



Preliminary Plan No. 11998077B: Longacres Preserve

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Staff Report Date: 5/9/2014

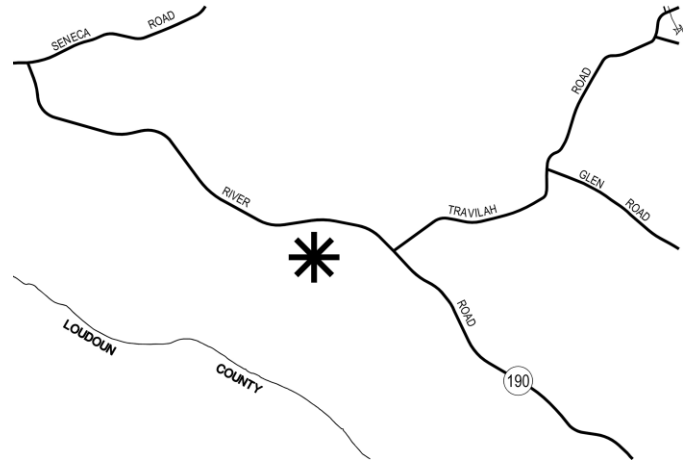
Description

Preliminary Plan No. 11998077B: Longacres Preserve

Request to subdivide Lot 10 and Outlots A, B, C to create eight (8) lots; located at the western terminus of Longacres Preserve Court approximately 1,800 feet southwest of the intersection of River Road and Longacres Preserve Court; 17.88 acres; RE-2 zone; Potomac Subregion Master Plan (2002).

Staff Recommendation: *Approval with conditions*

Submitted: 10/23/2012



Summary

- Resubdivides an existing lot and three outlots into eight new lots in accordance with Chapter 50-29(b)(2) Resubdivision.
- Relocates an existing Category 1 Forest Conservation Easement to accommodate right-of-way dedication.
- Extends Longacres Preserve Court as a private street to be included within a separate parcel, Parcel C, and meets the standards for an over length cul-de-sac .
- Meets the applicable standards of the RE-2 Zone for all lots.
- Complies with the seven resubdivision criteria established by Subdivision Regulation.
- Consistent with the Potomac Subregion Master Plan (2002).

RECOMMENDATION

Staff recommends approval, subject to the following conditions:

1. Approval under this Preliminary Plan is limited to eight (8) residential lots.
2. The Applicant must comply with the following conditions of approval for Final Forest Conservation Plan No. 11998077B, approved as part of this Preliminary Plan, subject to:
 - a. Record plat(s) must delineate a Category I conservation easement over all areas of forest planting as shown on the approved Final Forest Conservation Plan.
 - b. Permanent Category I conservation easement signs must be placed along the perimeter of the conservation easement area at the time of forest planting.
 - c. A two-year maintenance and management agreement must be approved prior to acceptance of on-site planting.
 - d. The Applicant must submit financial security for onsite planting prior to the start of clearing and grading.
 - e. All onsite planting requirements to be completed prior to issuance of the initial sediment control permit.
 - f. Limits of Disturbance shown on Sediment and Erosion Control Plan must match the Limits of Disturbance shown on the Final Forest Conservation Plan
3. The Applicant must dedicate and show on the record plat(s) dedication 35 feet from centerline of Pennyfield Lock Road.
4. Prior to issuance of the use and occupancy permit for any residential structure on any lot approved under this preliminary plan, the private street shown hereon must be substantially completed from the current terminus of Longacres Preserve Court to, and across, the entire frontage of the lot containing the residential structure. Substantial completion includes pavement base coat, utilities, stabilized shoulders and drainage swales.
5. The proposed section of Longacres Preserve Court shown on the Certified Preliminary Plan must be built to the structural standards of a tertiary residential street using Montgomery County Department of Transportation ("MCDOT") Standard MC-2001.03. The Applicant must have an engineer certify to the Montgomery County Department of Permitting Services ("MCDPS") and to any affected homeowners association that this private street has been designed and constructed in accordance with these standards.
6. The Planning Board has accepted the recommendations of the MCDOT in its letter dated December 27, 2012, 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 MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
7. The Planning Board has accepted the recommendations of the MCDPS – Water Resources Section letter dated December 11, 2012, 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.

8. Prior to issuance of the first residential building permit, the Applicant must remove the existing driveway asphalt within the Pennyfield Lock Road right-of-way and install wooden bollards at Pennyfield Lock Road and Longacres Preserve Court to restrict future vehicular access as per Rustic Roads Advisory Committee (RRAC) letter dated April 10, 2013.
9. Prior to recordation of the record plat(s), the existing residential structure and accessory structure must be removed from the Property.
10. Record plat to reflect an ingress/egress/utility easement for driveway and utilities for existing Lot 11
 - a. The certified Preliminary Plan must contain the following note:
 - b. “Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, driveways, 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.”
11. Record plat must show all necessary easements.
12. Record plat must reflect denied access to Pennyfield Lock Road.
13. 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 the western terminus of Longacres Preserve Court approximately 1,800 feet southwest of its intersection with River Road and consists of one platted lot (Lot 10) and three outlots, (Outlot A, Outlot B, and Outlot C) identified on Plat 22383 (Attachment A) totaling 17.88 acres ("Property" or "Subject Property") (Figure 1). The Property is zoned RE-2 and is in the Potomac Subregion Master Plan ("Master Plan"). The Property abuts Pennyfield Lock Road to the south and is adjacent to Block House Point Park.



Figure 1 - Subject Property

The Property is currently improved with a one family dwelling and an accessory structure as shown on Figure 2. Outlot A and Outlot C provide driveway access to the existing dwelling and the dwelling unit on abutting Lot 11 via private easement to Pennyfield Lock Road designated as a Rustic Road (R-33) by the Rustic Roads Functional Master Plan. Lot 10 is currently encumbered by a Category 1 Forest Conservation Easement. The Property contains a pond in the southernmost west corner of Lot 10, adjacent to Pennyfield Lock Road.

The Property is surrounded to the north, east and south by one-family detached houses in the RE-2 zone, on lots ranging in size from one to ten acres. Blockhouse Point Park (MNCPCC) and the C&O National Park generally abut the Property to the west. The Property is located within the Muddy Branch watershed which is designated as Use I-P. The Property does not contain any forest, wetlands, or 100-year floodplain; however the Property does include a stream, farm pond and associated Stream Valley Buffer. There is also a stream off-site, directly to the west that flows on to the Property.

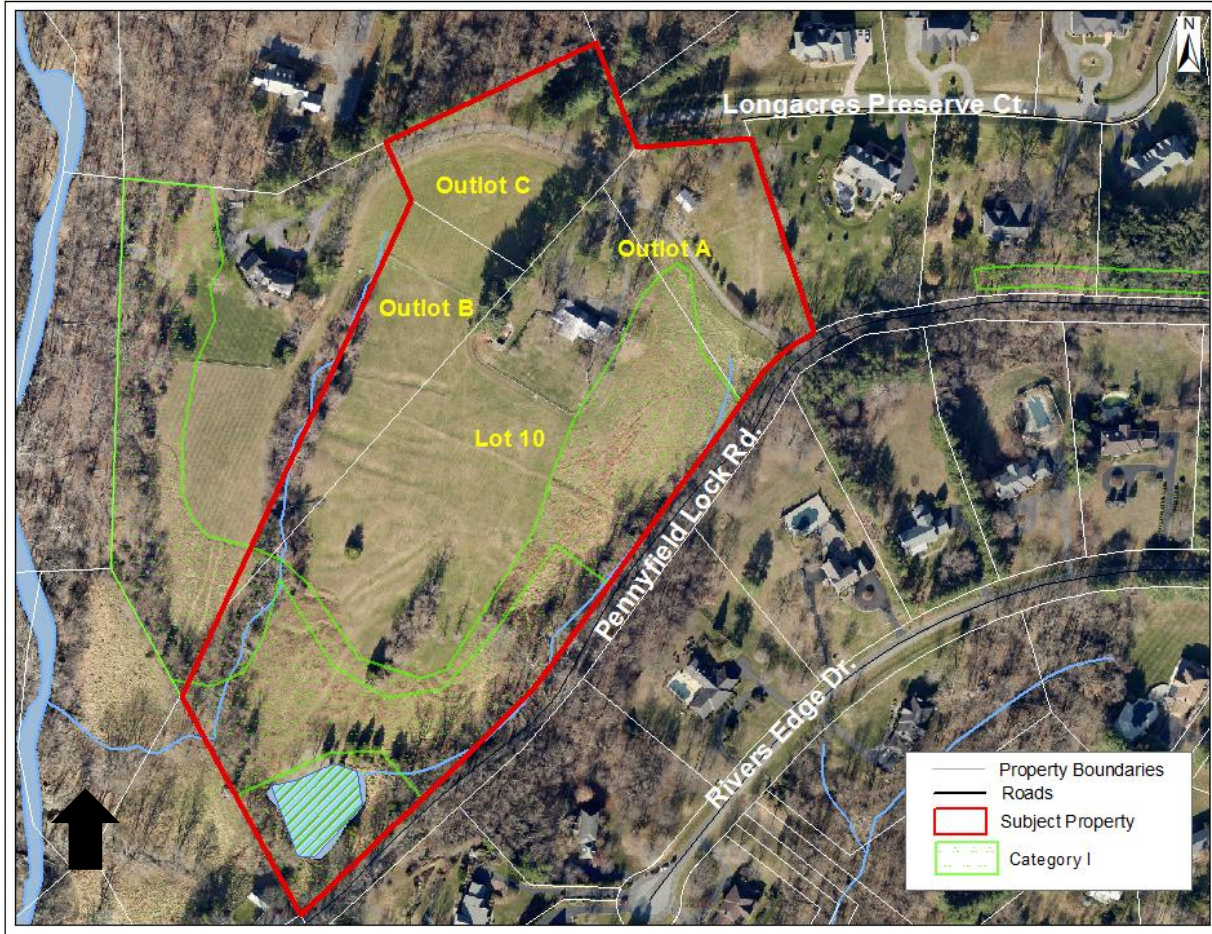


Figure 2 - Existing

PROJECT DESCRIPTION

Preliminary Plan No. 11998077B, Longacres Preserve Phase II (“Application” or “Preliminary Plan”) proposes to resubdivide the Subject Property into eight new lots (Attachment B and Figure 3). The Application represents the second phase of the Longacres Preserve Subdivision. The first phase, Phase I, was approved in 1999 (119980770) for five lots (one lot was resubdivided into two for a total of six) and established Longacres Preserve Court as a private cul-de-sac to serve those five (now six) lots and which terminates at the Subject Property’s northeastern boundary. The private cul-de-sac was to eventually be extended to serve the final development of the Subject Property and the driveway access for existing Lots 10 and 11 to Pennyfield Lock Road was to be terminated.

This Application implements the extension of Longacres Preserve Court as a private road to serve the proposed lots and to terminate in a cul-de-sac bulb. The existing house on Lot 10 and accessory

structures will be demolished prior to plat. The existing septic systems for both the existing house and that on Lot 11 will be abandoned and public water and sewer service will be extended from the current terminus of Longacres Preserve Court to all lots.

The existing driveway that serves the existing house on the Property and that on Lot 11 will be abandoned; the driveway pavement within Pennyfield Lock Road right-of-way will be removed. The Rustic Roads Advisory Committee requests that wooden posts/bollards be installed to restrict future vehicular access to and from Pennyfield Lock Road using the driveway or any opening that remains visible from Pennyfield Lock Road (Attachment C). The Applicant wishes to explore using any remaining driveway asphalt to serve as a pedestrian connection from the new private street to Pennyfield Lock Road pending coordination with the Rustic Roads Advisory Committee.



Subject Property- Proposed Lots 12-19

Figure 3

ANALYSIS AND FINDINGS – Chapter 50

Conformance to the Master Plan

The Application substantially conforms to the recommendations of the Potomac Subregion Master Plan and Rustic Roads Functional Master Plan. The Property is located within the Travilah community identified in the Master Plan as “a low-density area that acts as a transition from the higher densities of Potomac and North Potomac to lower densities in Darnestown and the natural environment of the Potomac River,” (p. 80). The Master Plan recommends public water and sewer service.

The Master Plan states that, "Sensitive areas within the Muddy Branch watershed occur primarily in the stream valleys, many of which are protected by park land." The main stem of the Muddy Branch's confluence with the Potomac River is located a few hundred feet west of this Property in the C&O Canal National Historical Park. The Application protects Stream Valley Buffers, forest and water quality by placing Category I easements on these sensitive resources.

At the time the Master Plan was adopted in 2002, the Property was already within the recommended sewer envelope, which the Master Plan confirms should, "Allow for the limited provision of community sewer service for the areas zoned RE-1 and RE-2 within and at the periphery of the proposed sewer service envelope," (p. 23). The Property is in water and sewer categories W-1 and S-1, respectively, which allows it to connect to the public systems.

The Rustic Roads Advisory Committee has reviewed the Application to determine if it has any effect on the adjacent Pennyfield Lock Road. As mentioned, two existing homes on Lot 10 and Lot 11 currently have legal access to Pennyfield Lock Road via driveway. With the extension of Longacres Preserve Court, the existing driveway access point can be closed off and all new lots, and existing Lot 11, will have access to Longacres Preserve Court. The Applicant will maintain the former driveway asphalt as a pedestrian connection to Pennyfield Lock Road for the community.

Public Facilities

Roads and Transportation Facilities

Private cul-de-sacs in the RE-2 Zone - Pursuant to Section 59-C-1.34.1, the Planning Board may approve private cul-de-sacs in the RE-2 zone provided the road is safe and adequate for access; has sufficient width to accommodate the new dwellings; will better protect significant environmental features on and off site as compared to a public street; and has proper drainage. For this Application, the decision to extend Longacres Preserve Court as a private street was somewhat pre-determined by the prior Planning Board action on Phase I. The extension of Longacres Preserve Court as a public street is not possible as part of this Application because it would create an "orphaned" section of public right-of-way and pavement that does not intersect with another publically dedicated street. MCDOT is not able to accept maintenance of a public street that cannot be accessed from another public street and has rejected a public dedication for the proposed section of the cul-de-sac. (Attachment D).

As shown on the Application, the completion of Longacres Preserve Court as a private cul-de-sac meets the required findings necessary for the Board to approve it for the Subject Property. The pavement width of 20 feet is adequate and will provide safe access for the eight proposed lots as well as the existing home on Lot 11 and the six homes already built under Phase I. This pavement width and construction standards will meet those of a tertiary public road. The use of a tertiary street pavement standard will provide safe and adequate access for all 15 lots that will front to this road. The 45 foot wide parcel width that is proposed under this Application for the private cul-de-sac, is narrower than that which would be required if the road were designed to public standards. The narrower width allows home sites to be pulled closer to the street pavement and subsequently allows the Applicant to provide additional forest easement area to the rear of the homes located on the south side of the new cul-de-sac. Additional easement is needed to offset the forest easement area that was lost due to a requirement to provide additional dedication of Pennyfield Lock Road (35 feet from centerline). Adequate drainage of the pavement is accommodated in the swales shown along the sides of the

roadway and runoff from the swales is treated in stormwater management facilities approved by MCDPS.

Private Streets within their own parcels - The new section of Longacres Preserve Court will be extended from its current terminus in Phase I as a private road with a pavement width of 20 feet and drainage swales on each side of the road, to be included within a 45 foot wide parcel of land that is separate and distinct from the abutting lots. While the pavement cross section and design under this Application is the same as that already built in Phase I, the pavement for the first phase existing is not located within its own separate and distinct parcel of land. Rather, the existing section of Longacres Preserve Court, while also a private road, is located within an ingress and egress easement across privately owned lots and subject to a declaration of covenants. This does not have any significant effect on the proposal to build the remainder of Longacres Preserve Court as a private street within its own parcel.

Overlength cul-de-sacs - Section 50-26(b) of the Subdivision Regulations allows the Board to approve cul-de-sacs when their use would produce an improved street layout because of unusual shape, size or topography of a given property. Cul-de-sacs that exceed 500 feet in length are generally discouraged unless the Planning Board determines that the property's shape, size, topography, large lot size, or improved street alignment dictate a longer length.

The ultimate completion of Longacres Preserve Court as a cul-de-sac was essentially predetermined by prior Planning Board action. As an improved, but substandard Rustic Road, connection to Pennyfield Lock Road with a new road intersection will not be granted. Because of the topography of the Property and the improved street alignment, there are no feasible opportunities to complete this road as anything other than a cul-de-sac and because of the inability to connect the road to another road; it will necessarily have to be a cul-de-sac that is longer than 500 feet to adequately serve the proposed lots.

Aside from its Rustic Road designation, the topography of the Subject Property along Pennyfield Lock Road is moderately steep. To preserve the slopes and to protect the forest in this location, prior Planning Board action on Phase I of Longacres Preserve, approved Category I Forest Easements to run the entire length of the southern Property line thereby creating a forested buffer and barrier to any connection of Longacres Preserve Court to Pennyfield Lock Road at any point. As part of Phase I, the Planning Board required the driveway that currently serves the homes on the Property and Lot 11 to be closed off when the Subject Property developed. Staff believes that the Property's topography and the improved street alignments provide sufficient reason for the Planning Board to approve a cul-de-sac that is greater than 500 feet in length for this Application.

Sidewalks - The existing section of Longacres Preserve Court was not built with sidewalks. To be consistent with this and the rural area road standard policies, Staff does not recommend sidewalks along the new section of road. The limited number of pedestrians generated by the 15 homes along this cul-de-sac may safely use the edge of pavement or shoulder.

Rustic Roads

As a Rustic Road identified by the 2002 Potomac Subregion Master Plan, the right-of-way width for Pennyfield Lock Road is now 70 feet. When the Longacres Preserve Phase I development was approved prior to designation of the road as rustic, only 60 feet was required for dedication. The Applicant has complied with the current Rustic Road designation by showing additional dedication, 35 feet from the centerline of the road and with a 10 foot public utility easement (PUE) adjacent to the length of the

right-of-way. This dedication and PUE conflicted with existing Category I easements in those locations and resulted in removal and replacement of the easements. The relocation of the easements is discussed in detail in the forest conservation section of this report.

Local Area Transportation Review

The proposed lots do not generate 30 or more vehicle trips during the morning or evening peak-hours; therefore, the trips generated are de minimus, and not subject to Local Area Transportation Review.

Transportation Policy Area Review

The Property is located in the Rural West Policy Area which is exempt from the Transportation Policy Area Review.

Other Public Facilities and Services

All other public facilities and services including electric, telecommunication, police and health services are available and adequate to support and serve the proposed dwelling units. The Property is located in the W-1 and S-1 water and sewer service category which permits public water and sewer connection. The Application has been reviewed by Washington Suburban Sanitation Commission and has determined that there is an existing 8-inch water main and 8-inch gravity sewer main in the abutting section of Longacres Preserve Court which will be adequate to serve the Property.

The Application has been reviewed by the Montgomery County Department of Fire and Rescue Service who determined that the Property has adequate access for fire and rescue vehicles by transmittal dated, April 3, 2013 (Attachment E).

The Application is in the Thomas S. Wootton High School Cluster, which is operating at an adequate level (under 105% utilization) on all grade levels according to the current Subdivision Staging Policy. Therefore, the Applicant is not subject to a school facilities payment.

Environment

Environmental Guidelines

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) for the 39.10 acre Subject Property was approved on March 4, 1998. The NRI/FSD was followed by a Final Forest Conservation Plan (FFCP) submitted with the Preliminary Plan #119980770 and approved on May 23, 2000 With the Phase I portion of this subdivision. A NRI/FSD is normally only valid for a period of two years unless it is recertified or followed by an approved Forest Conservation Plan. Any changes in site conditions between the NRI/FSD approval and this Application would be reflected on the revised FFCP.

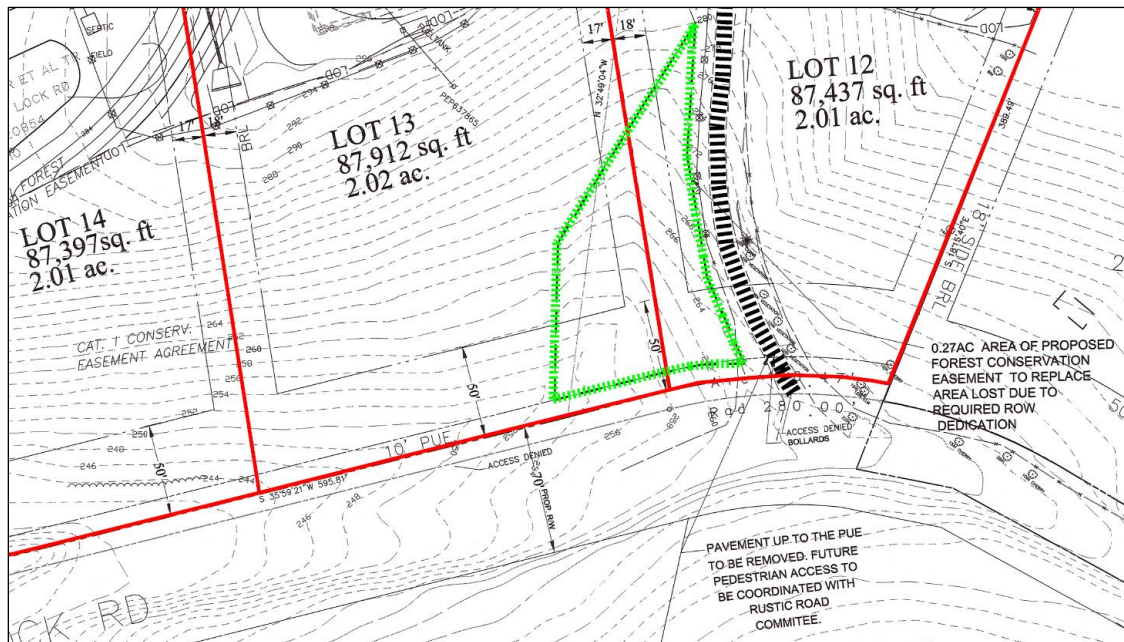
The Subject Property includes a stream, an in-stream pond, and associated Stream Valley Buffer along the southwest side along Pennyfield Lock Road. Additionally there is a stream immediately offsite to west. The Stream Valley Buffer from the offsite stream flows onto the Subject Property. There is no existing forest onsite; however, there are currently Category I easements established under the prior Planning Board approval that have yet to be planted. The Subject Property is within the Muddy Branch

watershed; a Use I-P watershed. The Countywide Stream Protection Strategy rates streams in this watershed as good condition.

No encroachments into the Stream Valley Buffer are proposed with this Application and the sensitive environmental features are protected.

Forest Conservation

The Subject Property is covered by a previously approved FFCP. The FFCP showed no on-site forest, but based on the zone, there was a planting requirement.



Proposed 0.27 acre Category 1 Easement (relocation)
Figure 4

With this Application, a revised FFCP was submitted to relocate a portion of the previously approved Category I Conservation Easement that is within the required road dedication and PUE (Figure 4). Additional right-of-way dedication (35 feet from centerline) was required along Pennyfield Lock Road to meet the new Rustic Road designation (70 feet total) and a 10 foot wide PUE is required. This dedication and PUE area is shown on current record plats as an afforestation area in Category I Conservation Easement. The revised FFCP relocates 0.27 acres of Category I Conservation Easement at a 1:1 ratio from the dedication and PUE area to an area contiguous with remaining Category I Conservation Easements as shown above.

The Application meets all requirements of Chapter 22A, the Montgomery County Forest Conservation Law.

Stormwater Management

MCDPS approved a stormwater management concept on December 11, 2012 (Attachment F). The concept proposes to meet the required stormwater management goals via dry wells and micro-biofilter located both on lots and within a private stormwater easement to be located on Lot 18.

Compliance with the Subdivision Regulations and Zoning Ordinance

This Application was reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The Application meets all applicable sections, including the resubdivision requirements as discussed below. The proposed lots size, width, shape and orientation are appropriate for the location of the subdivision in the Potomac Subregion Master Plan. The lots are suitably sized, dimensioned and located to accommodate the residential uses shown on the Preliminary Plan and allow for the orderly extension of lots along the completed Longacres Preserve Court.

The dimensional characteristics and location of the lots support the Master Plan goal to maintain low density residential development in this area. The lots are zoned RE-2 and were reviewed for compliance with the applicable dimensional requirements specified in the Zoning Ordinance. As shown in the Table 1 below, the proposed lots meet all the dimensional requirements for area, frontage, and width, and the proposed dwellings can meet setbacks.

Table 1 – Data Table RE-2 Zone

PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan
Minimum Lot Area	87,120 sq. ft.	87,120 sq. ft. or more
Lot Width @ front building line	150 ft.	150 ft. or more
Lot Frontage	25 ft.	25 ft. or more
Setbacks		
Front	50 ft. Min.	50 ft. or more ¹
Side	17 ft. Min./ 35 ft. total	17 ft. or more ¹
Rear	35 ft. Min.	35 ft. or more ¹
Lot Coverage for buildings	25% max.	Less than 25% ¹
Building Height	50 ft. max.	50 ft. or less ¹
MPDUs		No
TDRs		No
Site Plan Required		No

¹ Determined by MCDPS at the time of building permit.

The Application has been reviewed by other applicable county agencies, all of whom have recommend approval of the Application.

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

Statutory Review Criteria

The Subject Property includes a recorded lot, and three recorded outlots shown on a previously recorded record plat, and therefore this Application is subject to review as a “resubdivision,” which requires compliance with all seven of the resubdivision criteria as set forth in Section 50-29(b)(2) of the Subdivision Regulations. The resubdivision criteria set forth in Section 50-29(b)(2) is as follows:

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.

Neighborhood Delineation

In order to review and analyze the Application as a resubdivision, an appropriate resubdivision neighborhood must be established. The Applicant has proposed, and Staff agrees with the following neighborhood boundaries:

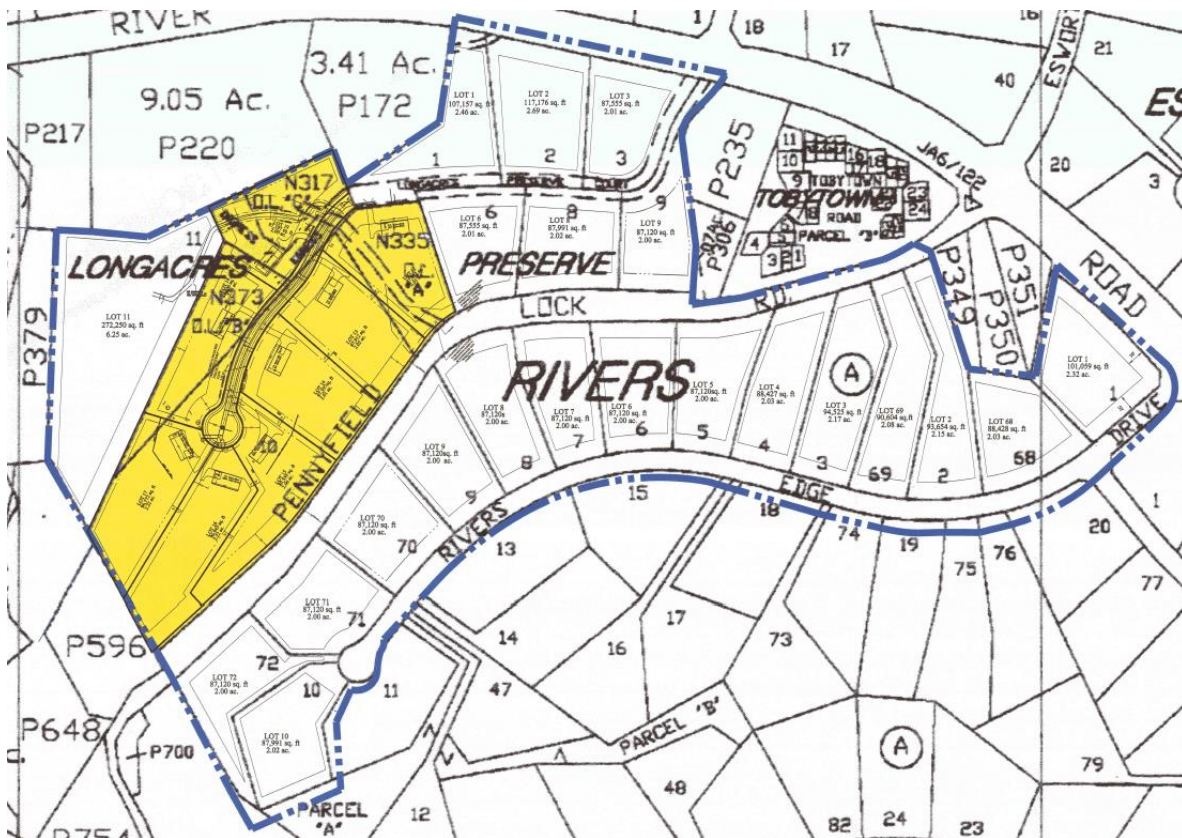


Figure 5 - Neighborhood Boundary

The neighborhood boundary proposed consists of 22 lots (Figure 5 and Attachment G) and includes all lots immediately adjacent or confronting the Subject Property, including lots with access to Longacres Preserve Court and those along the northern side of Rivers Edge Drive (“Neighborhood”). The Neighborhood provides a satisfactory sample of the lot and development patterns of the area in order to analyze lot character. All of the lots within the Neighborhood are recorded by plat and all are zoned RE-2. Unplatted parcels were excluded. A map and tabular summary of the lot analysis based on the resubdivision criteria is included in Table 2.

The Neighborhood was analysed using the noted (above) resubdivision criteria. The proposed lots are of the same character with respect to other lots within the Neighborhood. Therefore, the proposed resubdivision complies with the criteria of Section 50-29(b)(2).

Lot #	Block/Subdivision	Frontage(Measured at the R/W (ft.))	Alignment	Lot Size (sq. ft.)	Shape	Width Measure at the BRL (ft.)	Buildable Area (sq. ft.)
5	A/Rivers Edge	169	Radial	87,120	Irregular	181	54,485
6	A/Rivers Edge	199	Radial	87,120	Rectangular	204	53,385
7	A/Rivers Edge	164	Radial	87,120	Irregular Rectangle	152	48,504
8	A/Rivers Edge	171	Radial	87,120	Trapezoid	156	54,280
9	A/Rivers Edge	189	Radial	87,120	Irregular Rectangle	199	54,284
70	A/Rivers Edge	253	Radial	87,120	Irregular Rectangle	262	50,360
71	A/Rivers Edge	242	Radial	87,120	Irregular Polygon	271	50,360
72	A/Rivers Edge	24	Perpendicular	87,120	Irregular Polygon	25	38,945
19	/Longacres Preserve	358	Radial	87,197	Irregular Polygon	414	52,910
14	/Longacres Preserve	256	Perpendicular	87,397	Irregular Rectangle	252	54,603
12	/Longacres Preserve	346	Angled	87,437	Trapezoid	316	54,765
6	/Longacres Preserve	321	Angled	87,555	Irregular Rectangle	295	49,018
2	/Longacres Preserve	244	Angled	87,677	Irregular Rectangle	244	69,244
13	/Longacres Preserve	228	Perpendicular	87,912	Irregular Rectangle	228	54,838
8	/Longacres Preserve	281	Radial	87,991	Irregular Rectangle	282	48,147
10	A/Rivers Edge	70	Radial	87,991	Irregular	120	48,798
18	/Longacres Preserve	476	Perpendicular	88,306	Irregular Rectangle	487	42,664
4	A/Rivers Edge	183	Radial	88,427	Rectangular	187	55,894
15	/Longacres Preserve	177	Radial	89,559	Irregular	203	39,731
69	A/Rivers Edge	179	Radial	90,604	Trapezoid	175	60,616
2	A/Rivers Edge	222	Radial	93,654	Irregular Polygon	206	50,391
3	A/Rivers Edge	180	Perpendicular	94,525	Trapezoid	179	70,476
17	/Longacres Preserve	63	Radial	96,772	Trapezoid	160	71,745
16	/Longacres Preserve	53	Radial	96,945	Irregular Polygon	153	63,242
1	A/Rivers Edge	255	Corner	101,059	Irregular Polygon	286	58,378
68	A/Rivers Edge	351	Radial	104,662	Trapezoid	313	48,550
1	/Longacres Preserve	445	Perpendicular	107,157	Irregular Polygon	399	53,265
3	/Longacres Preserve	520	Corner	117,263	Irregular	451	48,536
9	/Longacres Preserve	426	Perpendicular	120,961	Irregular Rectangle	295	38,766
11	/Longacres Preserve	0	N/A	272,250	Irregular	937	185,480

Table 2 – Neighborhood Analysis for Resubdivision Ranked by Lot Size

Lot frontage:

The proposed lots will be of the same character as existing lots in the Neighborhood with respect to lot frontage.

The lot frontages of the proposed lots range from 53 feet (Lot 16) to the widest at 476 feet (Lot 18). In the Neighborhood, one existing lot (Lot 11, Longacres Preserve) has zero frontage, and the largest frontage is 520 (Lot 3, Longacres Preserve) feet, therefore the lots are in the range and are of similar character regarding frontage.

Alignment:

The proposed lots are of the same character as existing lots in the Neighborhood with respect to alignment. The alignment of the proposed lots is generally radial or perpendicular to the street as are most of the lots in the Neighborhood.

Size (Lot):

The proposed lots sizes are in character with the size of existing lots in the Neighborhood. The range of lot sizes in the Neighborhood is between 87,120 square feet and 272,250 square feet. The smallest of the proposed lots is 87,197 square feet (Lot 19) and 96,945 square feet (Lot 16) is the largest, both of which fall within the range of lot sizes within the Neighborhood.

Shape:

The shape of the proposed lots will be in character with shapes of the existing lots in the Neighborhood. Three of the proposed lots are irregular rectangles, two are irregular polygons, two are trapezoids, and one is irregular. The Neighborhood contains a mix of lot shapes including irregular polygons, irregular rectangle, rectangular and trapezoids.

Width at Building Restriction Line:

The proposed lots will be in character with existing lots in the Neighborhood with respect to width. The range of width at the building restriction line within the Neighborhood is between 25 and 937 feet. The proposed lots will have width between 153 and 487 feet, which falls within the range of lot widths within the Neighborhood.

Area (Buildable):

The proposed lots will be of the same character as existing lots in the neighborhood with respect to buildable area. The proposed lots have buildable areas that are between 39,731 and 71,745 square feet which fall within the range of buildable areas for lots in the Neighborhood which range between 38,766 square feet and 185,480 square feet.

Suitability for Residential Use:

All lots are suitable for residential development.

COMMUNITY OUTREACH

This Application was submitted and noticed in accordance with all required procedures. Signs referencing the Application and Limited Forest Conservation Amendment were posted in two locations along the Property’s frontage with Pennyfield Lock Road. The Applicant held a pre-submission meeting at their home on July 8, 2012 at 2pm.

According to the minutes of the meeting ten people were in attendance, of which three requested to be persons of Record. Questions were raised regarding development schedule, construction access, development cost as is relates to Longacres Court and potential property damage, who will build, stormwater management and protection of the existing farm pond. According to the minutes of the meeting provided with the Application, the Applicant answered or addressed all concerns raised by the community. Subsequently, the Applicant has been negotiating the appropriate and necessary agreements to solidify the relationship between the existing home owners association and the Applicant who is acting on behalf of the new HOA. Attachment H outlines the current discussions between the two HOAs.

CONCLUSION

The proposed lots meet all requirements of 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 and utility companies, all of whom have recommended approval of the Preliminary Plan.

Section 50-29(b)(2) of the Subdivision Regulations specifies seven criteria with which resubdivided lots must comply: street frontage, alignment, size, shape, width, area and suitability for residential use within the existing block, neighborhood or subdivision. As set forth above, the proposed lots are of the same character as the existing lots in the defined Neighborhood with respect to each of the resubdivision criteria, and therefore, complies with Section 50-29(b)(2) of the Subdivision Regulations. Therefore, approval of the Application, with the conditions specified above is recommended.

Attachments

Attachment A – Plat 22383

Attachment B – Preliminary Plan 11998077B - 5.8.2014

Attachment C – Rustic Roads Advisory Committee

Attachment D – MCDOT 12.27.2012

Attachment E – Fire and Rescue

Attachment F – MCDPS Stormwater Management Concept Plan

Attachment G – Neighborhood Map - 5.8.2014

Attachment H – HOA documents

CONSERVATION E'SMT

Course	Bearing	Distance
L1	S 86°02'49" E	154.10'
L2	S 08°14'21" E	131.87'
L3	S 21°36'11" W	51.86'
L4	S 07°34'31" E	51.26'
L5	S 20°27'33" W	48.06'
L6	S 25°21'51" W	33.89'
L7	S 09°59'27" W	137.16'
L8	S 01°00'20" E	89.58'
L9	S 21°06'52" E	42.87'
L10	S 46°18'34" E	41.46'
L11	S 75°33'51" E	77.86'
L12	S 64°38'09" E	54.87'
L13	S 45°53'30" E	54.55'
L14	S 35°20'24" E	153.24'
L15	S 71°04'19" E	109.87'
L16	N 71°33'11" E	47.38'
L17	N 32°38'22" E	278.91'
L18	N 17°51'54" E	101.21'
L19	N 21°29'39" E	105.77'
L20	N 32°23'23" E	128.80'
L21	N 24°28'25" E	107.83'
L22	N 42°20'58" E	51.21'
L23	N 58°17'20" E	28.87'
L24	S 61°22'22" E	26.62'
L25	S 07°26'53" E	138.04'
L26	S 38°46'07" E	97.76'
L27	S 35°59'21" W	385.69'
L28	N 54°00'39" W	100.42'
L29	S 35°59'21" W	175.00'
L30	S 41°19'03" W	137.36'
L31	S 81°50'53" W	96.05'
L32	N 57°55'02" W	105.69'
L33	N 31°48'07" W	171.94'
L34	S 14°50'15" W	104.56'
L35	S 30°06'32" W	66.57'
L36	S 66°47'04" W	62.54'
L37	N 78°55'57" W	73.31'
L38	N 28°15'52" W	195.36'
L39	N 86°46'32" W	11.89'
L40	N 01°48'19" E	677.95'
L101	N 28°15'52" W	209.18'
L102	N 65°38'49" E	179.15'
L103	N 87°40'04" E	88.74'
L104	S 42°30'39" E	89.67'
L105	S 47°29'21" W	289.51'

GENERAL NOTES

- 1) ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, PROJECT PLAN OR OTHER PLAN, ALLOWING DEVELOPMENT OF THIS PROPERTY, APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD ARE INTENDED TO SURVIVE AND NOT BE EXTINGUISHED BY THE RECORDATION OF THIS PLAT, UNLESS EXPRESSLY CONTEMPLATED BY THE PLAN AS APPROVED. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
- 2) THE PROPERTY SHOWN HEREON IS TO BE SERVED BY PUBLIC WATER AND SEWER SERVICES ONLY, SUBJECT TO THE "DEVELOPMENT NOTE" HEREON.
- 3) THE LAND HEREON IS ZONED RE-2.
- 4) THE PROPERTY SHOWN HEREON IS SUBJECT TO THE REQUIREMENTS OF THE MONTGOMERY COUNTY FOREST CONSERVATION LAW OF 1992, INCLUDING APPROVAL OF A FINAL FOREST CONSERVATION PLAN AND APPROPRIATE AGREEMENTS PRIOR TO ISSUANCE OF A SEDIMENT CONTROL PERMIT. A COPY OF THE APPROVED PLAN MAY BE VIEWED AT 8787 GEORGIA AVENUE, SILVER SPRING, MD.
- 5) THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE, NOR EVERY MATTER RESTRICTING THE OWNERSHIP AND USE OF THE PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPICT OR NOTE ALL MATTERS AFFECTING TITLE.
- 6) THIS PLAT IS MADE PURSUANT TO M-NCP&PC PRELIMINARY PLAN NO. 1-98077.
- 7) THIS PROPERTY IS SITUATED ON TAX MAP NO. EQ23.
- 8) NO DIRECT NEW ACCESS TO PENNYFIELD LOCK ROAD. ACCESS TO THIS ROAD WILL BE CLOSED AFTER MDSA APPROVAL OF ACCESS TO RIVER RD. (MD190).
- 9) THE PRIVATE INGRESS/EGRESS EASEMENT HEREON IS THE SUBJECT OF A DECLARATION OF COVENANTS RECORDED AT L.18109 F.714.

PLAT NO.

22383

OWNER'S CERTIFICATE

WE, THE UNDERSIGNED, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION AND ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES.

WE HEREBY ESTABLISH THE RECIPROCAL INGRESS AND EGRESS EASEMENTS SHOWN HEREON FOR USE BY THE INDICATED LOTS.

WE HEREBY GRANT TO THOSE PARTIES LISTED IN THAT CERTAIN DECLARATION RECORDED IN LIBER 3834 AT FOLIO 457 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, THE "PUBLIC UTILITY EASEMENTS" SHOWN HEREON (SOMETIMES ABBREVIATED AS P.U.E.), SUBJECT TO THE TERMS AND PROVISIONS FOR PUBLIC UTILITY EASEMENTS INDICATED WITHIN SAID DECLARATION.

WE HEREBY GRANT TO THE MONTGOMERY COUNTY PLANNING BOARD OF THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION, CONSERVATION EASEMENTS, AS SHOWN HEREON, PURSUANT TO M-NCP&PC PRELIMINARY PLAN NO. 1-98077, INCLUDING ITS ASSOCIATED FOREST CONSERVATION PLAN, AND IN ACCORDANCE WITH THE TERMS, PROVISIONS AND CONDITIONS CONTAINED IN THE CONSERVATION EASEMENT AGREEMENT RECORDED AMONG THE AFORESAID LAND RECORDS IN LIBER 13178 AT FOLIO 412.

WE HEREBY ESTABLISH THE EASEMENTS DESIGNATED HEREON AS "PRIVATE WATER AND SEWER HOUSE CONNECTION EASEMENT", FOR THE PURPOSE OF INSTALLING AND MAINTAINING PRIVATE SANITARY SEWER AND WATER HOUSE CONNECTIONS FOR THE USE OF THE INDICATED LOTS. THESE EASEMENTS MAY NOT BE ABANDONED WITHOUT THE WRITTEN CONSENT OF THE WASHINGTON SUBURBAN SANITARY COMMISSION AND THE AFFECTED LOT OWNERS.

AS OWNER(S) OF THIS SUBDIVISION, WE, OUR SUCCESSORS AND ASSIGNS, SHALL CAUSE PROPERTY CORNER MARKERS TO BE SET BY A REGISTERED MARYLAND LAND SURVEYOR, IN ACCORDANCE WITH SECTION 50-24(e)(2) OF THE MONTGOMERY COUNTY CODE.

THERE ARE NO SUITS, ACTIONS AT LAW, LEASES, LIENS, MORTGAGES OR TRUSTS ON THIS PROPERTY, AND ALL PARTIES HAVING INTEREST IN THE PROPERTY HAVE INDICATED THEIR ASSENT BELOW.

Janice A. Major 11/14/02 *Donald Franyo*
 WITNESS DATE DONALD FRANYO
Janice A. Major 11/14/02 *Susan Franyo*
 WITNESS DATE SUSAN FRANYO
Janice A. Major 11/14/02 *Gertrude Hammond*
 WITNESS DATE GERTRUDE HAMMOND

DEVELOPMENT NOTE

WHEREAS, THE FINAL PHASE OF DEVELOPMENT FOR THIS PROJECT, PURSUANT TO M-NCP&PC PRELIMINARY PLAN NO. 1-98077, ALLOWS FOR THE CREATION OF FIVE (5) BUILDING LOTS TO BE SERVED BY PUBLIC WATER AND SEWER SYSTEMS; AND

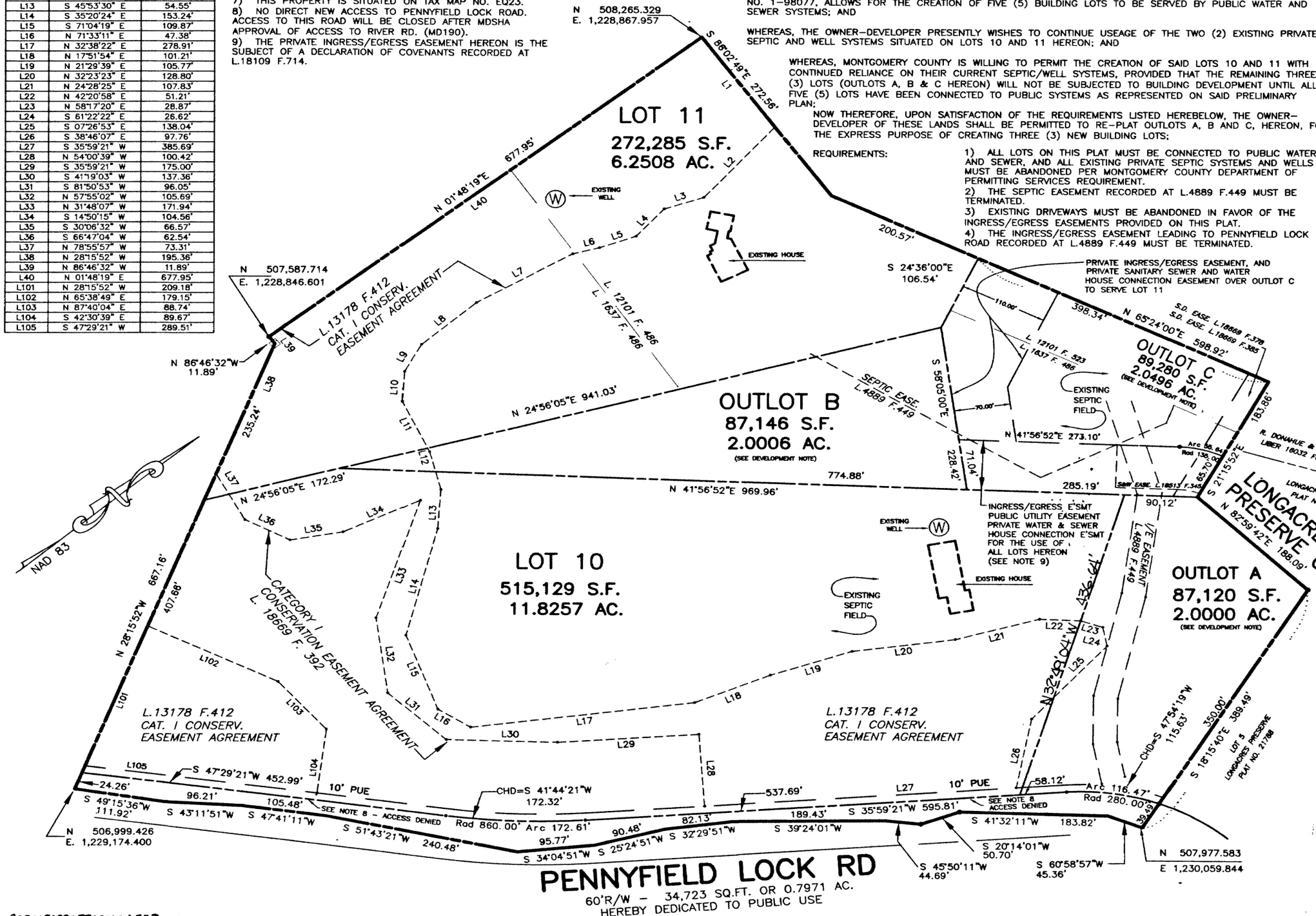
WHEREAS, THE OWNER-DEVELOPER PRESENTLY WISHES TO CONTINUE USEAGE OF THE TWO (2) EXISTING PRIVATE SEPTIC AND WELL SYSTEMS SITUATED ON LOTS 10 AND 11 HEREON; AND

WHEREAS, MONTGOMERY COUNTY IS WILLING TO PERMIT THE CREATION OF SAID LOTS 10 AND 11 WITH CONTINUED RELIANCE ON THEIR CURRENT SEPTIC/WELL SYSTEMS, PROVIDED THAT THE REMAINING THREE (3) LOTS (OUTLOTS A, B & C HEREON) WILL NOT BE SUBJECT TO BUILDING DEVELOPMENT UNTIL ALL FIVE (5) LOTS HAVE BEEN CONNECTED TO PUBLIC SYSTEMS AS REPRESENTED ON SAID PRELIMINARY PLAN;

NOW THEREFORE, UPON SATISFACTION OF THE REQUIREMENTS LISTED HEREBELOW, THE OWNER-DEVELOPER OF THESE LANDS SHALL BE PERMITTED TO RE-PLAT OUTLOTS A, B AND C, HEREON, FOR THE EXPRESS PURPOSE OF CREATING THREE (3) NEW BUILDING LOTS:

REQUIREMENTS:

- 1) ALL LOTS ON THIS PLAT MUST BE CONNECTED TO PUBLIC WATER AND SEWER, AND ALL EXISTING PRIVATE SEPTIC SYSTEMS AND WELLS MUST BE ABANDONED PER MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES REQUIREMENT.
- 2) THE SEPTIC EASEMENT RECORDED AT L.4889 F.449 MUST BE TERMINATED.
- 3) EXISTING DRIVEWAYS MUST BE ABANDONED IN FAVOR OF THE INGRESS/EGRESS EASEMENTS PROVIDED ON THIS PLAT.
- 4) THE INGRESS/EGRESS EASEMENT LEADING TO PENNYFIELD LOCK ROAD RECORDED AT L.4889 F.449 MUST BE TERMINATED.



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF AND INFORMATION AND THAT IT IS A SUBDIVISION OF (1) OF THE LAND CONVEYED TO HAROLD F. HAMMOND AND GERTRUDE R. HAMMOND BY DEED MARCH 14, 1952, RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN LIBER 1637 AT FOLIO 486, AND (2) THE LAND CONVEYED TO SUSAN H. FRANYO AND DONALD S. FRANYO BY DEED DATED DECEMBER 3, 1993, RECORDED AMONG SAID LAND RECORDS IN LIBER 12101 AT FOLIO 523.

ONCE ENGAGED, AS STATED IN THE OWNERS CERTIFICATE HEREON, I WILL PLACE PROPERTY CORNER MARKERS, IN THE FIELD, AS SHOWN HEREON.

THE TOTAL AREA OF THIS PLAT IS 1,085,684 SQUARE FEET OR 24.9239 ACRES, OF WHICH, 34,723 SQUARE FEET OR 0.7971 ACRES IS DEDICATED TO PUBLIC USE BY THIS PLAT.

FOR DEWBERRY & DAVIS LLC
Eric V. Day 11-13-02
 ERIC V. DAY
 PROFESSIONAL LAND SURVEYOR
 MARYLAND REGISTRATION NO. 10771
 DATE

FILED
 DEC - 3 2002

203013149077010604 RE-7

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

APPROVED: July 18, 2002
Daniel P. Burt Chairman
Mimi Wang Fenestera ASST. SECRETARY TREASURER

M-NCP&PC RECORD PLAT FILE NO. 619-38

MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PERMITTING SERVICES

RECORDED
 PLAT BOOK
 PLAT NO.

APPROVED: NOVEMBER 22, 2002
Robert P. Hullman DIRECTOR

Dewberry & Davis LLC
 ENGINEERS - PLANNERS - SURVEYORS - LANDSCAPE ARCHITECTS
 804 WEST DIAMOND AVENUE
 GAITHERSBURG, MARYLAND 20878
 PHONE: (301) 948-8300 FAX: (301) 258-7607

SUBDIVISION RECORD PLAT
LOTS 10 & 11 AND OUTLOTS A, B & C
Longacres Preserve
 DARNESTOWN (6TH) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND
 SCALE: 1" = 100' DATE: JUNE 2002

MSA SSU 1249-28247 16673 619-38

GENERAL NOTES:

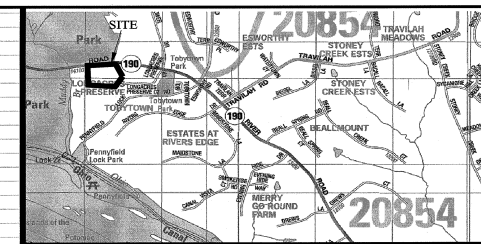
- TOTAL AREA OF TRACT: 17.88 AC.; 778,853 SQ. FT.
- EXISTING ZONING: RE-2, LOW DENSITY RESIDENTIAL.
- BOUNDARY INFORMATION FROM RECORD PLAT #22383.
- A FIELD-RUN TOPOGRAPHIC SURVEY OF THE SITE WAS CONDUCTED BY DEWBERRY & DAVIS, LLC IN APRIL 2012. CONTOUR INTERVAL: 2 FT.
- THERE ARE NO 100-YEAR FLOOD PLANS ON THIS SITE ACCORDING TO FEMA FIRM MAP NO. 24031C0320D AND 24031C0310D, SEPT. 29, 2006 AND THE MUDDY BRANCH FLOOD PLAIN DATA TAKEN FROM MNCPPC ULTIMATE LAND USE FLOOD PLAN MAP MB-1, FEBRUARY 1997.
- THERE ARE NO RARE, THREATENED & ENDANGERED SPECIES, OR CRITICAL HABITATS ON THIS SITE ACCORDING TO APPROVED NRIFSD # 4-98152.
- THERE ARE NO HISTORIC RESOURCES ON SITE ACCORDING TO AVAILABLE INFORMATION (WWW.MDMERLIN.NET).
- WATERSHED: MUDDY BRANCH. USE CLASS I WATERS.
- NO CHAMPION TREES OR TREES WITHIN 75% OF A STATE OR COUNTY CHAMPION ARE LOCATED ON-SITE ACCORDING TO APPROVED NRIFSD # 4-98152.
- SITE IS TO BE SERVED BY PUBLIC WATER AND SEWER, SEWER CATEGORY S-1 AND WATER CATEGORY W-1.
- PROPOSED LOTS TO BE ACCESSED FROM A PROPOSED PRIVATE STREET AS SHOWN. ACCESS TO RIVER ROAD TO BE DENIED EXCEPT AT PROPOSED PRIVATE STREET. ACCESS TO PENNYFIELD LOCK RD TO BE DENIED.

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 final locations of buildings, structures and driveway will be determined during the building permit process. please refer to the zoning data table for the development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for the site development may also be included in the conditions of the Planning Board's approval."

REVISIONS			
NO.	DESCRIPTION	REV. BY	DATE
1	REVISED LOT LAYOUT TO CREATE INDIVIDUAL LOT FOR THE ACCESS PRIVATE ROAD	ACO	11/26/13
2	REVISED LOT LAYOUT TO INCREASE BUILDABLE AREAS ON LOTS	ACO	4/28/14

LEGEND	
	EXISTING TOPOGRAPHY
	EXISTING PROPERTY LINE
	EXISTING RIGHT OF WAY
	EXISTING GAS LINE
	EXISTING WATER LINE
	EXISTING SANITARY SEWER
	EXISTING STORM DRAIN
	EXISTING FENCE
	CRITICAL ROOT ZONE
	EXISTING TREE LINE
	EXISTING FOREST CONSERVATION EASEMENT
	PROPOSED LOT LINE
	PROPOSED BUILDING RESTRICTION LINE
	PROPOSED SITE AREA LIMITS OF DISTURBANCE
	STREAM BUFFER

SITE SUMMARY (SUBJECT TO INFILL DEVELOPMENT REGULATIONS)		
PROPOSED USE: 8 SINGLE FAMILY LOTS		
RE-2 ZONE (STANDARD)		
	REQUIRED/PERMITTED	PROPOSED
LOT AREA	87,120 SQ. FT. MIN.	87,120 SQ. FT. MIN.
BUILDING SETBACKS		
*FROM STREET (ESTABLISHED BR)	50 FT. MIN.	50 FT. MIN.
FROM SIDE	17 FT. MIN.	17 FT. MIN.
SUM OF BOTH SIDES	35 FT. MIN.	35 FT. MIN.
**REAR	35 FT. MIN.	35 FT. MIN.
LOT WIDTH AT STREET LINE	25 FT. MIN.	25 FT. MIN.
LOT WIDTH AT BLDG LINE	150 FT. MIN.	150 FT. MIN.
BUILDING COVERAGE	25% MAX.	25% MAX.
**BUILDING HEIGHT	50 FT. MAX. 2 1/2 STORIES MAX.	50 FT. MAX. 2 1/2 STORIES MAX.



VICINITY MAP
 COPYRIGHT ADD THE MAP PEOPLE
 PERMITTED USE NUMBER 20711182
 NOT TO SCALE

MAP PAGE: 5282 GRID: D-1
 WSSC 2007 SHEET 216NW14

SURVEYOR'S CERTIFICATE:
 I HEREBY CERTIFY THAT THE SURVEY DATA HEREON IS TAKEN FROM A DEWBERRY BOUNDARY AND TOPOGRAPHIC SURVEY OF THE SUBJECT PROPERTY PREPARED IN MARCH 2009 BY DEWBERRY & DAVIS, LLC.

Dewberry
 203 Perry Parkway, Suite 1
 Gaithersburg, MD 20878-2169
 301.948.8100 Fax: 301.258.7607
 www.dewberry.com

Drawn by: ACO
 Designed by: JMC
 Checked by: JMC
 Preliminary Plan #: N317
 Date: 4-28-2014
 Title: N317
 Zone: RE-2

Professional Certification: I hereby certify that I am a duly licensed professional engineer under the laws of the State of Maryland, Registration No. 12272014. Expiration Date: 12/31/2014.



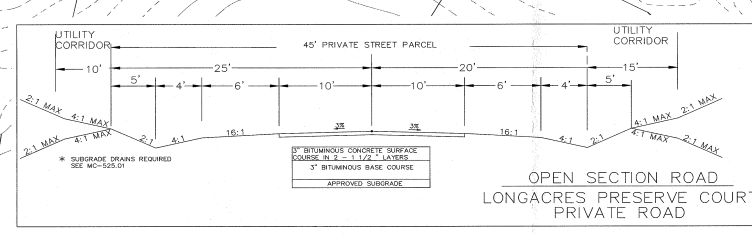
LEGAL DESCRIPTION
 LONGACRES PRESERVE
 Parcel No. 22383

OWNER
 GERTRUDE HAMMOND ET AL TRUST
 1015 PENNYFIELD LOCK ROAD
 POTOMAC, MD 20854

LONGACRES PRESERVE PHASE II
RESUBDIVISION OF LOT 10, OUTLOTS A, B, C
PRELIMINARY PLAN NO. 11998077B
 MONTGOMERY COUNTY, MARYLAND



SCALE 1"=50'
 SCALE: 1"=50'



NOTE
 FOR LOCATION OF UTILITIES CALL 8-1-1 OR 1-800-257-7777 OR LOG ON TO www.call811.com
 http://www.mssutility.net
 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY
 INFORMATION CONCERNING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS BUT THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF THE MAINS BY DIGGING TEST PITS BY HAND AT ALL UTILITY CROSSINGS WELL IN ADVANCE OF THE START OF EXCAVATION.

Date: 04-15-2014
 Sheet: 1 of 1
 Scale: 1"=50'



RUSTIC ROADS ADVISORY COMMITTEE

April 10, 2013

Joanne Cheok, PE
Dewberry & Davis
10003 Derekwood Lane, Suite 204
Lanham, MD 20706

Re: Longacres Preserve Phase II
Preliminary Plan No. 11998077B
Pennyfield Lock Road, rustic road

Dear Ms. Cheok:

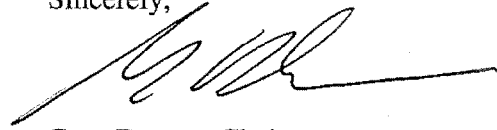
The Rustic Roads Advisory Committee (RRAC) oversees the preservation of 97 rustic and exceptional rustic roads in Montgomery County. Our responsibilities include reviewing the classification of rustic roads and ensuring the protection of their significant features.

We are writing with comments on Longacres Preserve, Phase II, on Pennyfield Lock Road, a rustic road. In reviewing the submission, we note that the access to the proposed homes will be from Longacres Preserve Court. We also note that the frontage on Pennyfield Lock Road will be in a forest conservation easement. We are very appreciative of these efforts to reduce impacts to Pennyfield Lock Road and to protect and preserve its character.

The existing driveway is shown as being closed. We ask that the pavement of the existing driveway be removed within the right-of-way, and that the edge of the road be re-graded the minimum amount necessary to assure proper drainage (retain the existing trees flanking the driveway, if possible). If any paving will be retained outside of the right-of-way, we request that wooden posts be placed where the pavement meets the edge of the right-of-way to prevent unauthorized access to the rustic road.

Thank you for providing us with an opportunity to review this project, and for your efforts to protect the rustic road. If you have any questions regarding our comments, you may contact us through our staff coordinator, Mr. Jay Beatty in the Department of Permitting Services at 240-777-6340.

Sincerely,



Greg Deaver, Chair
Rustic Roads Advisory Committee

Committee Members: Christopher Marston, Robert Goldberg, Marc Miller
Greg Glenn, Eric Spates, Angela Butler

CC: Joshua Penn, M-NCPPC
Jody Kline, Esq., Miller, Miller & Camby



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

December 27, 2012

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

RE: Preliminary Plan No. 11998077B
Longacres Preserve – Phase II

Dear Mr. Penn:

We have completed our review of the preliminary plan dated October 16, 2012. This plan was reviewed by the Development Review Committee at its meeting on November 26, 2012. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to 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 Pennyfield Lock Road, a Rustic Road, in accordance with the master plan.
2. Prior to approval of the record plat by the Department of Permitting Services (MCDPS), submit information regarding drainage toward Pennyfield Lock Rd or MD 190 (River Road), as applicable, for existing versus post-development conditions under a ten (10) year storm, noting any existing swales, bridges, culverts, or other drainage crossings.
3. Pennyfield Lock Road is classified as a Rustic Road under Section 49-79 of the Montgomery County Code. As such, every effort must be made to preserve the significant features within the right of way of that roadway. Coordination with the Rustic Roads Committee.
4. Record plat to reflect denial of access along Pennyfield Lock Road.

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

montgomerycountymd.gov/311



301-251-4850 TTY

Mr. Joshua Penn
Preliminary Plan No. 1-1998077B
December 27, 2012
Page 2

5. If the existing driveway to Pennyfield Lock Road is to be removed: reconstruct its junction with Pennyfield Lock Road to restore the roadway to conform to the rustic road.
6. Private common driveways and private streets shall be determined through the subdivision process as part of the Planning Board's approval of the 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 proposed private streets must be sufficiently wide to accommodate two-way vehicular traffic. Private streets are to be designed to allow an SU-30 truck to circulate without crossing the centerline nor the curb line.
8. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
9. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
10. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
 - A. Removal of the existing driveway apron on Pennyfield Lock Road.
 - B. Improvements to the public storm drain system, if required under the review discussed in comment #2.
 - C. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
 - D. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.

Mr. Joshua Penn
Preliminary Plan No. 1-1998077B
December 27, 2012
Page 3

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Andrew Bossi, our Development Review Area Engineer for this project, at andrew.bossi@montgomerycountymd.gov or (240) 777-2197.

Sincerely,



Gregory M. Leck, Manager
Development Review Team

m:\correspondence\fy13\traffic\active\11998077b, longacres preserve phase ii, prelim plan ltr.doc

- cc: Donald Franyo Owner
Joanne Cheok Dewberry
Jody Kline Miller, Miller, & Canby
John Carter M-NCPPC Area 3
Rich 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: Amy Butler Stevens MCDPS SWFMP
Atiq Panjshiri MCDPS RWPR
Henry Emery MCDPS RWPR
Jay Beatty MCDPS RWPR
Rick Brush MCDPS WRM
Bill Campbell MCDPS WRM
Marie LaBaw MCFRS
Andrew Bossi MCDOT DTEO



FIRE MARSHAL COMMENTS

DATE: 03-Apr-13
TO: Tony Obuekwe - aobuekwe@Dewberry.com
Dewberry
FROM: Marie LaBaw
RE: Longacres Preserve Phase II
19980770B

PLAN APPROVED

1. Review based only upon information contained on the plan submitted 03-Apr-13 .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

December 11, 2012

Ms. Joanne Check
Dewberry
203 Perry Parkway, Suite 1
Gaithersburg, MD 20877

Re: Stormwater Management **CONCEPT** Request
for Longacres Preserve Phase 2
Preliminary Plan #: 11998077B
SM File #: 245611
Tract Size/Zone: 11.8 acres/RE2
Total Concept Area: 4.27 acres
Lots/Block: proposed 12-19
Parcel(s): na
Watershed: Muddy Branch

Dear Ms. Check:

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 drywells and a micro-biofilter.

The following items 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. Landscaping shown on the approved Landscape Plan as part of the approved Site Plan are for illustrative purpose only and may be changed at the time of detailed plan review of the Sediment Control/Storm Water Management plans by the Mont. Co. Department of Permitting Services, Water Resources Section.
6. Proposed grading will need to be modified to reduce the total drainage area directed to the proposed micro-biofilter.
7. The location of the proposed micro-biofilter may need to be shifted uphill due to the presence of rock in the proposed location.

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

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

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

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact William Campbell at 240-777-6345.

Sincerely,

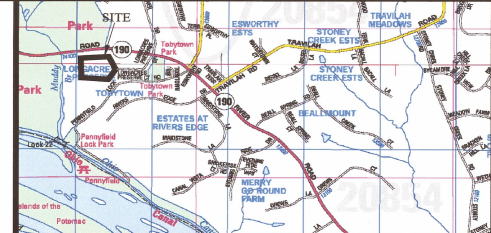
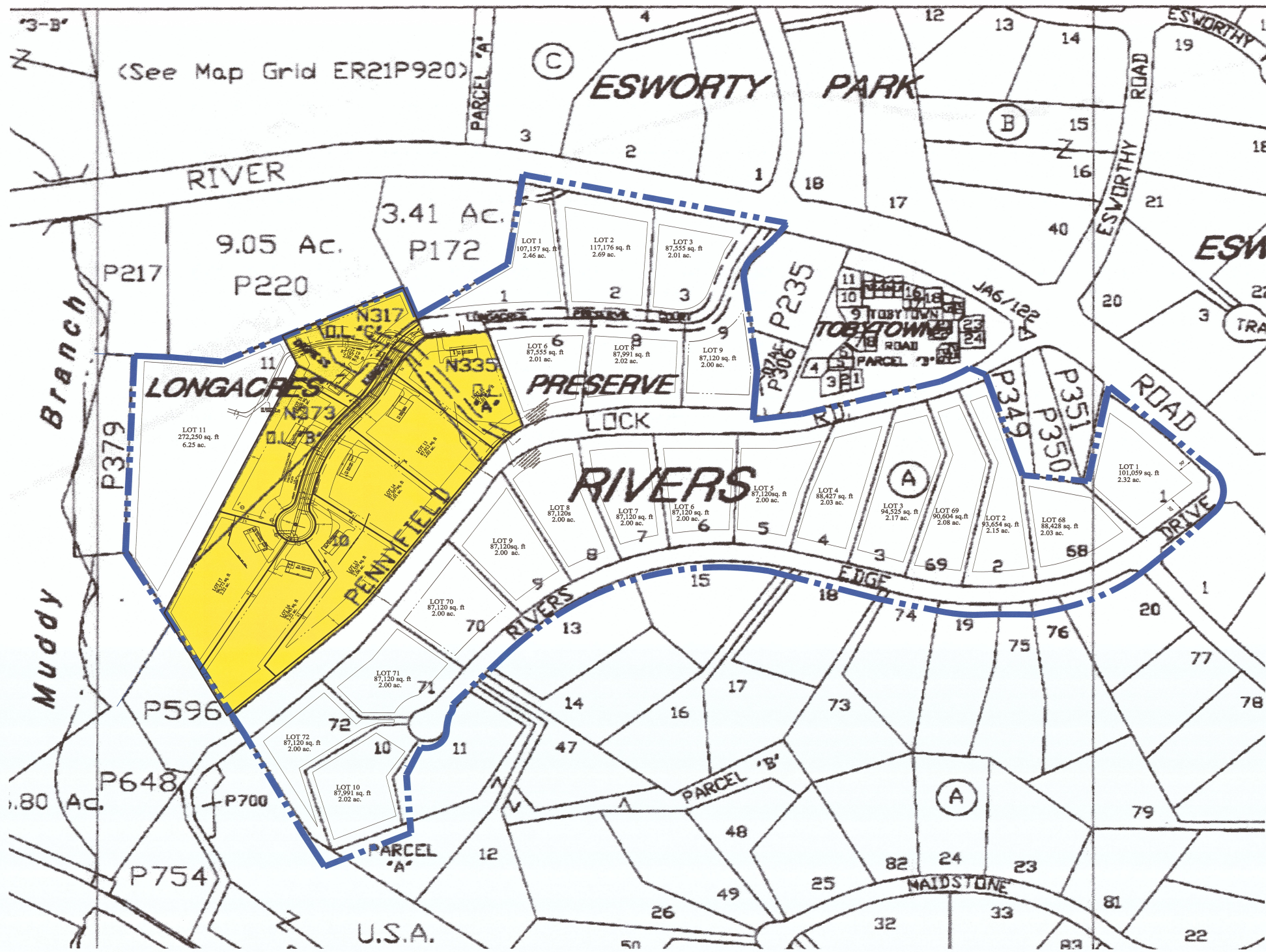


Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB: tla 12/11/12

cc: C. Conlon
SM File # 245611

ESD Acres:	4.27
STRUCTURAL Acres:	0
WAIVED Acres:	0



VICINITY MAP
 COPYRIGHT ADD THE MAP PEOPLE
 PERMITTED USE NUMBER 2071182
 NOT TO SCALE

Neighborhood for Resubdivision: Longacres Preserve

Comparable Lot Data Table

Lot #	Block/Subdivision	Frontage (Measured at the R/W (ft.))	Alignment	Lot Size (sq. ft.)	Shape	Width Measure at the BRL (ft.)	Buildable Area (sq. ft.)
11	/Longacres Preserve	0	N/A	272,250	Irregular	937	185,480
72	A/Rivers Edge	25	Perpendicular	87,120	Irregular Polygon	25	38,945
16	/Longacres Preserve	53	Perpendicular	96,945	Irregular Polygon	153	83,242
17	/Longacres Preserve	63	Radial	96,772	Trapezoid	180	71,745
10	A/Rivers Edge	70	Radial	87,991	Irregular	120	48,798
7	A/Rivers Edge	164	Radial	87,120	Irregular Rectangle	152	48,504
5	A/Rivers Edge	189	Radial	87,120	Irregular	181	54,485
8	A/Rivers Edge	199	Radial	87,120	Trapezoid	166	54,280
15	/Longacres Preserve	177	Radial	89,559	Irregular	203	39,731
69	A/Rivers Edge	179	Radial	90,604	Trapezoid	175	60,619
3	A/Rivers Edge	180	Perpendicular	94,525	Trapezoid	179	70,478
4	A/Rivers Edge	183	Radial	88,427	Rectangular	187	55,894
9	A/Rivers Edge	189	Radial	87,120	Irregular Rectangle	199	54,284
6	A/Rivers Edge	199	Radial	87,120	Rectangular	204	53,385
2	A/Rivers Edge	222	Radial	93,654	Irregular Polygon	206	50,391
13	/Longacres Preserve	228	Perpendicular	87,912	Irregular Rectangle	228	54,838
71	A/Rivers Edge	242	Radial	87,120	Irregular Polygon	271	60,619
2	/Longacres Preserve	244	Angled	87,677	Irregular Rectangle	244	89,244
70	A/Rivers Edge	253	Radial	87,120	Irregular Rectangle	262	50,380
1	A/Rivers Edge	255	Corner	101,059	Irregular Polygon	286	58,378
14	/Longacres Preserve	258	Perpendicular	87,397	Irregular Rectangle	252	54,803
6	/Longacres Preserve	281	Angled	87,991	Irregular Rectangle	282	48,147
6	/Longacres Preserve	321	Angled	87,555	Irregular Rectangle	295	49,018
12	/Longacres Preserve	348	Radial	87,437	Trapezoid	316	54,785
68	A/Rivers Edge	351	Radial	104,862	Trapezoid	313	48,550
19	/Longacres Preserve	358	Radial	87,197	Irregular Polygon	414	52,910
5	/Longacres Preserve	380	Perpendicular	120,961	Irregular Rectangle	295	38,788
18	/Longacres Preserve	445	Perpendicular	107,157	Irregular Polygon	369	53,285
9	/Longacres Preserve	476	Perpendicular	88,308	Irregular Rectangle	487	42,664
3	/Longacres Preserve	520	Corner	117,263	Irregular	451	48,536

Shading indicates new lots

Neighborhood for Resubdivision: Longacres Properties

Comparable Lot Data Table

Lot #	Block/Subdivision	Frontage (Measured at the R/W (ft.))	Alignment	Lot Size (sq. ft.)	Shape	Width Measure at the BRL (ft.)	Buildable Area (sq. ft.)
9	/Longacres Preserve	426	Perpendicular	120,961	Irregular Rectangle	295	38,788
15	/Longacres Preserve	476	Perpendicular	88,308	Irregular Polygon	25	38,945
15	/Longacres Preserve	477	Radial	89,559	Irregular	203	39,731
16	/Longacres Preserve	476	Perpendicular	89,508	Irregular Rectangle	487	42,664
7	/Longacres Preserve	291	Radial	87,691	Irregular Rectangle	282	48,147
7	A/Rivers Edge	164	Radial	87,120	Irregular Rectangle	152	48,504
68	/Longacres Preserve	520	Corner	117,263	Irregular	451	48,536
8	A/Rivers Edge	351	Radial	104,862	Trapezoid	313	48,550
10	A/Rivers Edge	70	Radial	87,991	Irregular	120	48,798
8	/Longacres Preserve	321	Angled	87,555	Irregular Rectangle	295	49,018
71	A/Rivers Edge	242	Radial	87,120	Irregular Polygon	271	50,380
70	A/Rivers Edge	253	Radial	87,120	Irregular Rectangle	262	50,380
19	/Longacres Preserve	222	Radial	93,654	Irregular	206	50,391
19	/Longacres Preserve	358	Radial	87,197	Irregular Polygon	414	52,910
1	/Longacres Preserve	445	Perpendicular	107,157	Irregular Polygon	369	53,285
8	A/Rivers Edge	199	Radial	87,120	Irregular Polygon	204	53,385
8	A/Rivers Edge	189	Radial	87,120	Trapezoid	199	54,284
9	A/Rivers Edge	189	Radial	87,120	Irregular Rectangle	199	54,284
14	/Longacres Preserve	258	Perpendicular	87,397	Irregular Rectangle	252	54,803
13	/Longacres Preserve	348	Radial	87,437	Trapezoid	316	54,785
13	/Longacres Preserve	228	Perpendicular	87,912	Irregular Rectangle	228	54,838
4	A/Rivers Edge	183	Radial	88,427	Rectangular	187	55,894
4	A/Rivers Edge	295	Corner	101,059	Irregular Polygon	286	58,378
69	A/Rivers Edge	179	Radial	90,604	Trapezoid	175	60,619
16	/Longacres Preserve	53	Radial	96,945	Irregular Polygon	153	83,242
13	/Longacres Preserve	244	Perpendicular	87,677	Irregular Rectangle	244	89,244
3	A/Rivers Edge	180	Perpendicular	94,525	Trapezoid	179	70,478
17	/Longacres Preserve	63	Radial	96,772	Trapezoid	180	71,745
11	/Longacres Preserve	0	N/A	272,250	Irregular	937	185,480

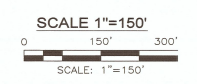
Shading indicates new lots

Neighborhood for Resubdivision: Longacres Properties

Comparable Lot Data Table

Lot #	Block/Subdivision	Frontage (Measured at the R/W (ft.))	Alignment	Lot Size (sq. ft.)	Shape	Width Measure at the BRL (ft.)	Buildable Area (sq. ft.)
5	A/Rivers Edge	189	Radial	87,120	Irregular	181	54,485
8	A/Rivers Edge	199	Radial	87,120	Rectangular	204	53,385
7	A/Rivers Edge	164	Radial	87,120	Irregular Rectangle	152	48,504
9	A/Rivers Edge	171	Radial	87,120	Trapezoid	196	54,280
8	A/Rivers Edge	189	Radial	87,120	Irregular Rectangle	199	54,284
70	A/Rivers Edge	253	Radial	87,120	Irregular Rectangle	262	50,380
71	A/Rivers Edge	242	Radial	87,120	Irregular Polygon	271	50,380
72	A/Rivers Edge	24	Perpendicular	87,120	Irregular	24	38,945
18	/Longacres Preserve	358	Radial	87,197	Irregular Polygon	414	52,910
14	/Longacres Preserve	258	Perpendicular	87,397	Irregular Rectangle	252	54,803
13	/Longacres Preserve	348	Radial	87,437	Trapezoid	316	54,785
13	/Longacres Preserve	228	Perpendicular	87,912	Irregular Rectangle	228	54,838
4	A/Rivers Edge	183	Radial	88,427	Rectangular	187	55,894
2	/Longacres Preserve	244	Angled	87,677	Irregular Rectangle	244	89,244
8	/Longacres Preserve	281	Radial	87,991	Irregular Rectangle	282	48,147
10	A/Rivers Edge	70	Radial	87,991	Irregular	120	48,798
16	/Longacres Preserve	476	Perpendicular	88,308	Irregular Rectangle	487	42,664
69	A/Rivers Edge	179	Radial	90,604	Trapezoid	175	60,619
2	A/Rivers Edge	222	Radial	93,654	Irregular Polygon	206	50,391
3	A/Rivers Edge	180	Perpendicular	94,525	Trapezoid	179	70,478
17	/Longacres Preserve	63	Radial	96,772	Trapezoid	180	71,745
18	/Longacres Preserve	53	Radial	96,945	Irregular Polygon	153	83,242
1	A/Rivers Edge	255	Corner	101,059	Irregular Polygon	286	58,378
88	A/Rivers Edge	351	Radial	104,862	Trapezoid	313	48,550
1	/Longacres Preserve	445	Perpendicular	107,157	Irregular Polygon	369	53,285
3	/Longacres Preserve	520	Corner	117,263	Irregular	451	48,536
9	/Longacres Preserve	428	Perpendicular	120,961	Irregular Rectangle	295	38,788
11	/Longacres Preserve	0	N/A	272,250	Irregular	937	185,480

Shading indicates new lots



NOTE
 FOR LOCATION OF UTILITIES CALL
 8-1-1 OR 1-800-257-7777
 OR LOG ON TO
 www.call811.com
 48 HOURS IN ADVANCE OF ANY WORK
 IN THIS VICINITY
 INFORMATION CONCERNING UNDERGROUND
 UTILITIES WAS OBTAINED FROM AVAILABLE
 RECORDS BUT THE CONTRACTOR MUST
 DETERMINE THE EXACT LOCATION AND
 ELEVATION OF THE MAINS BY DIGGING TEST PITS
 BY HAND AT ALL UTILITY CROSSINGS WELL IN
 ADVANCE OF THE START OF EXCAVATION

Dewberry
 203 Perry Parkway, Suite 1
 Gaithersburg, MD 20877-2169
 301.948.8300 Fax: 301.258.7607
 www.dewberry.com

Drawn by: ACO
 Designed by: JMC
 Checked by: JMC
 Preliminary Plan #: _____
 SUTSD #: _____
 Tax Map #: N317
 Zoned: RE-2

Professional Certification: I hereby certify that these documents were prepared or approved by me or under my direct supervision and I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 18095, Expiration Date: 1/27/2014.

LEGAL DESCRIPTION
 LONGACRES PRESERVE
 Parcel No. 2288

OWNER
 GRETHERIDE HAMMOND ET AL TRUST
 c/o DON FRANTO
 10000 WOODLOCK ROAD
 POTOMAC, MD 20854

LONGACRES PRESERVE PHASE 2
 NEIGHBORHOOD MAP
 MONTGOMERY COUNTY, MARYLAND

Sheet:
 04-15-2014 - 1 of 1
 Scale:
 1"=150'

Law Offices Of
MILLER, MILLER & CANBY
MM&C
 CLIENT FOCUSED. RESULTS DRIVEN.

200-B MONROE STREET, ROCKVILLE, MARYLAND 20850 P: 301.762.5212 F: 301.424.9673 WWW.MILLERMILLERCANBY.COM

All attorneys admitted in Maryland and where indicated.

PATRICK C. MCKEEVER (DC)
 JAMES L. THOMPSON (DC)
 LEWIS R. SCHUMANN
 JODY S. KLINE
 ELLEN S. WALKER
 JOSEPH P. SUNTUM

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 BOBBY BAGHERI (DC)
 AMY C.H. GRASSO (DC)
 DAMON B. OROBONA (DC)
 DIANE E. FEUERHERD

JSKLINE@MMCANBY.COM

April 23, 2014

Mr. Jonathan Casey
 Area III Planning Team
 M-NCPPC
 8787 Georgia Avenue, 3rd Floor
 Silver Spring, MD 20910

RE: Preliminary Plan No. 11998077B,
 Longacres Preserve, Phase II

Dear Jonathan,

Thanks to you and to Rich for meeting with me the other day to explain to me the issues which you have identified with the resubdivision of the property referenced above. Since our meeting, I have seen emails from Joanne Cheok explaining how she proposes to address your concerns so I expect that you will receive from Joanne in the near future a revised plan.

In response to your request, I am also pleased to provide the following information about the agreement that is presently being negotiated between the existing Longacres Preserve homeowners association and the Applicant for resubdivision acting on behalf of the future homeowners of a new association to be created. The general elements of the agreement are as follows:

1. The existing Longacres Preserve homeowners association did not wish to expand in order to include the new lots that are being created by Preliminary Plan No. 11998077B. Because the relationship between the existing homeowners and the Applicant have become a bit strained over the past year as the Preliminary Plan Amendment has been processed, as separation of the two HOAs made sense to both parties.

2. The outline of the current discussions includes the following major elements:
 - a. The land area that is proposed to be resubdivided, and the new lots to be created by the pending Preliminary Plan, will be deleted from the existing HOA by an amendment of the Declaration creating the original HOA.
 - (1) Because vehicle access to the new lots will proceed over that part of Longacres Preserve Court that exists today, an easement for ingress and egress over that private street will be confirmed even though the new lots that it will serve will not be a part of the existing association area within which the existing street is located.
 - b. The applicant will create a new homeowners association that will include the new lots that are being created by the pending Preliminary Plan.
 - c. There will be a Cost Sharing Agreement that, basically, allocates 60% of the cost of the existing Longacres Preserve Court (from River Road to its present point of termination) to be borne by the new lots. The agreement also provides that the existing lots will pay for 40% of the cost for maintenance and repair of existing Longacres Preserve Court.
 - d. The new HOA to be created for the new lots will have within its documents of creation an obligation on behalf of the new lots to pay for the portion of Longacres Preserve Court extended to serve the new lots, an obligation that will be exclusively the responsibility of the new lot owners.

It is expected that these negotiations will be wrapped up by early May and that representatives of the existing HOA will appear at the Planning Board's public hearing for Phase II in support of the application.

Please call me if you have any additional questions about this matter.

Sincerely yours,

MILLER, MILLER & CANBY

A handwritten signature in black ink that reads "JODY". The signature is written in a bold, blocky font with a horizontal line above it.

Jody S. Kline

JSK/blm

cc: Rich Weaver