	Perpendicular
Woodside Park	8/E	63	8,351	3,943	64	Rectangular	Perpendicular
Woodside Park	5/F	74	8,735	3,945	72	Rectangular	Perpendicular
Woodside Park	3/F	68	8,718	3,997	64	Rectangular	Perpendicular
Woodside Park	24/E	66	8,847	4,076	69	Rectangular	Perpendicular
Woodside Park	1/G	71	9,576	4,326	71	Rectangular	Perpendicular
Woodside Park	1/F	70	9,352	4,381	68	Rectangular	Perpendicular
Woodside Park	1/D2	54	8,994	4,385	73	Rectangular	Corner
Woodside Park	23/E	74	9,443	4,389	74	Rectangular	Perpendicular
Woodside Park	21/C	131	10,318	4,418	111	Trapezoid	Corner
Woodside Park	10/A	76	10,086	4,533	108	Rectangular	Corner
Woodside Park	8/G	204	11,565	4,542	95	Rectangular	Corner
Woodside Park	4/F	74	9,747	4,645	73	Rectangular	Perpendicular
Woodside Park	18/F	87	9,894	4,646	84	Rectangular	Perpendicular
Woodside Park	35/E	207	11,761	4,675	98	Rectangular	Corner
Woodside Park	5/D2	68	9,719	4,703	85	Rectangular	Corner
Woodside Park	19/E	84	9,868	4,823	84	Rectangular	Perpendicular
Woodside Park	22/E	78	9,972	4,936	78	Rectangular	Perpendicular
Woodside Park	20/E	80	10,062	4,987	80	Rectangular	Perpendicular
Woodside Park	15/G	78	10,353	5,031	84	Rectangular	Perpendicular
Woodside Park	2/F	71	10,378	5,182	80	Rectangular	Perpendicular
Woodside Park	21/E	87	10,463	5,220	87	Rectangular	Perpendicular
Woodside Park	12/G	105	11,260	5,227	85	Rectangular	Perpendicular
Woodside Park	29/E	73	9,685	5,229	75	Rectangular	Perpendicular
Woodside Park	32/E	58	10,257	5,294	71	Trapezoid	Perpendicular
Woodside Park	34D/G	161	12,211	5,358	140	Irregular	Corner
Woodside Park	23/D1	80	10,805	5,472	97	Trapezoid	Corner
Proposed Lot 3		123	11,944	5,665	123	Rectangular	Perpendicular
Woodside Park	16/G	65	10,499	5,682	71	Rectangular	Perpendicular
Woodside Park	28/E	68	10,246	5,794	73	Rectangular	Perpendicular
Woodside Park	14/G	67	11,464	5,847	65	Rectangular	Cul-de-sac
Woodside Park	20/C	79	11,767	5,972	76	Trapezoid	Perpendicular
Proposed Lot 1		42	11,294	5,975	68	Trapezoid	Cul-de-sac
Woodside Park	10/G	72	11,567	5,997	71	Rectangular	Perpendicular
Woodside Park	34C/E	89	12,807	6,138	91	Rectangular	Perpendicular
Woodside Park	9/G	81	11,527	6,195	96	Trapezoid	Perpendicular
Proposed Lot 4		146	13,011	6,654	131	Rectangular	Perpendicular
Woodside Park	27/E	54	13,008	6,703	55	Trapezoid	Perpendicular

RANK BY BUILDABLE AREA

SUBDIVISION	LOT/BLOCK	FRONTAGE	SIZE	BUILDABLE/A REA	WIDTH @ BRL	SHAPE	ALIGNMENT
Proposed Lot 5		101	12,801	6,765	100	Rectangular	Perpendicular
Woodside Park	17/F	64	13,113	7,097	79	Irregular	Cul-de-sac
Proposed Lot 2		32	13,194	7,249	61	Trapezoid	Cul-de-sac
Woodside Park	33A/E	197	17,592	7,391	105	Rectangular	Cul-de-sac
Woodside Park	26/E	52	13,376	7,401	65	Trapezoid	Perpendicular
Woodside Park	30/E	66	13,518	7,465	77	Rectangular	Perpendicular
Woodside Park	1/D1	134	14,431	7,589	116	Rectangular	Corner
Woodside Park	6/B	80	13,126	7,598	80	Trapezoid	Perpendicular
Woodside Park	7/E	71	13,690	7,735	78	Rectangular	Perpendicular
Woodside Park	8/D2	144	19,383	8,525	144	Rectangular	Perpendicular
Woodside Park	31/E	51	15,576	8,867	64	Trapezoid	Perpendicular
Woodside Park	5/B	75	15,318	9,051	76	Irregular	Perpendicular
Woodside Park	24/C	87	16,396	9,559	86	Trapezoid	Perpendicular
Woodside Park	18/E	128	8,970	9,981	130	Rectangular	Perpendicular
Woodside Park	7/G	132	17,857	10,063	127	Rectangular	Perpendicular
Woodside Park	6/E	51	19,417	12,466	65	Trapezoid	Perpendicular
Woodside Park	9/D2	n/a	n/a	n/a	n/a	Rectangular	Perpendicular

RANK BY WIDTH @ BRL

SUBDIVISION	LOT/BLOCK	FRONTAGE	SIZE	BUILDABLE/A REA	WIDTH @ BRL	SHAPE	ALIGNMENT
Woodside Park	27/E	54	13,008	6,703	55	Trapezoid	Perpendicular
Proposed Lot 2		32	13,194	7,249	61	Trapezoid	Cul-de-sac
Woodside Park	3/F	68	8,718	3,997	64	Rectangular	Perpendicular
Woodside Park	8/E	63	8,351	3,943	64	Rectangular	Perpendicular
Woodside Park	31/E	51	15,576	8,867	64	Trapezoid	Perpendicular
Woodside Park	14/G	67	11,464	5,847	65	Rectangular	Cul-de-sac
Woodside Park	6/E	51	19,417	12,466	65	Trapezoid	Perpendicular
Woodside Park	26/E	52	13,376	7,401	65	Trapezoid	Perpendicular
Woodside Park	9/E	66	7,996	3,643	66	Rectangular	Perpendicular
Proposed Lot 1		42	11,294	5,975	68	Trapezoid	Cul-de-sac
Woodside Park	1/F	70	9,352	4,381	68	Rectangular	Perpendicular
Woodside Park	24/E	66	8,847	4,076	69	Rectangular	Perpendicular
Woodside Park	7/D2	70	7,958	3,598	70	Rectangular	Perpendicular
Woodside Park	10/G	72	11,567	5,997	71	Rectangular	Perpendicular
Woodside Park	14/F	74	7,221	2,611	71	Rectangular	Perpendicular
Woodside Park	16/G	65	10,499	5,682	71	Rectangular	Perpendicular
Woodside Park	1/G	71	9,576	4,326	71	Rectangular	Perpendicular
Woodside Park	32/E	58	10,257	5,294	71	Trapezoid	Perpendicular
Woodside Park	5/F	74	8,735	3,945	72	Rectangular	Perpendicular
Woodside Park	25/E	69	9,414	3,846	72	Rectangular	Perpendicular
Woodside Park	4/F	74	9,747	4,645	73	Rectangular	Perpendicular
Woodside Park	28/E	68	10,246	5,794	73	Rectangular	Perpendicular
Woodside Park	33C/E	73	7,993	3,208	73	Rectangular	Perpendicular
Woodside Park	1/D2	54	8,994	4,385	73	Rectangular	Corner
Woodside Park	23/E	74	9,443	4,389	74	Rectangular	Perpendicular
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Woodside Park	5/B	75	15,318	9,051	76	Irregular	Perpendicular
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Woodside Park	16/F	83	8,902	3,885	83	Rectangular	Perpendicular
Woodside Park	7/F	197	8,039	2,240	83	Irregular	Corner
Woodside Park	16/C	69	7,551	3,086	83	Rectangular	Corner
Woodside Park	15/G	78	10,353	5,031	84	Rectangular	Perpendicular
Woodside Park	18/F	87	9,894	4,646	84	Rectangular	Perpendicular
Woodside Park	19/E	84	9,868	4,823	84	Rectangular	Perpendicular
Woodside Park	33D/E	78	7,895	3,225	84	Rectangular	Perpendicular
Woodside Park	12/G	105	11,260	5,227	85	Rectangular	Perpendicular
Woodside Park	5/D2	68	9,719	4,703	85	Rectangular	Corner
Woodside Park	12/F	164	9,967	3,252	86	Rectangular	Corner
Woodside Park	36/G	87	8,281	3,331	86	Trapezoid	Perpendicular
Woodside Park	24/C	87	16,396	9,559	86	Trapezoid	Perpendicular
Woodside Park	21/E	87	10,463	5,220	87	Rectangular	Perpendicular
Woodside Park	6/D2	193	9,692	3,503	88	Rectangular	Corner
Woodside Park	34C/E	89	12,807	6,138	91	Rectangular	Perpendicular
Woodside Park	1/C	68	6,365	1,911	93	Rectangular	Corner
Woodside Park	8/G	204	11,565	4,542	95	Rectangular	Corner
Woodside Park	9/G	81	11,527	6,195	96	Trapezoid	Perpendicular
Woodside Park	23/D1	80	10,805	5,472	97	Trapezoid	Corner
Woodside Park	35/E	207	11,761	4,675	98	Rectangular	Corner

RANK BY WIDTH @ BRL

SUBDIVISION	LOT/BLOCK	FRONTAGE	SIZE	BUILDABLE/A REA	WIDTH @ BRL	SHAPE	ALIGNMENT
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Woodside Park	21/C	131	10,318	4,418	111	Trapezoid	Corner
Woodside Park	10/D2	175	8,177	2,624	113	Rectangular	Corner
Woodside Park	1/D1	134	14,431	7,589	116	Rectangular	Corner
Woodside Park	15/B	89	8,402	2,795	118	Rectangular	Corner
Proposed Lot 3		123	11,944	5,665	123	Rectangular	Perpendicular
Woodside Park	7/G	132	17,857	10,063	127	Rectangular	Perpendicular
Woodside Park	18/E	128	8,970	9,981	130	Rectangular	Perpendicular
Proposed Lot 4		146	13,011	6,654	131	Rectangular	Perpendicular
Woodside Park	34D/G	161	12,211	5,358	140	Irregular	Corner
Woodside Park	8/D2	144	19,383	8,525	144	Rectangular	Perpendicular
Woodside Park	9/D2	n/a	n/a	n/a	n/a	Rectangular	Perpendicular



Ideas that work

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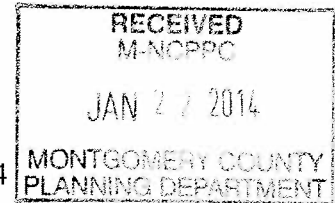
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January 17, 2014

Ms. Kathleen Reilly
 Plan Reviewer
 Maryland-National Capital
 Park & Planning Commission
 8787 Georgia Avenue
 Silver Spring, Maryland 20910

RE: Woodside Park – Frontage Requirements
 MNCPPC # 120070230

Dear Ms. Reilly:

As a follow-up letter to mine regarding lot width, as counsel to the applicant I am writing to submit information in support of our position that the resubdivision criteria for lot frontage has been satisfied in the submitted plan, and alternatively to request a waiver of the resubdivision frontage criteria for Proposed Lots 1 and 2 on the cul de sac of Greyrock Road.

As you know from the discussions with the applicant, the owners have worked intensively with neighbors over the past several years to find common ground on many issues related to this resubdivision. Devising solutions to the varied and sometimes conflicting neighborhood concerns resulted in a number of compromises. This is the case with respect to the proposed lot frontages for Lots 1 and 2.

After the resubdivision application was first filed in 2006, it encountered neighborhood opposition. Neighbors strongly opposed implementation of Development Review Committee comments that the Greyrock Road cul de sac be widened. Neighbors also expressed concern about the number of proposed lots (six originally requested, now reduced to five). An effort by some neighbors to have the house on the property declared historic failed before the Historic Preservation Commission, the Planning Board and the County Council.

On October 14, 2008, during a County Council meeting that marked the final stage of a process that ruled that the 9206 Watson Road property is *not* a historic property, Council members urged the owners and neighbors to work together to fashion a solution for the resubdivision application. The owners, with support from MNCPPC and DOT staff, have been able to respond to neighborhood concerns, as reflected in the pending amended application.

The amended plan includes a total of five lots distributed between Greyrock Road and Watson Road: three lots on Watson and two lots (Lots 1 & 2) on Greyrock. An alternative – one lot on

Greyrock Road and four lots on Watson Road struck some neighbors as unfairly favoring one area over another. It also makes sense to distribute the automobile traffic, even though the amount of traffic resulting from this resubdivision will be minimal.

Section 50-29(b)(2) of the Subdivision Ordinance states that a “resubdivision of any lot, tract, or other parcel of land that is part of an existing subdivision... 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.”

In this instance, the neighborhood was selected by Staff. Both proposed Lots 1 and 2 meet the minimum lot frontage subdivision requirement of 25 feet. Frontage for existing lots within the designated neighborhood range from 51 feet to 207 feet. Proposed Lot 1 has frontage of 42 feet, and proposed Lot 2 has a frontage of 32 feet. Six lots have frontage of less than 60 feet. The two existing lots on the Greyrock Road cul de sac have frontage of 64 feet and 67 feet; they are among the nineteen lots with frontage of less than 70 feet.

Proposed Lots 1 and 2 have a wedge shape traditionally found on cul-de-sacs throughout lower Montgomery County. It is in the nature of these lots to be narrower in the front before widening for the bulk of the lot. For example, six lots in the neighborhood have frontage of between 51 and 58 feet, and have a wedge shape – narrow at the front and then widening considerably. Although the frontage is small for these five lots, they are among the largest in size in the neighborhood – including the very largest lot in the neighborhood, 6/E, which has frontage of 51 feet, the shortest in the neighborhood.

Both Lots 1 (11,294 feet) and 2 (13,194 feet) are generous in size and will be among the larger lots in the neighborhood – a fact viewed favorably by neighbors. The houses on Lots 1 and 2 will be well set back from the street and the front building line, consistent with the adjacent houses on the cul de sac. The wedge shapes of Proposed Lots 1 and 2, because of their location on a cul de sac, are consistent with the resubdivision criteria.

If the Planning Board or Staff concludes that the resubdivision criteria has not been met as to lot frontage for one or both of these two lots, the Planning Board has the authority to grant a waiver pursuant to Section 50-38(a)(1) of the Subdivision Regulations:

The Board may grant a waiver from the requirements of this Chapter upon a determination that practical difficulties or unusual circumstances exist that prevent full compliance with the requirements from being achieved, and that the waiver is: 1) the minimum necessary to provide relief from the requirements; 2) not inconsistent with the purposes and objectives of the General Plan; and 3) not adverse to the public interest.

Should a waiver be necessary, we submit that the facts and circumstances of this application merit its granting by the Planning Board. This resubdivision involves a number of unusual circumstances that have presented practical difficulties. The parcel being subdivided has an

unusual heptagonal shape. The Greyrock Road cul de sac is 75 feet in diameter, which necessarily leads to a narrowing of Lots 1 and 2. It would have been advantageous for the owners to agree to widen the cul de sac to 90 feet in diameter, as originally called for by the DRC (among other factors, frontage for these two lots would have increased). However, neighbors living on the cul de sac strongly oppose it being widened, because doing so would result in the paving over of a large portion of their front yards. Working with neighbors, Montgomery County Fire and Rescue and the Department of Transportation, the owners have devised a plan satisfactory to those two departments that maintains the current diameter.

Waiving the frontage criteria for proposed Lots 1 and 2 is the minimum necessary to provide relief from this resubdivision criteria. Based on the existing shape of the parent tract and its frontage on the Greyrock Road cul de sac, the proposed configuration will provide reasonably shaped and generously sized lots.

The proposed resubdivision is consistent with the General Plan. It proposes five infill houses on land inside the Beltway. Public transportation to downtown Silver Spring is only a few blocks away, and downtown Silver Spring is a twenty minute walk from the property. This resubdivision is entirely congruent with the General Plan's goal of providing higher density development near business and commercial centers such as downtown Silver Spring.

In this same context, the public interest would be served by the construction of five new single family homes on this tract. Existing infrastructure is in place to support the five proposed dwellings. Attractive homes with substantial landscaping will enhance the neighborhood and provide additional tax revenue to the county.

For these reasons, we submit that granting the proposed waivers is appropriate if they are necessary. Please feel free to contact me or Lauren Ireland at MHG (301- 670-0840) with any questions. Thank you very much. With regards,

Very truly yours,



Robert G. Brewer, Jr.

Reilly, Kathy

From: Robin and Dan Wexler <rdwexler@erols.com>
Sent: Tuesday, June 17, 2014 8:55 PM
To: Chair@mncppc-mc.org; Reilly, Kathy; Mary Jane Checchi
Subject: "Woodside" Preliminary Plan #120070230

Chairwoman Francoise Carrier,
Kathy Reilly,

As neighbors of the property at 9206 Watson Road, we are writing to express our support for the development project, Woodside Preliminary Plan #120070230. Further, we would like to register our strong endorsement of the development solution that the property owner, Mary Jane Checchi, was able to achieve with the support of our neighborhood and the cooperation of Montgomery County Planning and Development agencies. This solution includes an agreement to not widen the Greyrock cul de sac, where we live, and the partial abandonment of the Edgevale right of way. These outcomes are critical to us and our neighbors. For us, the widening of Greyrock cul de sac would have required regrading our front yard and driveway, a prospect that caused us great trepidation. For our neighbors on Watson Road and for our neighbors on Greyrock, Harvey Road, and Edgevale, the extension of Edgevale Road would have required the destruction of a forested area and regrading that would have caused the loss of a beautiful resource cherished by the neighborhood.

In summary, we urge you to grant Ms. Checchi's application for development, while preserving (not widening) the Greyrock cul de sac and preserving Edgevale. In hearing and working to address neighborhood concerns, Ms. Checchi has gained our respect and appreciation; thus we urge you to support her application.

Sincerely,
Robin and Dan Wexler

Mary Jane Checchi
5409 Spangler Avenue
Bethesda, Maryland 20816
301 320 9695 mjchecchi@gmail.com

June 25, 2014

Honorable Francoise Carrier
Planning Board Chair
Maryland-National Capital Park and Planning Commission

RE: Preliminary Plan #1-20070230
 Woodside

Dear Ms. Carrier:

I am writing to request the Planning Board to approve our application to resubdivide, into five lots, the property at 9206 Watson Road in Woodside Park, Silver Spring. This letter provides some relevant history regarding the resubdivision efforts for our property, and summarizes our successful resolution of numerous setbacks encountered since the application was first filed in 2006.

My brother Vincent Checchi and I inherited this property. We grew up there. Our parents bought the property in 1955 and lived there until their deaths in 2005 and 2006, within six months of each other. I continue to live in Montgomery County.

After the death of our parents, we decided to sell the property to a developer. I volunteered to deal with the property, and in 2006 we entered into a contract with a developer. When, in November 2006, the Development Review Committee issued its comments on the developer's application, the neighbors were appalled. They had serious objections to two particular DRC recommendations:

1. "Full width dedication and construction of Edgevale Road as a tertiary residential roadway ending in a T-turnaround." This refers to an unpaved right of way adjacent to the property.
2. "Improve cul de sac to 90' paved with center mountable." This refers to a 75' cul de sac on Greyrock Road, which abuts one portion of the property.

As a neophyte where property development is concerned, I did not immediately understand the implications of these requirements. The developer reneged on our contract, a dispute I eventually resolved with the assistance of a lawyer, but months had passed since the DRC meeting. Neighbors, evidently alarmed, filed a petition in 2007 nominating the house for

historic preservation, which took me completely by surprise. I did not know the cause or depth of their opposition; no one had contacted me about these concerns, nor did the possibility of a historic designation for the house occur to us as even a remote possibility.

The historic designation process consumed more than a year, and was emotionally and financially costly. The Historic Preservation staff, Historic Preservation Commission, Planning Board, County Executive and County Council all concurred that the house is not historic.

At the November, 2008 County Council meeting that concluded that process, several members of the Council urged me and neighbors who were present to “work together to find a solution.” After the meeting Reverend Mark Farr, who lives with his family at 1102 Edgevale Road, adjacent to our property, approached me and asked if we could talk. That was the beginning of multiple meetings with neighbors, which continued over the next several years. Rev. Farr and Kathleen Staudt, whose home was on Greyrock Road, adjacent to the other side of the property, were regular participants (she has since moved) and Jim Cassell, who lives on Watson Road, was also involved at different stages. (Edgevale, Greyrock and Watson are the three roads that abut the property.) I also reached out, repeatedly, to other neighbors, and arranged several meetings with two or three people at a time. I urged everyone I met with to pass my contact information on to other neighbors so that I could listen to their concerns and answer questions. Reverend Farr hosted a larger meeting at his home; the Woodside Forest Civic Association notified and invited all its members. I used a neighborhood listserv to invite neighbors to another meeting. In addition to meetings and phone calls, I exchanged many (probably hundreds) of emails with Kathy, Mark, Jim and others.

Our neighbors and I developed a collaborative relationship. When I understood the neighbors’ concerns, I worked – with their support – to:

- Preserve the Edgevale ROW green space.
- Preserve the Greyrock cul de sac.

These two issues were of paramount importance to the neighborhood. Once I understood the negative impact on the neighborhood of the DRC’s recommendations, I completely agreed with the neighbors and became fully engaged in our joint efforts. I am pleased to report that these issues have been fully resolved.

Paving Edgevale Road for 75 feet to a dead end (with sidewalks) would have destroyed 41 trees and created an ugly, useless “road to nowhere.” Because of the steep grade, retaining walls would have been required, creating almost a tunnel effect. A pleasant, shady green space enjoyed and used by the neighborhood would have been replaced by a road that would serve absolutely no purpose – it is not required for fire and rescue access. For more than a year I tried relentlessly, with neighborhood support, to reverse this recommendation in meetings and with written requests to county officials, but did not succeed.

Honorable Francoise Carrier
Page Three

A County official then recommended that the best course of action would be to seek abandonment of Edgevale ROW. I decided to seek to abandon only a small portion in order to leave most of the ROW for public use. The abandonment process consumed nearly one year, was supported by neighbors, and was completed in May, 2013; it provided for permanent pedestrian and bicycle access across the ROW.

Neighbors also submitted a petition arguing against a lighted, paved county sidewalk through the ROW, because it would require destruction of many trees; the Department of Transportation ultimately agreed that a County sidewalk is not called for. So, this green space that helps to give this neighborhood its special character will be preserved.

Enlarging the diameter of the Greyrock cul de sac by 15 feet would have worked a serious hardship on two homes that front on the cul de sac. Their front yards would nearly disappear, along with their privacy, bringing the pavement of the cul de sac to within a few feet of their front doors and living rooms. Through a series of meetings with Marie LaBaw of the Fire and Rescue Department, we were able to develop a plan acceptable to Fire and Rescue that does not require widening the cul de sac.

Additionally, because neighbors expressed strong interest in preserving certain trees for privacy as well as for aesthetics and canopy, I instructed our arborists to try to accommodate these concerns. Thus, 15 very tall American Holly trees that line Edgevale ROW, and 6 other large trees (including three very tall Norway spruce) along the other property line, adjacent to our Greyrock neighbor, are included in our Tree Save plan. I am confident that the Tree Save Plan is going to result in an attractive setting for the neighborhood and for the new homes that will be built.

Working my way through the development process since 2006 has been arduous. I believe that, at the end of the day, the outcome is a good one – good for the neighborhood, and good for the county. I strongly believe that the pending resubdivision application fully meets all applicable criteria and respectfully request the Board's approval.

Thank you for your consideration.

Sincerely,

Mary Jane Checchi

cc: Kathy Reilly

Reilly, Kathy

From: mark@sustaineddialogue.org
Sent: Thursday, June 26, 2014 10:36 AM
To: Chair@mncppc-mc.org; Reilly, Kathy; Reilly, Kathy
Cc: mjchecchi@gmail.com; Laura Farr; jkcassell@rcn.com; doctor.kebabs@gmail.com; Mark Farr
Subject: Edgevale/Watson Road property

Dear Francoise and Kathy:

It was not long after buying 1102 Edgevale Road that I attended and spoke at the combative council meeting between local neighbors and Mary Jane Checchi. At that meeting, I likewise remember you all telling us to "go away and sort it out between you all."

It was also my first introduction to Mary Jane. Following that came a long series of subsequent meetings including some with elected representatives and many MD officials that included me and many others.

In the end I believe we did as you directed, coming up with a proposal in which everyone got something, no-one got everything, and which (as someone whose job it is to oversee dialogues in conflicts around the globe!) could stand as a model for good outcomes in trying circumstances. In between, strangely, but wonderfully, the combatants became better neighbors and friends.

I know from some of the meetings, (some of which were with you!), that it also took some flexibility on your parts to come to this solution as planning representatives. This too is part of understanding how it all can work together for an equitable solution - for which much appreciation. All I can say as we are hopefully nearing the end, is thank you, and I hope that what seems to be the outcome will now proceed as we all have planned it.

I look forward to hearing from Mary Jane as to how it goes. Thanks again.

Mark

[Mark Farr](#)

President
Sustained Dialogue Institute

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