



Sandy Spring Townhomes: Preliminary Plan No. 120160030 and Site Plan No. 820160010

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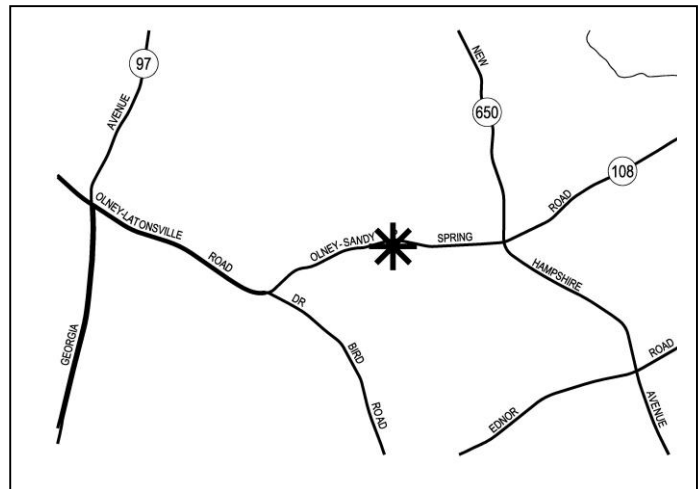
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Completed: 03/11/16

Description

A. Sandy Spring Townhomes: Preliminary Plan No. 120160030: Application to create 19 lots for one-family attached dwellings (townhomes), located on the south side of Olney Sandy Spring Road, approximately 250 feet west of the intersection with Meeting House Road; 2.3 acres, CRN 0.75 C-0.25 R-0.75 H-45; 2015 Sandy Spring Rural Village Plan.
Recommendation – Approval with conditions

B. Sandy Spring Townhomes: Site Plan No. 820160010: Application to construct 19 one-family attached dwellings (townhomes), located on the south side of Olney Sandy Spring Road, approximately 250 feet west of the intersection with Meeting House Road; 2.3 acres, CRN 0.75 C-0.25 R-0.75 H-45; 2015 Sandy Spring Rural Village Plan.
Recommendation – Approval with conditions



Applicant: Tyler Nichols

Submittal Date: July 28, 2015

Review Basis: Chapter 22A, Chapter 50, Chapter 59

Summary

- Staff recommends **Approval with conditions** to both the Preliminary Plan and Site Plan.
- The Site is located in the 2015 Sandy Spring Rural Village Plan.
- Staff is recommending specific architectural conditions as part of the Site Plan to ensure compatibility with the surrounding development and Historic District.
- The Applicant is requesting a modification of the Build-To-Area requirement to increase compatibility and to comply with the Master Plan recommendations.

TABLE OF CONTENTS

SECTION 1 - OVERVIEW	3
SECTION 2 – RECOMMENDATIONS & CONDITIONS	
Preliminary Plan Recommendation and Conditions	4
Site Plan Recommendation and Conditions	6
SECTION 3 – SITE LOCATION & DESCRIPTION	
Location	10
Site Vicinity	10
Site Analysis	11
SECTION 4 – APPLICATIONS & PROPOSAL	
Preliminary Plan Application	12
Site Plan Application	12
Applications Proposal	12
SECTION 5 – ANALYSIS & FINDINGS, PRELIMINARY PLAN 120160030	
Master Plan	14
Public Facilities	15
Transportation	15
Others	16
Lot Appropriateness	16
Forest Conservation Law	17
Environmental Guidelines	17
Tree Variance	17
Stormwater Management	19
SECTION 6 – ANALYSIS & FINDINGS, SITE PLAN 820160010	
Findings Apply Only to This Site	20
Meets Previous Approvals	20
Complies with a Development Plan or Schematic Development Plan	20
Satisfies Green Area Requirements of a LMA	20
Satisfies Use, Development, and General Standards of the Zone	20
Satisfies Chapter 19 and Chapter 22A	25
Well-Integrated Parking, Circulation, Building Massing	25
Conforms to the Master Plan	29
Served by Adequate APF	30
Compatible with Existing, Approved or Pending Adjacent Development	32
For Sites with A Drive-Through	32
For Sites Zoned C-1 or C-2	32
SECTION 7 – COMMUNITY OUTREACH	33
SECTION 8 – CONCLUSION	35

SECTION 1 – OVERVIEW



Figure 1 - Perspective from MD 108

The following Staff Report is for a Preliminary and Site Plan joint application for 19 townhome units located on the south side of MD 108 in the Village Core of Sandy Spring. Staff recommends approval of both the Preliminary and the Site Plan, with conditions. Staff has received a substantial amount of correspondence from the community, both in support and opposition of the Application. The Community Correspondence section of this Staff Report goes into detail on the main sources of opposition and includes Staff’s defense for recommending approvals.



Figure 2 - Site rendering

SECTION 2 – RECOMMENDATIONS AND CONDITIONS

PRELIMINARY PLAN NO. 120160030: Staff recommends approval of the Preliminary Plan subject to the following conditions:

- 1) This approval is limited to 19 lots for 19 one-family attached dwelling units, an open space parcel and an Outlot.
- 2) The Applicant must comply with the conditions of approval for the Preliminary Forest Conservation Plan No. 120160030, approved as part of this Preliminary Plan, including:
 - a. The limits of disturbance shown on the Final Forest Conservation Plan must be consistent with the limits of disturbance shown on the Sediment Control Plan.
 - b. The Applicant will be required to mitigate for the loss of non-forest specimen trees by planting 15, three-inch caliper native shade trees.
 - c. Prior to any on site land disturbance, the Applicant must record, in the Montgomery County Land Records, a Certificate of Compliance to use an off-site forest mitigation bank equal to 0.95 acres of credit.
 - d. Required Site inspections by M-NCPPC Staff per Section 22A.00.01.10 of the Forest Conservation Regulations must occur.
 - e. Tree save measures not specified on the Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector.
 - f. Mitigation for the loss of additional specimen trees may be required by the M-NCPPC forest conservation inspector if specimen trees do not survive the construction process.
- 3) The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated 8/28/2015, 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.
- 4) The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service (“MCDPS”) – Water Resources Section in its stormwater management concept letter dated 04/03/2015, 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.
- 5) The Applicant must dedicate and show on the record plat forty (40) feet of dedication from the centerline of Olney Sandy Spring Road along the Subject Property’s entire frontage.
- 6) All private streets must be recorded on their own parcel and shown on the record plat.
- 7) The certified Preliminary Plan must contain the following note:

“Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development

standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval."

- 8) Prior to recordation of any plat, Site Plan No. 820160010 must be certified by M-NCPPC Staff.
- 9) Record plat must show necessary easements.
- 10) The record plat must reflect the following:
 - a. A common use and access easement over all private streets and adjacent parallel sidewalks as shown on the Preliminary Plan.
 - b. An ingress/Egress easement over the portion of the private street shared with the commercial properties located to the east.
 - c. The existing sidewalk easement located along MD 108.
- 11) Final approval of the number and location of buildings, on-site parking, site circulation, sidewalks, and open spaces will be determined at site plan.
- 12) 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.
- 13) The Applicant must construct the private internal street(s) to applicable Montgomery County tertiary structural standards 2001.01: Tertiary Residential Street Modified, from the MCDOT Road Code, to the design as shown on the Preliminary Plan, and must construct all sidewalks, both on and off the Subject Property, to applicable ADA standards. Before the release of bond or surety, the Applicant must provide MCDPS, Zoning & Site Plan Enforcement Staff with certification from a licensed civil engineer that all streets and sidewalks have been built to the above standards.

SITE PLAN NO. 820160010: Staff recommends approval of the Site Plan with all site development elements shown on the latest electronic version as of the date of this Staff Report dated February 5, 2016, submitted via ePlans to the M-NCPPC except as modified by the following conditions.¹

Conformance with Previous Approvals & Agreements

1. Preliminary Plan Conformance

The Applicant must comply with the conditions of approval for Preliminary Plan No. 120160030.

Environment

2. Forest Conservation & Tree Save

The Applicant must comply with the conditions of the Final Forest Conservation Plan No. 820160010:

- a) The Final Forest Conservation Plan must be consistent with the Sediment Control Plan.
- b) The Applicant will be required to mitigate for the loss of non-forest specimen trees by planting 15, three-inch caliper native shade trees.
- c) Prior to any clearing or grading occurring on Site, a Certificate of Compliance for the mitigation of 0.95 acres must be recorded in the land records office.
- d) Required Site inspections by M-NCPPC Staff per Section 22A.00.01.10 of the Forest Conservation Regulations must occur.
- e) Tree save measures not specified on the Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector.
- f) Mitigation for the loss of additional specimen trees may be required by the M-NCPPC forest conservation inspector if specimen trees do not survive the construction process.

3. Noise Attenuation

- a) Prior to approval of the Certified Site Plan, the Applicant must provide a noise analysis delineating the 60 dBA Ldn noise contour from Olney-Sandy Spring Road.
- b) Before issuance of any building permit, the Applicant must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatment that:
 - i. The building shell for residential dwelling units is designed to meet the projected 60 dBA Ldn noise contour and is designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.
- c) Before issuance of any Use and Occupancy Certificate for residents, the Applicant must certify that the noise impacted units have been constructed in accordance with the certification of the engineer that specializes in acoustical treatments.
- d) For all residential dwelling units to be constructed within a projected 60 dBA Ldn noise contour, the Applicant must disclose in writing to all prospective purchasers that those units are impacted by transportation noise.

¹ For the purposes of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor (s) in interest to the terms of this approval.

Public Use Space, Facilities and Amenities

4. Public Use Space, Facilities, and Amenities
 - a. The Applicant must provide a minimum of 21,165 square feet of Common Open Space (24% of net lot area) on-site.
 - b. Before the issuance of Use and Occupancy certificates for the 15th dwelling unit, all Common Open Space areas on the Subject Property must be completed, including:
 - i. Final surface treatment for the emergency vehicle turn-around plaza
 - ii. Installation of the pergola, benches, seat wall and landscape boulders; and
 - iii. Installation of all shown landscaping in the Common Open Space areas
 - iv. Construction of the ornamental metal fence around the open space
5. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to benches, seat wall, pergola, light fixtures, landscape boulders, landscaping, the emergency vehicle turn-around plaza, ornamental metal fence and brick piers, and pedestrian foot bridge.

Transportation & Circulation

6. Transportation
 - a) The Applicant must construct the private internal street(s) to applicable Montgomery County tertiary structural and design standards 2001.01: Tertiary Residential Street Modified, from the MCDOT Road Code, as determined by the Preliminary Plan, and must construct all sidewalks, both on and off the Subject Property, to applicable ADA standards. Before the release of bond or surety, the Applicant must provide DPS Zoning and Site Plan Enforcement Staff with certification from a licensed civil engineer that all streets and sidewalks have been built to the above standards.
7. Pedestrian & Bicycle Circulation
 - a) All internal sidewalks and pedestrian paths must be a minimum of five feet wide.
 - b) The Applicant must construct a four-foot wide pedestrian access path connecting with an on-site sidewalk to the Sandy Spring Village community to the south as shown on the Site Plan. A public access easement must be shown on the record plat.

Site Plan

8. Site Design
 - a) The exterior architectural character, proportion, materials, and articulation on lots 2-7 must be substantially similar to the schematic elevations shown on Sheets ARCH-820160010, and PERSPECTIVE-820160010, as determined by M-NCPPC Staff. Specifically, the applicant must provide at a minimum the following building elements:
 - a. Lots 2 – 7
 - i. Maximum building height of 36 feet as measured by MCDPS.
 - ii. All unit's fronts must include some masonry elements including the façade below the elevation of the finished front entry floor (water table).
 - iii. All front and side facades shall use either masonry, wood or hardy/cement plank board material for siding and trim.

- iv. The units shall incorporate details such as horizontal banding to visually break up the front facades.
- v. Each unit's roof area shall be articulated with either dormers or gables.
- vi. Units 2 and 7 shall be stepped back a minimum of 2 feet behind units 3-6.
- vii. Lots 3-6 shall have a covered porch with columns.
- viii. The front door locations for the units on lots 3 and 4, and lots 5 and 6 shall be paired as shown on the schematic.
- ix. The front steps shall be side turned for at least half of their height as shown on the schematic.
- x. A landscaping area must be provided in front of the foundation and side turns steps.

b. Lots 2, 7, and 8

- i. All unit's sides must include some masonry elements including the façade below the elevation of the finished front entry floor. All side facades shall use either wood or hardy/cement plank board material for the siding and trim. The side materials and finishes shall match those used on the unit's fronts.
- ii. The façade above the elevation of the first floor finished floor shall be sided with a hardy/cement plank siding.
- iii. Provide a minimum of eight windows or alternative architectural features providing the impression of a window on the side wall.
- iv. Side walls must provide a minimum of one of the following architectural elements: a three dimensional element such as a bay windows, a variation of wall planes or a hipped roof with dormers, or must provide a double wide window or non-functioning French door.
- v. Trim and banding similar to that shown on the schematic shall be provided between the top of the top finished floor and the bottom of the attic.

9. Landscaping

- a) The Applicant must install the site elements as shown on the landscape plans submitted to MNCPPC or an equivalent.
- b) The Applicant must install the plantings shown on the landscape plans submitted to M-NCPPC. Any variation in plant species or quantity needs approval of M-NCPPC Staff.

10. Lighting

- a) Before issuance of any building permit, the Applicant must provide certification to M-NCPPC Staff from a qualified professional that the lighting plans conform to the Illuminating Engineering Society of North America (IESNA) standards for residential development.
- b) All onsite down-lights must have full cut-off fixtures.
- c) Illumination levels must not exceed 0.5 footcandles (fc) at any property line abutting county roads and residential properties.
- d) 90 degree shields shall be provided for the two light fixtures closest to the southern Site boundary.
- e) The light pole height must not exceed 14 feet including the mounting base.

11. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit or sediment and erosion control permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the

Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements, including, but not limited to: plant material; on-site lighting; site furniture; mailbox pad sites; seating walls; fences; railings; private streets; paths; specialty pavement treatments; and any other associated improvements. The surety must be posted before issuance of the any building permit, or sediment control permit, and will be tied to the development program.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety will be followed by inspection and potential reduction of the surety.
- d) The bond or surety shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific Certified Site Plan sheets.

12. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to the approval of the Certified Site Plan.

13. Certified Site Plan

Before approval of the Certified Site Plan, the following revisions must be made and/or information provided subject to Staff review and approval:

- a) All on-site sidewalks must be a minimum of 5 feet wide
- b) Where all sidewalks end at any street the Applicant must show the provision of ADA accessible ramps.
- c) Include the stormwater management concept approval letter, development program, and Site Plan Resolution on the approval or cover sheet(s).
- d) Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices before any land disturbance."
- e) Add a note stating that "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Maryland State Highway Administration."
- f) Modify data table to reflect development standards approved by the Planning Board.
- g) Revise the site data table to reflect the maximum building height for lots 2-7, as shown on the Site Plan, as 36 feet maximum.
- h) Ensure consistency of all details and layout between Site and Landscape plans.
- i) Add a note to the landscaping plan that a landscaping area will be provided in front of the side-turned stairs on lots 2-7.

SECTION 3 – SITE LOCATION & DESCRIPTION

Site Location

The subject property is located on the south side of Olney Sandy Spring Road (“MD 108”) approximately 250 feet west of Meeting House Road and consists of Lot 1, Block A shown on Plat No. 12224 (Attachment 4), and Parcel No. P426 for a total of 2.31 acres (“Site” or “Subject Property”)(Figure 3). The Subject Property is zoned CRN 0.75 C-0.25 R-0.75 H-45, and is located in the Village Core Neighborhood of the Sandy Spring Rural Village Plan.



Figure 3 - Aerial

Site Vicinity

To the east and southeast of the Subject Property is the Sandy Spring Historic District. Important structures in this Historic District include the Sandy Spring National Bank and the Montgomery Mutual Insurance Company buildings which are located in the CRN 0.75 Zone. To the south and west is the Sandy Spring Village condominiums which is a townhome condominium community developed in the 1980s and is located in the RT-10 Zone. North of the Site on the opposite side of MD 108 are the Holly Cottage and Kirk House, both old residential structures currently occupied by businesses, and are located in the CRN-0.75 Zone. Also across MD 108 and to the west is a small equestrian farm located in the RNC Zone.

Site Analysis

The Subject Property is currently improved with a parking lot used by the Montgomery Mutual commercial buildings located to the east. The remainder of the Site is undeveloped, with an existing forest cover of 0.75 acres and a substantial canopy cover. The Site is fairly flat with just a slight drop in elevation from north to south. The Site is located in the Northwest Branch watershed, a Use IV-P stream. There are no documented streams, wetlands, or rare or endangered species on or immediately adjacent to the Subject Property

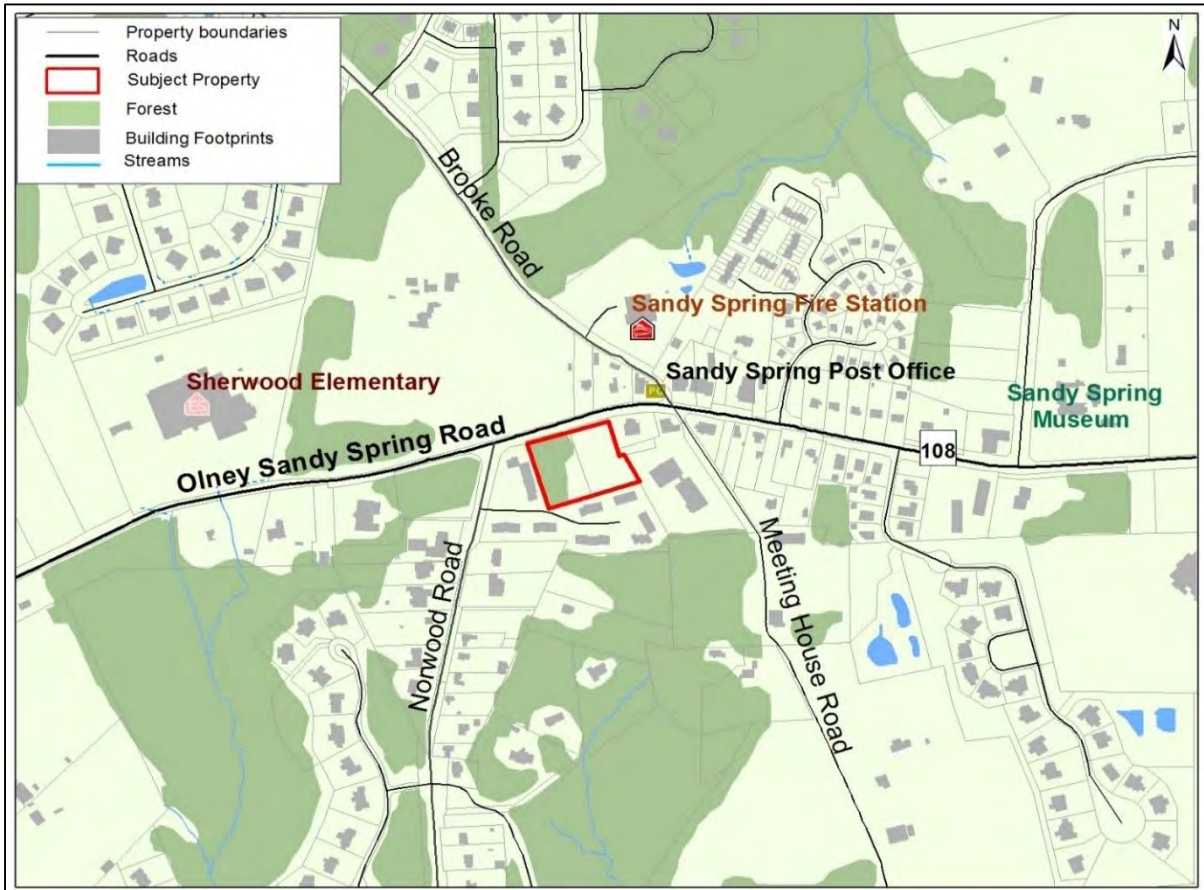


Figure 4 - Vicinity

SECTION 4 – APPLICATIONS AND PROPOSAL

Previous Regulatory Approvals

Site Plan No. 819880600 Montgomery Mutual Computer Center

The Subject Property was part of site plan No. 819880600, approved in 1989 allowing construction of two office buildings located on the properties to the southeast of the Site, including the overflow parking that is currently constructed on the Subject Property in accordance with this prior site plan.

Preliminary Plan No. 120090230, Sandy Spring Parcel B

Preliminary plan No. 120090230 was approved by Resolution No. 10-02 on March 9, 2010 for a total of 72,121 square feet of office use, 12,238 square feet of child care use and 1,718 square feet of retail use. The approval included the existing improvements constructed from the original site plan, plus the addition of a 40,000 square foot, three story building with a two level parking structure on the Subject Property. The additional improvements approved in this preliminary plan have never been constructed

Current Applications

Preliminary Plan 120160030

The Preliminary Plan, No. 120160030, proposes to subdivide lot 1 and parcel No. 426 into 19 lots for one-family attached housing, an open space parcel and an outlot for parking (“Preliminary Plan”). The Preliminary Plan was reviewed for conformance with Chapter 50, Subdivision Regulations and is in substantial conformance with the recommendations of the 2015 Sandy Spring Rural Village Plan (“Master Plan”).

Site Plan 820160010

The Site Plan, No. 820160010, proposes constructing 19 one-family attached dwellings, associated parking and open space amenities on the Subject Property (“Site Plan”). The Site Plan was reviewed for conformance to Chapter 59, the Zoning Ordinance. Collectively the Preliminary Plan and the Site Plan are also referred to as the Applications (“Applications”). Staff recommends Approval of the Applications with conditions.

Proposal

Collectively, the Preliminary Plan and the Site Plan applications are referred to as the Application (“Application”). The Application proposes creating 19 lots for the construction of 19 one-family attached dwelling units on the Subject Property. In addition to the 19 townhouse units, the Application provides approximately 31,190 square feet of total open space, with 21,165 square feet of that as Common Open Space. Included in the Common Open Space is an 10,365 square foot gathering area in the northwestern portion of the Site, which includes a plaza that doubles as an emergency vehicle turn-around, seating, a lawn area, an interpretive play area, gardens, and tree protection. The remaining 10,799 sq. ft. of Common Open Space contains stormwater management, a smaller lawn area, landscaping and a picnic area. The Preliminary Plan dedicates approximately 5,515 square feet of space as right-of-way for MD 108, and proposes to maintain the existing sidewalk and vegetation along MD 108 to the maximum extent possible. Vehicle access to the Site is provided through a private street with direct access to MD 108, and a private inter-parcel drive that accesses Meeting House Road. The front doors of lots 2-7, as identified on the Site Plan, will face MD 108 to create a defined street edge, and the sides of the units on lots 2, 7 and 8 will include windows and architectural detail which will help frame the adjacent recreation area and primary Site entry. The Applications include a minimum of two, off-street parking spaces for each lot (two car garages) and most lots have driveways long enough to accommodate up to two additional vehicles.

Additionally, there will be seven head-on parking spaces for the use by visitors. The Applicant will also construct eight new spaces in the southeastern corner of the Site for use by the off-site office development to the east, replacing some of the existing parking located on Site currently.

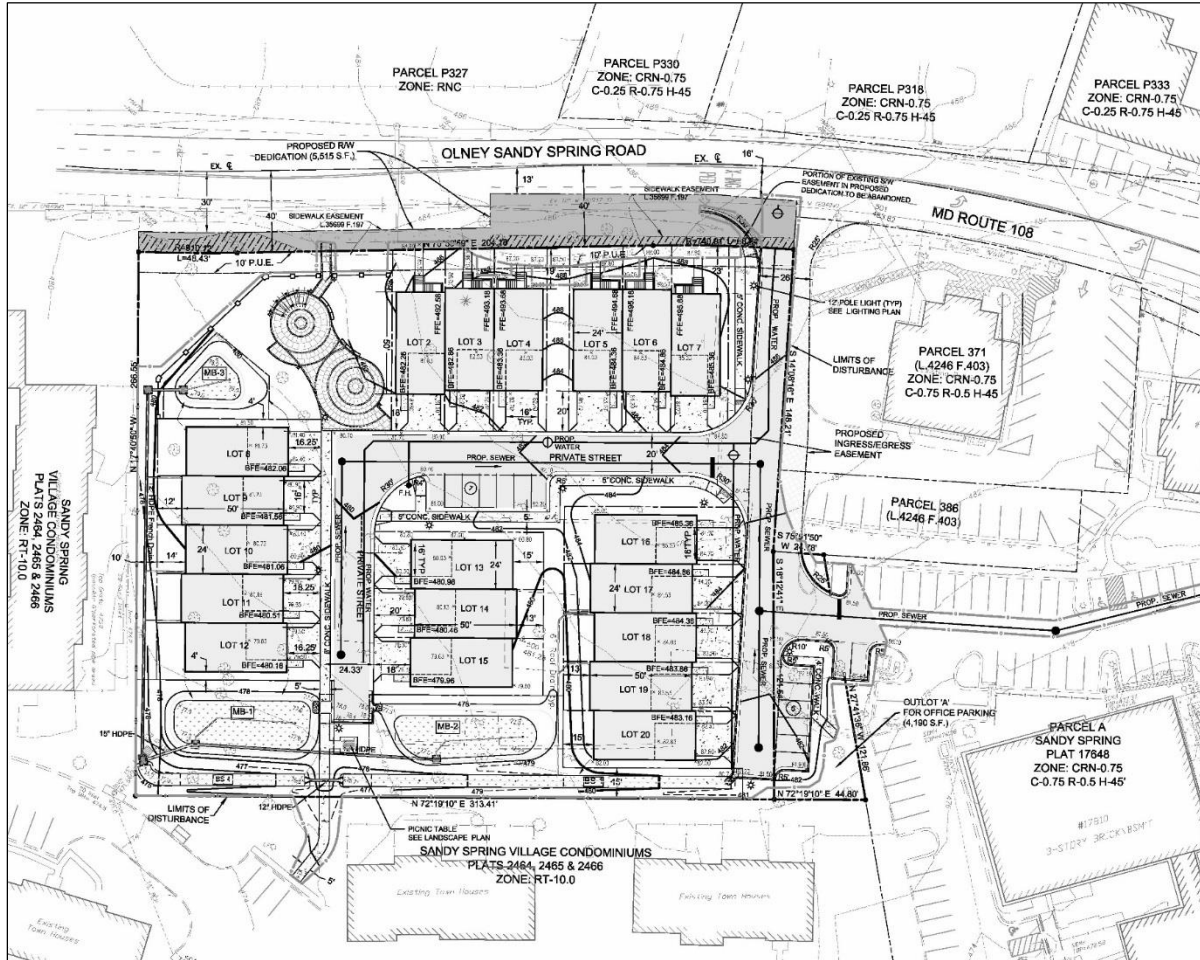


Figure 5 - Preliminary Plan

SECTION 5 – ANALYSIS AND FINDINGS - Preliminary Plan No. 20160030

1. The Preliminary Plan substantially conforms to the Master Plan

The Preliminary Plan substantially conforms with the recommendations of the Sandy Spring Rural Village Plan Area, adopted in March 2015 (“Master Plan”).

The purpose of the Master Plan is to enhance the rural village character of Sandy Spring “by enhancing the existing gateway and reinforcing the distinctions between the rural village and adjacent residential neighborhoods.” The Site is located in the Village Core Neighborhood of the Master Plan, but is also at the westernmost portion of the Master Plan boundary area and as such is located at the western gateway of Sandy Spring. The Master Plan provides numerous recommendations including specifics for Planning and Land Use, Buildings, the environment, and transportation.

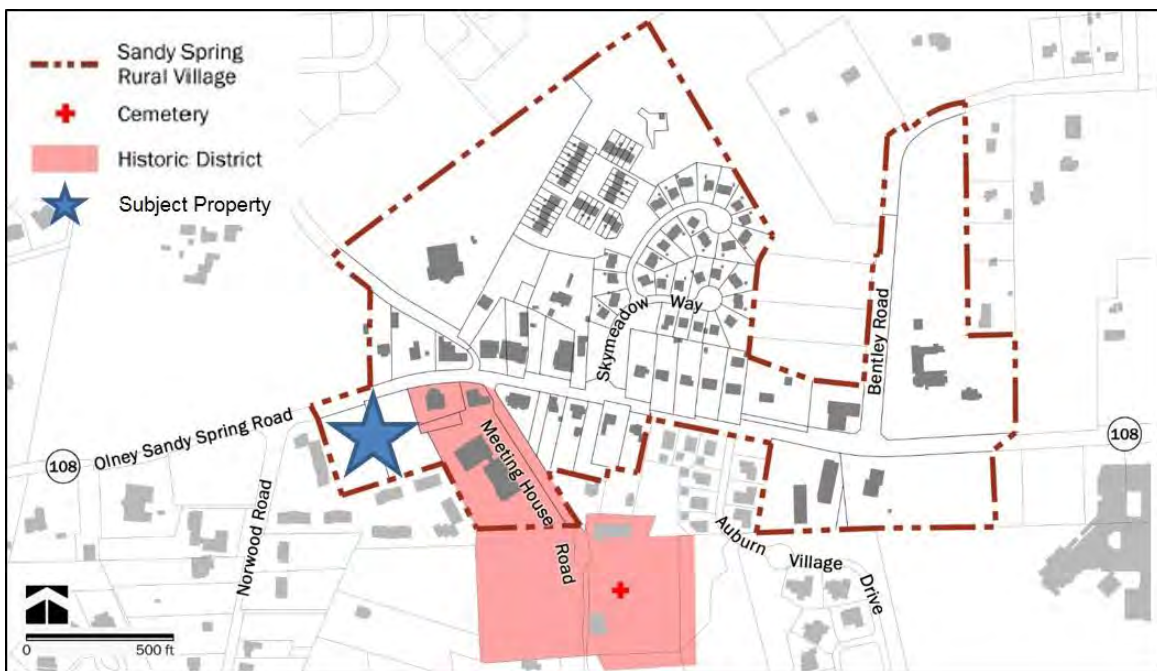


Figure 6 - Sandy Spring Master Plan Boundary

Planning, Land Use and Buildings

There are numerous land use and building form recommendations described in the village core neighborhood section of the Master Plan, including providing a mix of residential and commercial uses, providing open spaces for gathering, reinforcing the edge of the plan area with medium density residential uses of up to 0.75 FAR of residential, providing opportunities for shared parking, and encouraging various housing opportunities. The Master Plan also encourages buildings between 1 and 3 stories tall, with articulated elevations and active fronts. The Preliminary Plan meets these village core neighborhood recommendations with 19 one-family attached dwelling units at a 0.63 FAR, providing common open space at the edge of the Village Core along MD 108 that is accessible to the public, and activating MD 108 with their fronts along the road and garages accessing a private street in the rear. The Preliminary Plan further articulates the elevations of lots 2-7 by proposing structures that only contain three units each, for a total length of 72 feet each. The Preliminary Plan also provides an area of parking on the eastern portion of the Site intended primarily for the adjacent commercial use located to the east.

The Master Plan also has specific recommendations for the Subject Property, identified as Specific Property Recommendation number 3, located on page 28 of the Master Plan as identified by map 6 on page 25. These recommendations build on the Village Core neighborhood recommendations and include support for single-family attached homes up to 45 feet in height, setbacks from MD 108 similar to that of the existing townhomes; a tree canopy goal of 40% and special tree plantings. The Preliminary Plan acknowledges the Master Plan and Zoning maximums for the Site with building height maximums of 45 feet by acknowledging this limitation. The primary open space is located in the northwestern portion of the Site to preserve the existing green gateway to Sandy Spring, and to provide for a setback from MD 108 that is compatible with the existing townhomes located to the west of the Site.

Transportation and Environment

The Master Plan Transportation Section reinforces the previous 1998 Master Plan for Sandy Spring-Ashton and recommends the classification of Olney-Sandy Spring Road as an Arterial Roadway that is 80 feet wide with one travel lane in each direction and a 10-foot wide shared use path on the north side of the road. The Preliminary Plan proposes dedication of approximately 5,515 square feet along Olney-Sandy Spring Road to establish the right-of-way at 40 feet from centerline and retains the existing sidewalk along the south side of the road. The environmental recommendations in the Master Plan focus on water quality protection for the Patuxent River Watershed and promote protecting and improving on tree canopy cover, limiting imperviousness and providing tree plantings. The Subject Property is not in the Patuxent Watershed, but provides ample spaces to do extensive plantings around the private streets, parking areas and open spaces and meets all stormwater requirements.

2. *Public facilities will be adequate to support and service the area of the approved subdivision.*

Roads and Transportation Facilities

Proposed vehicle and pedestrian access for the subdivision will be safe and adequate with the proposed public improvements. The Site will have two access points for vehicles; one is a direct access to MD 108 which will be shared with the Sandy Spring Bank building to the east. The second is through inter-parcel access through commercial properties to Meeting House Road. Both access points will provide for full movements for vehicles. The existing access to MD 108 will be widened slightly to meet current MDSHA standards as shown on the Preliminary Plan, but will not require a new access permit from MDSHA. There is an existing five-foot wide sidewalk across the Property frontage that was construed by MDSHA which will remain in its current location with this Application. The Preliminary Plan provides the necessary dedication for MD 108 to achieve the 40 feet from centerline as required by the Master Plan. Two lead in sidewalks will be provided that connect the Site to the existing sidewalk along MD 108. Pedestrians can follow the internal sidewalks through the Site to an inter-parcel connection being provided to the Sandy Spring Village community to the south and west.

The Washington Metropolitan Area Transit Authority operates the Route Z2 bus on Monday-Friday during the peak period and it connects Sandy Spring with Downtown Silver Spring. The closest bus stops are located approximately 200 feet to the east at the intersection of MD 108 and Meetinghouse Road.

The threshold for performing a LATR review is 30 net new trips in either the AM or PM peak hour during the periods. The Preliminary Plan for 19 lots for 19 one-family attached dwellings generates only nine peak hour trips in the AM peak period and 16 peak hour trips in the PM peak period. Therefore, the

Preliminary Plan does not trigger LATR. The Subject Property is located in the Rural East Policy Area, which according to the 2012-2016 Subdivision Staging Policy, is exempt from the roadway and transit adequacy tests. As a result, there is no TPAR payment required.

Other Public Facilities and Services

Other public facilities and services are available and will be adequate to serve the proposed dwelling units. The Subject Property received a water and sewer category change on October 23, 2015 by change request 15-CLO-02A (Attachment 8) and the Preliminary Plan proposes that all dwellings will be served by public water and sewer. Other telecommunications and utility companies reviewed the Preliminary Plan and found that the Site can be adequately served. The Preliminary Plan has also been reviewed by the Montgomery County Fire and Rescue Services who have determined that the Application provides adequate access for fire and emergency vehicles (Attachment 6). Other public services such as police and health services are currently operating within the standards set by the Subdivision Staging Policy currently in effect. The Site is within the Sherwood school cluster which is not currently subject to moratorium or a School Facilities Payment.

- 3. The size, width, shape, and orientation of the approved lots are appropriate for the location of the subdivision, taking into account the recommendations included in the applicable master plan, and for the type of development or use contemplated.*

The Preliminary Plan meets all applicable sections of the Subdivision Regulations. Although a portion of the Subject Property is already a recorded lot on Record Plat No. 12224, accepted Planning Board policy only applies the resubdivision analysis of 50-29(b)(2) to properties in a residential zone, and the Subject Property zone is in a mixed use CRN zone. The proposed lot sizes, widths, shapes and orientations for the townhouse units are appropriate for the location of the subdivision taking into account the design recommendations included in the Master Plan, and for the townhouse building type contemplated for the Site. The outlot proposed is necessary to provide parking for an off-site user, and the private street parcel is adequately sized to accommodate the private street and sidewalks.

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

Table 1 – Development Review Table

CRN 0.75 C-0.25 R-0.75 H-45	Required by the Zone	Proposed for Approval
Density	0.75 FAR Res	0.63 FAR Res
Open Space	10% of site – 8,872 sq. ft.	25% of site - 22,140 sq. ft.
Lot Area (Townhouse)	800 sq. ft.	2,300 sq. ft. Min
Lot Width at Front Lot Line	12 ft.	24 ft. Min
Setbacks		
Front	5 ft. Min, 15 ft. Max	21 ft.*
Side, abutting Residential	4 ft.	22 ft. Min
Rear, abutting Residential	10 ft.	19 ft. Min
Units per row	12	6 Max
Building Height**	45 ft. Max	45 ft. Max
Site Plan Required	Yes	Yes

* Applicant is asking for the Planning Board to allow greater setbacks than required as part of the Site Plan

** Building Height compatibility with the adjacent R-10 zone is discussed as part of the Site Plan

4. The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A.

The Subject Property is located in the headwaters of the Right Fork of the Northwest Branch. There is an approved Natural Resource Inventory/Forest Stand Delineation No. 420150590 for the Site, approved on January 12, 2015. There were no identified sensitive features or areas on the Site. The Subject Property has 0.75 acres of existing forest (approximately 33% of the Site), and this small section of forest has been in existence for over 70 years, leading to numerous significant and specimen trees.

The Preliminary Plan includes a Forest Conservation Plan (“FCP”) which proposes to remove all existing forest on Site, and based on the Forest Conservation worksheet this generates a 0.95 acre forest mitigation requirement, which will be met through the purchase of credits in an off-site forest mitigation bank.

Tree Variance

Section 22A-12(b)(3) of the Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection. The law requires no impact to trees that: measure 30 inches or greater, DBH (“Protected Tree”); are part of a historic site or designated with an historic structure; are designated as a national, State, or County champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species. Any impact to a Protected Tree, including removal or disturbance within the Protected Tree’s critical root zone (CRZ) requires a variance. An application for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. In the written request for a variance, an applicant must demonstrate that strict adherence to Section 22A-12(b)(3), i.e. no disturbance to a Protected Tree, would result in an unwarranted hardship as part of the development of a property.

Table 2 - Protected Trees

Tree ID #	Tree Type	Size in D.B.H.	Location	Percent CRZ Impacted	Status	Reason for Impact
1	White Oak	44"	Forest	100%	Remove	Landscaped Plaza
3	White Oak	30"	Forest	100%	Remove	Townhouse Location
4	Tulip Poplar	30"	Forest	100%	Remove	Landscaped Plaza
7	Tulip Poplar	56"	Non-Forest	100%	Remove*	Internal Road
10	Red Oak	38"	Forest	7%	Impact	Landscaped Plaza
11	Tulip Poplar	43"	Non-Forest	39%	Impact	Sidewalk and Townhouse location
14	Tulip Poplar	40"	Forest	100%	Remove	Townhouse Location
17	White Oak	39"	Forest	100%	Remove	Micro-bioretenion and Bioswale
18	White Oak	31"	Forest	100%	Remove	Micro-bioretenion and Bioswale
21	Tulip Poplar	39"	Non-Forest	100%	Remove*	Parking for Office
26	Tulip Poplar	32"	Non-Forest	100%	Remove*	Micro-bioretenion and Bioswale
27	Pignut Hickory	43"	Non-Forest	100%	Remove*	Townhouse Development

Unwarranted Hardship

This 2.29-acre Site has been vacant for several decades, giving the forest the opportunity to reach full maturity with specimen trees. The zone of the Site allows up to 24 townhouses, and the Master Plan requires an open area onsite that supports community gathering and recreation. These factors, together with the relatively small size of the Subject Property make it impossible to develop this Site without impacting Protected Trees. Ten Protected Trees will be removed. Four of these are not part of the onsite forest and will require mitigation.

Variance Request

As part of these Applications, there is a tree variance requesting impacts to 12 Protected Trees, including the removal of 10 trees and impact to two trees (Attachment 9). The impacts to the Protected Trees can be seen in Table 1 below.

Variance Findings

The Planning Board must make findings that the Applications have met all requirements of section 22A-21 of the County Code before granting the variance. Staff has made the following determination on the required findings for granting the variance:

1. *Will not confer on the applicant a special privilege that would be denied to other applicants;*

Granting of the variance is not unique to this Applicant. This type and intensity of development is typical for the CRN zone with townhouse dwellings and the variance will not confer on the Applicant a special privilege that would be denied to other applicants.

2. *Is not based on conditions or circumstances which are the result of the actions by the applicant;*

The variance is not based on conditions or circumstances which are the result of the action by the Applicant, but rather on the Site conditions, the zone for this area, and the stormwater management requirement. There are no practical options to reconfigure these Applications to avoid impact to the Protected Trees.

3. *Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property;*

The requested variance is not the result of the land or building use on the adjacent properties. All Protected Trees will be impacted by the land disturbing activities required for the development of this Site, regardless of neighboring uses.

4. *Will not violate State water quality standards or cause measurable degradation in water quality;*

No sensitive riparian areas will be disturbed as part of this plan. A stormwater management concept has been approved. Therefore, the variance will not violate State water quality standards.

County Arborist's Recommendation

In accordance with Montgomery County Code Section 22A-21(c), the Planning Department is required to refer a copy of the variance request to the County Arborist for a recommendation prior to acting on the request. In a letter dated December 18, 2015 (Attachment 10) the County Arborist recommended the variance be approved with mitigation.

Mitigation

Staff recommends that Protected Trees that are removed be mitigated with the planting of approximately 15 three-inch caliper native shade trees.

Variance Recommendation

Staff recommends that the variance be granted. The submitted FCP meets all applicable requirements of Chapter 22A of the County Code (Forest Conservation Law).

5. *All stormwater management requirements shall be met as provided in Montgomery County Code Chapter 19, Article II, titled "Storm Water Management," Sections 19-20 through 19-35.*

The Preliminary Plan received an approved stormwater concept plan from the Montgomery County Department of Permitting Services, Water Resources Section on April 3, 2015 (Attachment 7). The Application will meet stormwater management goals through the use of micro-biofiltration facilities and a bioswale located in the southwestern portion of the Site.

SECTION 6 – ANALYSIS AND FINDINGS - Site Plan No. 820160010

Findings – Chapter 59

1. *When reviewing an application, the approval findings apply only to the site covered by the application.*

The Approval of the Site Plan findings will only apply to the Subject Property being reviewed as part of this Application.

2. *To approve a site plan, the Planning Board must find that the proposed development:*

- a. *satisfies any previous approval that applies to the site;*

The Site Plan conforms to all conditions of Preliminary Plan 120160030, which is being reviewed concurrently.

- b. *satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;*

This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

- c. *satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;*

This section is not applicable as the Site's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

- d. *satisfies applicable use standards, development standards, and general requirements under this Chapter;*

Division 4.5. Commercial/Residential Zones

Use and Development Standards

The Subject Property is approximately 2.3 acres and zoned CRN 0.75 C-0.25 R-0.75 H-45. The following table, Table 3, shows the project's conformance to the development standards of the zone including the development standards of Section 4.5 Commercial/Residential Zone, and Section 6.2 Parking.

TABLE 3 - Section 4.5 Zoning Data Table: CRN 0.75 C-0.25 R-0.75 H-45		
<u>Standard</u>	<u>Required</u>	<u>Provided</u>
Site		
Common Open Space, Site >10,000 sq. ft.	10%, 8,416 sq. ft.	25%, 22,140 sq. ft.
Lot and Density		
Lot Area	800 sq. ft.	2,300 sq. ft
Lot width at front building line	12'	24'
CRN Density Max (mapped)	C-0.25, R-0.75	C- 0.00, R-0.63
Placement		
Front Setback	5'	18'
Side Street Setback	5'	N/A
Side Setback, abutting AG, RR, Residential Detached or Residential Town Zones	4'	22'
Side Setback, abutting other Zones	N/A	31'
Side Setback, end unit	2'	4'
Side Setback, between lot and site boundary	4'	10'
Rear setback, abutting AG, RR, Residential Detached or Residential Town Zones	10'	19'
Rear setback, Abutting other Zones	10'	N/A
Rear Setback, alley	4'	N/A
Rear Setback between lot and site boundary	5'	15'
Front Setback (BTA)	15'	19'*
Building in BTA	70%	0%*
Side Street Setback	N/A	N/A
Height		
Principal Building	45'	Lots 1, 8-20, 45' Lots 2-7, 38'
Form		
Units permitted per row	12	6
Entrance facing street or open space	required	provided
Blank Wall, front, max	35'	35' or less
Blank wall, side/rear, max	35'	35' or less
Section 6.2 Parking		
Vehicle Spaces (2 per DU)	38	45

*see Modification of Build-To-Area

Modification of Build-To-Area

The Site Plan currently shows the structures on lots 2-7 as being set back 19 feet from the front property line. The maximum setback that establishes the build-to-area in the CRN Zone is 15 feet for townhouse units. However, section 4.5.3.C.3.b states that the Build-

to-Area requirements may be modified by the Planning Board during site plan review. The Planning Board must find that the plan: (1) deviates from the Build-to-Area requirements only to the extent necessary to accommodate the physical constraints of the site or the proposed land use; and (2) incorporates design elements that engage the surrounding publicly accessible space such as streets, sidewalks, and parks.

For the Subject Property, the Master Plan includes a specific recommendation for the Village Core Neighborhood that encourages variations in the build-to-area along MD 108 to create a vibrant streetscape with room for a sidewalk and trees. The Master Plan also seeks to protect the Historic District buildings with a seamless fit in quality and character. One way this Application is doing that is by providing setbacks consistent with those of the historic buildings to the east to keep the townhouse units from dominating the streetscape and to protect the existing mature canopy trees located in the right-of-way for MD 108. In addition to providing the extended front setbacks, the Application is proposing extraordinary measures along the right-of-way with MD 108 that include hand grading to protect the root zone of the existing trees. Staff concludes that allowing the townhouse units to be located at 19 feet from the front property line rather than 15 feet is the minimum necessary to protect the vegetation along MD 108 and to be consistent with the historic buildings to the east. Staff also finds the proposed development adequately engages the publicly accessible sidewalk along MD 108 by providing a four-foot tall decorative fence, retaining existing large trees along the right-of-way, and by keeping the building elevations active with a mix of covered and uncovered front porches.

Division 6 – General Development Standards

i. Division 6.1. Site Access

The access to the Site as proposed is adequate for 19 one-family attached dwellings and the adjacent commercial uses that share the access. Vehicle and pedestrian access to the Site is provided in two locations, one will be through an existing private driveway with direct access to MD 108 that will be upgraded into a shared private street, located between the Subject Property and the Sandy Spring Bank to the east. The other location is a connection to Meeting House Road through the commercial office property located to the east. There are two additional pedestrian only accesses; one located in the north-western portion of the Site that will provide a lead in sidewalk from the sidewalk along MD 108 into the open space and to the sidewalks internal to the Site. The Site Plan also proposes a pedestrian connection from the Subject Property to the neighboring residential development to the south and west. Driveways for the individual units are all under 18 feet wide and provide access to private streets rather than directly to public streets.

ii. Division 6.2. Parking, Queuing, and Loading

The Site Plan provides adequate parking to serve the proposed development. Vehicle Parking in the CRN Zone outside of a reduced parking area has a minimum of 2 spaces per single-family dwelling unit, which will be provided by way of an integrated two car garage for each unit. An additional seven parking spaces are provided in the center of the Site for visitor parking. Many of the units will also have driveways 18 or more feet in length

which provides the opportunity to park vehicles on the private driveways. The Site Plan also proposes eight parking spaces in the southeastern portion of the Site that is necessary replacement parking being lost on the Subject Property that was originally built for the adjacent office development.

iii. *Division 6.3. Open Space and Recreation*

The Site Plan provides for more than the required amount of Common Open Space; the type of open space required when constructing townhouse building type dwellings. Common Open Space is intended for recreational use by residents and visitors and should be located in a centralized location bordered by buildings or roads, or located to take advantage of existing natural features. Applicants must provide a minimum of 10% of the Site as Common Open Space, and at least 50% of the total Common Open Space should be in one contiguous space. The Site Plan identifies 25% (22,140 sq. ft.) of the total Site as Common Open Space, which is located into two areas. The first area is approximately 10,799 sq. ft. located in the southern portion of the Site that includes a pedestrian connection to the adjacent residential properties, small grass areas and two landscaped biofiltration features (Figure 7). The second area is in the northwestern corner of the Subject Property, is approximately 11,341 sq. ft. in size (51% of the total), and is designed as a more formal community gathering (“Community Green”)(Figure 8). The Community Green includes a decorative patio that co-functions as an emergency vehicle turnaround, seating walls, benches, a lawn area, decorative ‘play’ boulders, a pergola, and extensive landscaping. The location of this Community Green was an important recommendation in the Master Plan to provide a communal gathering space and to enhance the green entryway into Sandy Spring. Although not central to the Subject Property or adjacent to a major natural feature, the Community Green is adjacent to a stand of trees which were protected, and is located in a place that provides better access to the greater Sandy Spring community.



Figure 7 - Common Open Space Area 1



Figure 8 - Common Open Space Area 2, Community Green

The Site Plan is proposing only 19 one-family attached units, and the Montgomery County Recreation Guidelines of 1992 exempt developments of fewer than 25 one-family units from following the point-measured recreation guidelines. The recreation guidelines however do require that some sort of usable common open space be provided on the Site. As described in detail above, the Site Plan provides adequate Common Open Space including the passive and active amenities of the Community Green.

iv. *Division 6.4. General Landscaping and Outdoor Lighting*

The Site Plan meets the standards for the provision of landscaping and outdoor lighting as required by Division 6.4. An important part of the landscaping for the Subject Property is the protection of the existing trees located along and within the right-of-way for MD 108, and in the Community Green in the northwestern portion of the Site. These trees are important for protecting the green gateway into Sandy Spring, and for providing shade for the Community Green. Supplemental plantings of canopy trees, flowering understory trees and shrubs enhance and frame the Community Green and soften the edges of the decorative patio/emergency vehicle turn-around. Additional tree plantings and landscaping is proposed along the western and southern Site boundaries, although some of this is within the stormwater management facilities and is ultimately subject to MCDPS approval. Trees will line the proposed private streets helping to frame the street and provide shade on the hard surfaces.

The lighting plans for the Site serve the dual purpose of providing safety and providing decorative interest. Lighting is being provided with decorative fixtures mounted at 14 feet tall along the private streets and walkways to illuminate the vehicle and primary pedestrian environment. Lighting in the Community Green is designed at a more pedestrian scale with a mix of 14 foot, and four-foot tall fixtures to provide general

lighting to the decorative patio and pedestrian walkway, and wall mounted lighting under the seating wall to provide visual interest. The light levels at the Subject Property boundary adjacent to residential areas are at or under the 0.5 footcandle maximum allowed, and special light blocking shields are provided in the light fixtures closest to the adjacent residential properties to control light spillage and glare.

Division 6.5. Screening Requirements

The Site Plan proposes townhomes in the CRN Zone, and the abutting building type and Zone is townhomes in the RT-10 Zone. Based on the table of screening requirements based on abutting zones in Division 6.5.2.C.2, screening is not required between the townhouse building type and adjacent residential dwellings in a townhouse or multi-unit residential zone, therefore this section is not applicable.

e. satisfies the applicable requirements of:

i. Chapter 19, Erosion, Sediment Control, and Stormwater Management; and

A Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services on April 3, 2015. Applications will meet stormwater management goals through the use of micro-biofiltration facilities located throughout the Site and a bioswale located in the southwestern portion of the Site.

ii. Chapter 22A, Forest Conservation.

The Site Plan is subject to the Chapter 22A, Montgomery County Forest Conservation Law. The Site Plan includes the Final Forest Conservation Plan No. 820160010 (“FFCP”) which Staff recommends approval of with conditions. The FFCP shows the removal of all 0.75 acres of existing forest on the Site which generates a 0.95-acre mitigation requirement which the Applicant will meet with off-site mitigation. Associated with the FFCP is a tree variance requesting impacts to specimen trees. An analysis of the tree variance can be found in the Preliminary Plan section of this Staff Report, starting on page 13.

f. provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;

i. Parking and circulation

The Site Plan provides for safe and well integrated parking and circulation patterns on the Site. The Site will have two points of access, a primary access to MD 108 that exists now for the neighboring Sandy Spring Bank which will be improved as part of this Site Plan, and a secondary access through adjacent commercial property to Meetinghouse Road. Access to all of the units will be through private streets, built to a modified tertiary standard, and the Site Plan provides for an emergency vehicle turn-around that is being installed with a decorative treatment, making it an amenity in the Community Green. An existing sidewalk along the Site frontage with MD 108 will remain, and the Site Plan provides sidewalks along one side of the private street that eventually connects to the neighboring Sandy Spring Village community to the southwest. Each of the dwelling units will have an integral two car garage, plus room for additional parking on the individual driveways. A seven space visitor parking area is located in a central location to the Site and an additional eight spaces are being

The layout is an efficient design that minimizes street paving and provides room for landscaping, stormwater management and common open space areas. The units that front MD 108 (lots 2-6) are height limited to 36 feet and are required to meet architectural conditions including providing some amount of masonry treatments and either roof gables or dormers. From the street, the units will appear 2½ stories tall, taking advantage of the slight grade drop from north to south, providing for an integrated garage accessed in the rear. The sides of the units with the most public visibility (lots 2, 7 and 8) must adhere to specific architectural details that provide multiple windows and uses similar façade treatments as those used on the unit front to help activate and frame the Village Green area.

Height and Setback Compatibility

The dwelling units also meet all of the height and setback compatibility requirements detailed in Section 59.4.8.B of the Zoning Ordinance. Section 59.4.1.8.A.1.b provides the specific guidance for setback compatibility when proposing townhouse units in a CR Zone, which requires minimum side and rear setbacks that are equivalent to the side setback, abutting all other zones, and rear setback, abutting all other zones. For the townhouse unit type in a CR zone, there is no required side setback and has a required minimum 10-foot rear setback from the Site boundary. The proposed rear setbacks are 22 feet at their closest point on lots 9 and 11, and the proposed side setbacks are 19 feet at their closest point on lot 20, as seen on Figure 9 above.

Section 59.4.1.8.B.2.a requires height compatibility between developments by not allowing any structure to protrude above a 45-degree angular plane projecting over the subject property, measured from a height equal to the height allowed for a detached house in the abutting zone, at the setbacks required for setback compatibility. The detached dwelling height maximum for the neighboring zone is 35 feet, and the setback compatibility for the side lot is 0 feet and the rear lot is 10 feet. Therefore, in the rear, the 45-degree angular plane of height would begin 35 feet high and 10 feet setback from the Site boundary. Figure 10 illustrates the formula used to determine the height compatibility plane using lot 11 as an example, and shows how the proposed dwellings fall well below that angular plane. Figure 11 follows the formula for side setbacks and height compatibility using lot 20 as the example. Additionally, the proposed dwellings have pitched roofs which will limit the ability to see the peak of the roofline unless standing further back from the units, which helps minimize their visual impacts.

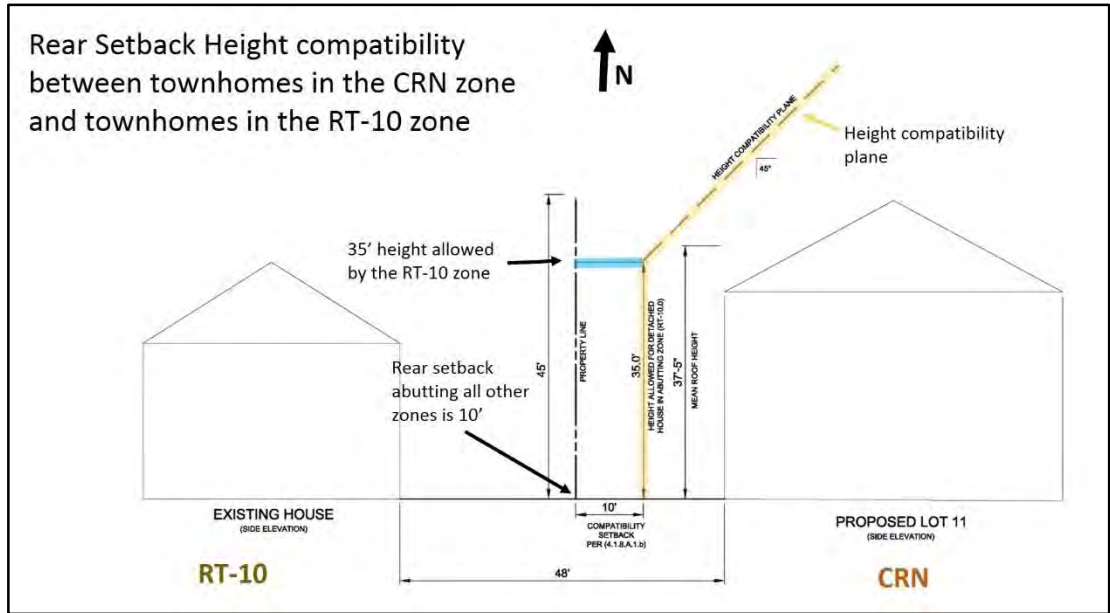


Figure 10 – Height Compatibility, Rear

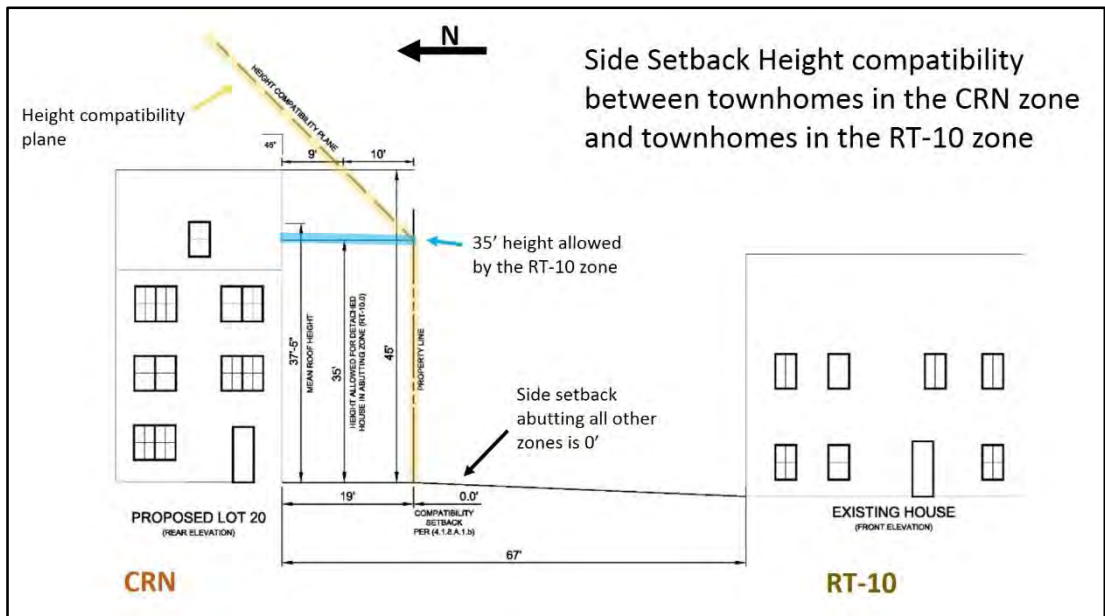


Figure 11 – Height Compatibility, Side

Open Spaces and Amenities

The Open Spaces on the Site are divided between general open space, and Common Open Space. The Site Plan identifies two areas of Common Open Space; (1) the Community Green in the northwestern portion of the Site, and (2) an area in the southwestern portion of the Site which includes a mix of landscaped stormwater management facilities and lawn areas, and has a pedestrian path and picnic area connecting the Subject Property with the adjacent property. Both of these spaces are accessible to all the proposed units within the Site, and are accessible to the general public through sidewalk and trail connections. The Community Green is framed with buildings on two sides, and has a

decorative fence and landscaping on the other two to complete the creation of a green room. The landscaped stormwater management area is more informal, but provides places for residents to walk around in grass areas, or sit in the picnic area, to enjoy the flowering shrubs and ornamental trees that will be planted.

- g. substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;*



Figure 12 - Illustrative Front Perspective, lots 2-7

The Site Plan is in substantial conformance with the recommendations of the 2015 Sandy Spring Rural Village Master Plan. The Site is located in the Village Core Neighborhood of the Master Plan, and is also an important part of the western gateway of Sandy Spring. The Master Plan recommendations are meant to protect the rural village character of Sandy Spring “by enhancing the existing gateway and reinforcing the distinctions between the rural village and adjacent residential neighborhoods.” The Master Plan provides numerous design and massing recommendations including plan wide recommendations and Site specific recommendations

Village Core Recommendations

The Village Core Neighborhood section of the Master Plan recommends new development include a mix of residential and commercial uses, provide open spaces for gathering, reinforce the edge of the plan area with medium density residential uses, provide opportunities for shared parking and encourage various housing opportunities. The Master Plan also encourages varying building heights up to three stories high, with articulated elevations and active fronts, that fit into the character and historic context. Architectural elements should include providing porches, stoops, bay windows, dormers, awnings and pitched roofs. There is also a recommendation in the Master Plan for providing a small developer provided green space on the Site. The Site Plan meets these village core neighborhood recommendations with a medium density residential use of 19 townhomes, providing common open space along MD 108 that is accessible to the public, and constructing the dwelling units on lots 2-7 to have their building fronts facing the road with garage access in the rear, and to have the dwellings

split between two separate structures helping break up the building mass. The structure heights will be below the maximum allowed in the zone, with the units along MD 108 appearing just over two stories tall with a maximum height of 36 feet, to the units further back on the Site which will be a full three stories high and a maximum height of 40 feet. The dwellings are designed with pitched roofs, and will include many of the architectural elements desired by the Master Plan including porches or stoops, dormers and gable ends (Figures 13 and 14).



Figure 13 - Schematic Front Façade lots 2-7



Figure 14 - Schematic Side Façade units 2, 7 and 8

Specific Property Recommendations

The Master Plan also has specific recommendations for the Subject Property, identified as Specific Property Recommendation number 3, located on page 28 of the Master Plan as identified by map 6 on page 25. The Master Plan recommends up to 24 townhouses on this

Site, with the option of a small amount of commercial uses to allow a residential project with ample transition to the adjacent residential properties to the west and south. Additional detailed recommendations build on the neighborhood wide recommendations and include support for single-family attached homes up to 45 feet in height, setbacks from MD 108 similar to that of the existing townhomes, a tree canopy goal of 40% and special tree plantings. An illustrative rendering of what development may look like is included in the Master Plan (Figure 14) as conceptual. The Site Plan proposes constructing the 19 attached dwelling units that are three stories high, with varying building heights ranging from 36 feet along MD 108 to up to 40 feet on the rest of the Site. The primary open space, the Community Green, is located in the northwestern portion of the Site, and it enables the unit on lot 8 to be set back from MD 108 similar to the adjacent dwellings in the Sandy Spring Village community providing for a similar building setback as the existing townhomes located to the west. East of the Community Green, units front closer to the road to establish the village development pattern, and are a similar setback from the road as the existing structures in the Historic District. The dwellings along MD 108 are also split into two buildings of three dwellings to create building mass comparable to other buildings in the Village Core. The Community Green also protects an important cluster of existing trees closest to the road, which maintains the existing green gateway into Sandy Spring. The Applicant has certified that based on the retained tree canopy, plus the proposed landscaping that the Site will achieve a tree canopy coverage in 20 years of approximately 44.9%.



Figure 14 - Illustrate Rendering from Master Plan

- h. will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;*

As discussed in the accompanying Preliminary Plan No. 120160030 findings, the proposed development in the Site Plan will be served by adequate public facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.

- i. on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and*

The Property is not located in a Rural Residential or Residential zone.

- j. on a property in all other zones, is compatible with existing and approved or pending adjacent development.*

The Site Plan is compatible with other uses and other site plans, as well with existing and proposed adjacent development. The Applicant has coordinated with the neighboring two commercial property owners to upgrade an existing access into a functioning private street, and providing on-site parking that will be shared with a neighboring office use. The building placement on lots 2-7 also start to form a street wall, and are set back similarly to the neighboring bank to the east. The layout of the Site's townhomes is compatible with the existing townhomes to the south because there is a substantial setback of units 12 and 15 from the existing units to make way for landscaped stormwater management. The setbacks for lots 8-12 and lot 20 are expanded beyond the CRN Zone's minimum to meet the height compatibility requirements of Section 59.4.1.8.B.2.a of creating a 45 degree angular plane projecting over the Subject Property, starting at the setback line on the Subject Property at the maximum height allowed for a detached house in the abutting property's Zone.

- 3. To approve a site plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.*

Not applicable, this Site Plan does not include a restaurant with a drive-thru.

- 4. For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.*

Not applicable, the Subject Property is not zoned C-1 or C-2.

SECTION 7: CITIZEN CORESPONDENCE AND ISSUES

The Applicant has met all proper signage, noticing and pre-submission meeting requirements for the submitted Applications. A pre-submission meeting for the Preliminary Plan and Site Plan was held on July 14, 2015 at the Sandy Spring Fire House. According to the meeting sign-in sheets and provided minutes, there were 10 people in attendance. The Applicant provided a re-cap of issues raised as a previously held meeting with the Sandy Spring Civic Association including tree retention, parking, groundwater seepage, building height and sidewalk connections. Questions raised at the meeting includes concerns over density, building height, groundwater, tree retention, parking and traffic; which were similar to the issues raised at the previous civic association meeting. The minutes show the Applicant attempted to address all questions as they were raised at the meeting.

Staff attended a scheduled meeting of the Sandy Spring Citizens Association on November 9, 2015 at the Sandy Spring Slave Museum. Staff presented the project to the association members and guests, and answered questions pertaining to the conformance with the Master Plan, building height, and compatibility. Staff hosted a second meeting with members of the Sandy Spring community on February 24th to provide updates on the project status including revisions to the Site layout, and building architecture that was requested of the Applicant by Staff.

As of the posting of this Staff Report, Staff has received 24 pieces of correspondence in the form of letter or e-mail (Attachment 11). One was the official position letter of the Sandy Spring Civic Association, which had a split vote on whether to support the Applications or whether they wanted major revisions. Staff also received a petition and attached letter with over 40 signatures that were not against any development on the Site, but suggested the scale of the current buildings did not comply with the intentions of the Master Plan. The remaining testimony has been from individuals, families, or business owners within the Sandy Spring Community. A majority of the correspondence Staff has received has been against the Applications in its current form, although there has been some support for the Application. The reoccurring themes Staff has noted in the correspondence include a concern over the building heights and building mass, as it relates to the Master Plan, the compatibility with the neighboring residential development, and the relationship to the historic district and its resources.

Concern - Building height and mass

Almost every letter of opposition raised concerns over the proposed structures placements, heights and mass on the Subject Property, with particular concern to the units as they will relate to MD 108 as a rural gateway. Suggestions made include the recommendation of lowering the building heights along MD 108 to match those of the historic structures to the east, and to break up the length of the originally proposed townhouse row into at least two separate rows. Since the correspondence began arriving, Staff has worked with the Applicant to create a building design and architecture that allows for the usable square feet the Applicant wants while creating the external relationship more in line with what the community desires. From the front perspective of the units they will appear to be a little over two stories tall, and include multiple architectural elements to ensure architectural compatibility and visual interest. Staff is supporting the Applicants request to increase building setbacks by more than that allowed in the CRN zone in an effort to be more compatible with the neighboring development. The Applicant also agreed to separate the six units adjacent to MD 108 into two separate structures which breaks up the total length of the structure into two buildings; a scale comparable to existing structures in the Village Core Neighborhood. The façade treatments on the six units along MD 108 is also designed to provide visual relief by using thick trim and banding, by using simple and uniform siding, providing a stone or brick water table band, and by using lighter

exteriors on the end units compared to the middle units. The sides of units 2, 7 and 8 which are the most visible from MD 108 not only have their own strict set of design criteria, but will be partially screened by the placement of landscaping material in the Community Green and along the private street. The conceptual image on page 24 of the Master Plan, and shown as Figure 14 in this Staff Report show that the Master Plan considered full three story tall townhome units along MD 108 which are actually taller than what is being proposed in these Applications.

Concern - Adjacent residential development

Residents are also concerned about the impact the proposed development will have on the adjacent Sandy Spring Village community to the west and south. The proposed units on the Subject Property are three stories in height, while the units to the west and south are two stories. There have been requests to lower the heights of the units on the entire Site to two stories tall to make them compatible with adjacent residential buildings. The Master Plan recommends that the development at this location should be compatible with the existing townhouses but provides no specific guidelines to measure compatibility. As discussed in the height and setback compatibility analysis on page 27 of this report, the proposed dwellings exceed the minimum compatibility requirements in the Zoning Ordinance. The Master Plan deliberately recommended the Subject Property for townhome development and heights up to 45 feet to act as a transition between rural areas further west, the adjacent townhomes to the west, and the adjacent historic and commercial buildings further east. The location of the Community Green on Site was purposeful to ensure the setback compatibility requirements in the Master Plan from MD 108, protecting the green entryway into the village. The layout of the townhouses on the Subject Property allows the units to relate back to back along the western Site boundary, and provide side views of units across the southern Site boundary. Along the south, the units will be set back further, located behind landscaped stormwater management areas. The Application also provide for trees planted in the rear yards of the lots 8-12 in the west which will soften the appearance of the units.

Concern - Relation to the Historic District

Many neighbors are concerned the Application is not compatible with the Historic District properties located immediately to the east of the Subject Property (identified in Figure 6). Because the Subject Property is identified as part of the gateway to the village, the community believes the building size and character should do more to complement the Historic District buildings; particularly the Sandy Spring Bank building. The residents are concerned that the proposed units along MD 108 at just over two stories high along MD 108 is not compatible with the historic district building heights which are one and two stories tall. The Master Plan did not make any specific compatibility recommendations but does identify a goal of fitting “seamlessly into the quality and character of the historic context” regarding building size and placement and encourages architectural features such as porches, stoops, bay windows, dormers, awnings and pitched roofs. The Applicant has agreed to reduce the front mass of the dwellings along MD 108 by splitting them into two structures of three units, each only 72 feet in width, and by providing many of the recommended architectural treatments in the Master Plan. Additionally, the Applicant is requesting an increase in the maximum setbacks (build-to-area) for the proposed dwellings fronting on MD 108 to protect existing trees and to ensure the front of these dwellings will not be closer to MD 108 than the historic structures further east. Furthermore, the units that front directly on MD 108 are 5 feet shorter than the rest of the dwellings on Site and with the terrain and landscaping will appear nearly a full story shorter in the front compared to the other units on the Site. To protect the green gateway to the village center and the large existing trees long MD 108, staff has worked with MDSA to not require additional frontage improvements along MD 108 including installing a deceleration lane, which would have removed all the existing vegetation.

The Applicant is also installing new street trees where they are currently missing to further the green entryway. The Applicant is also implementing some of Staff's suggestions including using a green hedge rather than a traditional fence along the eastern side of lot 7.

SECTION 8: CONCLUSION

The Applications meet all requirements established in the Subdivision Regulations and the Zoning Ordinance. Access and public facilities will be adequate to serve the proposed lots, and the Applications have been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Staff finds the Applicant has adequately addressed the recommendations of the 2015 Sandy Spring Rural Village Master Plan, and has made a good faith effort to be responsive to the concerns raised by the community. Staff recommends approval of this Application, with the conditions as enumerated in the Staff Report.

ATTACHMENTS

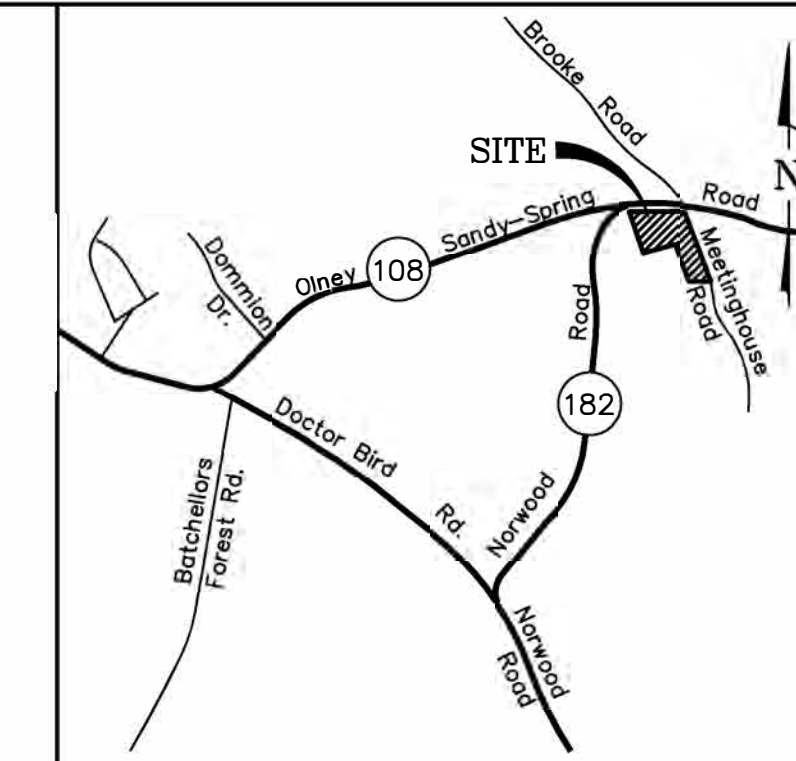
- Attachment 1 – Preliminary Plan Composite
- Attachment 2 – Site Plan Composite
- Attachment 3 – Forest Conservation Plan Composite
- Attachment 4 – Plat No. 12224
- Attachment 5 – MCDOT Approval
- Attachment 6 – MC Fire and Rescue Approval
- Attachment 7 – Stormwater Management Concept Approval
- Attachment 8 – Water and Sewer Category Change
- Attachment 9 – Variance Request
- Attachment 10 – Arborist Recommendations
- Attachment 11 – Citizen Correspondence
- Attachment 12 – Extension Requests

Attachment 1

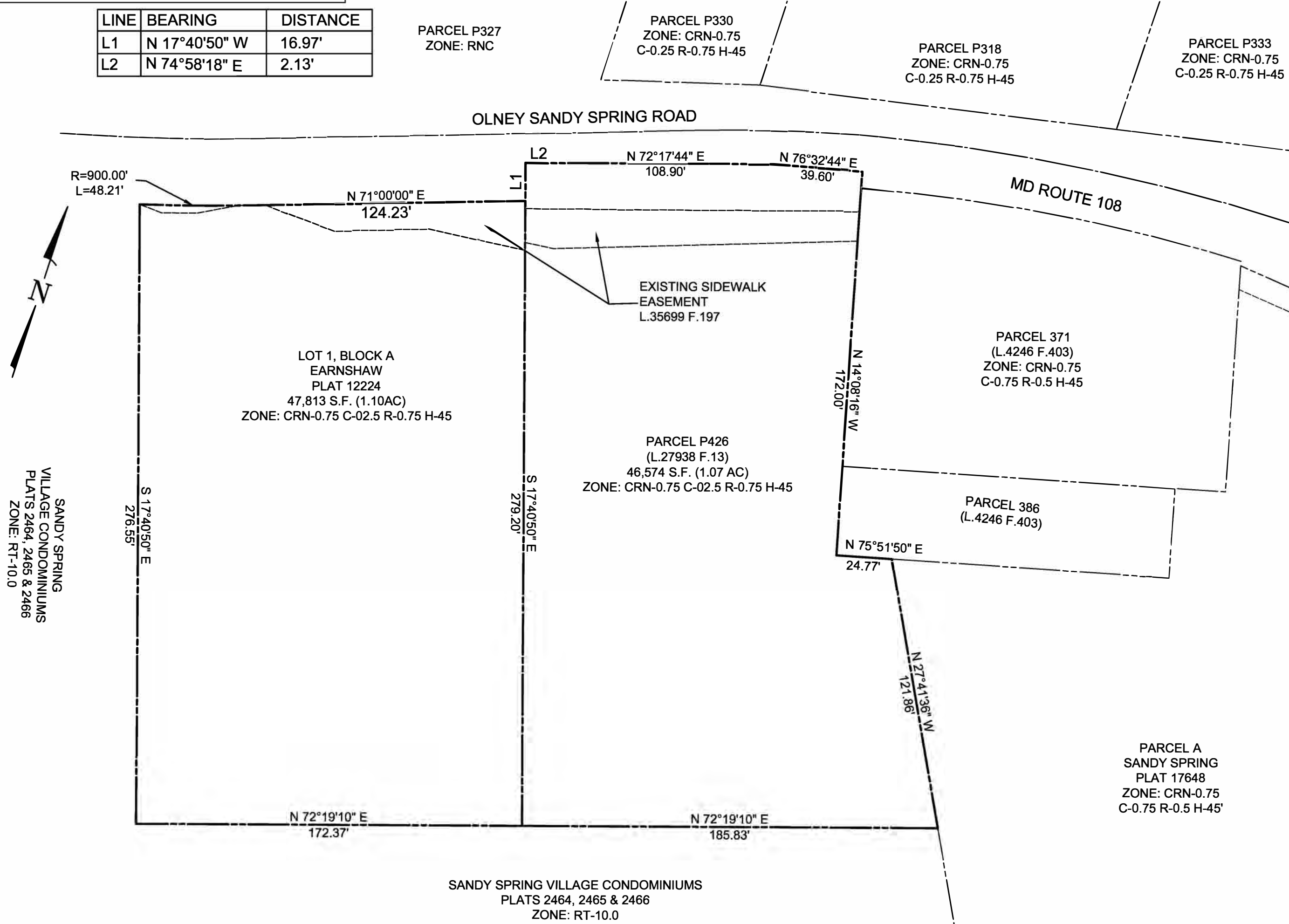
LINE	BEARING	DISTANCE
L1	N 17°40'50" W	16.97'
L2	N 74°58'18" E	2.13'

LINE	BEARING	DISTANCE
L1	N 17°40'50" W	16.97'
L2	N 74°58'18" E	2.13'

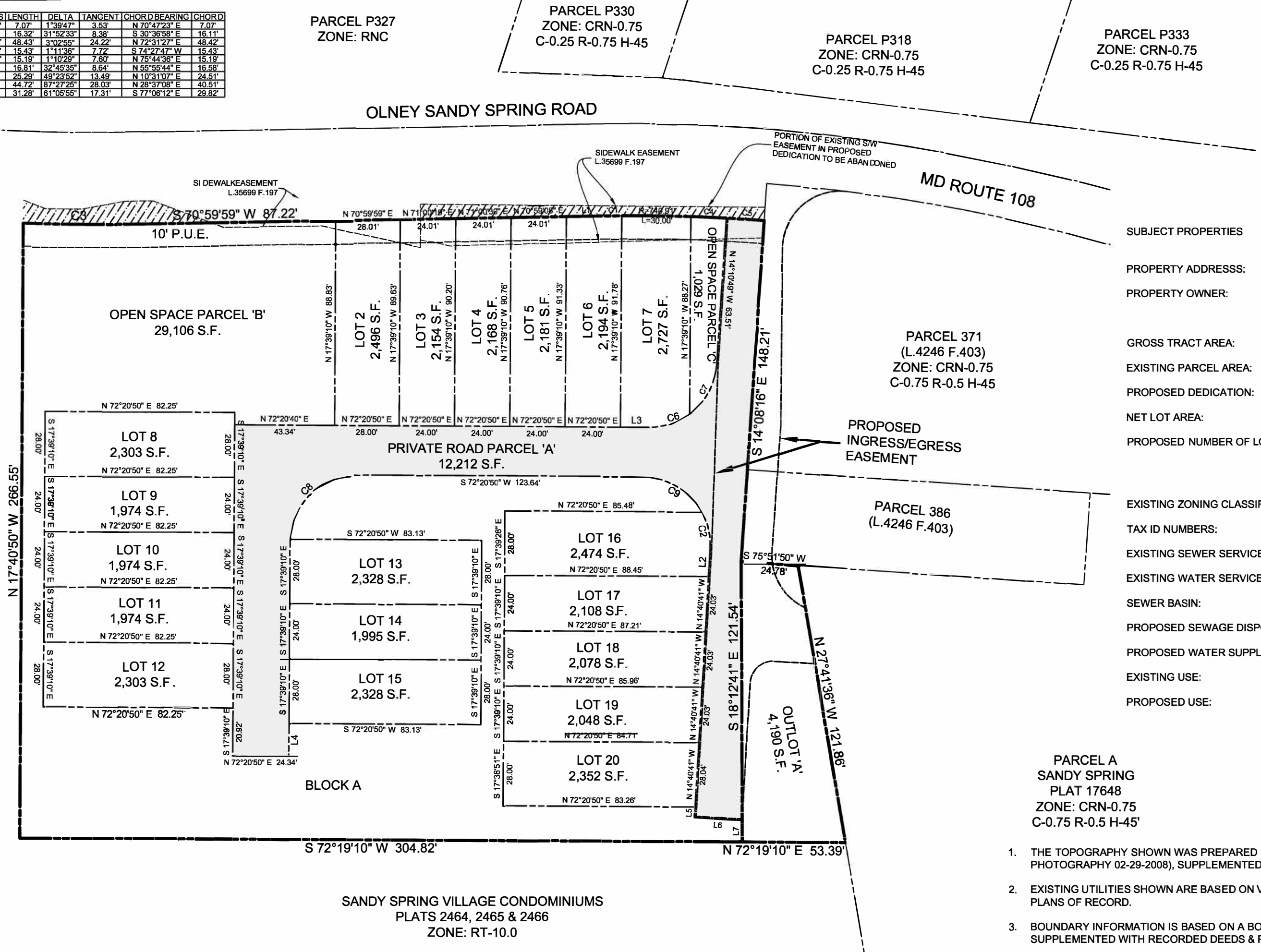
CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD	CHORD BEARING	CHORD
1	900.00	16.97	1.9841	3.59	16.97	N 17°40'50" W	16.97
2	900.00	2.13	0.2425	0.44	2.13	N 74°58'18" E	2.13



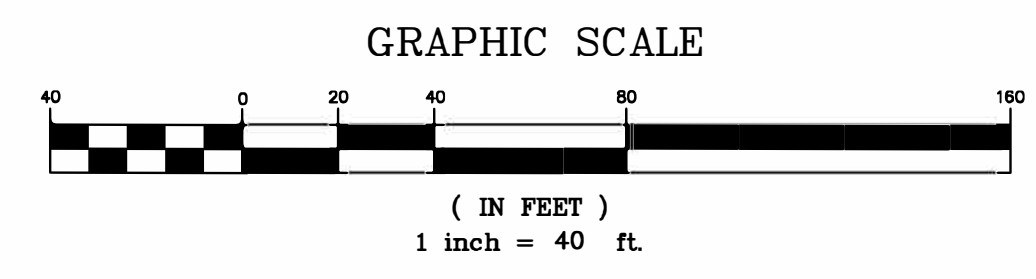
VICINITY MAP
SCALE 1" = 2,000'



EXISTING LOT CONFIGURATION
1" = 40'



PROPOSED LOT CONFIGURATION
1" = 40'

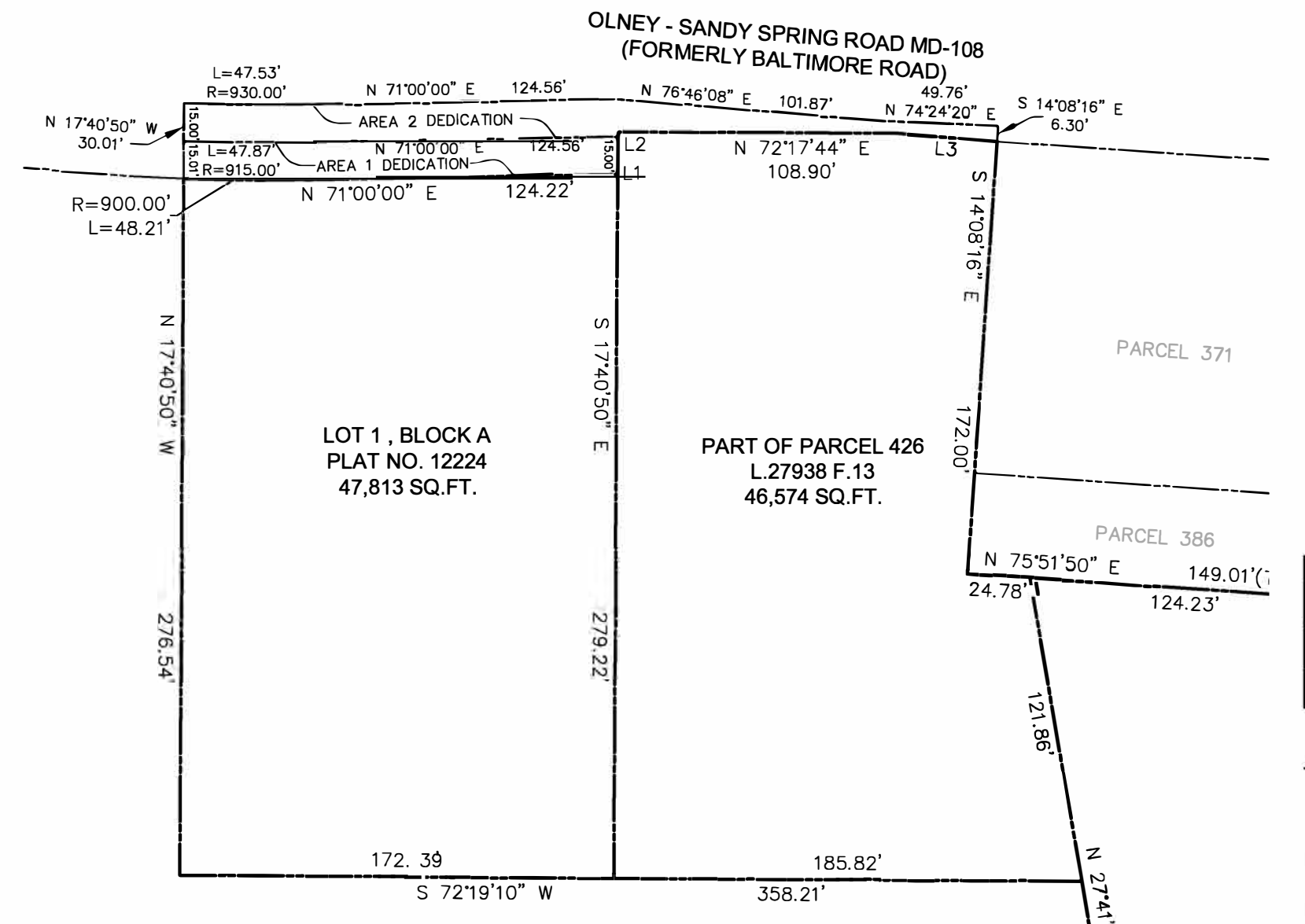


SITE DATA	
SUBJECT PROPERTIES	LOT 1, BLOCK A - EARNSHAW PLAT NO. 12224 PARCEL 426 L. 27938 F.13
PROPERTY ADDRESS:	1100 OLNEY SANDY SPRING ROAD
PROPERTY OWNER:	STABLER 1848, LLC 508 OLNEY SANDY SPRING ROAD, SUITE 102 SANDY SPRING, MD 20860
GROSS TRACT AREA:	100,754 S.F. (2.31299 AC.)
EXISTING PARCEL AREA:	94,387 S.F. (2.16683 AC.)
PROPOSED DEDICATION:	5,515 S.F. (0.13 ACRES)
NET LOT AREA:	88,872 S.F. (2.04022 AC.)
PROPOSED NUMBER OF LOTS:	19 TOWNHOUSE LOTS (SIZE VARIES) 1 OUTLOT (4,190 S.F. OR 0.09619 AC.) 2 OPEN SPACE PARCELS (30,135 S.F. OR 0.69180 AC.) 1 PRIVATE ROAD PARCEL (12,212 S.F. OR 0.28035 AC.)
EXISTING ZONING CLASSIFICATION:	CRN-0.75 C-0.25 R-0.75 H-45
TAX ID NUMBERS:	08-01869728 & 08-01526737
EXISTING SEWER SERVICE CATEGORY:	S-3
EXISTING WATER SERVICE CATEGORY:	W-1
SEWER BASIN:	NORTHWEST BRANCH
PROPOSED SEWAGE DISPOSAL:	WSSC
PROPOSED WATER SUPPLY:	WSSC
EXISTING USE:	SURFACE PARKING
PROPOSED USE:	RESIDENTIAL TOWNHOMES

PARCEL A
SANDY SPRING
PLAT 17648
ZONE: CRN-0.75
C-0.75 R-0.5 H-45'

GENERAL NOTES

- THE TOPOGRAPHY SHOWN WAS PREPARED USING PHOTOGRAMMETRIC METHODS (MSI PROJECT #08-035, DATE OF PHOTOGRAPHY 02-29-2008), SUPPLEMENTED WITH MHG FIELD SHOTS (2006) AND AVAILABLE UTILITY RECORDS.
- EXISTING UTILITIES SHOWN ARE BASED ON VISIBLE SURVEYED APPURTENANCES, ACCESSIBLE STRUCTURES AND PLANS OF RECORD.
- BOUNDARY INFORMATION IS BASED ON A BOUNDARY SURVEY PREPARED BY MACRIS, HENDRICKS & GLASCOCK, P.A. SUPPLEMENTED WITH RECORDED DEEDS & PLATS.
- THE PROPERTY IS WITHIN THE NORTHWEST BRANCH WATERSHED (USE I-V-P WATERS). THE PROPERTY IS NOT LOCATED IN A SPECIAL PROTECTION AREA (SPA) OR PRIMARY MANAGEMENT AREA (PMA).
- THE PROPERTY DOES NOT CONTAIN "WATERS OF THE UNITED STATES", WETLANDS, STREAMS, SEEPS, SPRINGS, FLOODPLAINS OR THEIR ASSOCIATED BUFFERS.
- THE PROPERTY IS NOT IDENTIFIED IN THE LOCATIONAL ATLAS AND INDEX OF HISTORICAL SITES, NOR IS IT IDENTIFIED IN THE MASTER PLAN FOR HISTORIC PRESERVATION.
- THE PROPERTY IS LOCATED WITHIN THE SHERWOOD SCHOOL CLUSTER.
- A NATURAL RESOURCES INVENTORY / FOREST STAND DELINEATION (NR/FSI) FOR THIS PROPERTY APPROVED ON JANUARY 13, 2015 UNDER MDCPPC PLAN #420150590.
- THE MONTGOMERY COUNTY HEALTH DEPARTMENT RECORDS DO NOT INDICATE ANY WELL OR SEPTIC AREAS ON THE PROPERTY.
- AN ADMINISTRATIVE WATER AND SEWER CATEGORY CHANGE WAS APPROVED BY MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) ON OCTOBER 23, 2015. REFER TO WSSCR 15-CLC-02A.
- A STORMWATER MANAGEMENT CONCEPT FOR THIS PROPERTY WAS APPROVED ON APRIL 3, 2015 UNDER MDCPPS SM FILE #269995.
- ALL UTILITIES SHOWN ARE CONCEPTUAL AND SUBJECT TO CHANGE; SEE APPROVED UTILITY DRAWINGS. SERVICING UTILITY COMPANIES INCLUDE:
WATER & SEWER: WSSC
NATURAL GAS: WASHINGTON GAS
ELECTRIC: PERCO
TELECOMMUNICATIONS: VERIZON
- PROPERTY LINES AND LOT/PARCEL AREAS ARE SUBJECT TO ADJUSTMENT AT THE TIME OF SUBDIVISION RECORD PLAT COMPUTATION.
- 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 THIS PRELIMINARY PLAN OF SUBDIVISION ARE ILLUSTRATIVE. THE FINAL LOCATIONS OF BUILDINGS, STRUCTURES, AND HARDSCAPE WILL BE DETERMINED BY THE SITE PLAN APPROVAL (SEE 820160010).
- REFER TO THE ZONING DATA TABLE FOR DEVELOPMENT STANDARDS.



GROSS TRACT AREA EXHIBIT
1" = 60'

PRIOR DEDICATIONS	
AREA 1 PLAT #12224	= 2,586 sq. ft.
AREA 2 L. 27938 F.13	= 3,781 sq. ft.
TOTAL	= 6,367 sq. ft.

GROSS TRACT AREA CALCULATION	
LOT 1	47,813 S.F.
PT. PARCEL 426	46,574 S.F.
PRIOR DEDICATIONS	6,367 S.F.
TOTAL GTA	100,754 S.F.

BOUNDARY CERTIFICATION

I HEREBY CERTIFY THAT THE BOUNDARY SHOWN HEREON IS CORRECT BASED ON EXISTING DEEDS AND PLATS RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, SUBJECT TO CHANGE UPON COMPLETION OF A FINAL SURVEY. TOPOGRAPHY FROM SOURCES NOTED HEREON.

DATE: _____
MACRIS, HENDRICKS, & GLASCOCK, P.A.
BY: BARRY E. HOYLE
PROFESSIONAL LAND SURVEYOR
MARYLAND REG. NO. 21135
EXPIRATION DATE: JUNE 21ST, 2016

OWNER/APPLICANT
STABLER 1848, LLC
508 OLNEY SANDY SPRING RD.
SUITE 200
SANDY SPRING, MD 20860
PHONE: (301) 924-5258
CONTACT: TYLER NICHOLS

NO.	DATE	DESCRIPTION	BY
	09/15/15	REV. PER DRC COMMENTS	
	12/07/15	REV. PER SHA COMMENTS & DEP APPROVAL	

TAX MAP JT342 WSSC 224NW01

PRELIMINARY PLAN OF SUBDIVISION
EARNSHAW - LOT 1, BLOCK A & PARCEL P426
SANDY SPRING TOWNHOMES
PLAT NO. 12224 & L.27938 F.13
8TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

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

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

Phone 301.670.0840
Fax 301.948.0693
www.mhgap.com

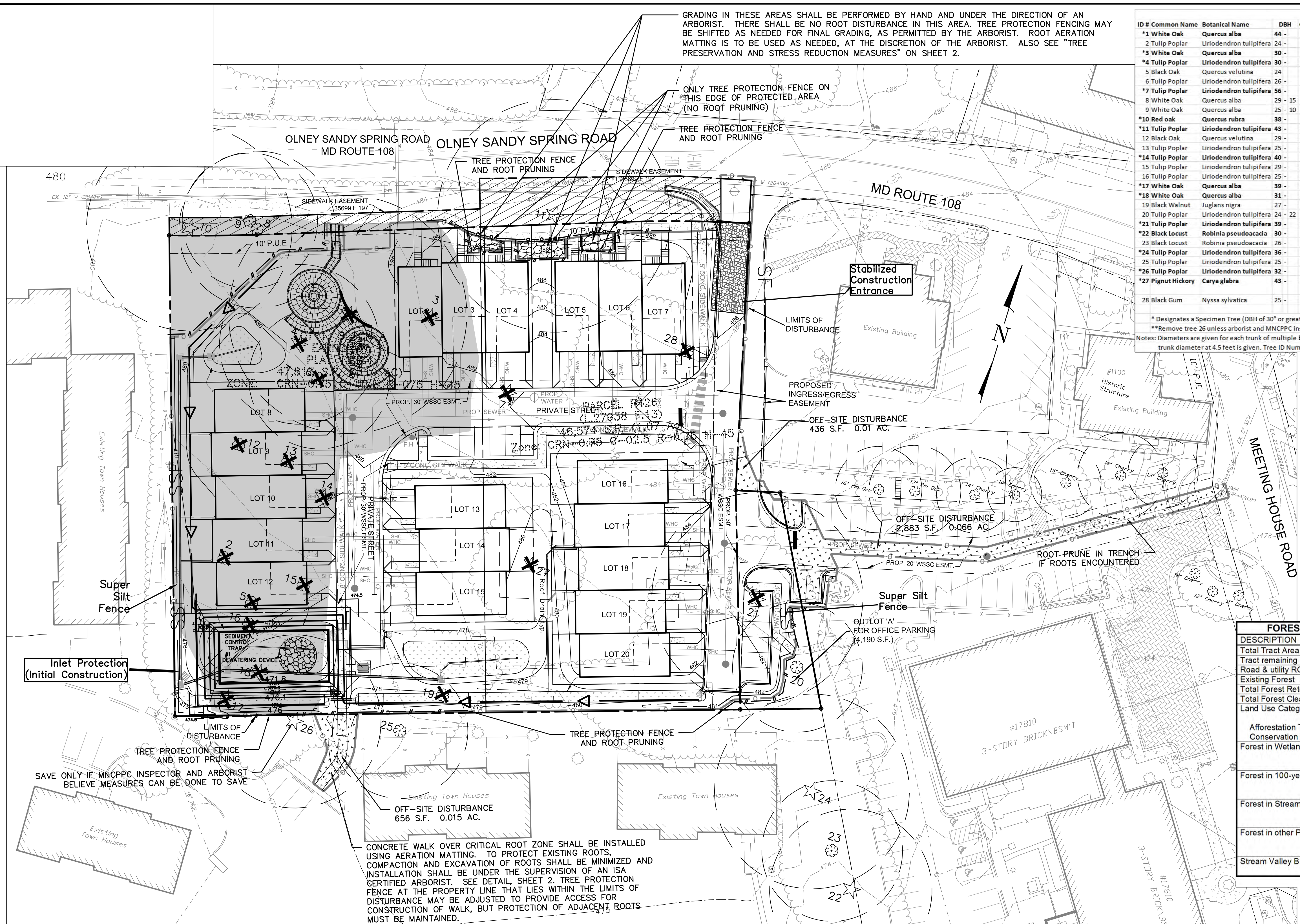
Proj. Mgr. PGL	Designer PGL
Date 12/07/15	Scale AS SHOWN
Project No. 14.189.11	Sheet 1 of 2

Attachment 3

GRADING IN THESE AREAS SHALL BE PERFORMED BY HAND AND UNDER THE DIRECTION OF AN ARBORIST. THERE SHALL BE NO ROOT DISTURBANCE IN THIS AREA. TREE PROTECTION FENCING MAY BE SHIFTED AS NEEDED FOR FINAL GRADING, AS PERMITTED BY THE ARBORIST. ROOT AERATION MATTING IS TO BE USED AS NEEDED, AT THE DISCRETION OF THE ARBORIST. ALSO SEE "TREE PRESERVATION AND STRESS REDUCTION MEASURES" ON SHEET 2.

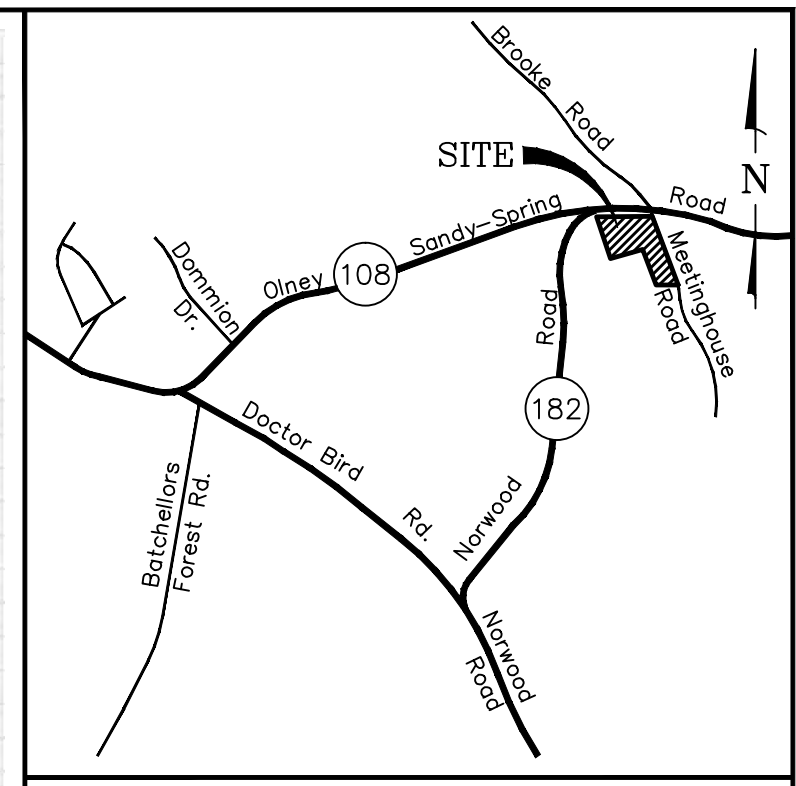
ONLY TREE PROTECTION FENCE ON THIS EDGE OF PROTECTED AREA (NO ROOT PRUNING)

TREE PROTECTION FENCE AND ROOT PRUNING



ID #	Common Name	Botanical Name	DBH	CRZ	Conditions/Remarks	Disposition
*1	White Oak	Quercus alba	44	66	Fair; Heavy vines, codominant @ 8' w/ crack, deadwood	Remove
2	Tulip Poplar	Liriodendron tulipifera	24	36	Fair; Deadwood, vines	Remove
*3	White Oak	Quercus alba	30	45	Fair; Heavy vines, deadwood	Remove
*4	Tulip Poplar	Liriodendron tulipifera	30	44.3	Poor; Dieback, deadwood, vines (29.5" DBH)	Remove
5	Black Oak	Quercus velutina	24	36	Fair/Poor; Vines, deadwood, leans	Remove
6	Tulip Poplar	Liriodendron tulipifera	26	39	Fair; Vines, deadwood	Remove
*7	Tulip Poplar	Liriodendron tulipifera	56	84	Poor; canopy damage, cavity, very heavy vines, dieback *Measurement including vines	Remove
8	White Oak	Quercus alba	29	43.5	Good/Fair; Vines, maple growth @ split	Save
9	White Oak	Quercus alba	25	37.5	Fair; Heavy vines, deadwood, leans toward road	Save
*10	Red oak	Quercus rubra	38	57	Fair/Poor; Heavy vines, dieback, deadwood	Save
*11	Tulip Poplar	Liriodendron tulipifera	43	64.5	Good/Fair; canopy damage, roots under asphalt, dieback, deadwood	Save
12	Black Oak	Quercus velutina	29	43.5	Poor; Fallen, leans on tree #13, hazard, roots detached from earth	Remove
13	Tulip Poplar	Liriodendron tulipifera	25	37.5	Poor; Heavy vines, leaning, lifting out of ground, 12 leaning on, hazard	Remove
*14	Tulip Poplar	Liriodendron tulipifera	40	60	Fair; Large cavity w/ rot at base, canopy damage, deadwood	Remove
15	Tulip Poplar	Liriodendron tulipifera	29	43.5	Fair/Poor; Vines, deadwood, canopy damage	Remove
16	Tulip Poplar	Liriodendron tulipifera	25	37.5	Fair/Poor; Vines, adjacent tree limb curves around trunk, cavity @ 30'	Remove
*17	White Oak	Quercus alba	39	58.5	Good/Fair; Deadwood, vines	Remove
*18	White Oak	Quercus alba	31	46.5	Good/Fair; Vines, crack, deadwood	Remove
19	Black Walnut	Juglans nigra	27	40.5	Good	Remove
20	Tulip Poplar	Liriodendron tulipifera	24	36	Fair; Deadwood, cavity @ base	Save
*21	Tulip Poplar	Liriodendron tulipifera	39	58.5	Fair; Heavy vines, deadwood	Remove
*22	Black Locust	Robinia pseudoacacia	30	45	Poor; Heavy vines, dieback	Save
23	Black Locust	Robinia pseudoacacia	26	39	Poor; Heavy vines, crack, cavity, deadwood, rot, splitting w/ fungus	Save
*24	Tulip Poplar	Liriodendron tulipifera	36	54	Fair; Vines, deadwood, damage in canopy	Save
25	Tulip Poplar	Liriodendron tulipifera	25	37.5	Good/Fair; Stump @ base, deadwood	Save
*26	Tulip Poplar	Liriodendron tulipifera	32	48	Fair; Heavy vines, deadwood	Remove**
*27	Pignut Hickory	Carya glabra	43	63.8	Fair; Twisted, scar, deadwood, canopy damage, baserot, cracks, cavities, DBH is greater than the county champion, and 75% of or greater than the state champion	Remove
28	Black Gum	Nyssa sylvatica	25	37.5	Good/Fair; Small cavities, rot	Remove

* Designates a Specimen Tree (DBH of 30" or greater in better than Poor condition)
 ** Remove tree 26 unless arborist and MNCPPC inspector determine it can be saved through additional tree save measures. MHG believes it cannot be saved
 Notes: Diameters are given for each trunk of multiple bole trees when division occurs below 4.5 feet. If major division occurs above 4.5 feet, only the trunk diameter at 4.5 feet is given. Tree ID Numbers correspond to those assigned on the Natural Resource Inventory/Forest Stand Delineation Map.



VICINITY MAP
SCALE 1" = 2,000'

FOREST CONSERVATION WORKSHEET						
Earnshaw						
NET TRACT AREA:						
A. Total tract area ...					2.26	
B. Land dedication acres (parks, county facility, etc.) ...					0.00	
C. Land dedication for roads or utilities (not being constructed by this plan) ...					0.11	
D. Area to remain in commercial agricultural production/use ...					0.00	
E. Other deductions (specify) ...					0.00	
F. Net Tract Area ...					2.15	
LAND USE CATEGORY: (from Trees Technical Manual)						
Input the number "1" under the appropriate land use, limit to only one entry.						
	ARA	MDR	IDA	HDR	MPD	CIA
	0	0	0	0	1	0
G. Afforestation Threshold ...				15%	x F =	0.32
H. Conservation Threshold ...				20%	x F =	0.43
EXISTING FOREST COVER:						
I. Existing forest cover ...						0.75
J. Area of forest above afforestation threshold ...						0.43
K. Area of forest above conservation threshold ...						0.32
BREAK EVEN POINT:						
L. Forest retention above threshold with no mitigation ...						0.49
M. Clearing permitted without mitigation ...						0.26
PROPOSED FOREST CLEARING:						
N. Total area of forest to be cleared ...						0.75
O. Total area of forest to be retained ...						0.00
PLANTING REQUIREMENTS:						
P. Reforestation for clearing above conservation threshold ...						0.08
Q. Reforestation for clearing below conservation threshold ...						0.86
R. Credit for retention above conservation threshold ...						0.00
S. Total reforestation required ...						0.94
T. Total afforestation required ...						0.00
U. Credit for landscaping (may not exceed 20% of "S") ...						0.00
V. Total reforestation and afforestation required ...						0.94

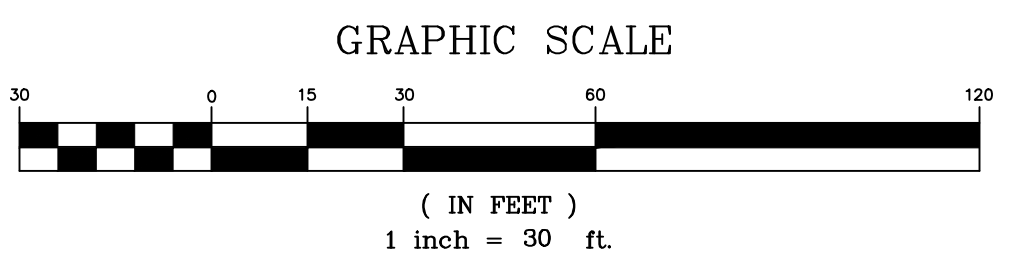
FOREST CONSERVATION TABLE	
DESCRIPTION	SIZE
Total Tract Area	2.26 Acres
Tract remaining in Agricultural Use	0 Acres
Road & utility ROW (unimproved)	0.11 Acres
Existing Forest	0.75 Acres
Total Forest Retention	0.00 Acres
Total Forest Cleared	0.75 Acres
Land Use Category	Mixed Use
Afforestation Threshold	15%
Conservation Threshold	20%
Forest in Wetlands Retained	0 Acres
Cleared	0 Acres
Planted	0 Acres
Forest in 100-year Floodplain Retained	0 Acres
Cleared	0 Acres
Planted	0 Acres
Forest in Stream Valley Buffer Retained	0 Acres
Cleared	0 Acres
Planted	0 Acres
Forest in other Priority Areas Retained	0 Acres
Cleared	0 Acres
Planted	0 Acres
Stream Valley Buffer Length	0 Feet
Avg. Width	0 Feet

NOTES:
 1. The Total Tract Area includes 2.17 acres on-site and 0.09 acres (3,975 s.f.) of off-site disturbance.
 2. The forest conservation planting requirement of 0.94 acres is to be met off-site through purchase of credit in a county-approved forest mitigation bank.

QUALIFIED PROFESSIONAL CERTIFICATION

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

DATE _____ FRANK C. JOHNSON
 RECOGNIZED AS QUALIFIED PROFESSIONAL BY MD. DEPT. OF NATURAL RESOURCES COMAR 08.19.06.01



LEGEND	
	SIGNIFICANT TREE
	SPECIMEN TREE
	SPECIMEN / SIGNIFICANT TREES TO BE REMOVED
	CRITICAL ROOT ZONE (DIA. = DBH X 3')
	EXISTING FOREST
	PROPOSED RIGHT OF WAY DEDICATION NO IMPROVEMENTS
	OFF-SITE DISTURBED AREAS
	GRADING WITH HAND TOOLS ONLY, FOR ROOT PROTECTION
	OVERALL LIMITS OF DISTURBANCE
	TREE SAVE LIMIT OF DISTURBANCE (for hand grading)
	TREE PROTECTION FENCE AND ROOT PRUNING
	TREE PROTECTION FENCE ONLY (NO ROOT PRUNING)
	EXISTING TREE LINE
	SUBJECT SITE PROPERTY BOUNDARY
	OTHER PROPERTY BOUNDARY
	OVERHEAD WIRES
	EX. FENCE
	SUPER SILT FENCE
	SILT FENCE
	SILT FENCE ON ASPHALT
	PROPOSED CONTOURS
	EXISTING CONTOURS

TAX MAP JT342 WSSC 224NW01

PRELIMINARY/FINAL FOREST CONSERVATION PLAN
 EARNSHAW - LOT 1, BLOCK A & PARCEL P426
SANDY SPRING TOWNHOMES
 PLAT NO. 12224 & L.27938 F.13
 8TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

PREPARED FOR
 Stabler 1848 LLC
 c/o Nichols Development, Inc.
 Mr. Tyler Nichols
 508 Olney-Sandy Spring Road, Suite 102
 Sandy Spring, MD 20860
 Tel: 301.924.5258

QUALIFIED PROFESSIONAL CERTIFICATION

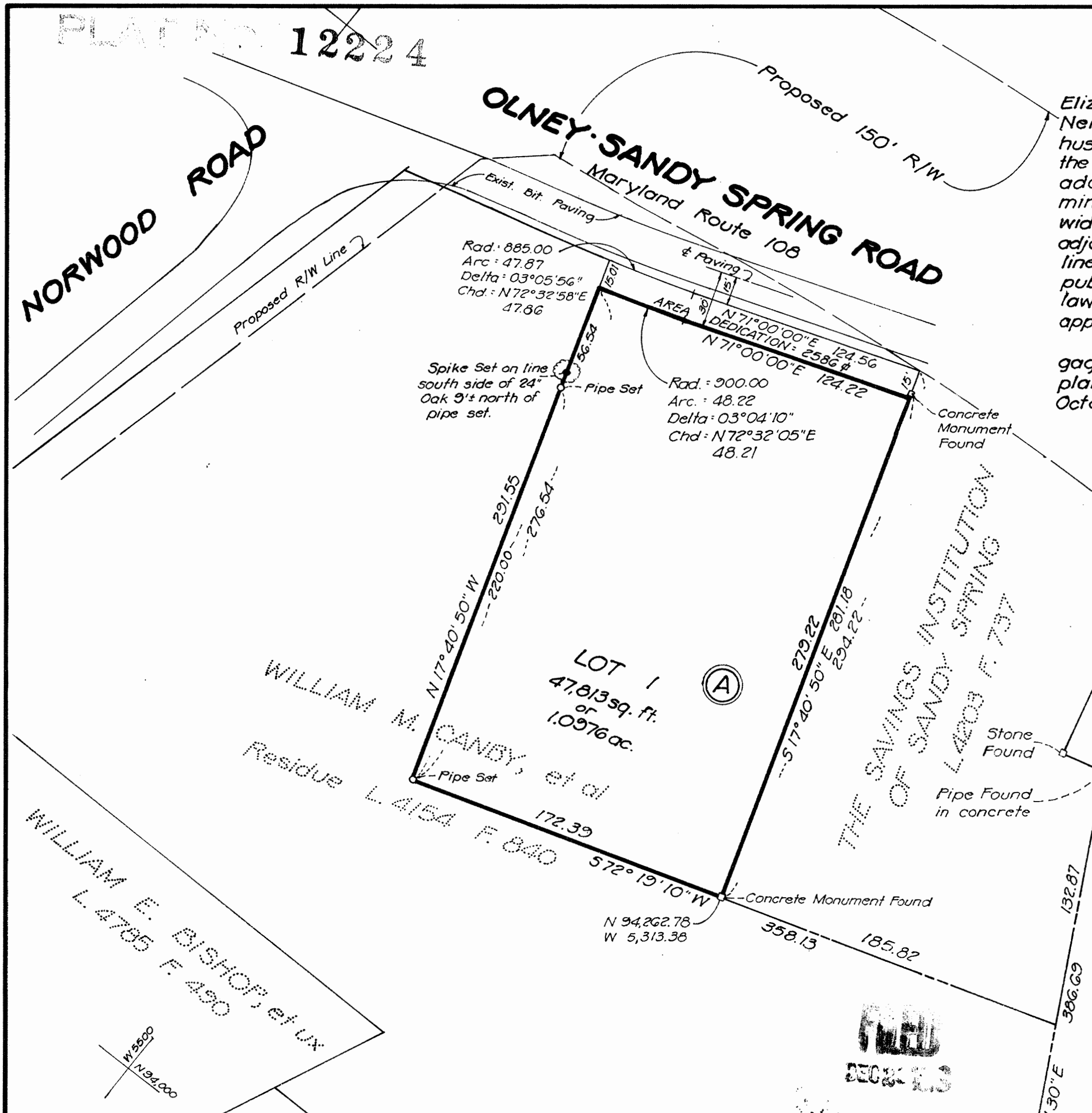
I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT AND THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF EXISTING STATE AND COUNTY FOREST CONSERVATION LEGISLATION.

DATE _____ FRANK C. JOHNSON
 RECOGNIZED AS QUALIFIED PROFESSIONAL BY MD. DEPT. OF NATURAL RESOURCES COMAR 08.19.06.01

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

9220 Wightman Road, Suite 120
 20886-1279
 Phone 301.670.0840
 Fax 301.948.0693
 www.mhgpa.com

Proj. Mgr.	PGL	Designer	GSB
Date	03/03/16	Scale	1"=30'
Project No.	14.189.11	Sheet	1 of 2



OWNER'S DEDICATION

We, William M. Canby, Thomas D. Canby, Elizabeth L. H. Ligon, Daniel Ligon, Charles H. Ligon, Nellie Ligon Johnsen and Robert G. Johnsen, her husband as Tenants by the Entirety, owners of the property shown and included hereon, hereby adopt this plan of subdivision, establish the minimum building restriction lines, dedicate the road widening to public use, and grant a 5 foot slope easement adjacent, parallel, and contiguous to the street right of way line; said easement shall be extinguished after all required public improvements abutting said easement have been lawfully completed and accepted for maintenance by the appropriate public agency.

There are no suits of action, leases, liens, mortgages or trusts on the property included in this plan of subdivision.
October 11, 1978

Sandra J. Edgely Witness
William M. Canby WILLIAM M. CANBY

Nancy Lee Canby Witness
Thomas D. Canby THOMAS D. CANBY

Nellie Ligon Johnsen Witness
Elizabeth L. H. Ligon ELIZABETH L. H. LIGON

Daniel Ligon Witness
Daniel Ligon DANIEL LIGON

Charles H. Ligon Witness
Charles H. Ligon CHARLES H. LIGON

Nellie Ligon Johnsen Witness
Nellie Ligon Johnsen NELLIE LIGON JOHNSEN

Robert G. Johnsen Witness
Robert G. Johnsen ROBERT G. JOHNSEN

SURVEYOR'S CERTIFICATE

I hereby certify the plan shown hereon is correct; that it is a subdivision of part of the residue of the land conveyed by Sandy Spring Development Corporation to William M. Canby, Thomas D. Canby, Elizabeth L. H. Ligon, Daniel Ligon, Charles H. Ligon, Nellie Ligon Johnsen and Robert G. Johnsen, her husband, by deed dated November 30, 1971 and recorded among the Land Records of Montgomery County, Maryland in Liber 4154 as Folio 840; that property corner markers are in place as noted. The total area included on this plat is 50,399 square feet or 1.1570 acres including 2586 square feet dedicated to public use.

September 6, 1978

RECORDED: _____
PLAT BOOK: _____
PLAT NO: _____

John R. Witmer
JOHN R. WITMER
Professional Land Surveyor
Maryland No 10668

For Public Water and Sewer Systems Only

MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION
MONTGOMERY COUNTY PLANNING BOARD
APPROVED NOVEMBER 9, 1978
DATE
Rayetta CHAIRMAN
Daniel Ligon SECRETARY-TREASURER
MNCPPC RECORD FILE N° 530-18

MONTGOMERY COUNTY MARYLAND
DEPARTMENT OF TRANSPORTATION
APPROVED 8 DECEMBER 1978
DATE
Antony DEPUTY DIRECTOR

VICINITY MAP
Scale 1" = 2000'

**LOT 1; BLOCK A
EARNSHAW**

8TH ELECTION DISTRICT
MONTGOMERY COUNTY MARYLAND
SCALE 1" = 50' AUGUST, 1978

JOHN R. WITMER
PROFESSIONAL LAND SURVEYOR
13010 FREELAND ROAD
ROCKVILLE, MARYLAND 20853
340-8705



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Al R. Roshdieh
Acting Director

August 28, 2015

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

RE: Preliminary Plan No. 120160030
Sandy Spring Townhomes

Bev
Dear Mr. Berbert:

We have completed our review of the preliminary plan submitted on August 17th, 2015 and to be reviewed by the Development Review Committee at its August 31st, 2015 meeting. We appreciate the cooperation and additional information provided by the applicant and their consultant. 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. Necessary dedication for Olney Sandy Spring Road (MD-108) is required in accordance with the Master Plan.
2. Necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. Access and improvements along Olney Sandy Spring Road (MD-108) as required by the Maryland State Highway Administration (MSHA).
4. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by each common driveway and a recorded private open space covenant.

Office of the Director

101 Monroe Street, 10th Floor • Rockville, Maryland 20850 • 240-777-7170 • 240-777-7178 FAX
www.montgomerycountymd.gov/dot

5. Private common driveways and private streets shall be determined through the subdivision process as part of the Planning Board's approval of a preliminary plan. The composition, typical section, horizontal alignment, profile, drainage characteristics and maintenance and liability 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.

Thank you for the opportunity to review the design exception requests. If you have any questions or comments regarding this letter, please contact Mr. Avinash Dewani, our Development Review Engineer for this project, at avinash.dewani@montgomerycountymd.gov or (240) 777-2132.

Sincerely,



Gregory M. Leck, Manager
Development Review Team

cc: Tyler Nichols Stabler 1848, LLC
Patrick La Vay Macris, Hendricks & Glascock.
Patricia Harris Lerch, Early & Brewer, Chtd
Pranoy Choudhury MDSHA District 3
Preliminary Plan folder
Preliminary Plan letters notebook

cc-e: Michael Garcia M-NCPPC Area 3
Sam Farhadi MCDPS RWPR
Patricia Shepherd MCDOT DTS
Gary Erenrich MCDOT DO
Avinash Dewani MCDOT DO

Attachment 6



FIRE MARSHAL COMMENTS

DATE: 18-Feb-16
TO: Patrick La Vay - plavay@mhgpa.com
Macris, Hendricks & Glascock
FROM: Marie LaBaw
RE: Sandy Spring Townhomes
120160030 820160010

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **18-Feb-16**. 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

April 3, 2015

Mr. Steve Wilde
Macris, Hendricks, and Glascock, P.A.
9220 Wightman Road, Suite 120
Montgomery Village, MD 20886

Re: Stormwater Management **CONCEPT** Request
for Earnshaw
Preliminary Plan #: N/A
SM File #: 269895
Tract Size/Zone: 1.93/EOF-1.0-H-35
Total Concept Area: 2ac
Lots/Block: N/A
Parcel(s): P426
Watershed: Northwest Branch

Dear Mr. Wilde:

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 the use of micro-biofiltration and a bio swale.

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. 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.
5. Some of the downstream property owners have expressed concerns about an existing drainage problem that may be caused by groundwater. The developer has agreed to explore options to lessen the impacts of the groundwater situation even though groundwater was not encountered in any of the on-site soil borings.
6. Any work proposed outside of the property will require written off site grading permission at the time of detailed plan submission.

Mr. Steve Wilde
April 3, 2015
Page 2 of 2

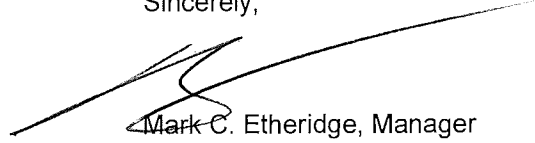
This list may not be all-inclusive and may change based on available information at the time.

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 Thomas Weadon at 240-777-6309.

Sincerely,



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

MCE: TEW

cc: C. Conlon
SM File # 269895

ESD Acres:	2ac
STRUCTURAL Acres:	N/A
WAIVED Acres:	N/A

Attachment 8



MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Comprehensive Water Supply and Sewerage Systems Plan Amendments Administrative Delegation Action 2015-1 – Advance Action: Water/Sewer Service Area Category Change Request 15-CLO-02A

CHRONOLOGY

Interagency Notices of Public Hearing:.....	September 15, 2015
Published Notice of Public Hearing:.....	October 1, 2015
Public Hearing:	October 16, 2015
Public Hearing Record Closed:.....	October 21, 2015
DEP Advance Approval Action for WSCCR 15-CLO-02A.....	October 23, 2015

BACKGROUND

Authority: Under the Annotated Code of Maryland, Section 9-501, *et seq.*, the Maryland Department of the Environment (MDE) has charged the Montgomery County Council, as the governing body for Montgomery County, with adopting and amending a comprehensive plan for the provision of adequate water supply and sewerage systems within the county. As part of the staging element of *Montgomery County Ten-Year Comprehensive Water Supply and Sewerage Systems Plan (CWSP)*, the Council has designated water and sewer service area categories for all properties within the county. Requests to change the water and/or sewer service area categories designated in the Plan constitute proposed amendments to that Plan.

In the adopted CWSP, the County Council has delegated to the Director of the Department of Environmental Protection (DEP), through an administrative process, the authority to approve certain amendments to the Plan, including water and sewer category changes. To qualify for administrative consideration, Plan amendments must satisfy the specific requirements of the policies established by the Council in the CWSP, Chapter 1, Section V.F. Administrative Delegation.

At the request of the applicants, WSCCR 15-CLO-02A was identified for an advance action ahead of the other ten amendments in this administrative group. The applicants were seeking to maintain an established schedule for the Planning Board's consideration of a related preliminary plan. A complete summary of the administrative action on all eleven amendments, including this WSCCR, will be prepared following the closing of the hearing record on October 23, 2015. This action will include a summary of the hearing record.

Proposed Plan Amendments: DEP staff considered eleven proposed amendments for approval or restricted approval by the administrative delegation process. The proposed amendments were reviewed by the following agencies, as appropriate: the Washington Suburban Sanitary Commission (WSSC), the Maryland - National Park and Planning Commission (M-NCPPC), and the Montgomery County Department of Permitting Services - Well and Septic Section (DPS). The amendments were also referred to the County Council-members for their review and concurrence.

PUBLIC HEARING PROCESS

Public Hearing Notification: In accordance with State regulations, on September 15, 2015, DEP notified on the appropriate County and State agencies of the public hearing, scheduled for October 16, 2015, and provided the staff recommendations for each proposed amendment. The County provided a published notice of the administrative hearing on October 1, 2015, in *The Sentinel*, a newspaper of general, local circulation, satisfying the State's notification requirements. This notice provided a link to the DEP website on which all pertinent documents were placed prior to that date. DEP also provided a mailed or e-mailed notice for both hearings to the following: each property owner/applicant, local civic association leaders, attorneys or engineers (as requested by the property owner), and adjacent and confronting property owners.

All hearing notifications identified WSCCR 15-CLO-02A for an advance approval action and noted that the hearing record would close at the conclusion of the public hearing on October 16, 2015.

Public Hearing Testimony and Interagency Recommendations: On behalf of DEP Director Lisa Feldt, DEP senior planner Alan Soukup presided over the public hearing held on October 16, 2015, on the eleven amendments proposed for administrative approval. No comments were provided at the public hearing or in any other testimony provided to DEP concerning WSCCR 15-CLO-02A.

On October 1, 2015, the Planning Board met to consider M-NCPPC staff recommendations for the eleven requests included in the AD 2015-1 administrative delegation packet. The Board concurred with the M-NCPPC

staff recommendations for all the included requests, which were in agreement with DEP's staff recommendations. DEP received formal notification of the Board's action in a letter dated October 9, 2015.

On October 21, 2015, the Council's senior legislative analyst, Keith Levchenko, reported to DEP that, following the circulation among the Council members of the administrative packet and the notes on public testimony, no Council members had questions on or objections to the proposed administrative approval of all fifteen requests.

DEP closed the public hearing record on October 21, 2015. Summary information, which includes all interagency recommendations and all testimony for the proposed amendments, is on file with DEP.

DEP ADMINISTRATIVE ACTION

The 2003 water/sewer category map update of the *Montgomery County Comprehensive Water Supply and Sewerage Systems Plan* is hereby amended as follows:

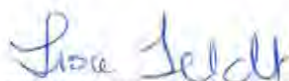
Cloverly –Norwood Planning Area

WSSCR 15-CLO-02A: Stabler 2848 LLC

Property Information and Location Property Development	Applicant's Request: Administrative Action and Policy Justification						
<ul style="list-style-type: none"> • 1100 Olney Sandy Spring Rd., Sandy Spring • Prop. #1: Lot 1 (N383), Block A, Earnshaw (acct. no. 01869728) • Prop. #2: Parcel P426, Lot in Sandy Spring (acct. no. 01526737) • Map tile: WSSC – 224NW01; MD – JT32 • South side of Olney Sandy Spring Rd. (MD 108), east of Norwood Rd. • CRN-0.75 Zone; 94,422 sq.ft. (2.17 acres) total • Cloverly – Norwood Planning Area Sandy Spring Ashton Master Plan (1998) • Northwest Branch Watershed (MDE Use IV) • <u>Existing use:</u> parking lot <u>Proposed use:</u> 19-unit residential townhouse subdivision, plan no. 720150140 "Earnshaw" and no. 120160030 "Sandy Spring Townhomes" (prior plan no. 120090230 "Sandy Spring Parcel B") 	Service Area Categories: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black; width: 50%;"><u>Existing</u></td> <td style="border-bottom: 1px solid black; width: 50%;">Requested</td> </tr> <tr> <td>W-6</td> <td>W-1</td> </tr> <tr> <td>S-1 & S-6</td> <td>S-1 & S-3</td> </tr> </table> Administrative Action Approve W-1 and S-3. Administrative policy V.F.1.a.: Consistent with Existing Plans. <i>DEP note: DEP has approved S-3 for the entire project site rather than the applicants' requested S-1 and S-3. An existing gravity sewer main abuts Parcel P426 (currently S-1) along Olney Sandy Spring Rd. However, topography will require that sewer service for the entire project area be provided by an extension from an existing gravity main along Meeting House Rd.</i>	<u>Existing</u>	Requested	W-6	W-1	S-1 & S-6	S-1 & S-3
<u>Existing</u>	Requested						
W-6	W-1						
S-1 & S-6	S-1 & S-3						

Now therefore be it resolved by the Director of the Montgomery County Department of Environmental Protection that the amendment described above for inclusion in the County's *Comprehensive Water Supply and Sewerage Systems Plan* is approved. DEP will revise the water and sewer category maps in the County's geographic information system (GIS) database to include this amendment, and it will be shown as part of the next interim or triennial service area map update.

Approved



Lisa Feldt, Director
 Montgomery County Department of Environmental Protection

M-NCPPC DEVELOPMENT REVIEW COMMITTEE UPDATE

Plan no. 120160030 "Sandy Spring Townhomes": The proposed use of public water and sewer service for this project is consistent with the approved W-1 and S-3 water and sewer categories granted by this action.

NOTIFICATION OF DEP ACTION

DEP will submit notification of the Director's action to MDE for that agency's review. MDE has 90 days to comment on the administrative approvals granted. DEP will also notify each applicant, appropriate county government agencies, and other interested parties of the Director's action. A list of agencies that will receive a copy of this summary of action follows:

Distribution: Interagency

Virginia Kearney, Director, Water Mgt. Admin., MDE
George Leventhal, Montgomery County Council
Keith Levchenko, Montgomery County Council
Diane Schwartz-Jones, Director, DPS
Gene von Gunten, Well & Septic Section, DPS
Casey Anderson, Planning Board
Rebecca Boone & Katherine Nelson, Area 3 Planning Team, M-NCPPC
Pam Dunn, Functional Planning Team, M-NCPPC

Mark Pfefferle & Cathy Conlon, Development Applications and Regulatory Coordination Team, M-NCPPC
Geoffery Mason, Parks Planning Div., M-NCPPC
Jerry Johnson, General Manager, WSSC
Mike Harmer, Beth Kilbourne, & Rufus Leeth, Development Services Group, WSSC
Luis Tapia, Service Applications Group, WSSC
Pearl Walker, Assessments Group, WSSC

Distribution: Property Owners Listed Above/Other Interested Parties/Public Interest Groups

Attachments – Service Area Category Designations (see page 4)
Map Amendment Locator (see page 5)
Amendment Service Area Category Maps (see pages 6-7)

ADS:ads/

R:\Programs\Water_and_Sewer\actions-AD\2015\AD 2015-1\soa\SOA_2015-1 -adv-actn--15-clo-02a--draft.docx

WATER/SEWER SERVICE AREA CATEGORIES INFORMATION

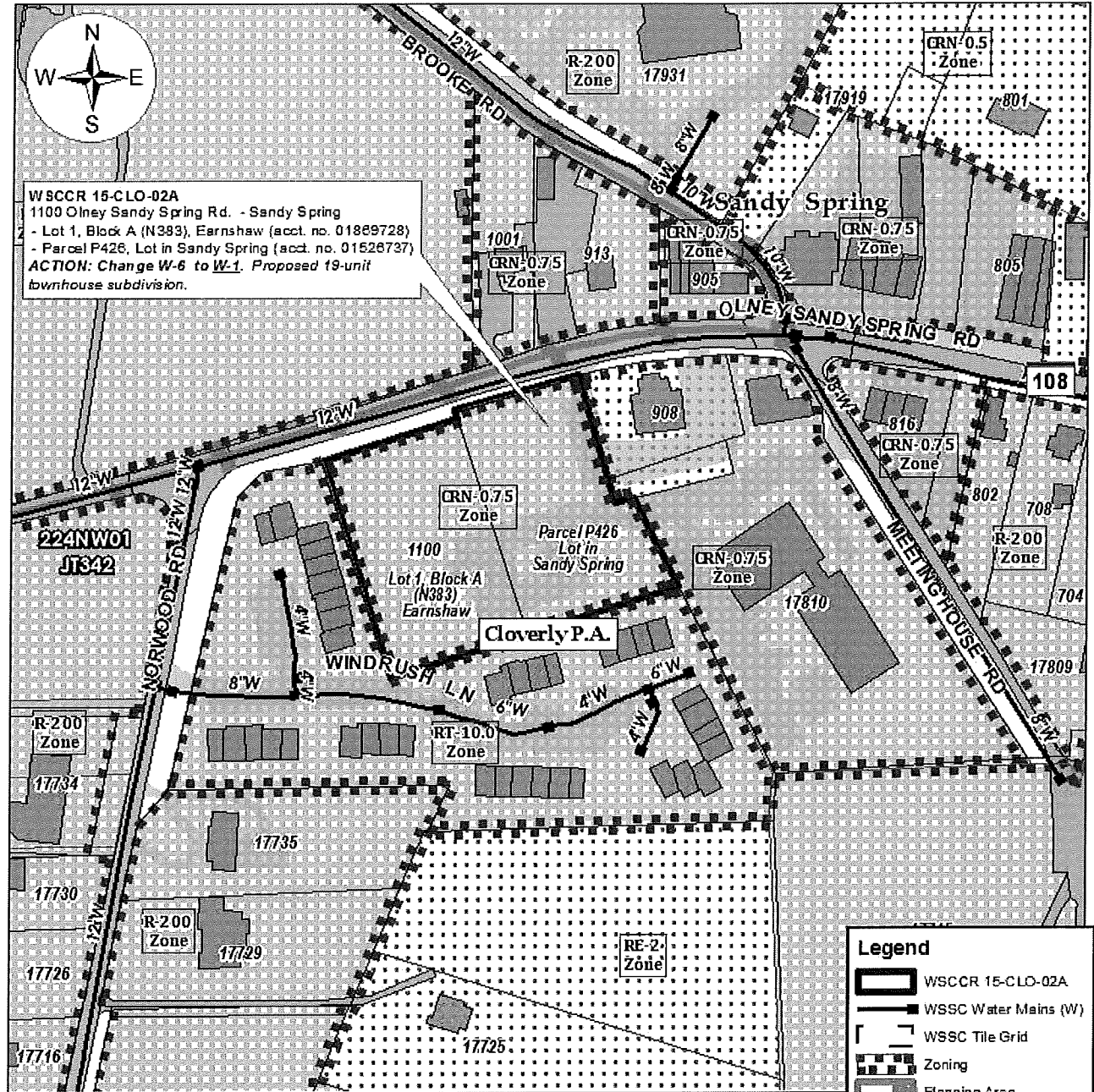
The Montgomery County Ten-Year Comprehensive Water Supply and Sewerage Systems Plan designates water and sewer service area categories for each property within the county. These service area categories determine a property's eligibility to receive public water and/or sewer service and indicate when the County and the sanitary utility (usually the Washington Suburban Sanitary Commission (WSSC)) should program water and sewerage facilities to serve those properties. (Although the actual provision of public service is often dependent on an applicant's own development schedule.) The Water and Sewer Plan is adopted and amended by the County Council; it is administered by the County Executive through the Department of Environmental Protection (DEP).

Water and Sewer Service Area Categories Table

Service Area Categories	Category Definition and General Description	Service Comments
W-1 and S-1	Areas served by community (public) systems which are either existing or under construction. <ul style="list-style-type: none"> This may include properties or areas for which community system mains are not immediately available or which have not yet connected to existing community service. 	Properties designated as categories 1 and 3 are eligible for to receive public water and/or sewer service. New development and properties needing the replacement of existing wells or septic systems are generally required to use public service. Properties with wells or septic systems on interim permits are required to connect to public service within one year of its availability.
W-2 and S-2	<i>Categories W-2 and S-2 are not used in the Montgomery County Water and Sewer Plan.</i> (State's definition: Areas served by extensions of existing community and multi-use systems which are in the final planning stages.)	Where water and/or sewer mains are financed under the front foot benefit system, WSSC will assess front foot benefit charges for mains abutting these properties unless the property has a functioning well and/or septic system. WSSC provides public water and sewer service throughout the county, except where service is provided by systems owned by the City of Rockville or the Town of Poolesville.
W-3 and S-3	Areas where improvements to or construction of new community systems will be given immediate priority and service will generally be provided within two years or as development and requests for community service are planned and scheduled.	WSSC will not serve properties designated as categories 4 or 5, but will work to program water and/or sewer projects needed to serve these areas. Permits for new wells and/or septic systems for category 4 properties will be interim permits. (See above for further information.) MCDEP may require that development proceeding on interim wells and septic systems in category 4 areas also provide dry water and sewer mains and connections.
W-4 and S-4	Areas where improvements to or construction of new community systems will be programmed for the three- through six-year period. <ul style="list-style-type: none"> This includes areas generally requiring the approval of CIP projects before service can be provided. 	Where water and/or sewer mains are financed under the front foot benefit system, WSSC will assess front foot benefit charges for abutting properties designated as category 4 unless the property has a functioning well and/or septic system. WSSC will not assess front foot charges for properties designated as category 5.
W-5 and S-5	Areas where improvements to or construction of new community systems are planned for the seven- through ten-year period. <ul style="list-style-type: none"> This category is frequently used to identify areas where land use plans recommend future service staged beyond the scope of the six-year CIP planning period. 	WSSC will neither provide service to nor assess front foot benefit charges for properties designated as category 6. Development in category 6 areas is expected to use private, on-site systems, such as wells and septic systems.
W-6 and S-6	Areas where there is no planned community service either within the ten-year scope of this plan or beyond that time period. This includes all areas not designated as categories 1 through 5. <ul style="list-style-type: none"> Category 6 includes areas that are planned or staged for community service beyond the scope of the plan's ten-year planning period, and areas that are not ever expected for community service on the basis of adopted plans. 	

Please note that the County does not necessarily assign water and sewer categories in tandem (i.e. W-3 and S-3, or W-5 and S-5), due to differences in water and sewer service policies or to actual water or sewer service availability. Therefore, it is important to know *both* the water *and* sewer service area categories for a property.

WSSCR 15-CLO-02A (Stabler 1848 LLC)
Water Service Area Categories Map: Requested Water and Sewer Plan Amendment

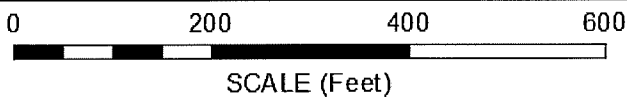


Legend

- WSSCR 15-CLO-02A
- WSSC Water Mains (W)
- WSSC Tile Grid
- Zoning
- Planning Area
- Existing Parkland

Water Categories

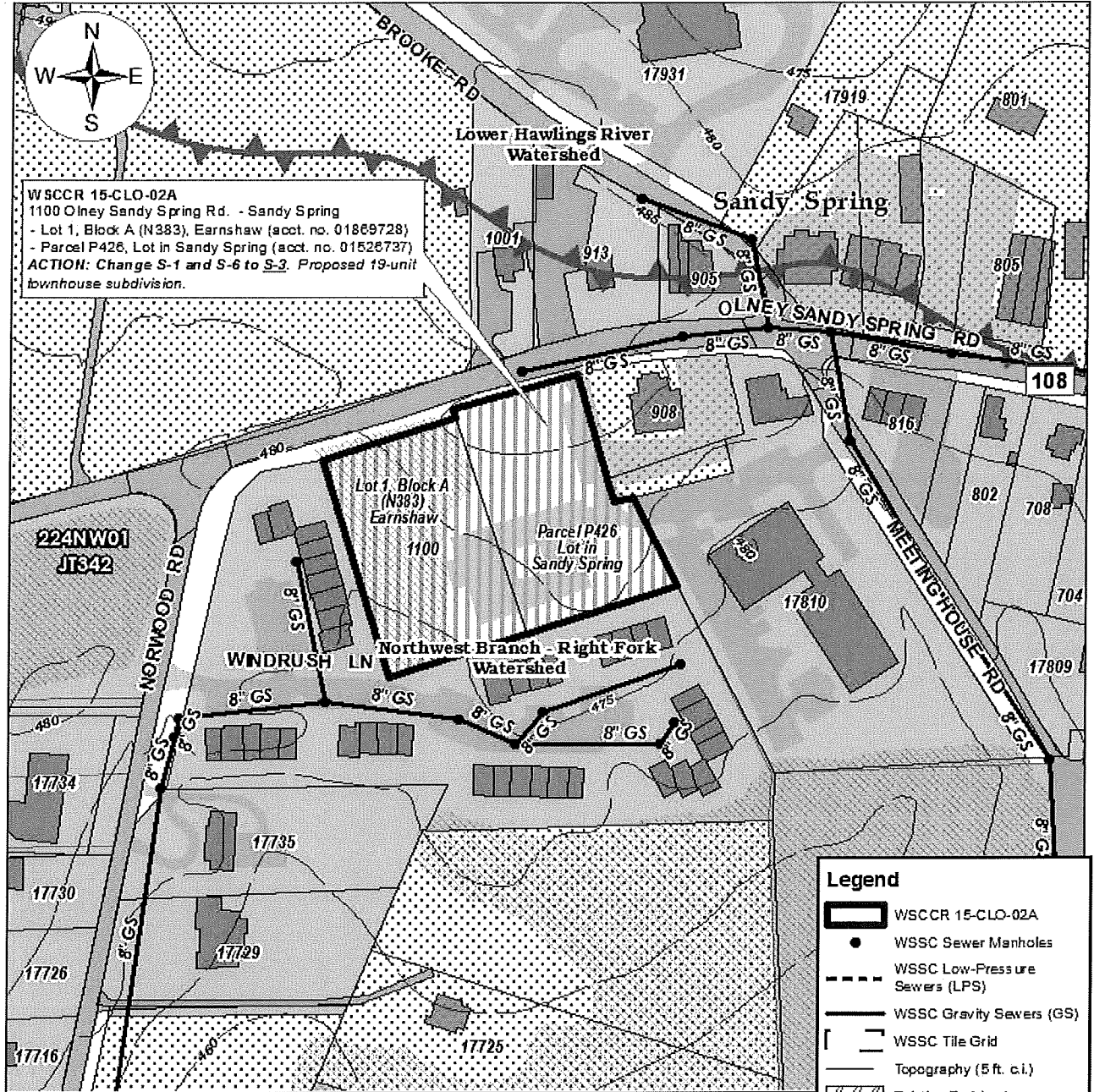
- W-1
- W-3
- W-4
- W-5
- W-6



MONTGOMERY COUNTY
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 WATER & WASTEWATER POLICY GROUP
 10/16/15

Montgomery County, Maryland
Draft 2015 Comprehensive Water Supply
and Sewerage Systems Plan

WSSCR 15-CLO-02A (Stabler 1848 LLC)
Sewer Service Area Categories Map: Requested Water and Sewer Plan Amendment



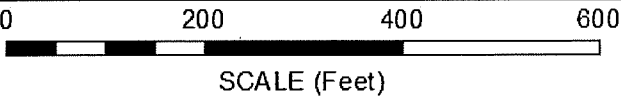
WSSCR 15-CLO-02A
 1100 Olney Sandy Spring Rd. - Sandy Spring
 - Lot 1, Block A (N383), Earnshaw (acct. no. 01869728)
 - Parcel P426, Lot in Sandy Spring (acct. no. 01528737)
ACTION: Change S-1 and S-6 to S-3. Proposed 19-unit townhouse subdivision.

Legend

- WSSCR 15-CLO-02A
- WSSC Sewer Manholes
- WSSC Low-Pressure Sewers (LPS)
- WSSC Gravity Sewers (GS)
- WSSC Tile Grid
- Topography (5 ft. c.i.)
- Existing Park land
- Woodlands

Sewer Categories

- S-1
- S-3
- S-4
- S-5
- S-6



DEPARTMENT OF ENVIRONMENTAL PROTECTION
 WATER & WASTEWATER POLICY GROUP
 10/16/15

Montgomery County, Maryland
 Draft 2015 Comprehensive Water Supply
 and Sewerage Systems Plan



November 9, 2015

Maryland National Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Re: Sandy Spring Townhomes
Preliminary/Final FCP
MNCPPC #120160030 & 820160010
MHG Project No. 14.189.11

To Whom It May Concern:

On behalf of Stabler 1848, LLC, the Applicant of the above referenced Forest Conservation Plan, we hereby request a variance for the removal of ten specimen trees and impact to two specimen trees, as required by the Maryland Natural Resources Article, Title 5, Subtitle 16, Forest Conservation, Section 5-1611, and in accordance with Chapter 22A-21(b) of the Montgomery County Code. In accordance with Chapter 22A-21(b) of the Montgomery County Code, the proposed removal/impact of twelve trees over thirty inches in diameter triggers the need for a variance requirement.

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

The subject property has a total tract area of 2.29 acres along Olney-Sandy Spring Road (the "Property"), which includes 2.17 acres on the Property itself and 0.12 offsite acres to be disturbed by construction activities related to the proposed development. The

Property currently is undeveloped except for a parking lot that serves buildings on adjacent properties. The Property contains 0.75 acres of forest, the majority of which would be removed by the proposed improvements. However, in response to Staff comments, the Applicant is proposing the retention of 1,540 square feet of the existing forest, located in the far northwest corner of the Property. The forest removal results in a 0.95 acre reforestation requirement. The Applicant proposes meeting this requirement in an off-site forest mitigation bank.

Along with the recently-approved Sandy Spring Rural Village Plan, the Property was re-zoned as a Commercial Residential Neighborhood with the specific intent of accommodating townhouse development on the Property. The Rural Village Plan allows for up to 24 townhomes (at a maximum 0.75 FAR) on the Property. It also envisions open spaces throughout the village center, and specifically as a transitional element on the west side of the Property along Route 108.

The proposed construction includes 19 townhomes (0.63 FAR) with associated driveways and stormwater management facilities, as well as a public open-space in the northwest corner of the Property. This is fewer units and a lower FAR than allowed. However, even at this lower density, in order to develop the Property as envisioned by the Rural Village Plan, and in order to protect the open space at the northwest corner, the remainder of the Property must be disturbed, resulting in the removal of the forest, nine specimen trees on the Property, and one specimen tree immediately adjacent to the Property. Most of the specimen trees are scattered across the forested area, but a few others are outside the forest, either within the Property or immediately adjacent to it. The scattered location of the trees makes it virtually impossible to design around them and still achieve even a portion (i.e. 19 units) of the permitted and anticipated density, let

alone provide for access to the units, and the necessary infrastructure and desired open space.

This variance statement focuses particular attention on the proposed removal of trees 17, 18 and 26 which Staff has identified as potentially problematic. Following discussions with Staff regarding the potential removal of trees 17, 18 and 26, the Applicant further evaluated whether these trees could be retained. Although the Applicant believes that tree 26 should be removed for safety reasons as a result of the proposed impacts, a final decision will be made by the MNCPPC inspector in the field; in addition, the retention of trees 17 and 18 is simply not possible. The reasons for this determination are explained in detail below.

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

The inability to remove the subject trees would limit the development of the Property to a much smaller fraction of the number of units allowed by the Rural Village Plan. As is, the proposed development represents only 80 percent of the permitted density. Failure to grant the variance will result in a further reduction in density and will create a significant disadvantage for the Applicant and deprive the Applicant of the rights enjoyed by the neighboring and/or similar properties not subject to this approval process.

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

The Department of Permitting Services (“DPS”) has approved a Stormwater Management Concept Plan for the proposed improvements (SM File No. 269895, Approved April 3 2015). DPS’ approval of this SWM Concept Plan confirms that the goals and objectives of the current state water quality standards are being met. The Applicant’s approved Stormwater Concept Plan will ensure that the stormwater from the Property is adequately accommodated, maintaining the quality of the Northwest Branch Watershed.

The topography of the Property slopes toward the southwest corner of the Property, making stormwater management on the Property challenging. The Applicant explored numerous stormwater options, but given the various conditions of the Property, determined that the only viable location for the stormwater management facilities was along the southern Property line, as indicated on the attached plan. The specific placement of the two micro-bioretenion facilities and the bioswale is dictated by the topography of the site and the location and depth of the existing storm drain in the extreme southwestern corner of the site. Providing full ESD stormwater management for the project requires that the majority of the runoff from the site be captured and treated; this can only be done in the topographically lowest area on the site. The two proposed micro-bioretenion facilities require underdrain systems. The shallow depth of the existing storm drain requires that these facilities be also shallow so that the underdrain systems will function; this in turn requires larger surface areas in these facilities to provide the necessary ESD treatment volume.

The need for the stormwater management facilities in the proposed location results in the elimination of trees 17 and 18. Further, the location greatly compromises tree 26, as a result of the construction of the one foot deep bioswale, although the Applicant has agreed to make a good faith effort to preserve this tree as determined by the inspector at the preconstruction meeting.

The Applicant recognizes the importance of the stormwater management on the Property, not only for the benefit of the Northwest Branch Watershed, but also for the sake of the adjacent neighbors. As the neighbors have explained on numerous occasions, as a result of the topography and the significant amount of run off from Olney-Sandy Spring Road, the basements of the adjacent homes flood with regular frequency. The proposed stormwater management measures will help remedy this problem. The proposed bioswale and the two micro-bioretenion facilities capture surface runoff from the majority of the site and convey that runoff into the existing storm drain system. In addition, a proposed storm drain along the western property line will capture additional surface runoff into the existing storm drain system. By limiting the surface runoff from the site onto the adjacent properties, the problems of the neighbors should be alleviated.

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

Pursuant to Section 22A 21(d) Minimum Criteria for Approval.

(1) The Applicant will receive no special privileges or benefits by the granting of the requested variance that would not be available by any other applicants.

The variance will not confer a special privilege because the removal and disturbance is due to the development of the site per the applicable zoning.

(2) The variance request is not based on conditions or circumstances which result from the actions of the Applicant.

The variance is based upon site conditions and development constraints that developed and existed before the enactment of the specimen tree legislation and is not a result of actions by the Applicant.

(3) The variance is not based on a condition relating to the land or building use, either permitted or nonconforming on a neighboring property.

The requested variance is a result of the proposed site design and layout on the Property and not a result of land or building on a neighboring property.

(4) Will not violate State water standards or cause measurable degradation in water quality. Full ESD stormwater management will be provided as part of the proposed development.

The variance will not violate State water quality standards or cause measurable degradation in water quality. In fact, the variance ensures that acceptable on-site stormwater management measures may be taken. The Stormwater Management Concept for the project, which shows full ESD stormwater management, was approved by DPS on April 3 2015.

As required, all specimen trees to be removed will be mitigated. The specimen trees to be impacted will receive treatment with stress-reduction measures. It should be noted that, of the ten trees to be removed, two are in poor condition and six are only in fair condition. The remaining two trees to be removed are evaluated as good/fair. All of this indicates that, for safety reasons, at least some of these trees would need to be removed anyway within the next few years.

Finally, recognizing the Staff's desire to retain as many trees as possible on the Property, the Applicant has resisted the State Highway Administration's efforts to widen Olney-Sandy Spring Road to accommodate a turning lane along the frontage of the Property. The Applicant's stance against SHA ensures that an additional four trees will be retained on the Property.

A copy of the Forest Conservation Plan and a variance tree spreadsheet has been provided as part of this variance request. Please let us know if any other information is necessary to support this request.

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

Thank you,



Frank Johnson

SPECIMEN TREE VARIANCE DETAIL TABLE

Tree ID # On the Forest Conservation Plan	Species	Inches Diameter at Breast Height "DBH"	Impact the Critical Root Zone ("CRZ") or Removed	% of CRZ Impacted	Existing Condition	Located In Forest or Non-Forest Area	Mitigation (in inches)	Notes	
1	White Oak	44	Remove	100%	Fair	Forest	0	1	
3	White Oak	30	Remove	100%	Fair	Forest	0	1	
4	Tulip Poplar	30	Remove	100%	Poor	Forest	0	1	
7	Tulip Poplar	56	Remove	100%	Poor	Non-Forest	56	2	
10	Red Oak	38	Impact Only	7%	Fair/Poor	Forest	0	3	
11	Tulip Poplar	43	Impact Only	39%	Good/Fair	Non-Forest	0	3	
14	Tulip Poplar	40	Remove	100%	Fair	Forest	0	1	
17	White Oak	39	Remove	100%	Good/Fair	Forest	0	1	
18	White Oak	31	Remove	100%	Good/Fair	Forest	0	1	
21	Tulip Poplar	39	Remove	100%	Good/Fair	Forest	0	1	
26	Tulip Poplar	32	Remove	100%	Fair	Non-Forest	39	2	
27	Pignut Hickory	43	Remove	100%	Fair	Non-Forest	32	2, 4	
TOTAL							170	43	
NOTES: 1. Tree is located in a Forest area. Mitigation for individual tree replacement is not required for trees removed within a forest. Forest to be removed is mitigated according to the Forest Conservation Worksheet. 2. Tree is not located in a Forest area. Mitigation is required, and will be provided once determined by the MNCPPC Planning Board. 3. Stress reduction measures will be provided as needed to the impacted trees. All measures will be approved in advance and overseen by an arborist who has been certified by the International Society of Arboriculture ("ISA"). 4. Remove tree #26 unless arborist and MNCPPC Inspector determine it can be saved through additional tree save measures. MHG believes it cannot be saved									

Attachment 10



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett
County Executive

Lisa Feldt
Director

December 18, 2015

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

RE: Sandy Spring Townhomes, ePlan 120160010/120160030, NRI/FSD application accepted on 9/22/2014

Dear Mr. Anderson:

All applications for a variance from the requirements of Chapter 22A of the County Code submitted after October 1, 2009 are subject to Section 22A-12(b)(3). Accordingly, given that the application for the above referenced request was submitted after that date and must comply with Chapter 22A, and the Montgomery County Planning Department ("Planning Department") has completed all review required under applicable law, I am providing the following recommendation pertaining to this request for a variance.

Section 22A-21(d) of the Forest Conservation Law states that a variance must not be granted if granting the request:

1. Will confer on the applicant a special privilege that would be denied to other applicants;
2. Is based on conditions or circumstances which are the result of the actions by the applicant;
3. Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or
4. Will violate State water quality standards or cause measurable degradation in water quality.

Applying the above conditions to the plan submitted by the applicant, I make the following findings as the result of my review:

1. The granting of a variance in this case would not confer a special privilege on this applicant that would be denied other applicants as long as the same criteria are applied in each case. Therefore, the variance can be granted under this criterion.
2. Based on a discussion on March 19, 2010 between representatives of the County, the Planning Department, and the Maryland Department of Natural Resources Forest Service, the disturbance of trees, or other vegetation, as a result of development activity is not, in and of itself, interpreted as a condition or circumstance that is the result of the actions by the applicant. Therefore, the



variance can be granted under this criterion, as long as appropriate mitigation is provided for the resources disturbed.

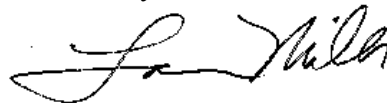
3. The disturbance of trees, or other vegetation, by the applicant does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property. Therefore, the variance can be granted under this criterion.
4. The disturbance of trees, or other vegetation, by the applicant will not result in a violation of State water quality standards or cause measurable degradation in water quality. Therefore, the variance can be granted under this criterion.

Therefore, I recommend a finding by the Planning Board that this applicant qualifies for a variance conditioned upon the applicant mitigating for the loss of resources due to removal or disturbance to trees, and other vegetation, subject to the law based on the limits of disturbance (LOD) recommended during the review by the Planning Department. In the case of removal, the entire area of the critical root zone (CRZ) should be included in mitigation calculations regardless of the location of the CRZ (i.e., even that portion of the CRZ located on an adjacent property). When trees are disturbed, any area within the CRZ where the roots are severed, compacted, etc., such that the roots are not functioning as they were before the disturbance must be mitigated. Exceptions should not be allowed for trees in poor or hazardous condition because the loss of CRZ eliminates the future potential of the area to support a tree or provide stormwater management. Tree protection techniques implemented according to industry standards, such as trimming branches or installing temporary mulch mats to limit soil compaction during construction without permanently reducing the critical root zone, are acceptable mitigation to limit disturbance. Techniques such as root pruning should be used to improve survival rates of impacted trees but they should not be considered mitigation for the permanent loss of critical root zone. I recommend requiring mitigation based on the number of square feet of the critical root zone lost or disturbed. The mitigation can be met using any currently acceptable method under Chapter 22A of the Montgomery County Code.

In the event that minor revisions to the impacts to trees subject to variance provisions are approved by the Planning Department, the mitigation requirements outlined above should apply to the removal or disturbance to the CRZ of all trees subject to the law as a result of the revised LOD.

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

Sincerely,



Laura Miller
County Arborist

cc: Katherine Nelson, Planner Coordinator

Attachment 11

December 22, 2015

Casey Anderson, Chair

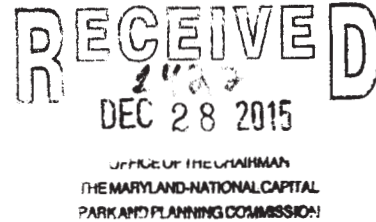
Montgomery County Planning Board

8787 Georgia Ave

Silver Spring, MD 20910

CC: Ben Berbert

Dear Mr. Anderson:



I write to you concerning the Earnshaw property and the townhouse development proposed for that parcel, containing 19 townhouses, each with a garage on the ground floor, two full living floors above the garage, and a large room with dormers in the attic. We appreciated having Ben Berbert of the Planning staff attending our November meeting to discuss that proposal. Roberto Duke also attended.

Ultimately, the voting membership of the SSCA present at our December meeting split evenly, 6-6, on two different resolutions: one of which would have supported the townhouse development as proposed, and the other of which opposed the townhouse development, saying that it does not meet the requirements of the Sandy Spring Rural Village Plan because of its density, size, and massing. Numerous representatives of the Sandy Spring Village homeowners – and some other area residents – attended the meeting, and voiced their opposition to the plan, but were unable to vote under the SSCA bylaws. However, there also appeared to be consensus among all of those present that, if approved, the design and architecture of the townhouses in the development should reflect historic and rural aesthetic values, such as: a combination of exterior finishes (brick, siding) that will be appealing, will break up the monotony of the facades facing Route 108, and will reflect architectural features found in historic homes in the area. These features should be consistent with the SSRVP, which encouraged “architectural styles compatible with the existing buildings in the Sandy Spring Rural Village, including the Sandy Spring Historic District,” including “traditional architectural elements on buildings, such as porches, stoops, bay windows, dormer windows and cupolas.” There was also consensus that the sides of the end units of the townhouses should be required to reflect the same architectural finishes and features as the facades of the same townhouse: in other words, with the same finish (clapboard, brick, or other surface) and at least the same number of windows as on the façade. These architectural requirements should be made a condition of the approved site plan for the Earnshaw property.

Given the even split in votes for each of the resolutions and inability of many of those present to cast votes on the competing resolutions, the SSCA encouraged those who attended the meeting to write separately to express their position on the proposals.

Sincerely,

A handwritten signature in black ink, appearing to read "John Salzberg", with a long, sweeping horizontal stroke extending to the right.

John Salzberg

President,

Sandy Spring Civic Association

17315 Quaker Lane

Sandy Spring, MD 20860-1248

February 12, 2016

Mr. Casey Anderson
Montgomery Planning Board Chair
Montgomery County Planning Department M-NCPPC
8787 Georgia Ave
Silver Spring, MD 20910



Subject: Sandy Spring Earnshaw Site Plan No. 820160010

Dear Mr. Anderson,

We, the next-door neighbors of the proposed Earnshaw property development, respectfully submit a 4 page petition that was collected February 6-10, 2016. It includes the signatures of 37 Sandy Spring Village neighbors on Windrush Lane, from 29 of our 39 townhouse residences. Five resident owners were not available, and 5 non-resident owners were not canvassed.

A modified version of this petition was taken to the February 7 Sandy Spring Civic Association and offered for any members who agreed with our petition. I also provided a copy to developer Fred Nichols, an active association member.

It is our intention to ensure the Planning Department has carefully reviewed how this development proposal has maximized the Rural Village Center building code on the edge, rather than in the center of the village. As you know, the rural village plan intended the maximum concentration of development to be near to, or east of, Brooke/ MD108.

We are grateful for the attention of Ben Berbert has paid to this development, beginning with the developer, and now with its immediate neighbors by agreeing to meet with a small group of us on February 18 at 2pm.

Respectfully,

A handwritten signature in black ink that reads "Michael Conklin". The signature is written in a cursive, flowing style.

Michael Conklin, on behalf of the petition signers
1026 Windrush Lane, Sandy Spring, MD 20860

Encl: "Right Size" Earnshaw Petition: 4 from Windrush Lane neighbors, 1 from Sandy Spring Civic Association members (original)

cc: Ben Berbert

A Petition

Re: Preliminary Plan Application #120160030
for the Montgomery County Planning Board

to

“Right Size” Earnshaw To Sandy Spring Rural Village Plan Guidelines

We, the undersigned residents of Sandy Spring Village community (Windrush Lane), who border on the west and south the proposed Earnshaw Development, welcome development according to the County’s Sandy Spring Rural Village Plan (RVP). However, we respectfully request the Planning Board to direct the developer to revise the plan so that it doesn’t merely maximize the code-allowable density and height, but that it also reflects the letter and spirit of the RVP as illustrated by these guidelines to preserve the “look and feel” of our historic rural village center:

- All of the proposed code-compliant townhouses will stand at a height of 35-45 feet, whereas the historic Sandy Spring Bank building next door is only about 25 feet at the top of the chimney. The RVP Building Design Checklist (p.58) recommendations include that builders: “Vary building heights and massing to achieve visual interest and a distinct building character (buildings should reflect the scale and character of existing structures and be between one and three stories in height).” The proposed townhouses if all built to a near-maximum allowable height will dwarf the current historic buildings and adversely impact the rural character “look and feel” of the entrance to the rural village center.
- This site is at the western gateway of the Village Core Neighborhood (pp.20-24, see esp. planner’s open space renderings), providing a transition from the western rural entry. Desired characteristics for the site include reinforcing the edges of the Plan with **medium density** residential areas, and **tapered heights** of buildings, starting with the tallest at the center of the Village Core and tapering towards the plan boundaries. [our **bold** emphases]

Feb 2016

Windrush Lane
address #

<u>Date</u>	<u>Resident Signature</u>	<u>Printed Name</u>	<u>address #</u>
2/6/16	Maria N. Ker	Maria N. Ker (owner)	1001
2/6/16	Jeddy Ramet	Jeddy Ramet (owner)	1007
2/6/16	Silvia Menendez	Silvia Menendez (owner)	1003
2/6/16	Christine A. Joine	Christine A. Joine	1005
2/7	Andrea Lamphier	Andrea Lamphier	1011
7			(o) 1013
7			(o) 1015
7/16	LYNDA REESE	LYNDA REESE (o)	1004
2/7	Storme Najjar	Storme Najjar (o)	1000
7-16	Pat Tenney	Pat Tenney (o)	1017
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

A Petition

Re: Preliminary Plan Application #120160030
for the Montgomery County Planning Board

to

“Right Size” Earnshaw To Sandy Spring Rural Village Plan Guidelines

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- All of the proposed code-compliant townhouse units will stand at a height of 45 feet, whereas the historic Sandy Spring Bank building next door is only about 25 feet at the top of the chimney. The RVP Building Design Checklist (p.58) recommendations include that builders: “Vary building heights and massing to achieve visual interest and a distinct building character (buildings should reflect the scale and character of existing structures and be between one and three stories in height).” The proposed townhouses if all built to a near-maximum allowable height will dwarf the current historic buildings and adversely impact the rural character “look and feel” entering the rural village center from the west.
- This site is at the western gateway of the Village Core Neighborhood (pp.18-28, see esp. planner’s open space renderings on p.19), providing a transition from the western rural entry. Desired characteristics for the site include reinforcing the edges of the Plan with **medium density** residential areas, and **tapered heights** of buildings, starting with the **tallest at the center** of the Village Core and tapering towards the plan boundaries. [our bold emphases]

Feb 2016

<u>Date</u>	<u>Resident Signature</u>	<u>Printed Name</u> (o)=owner	<u>Windrush Lane address #</u>
6	Michael Conklin	Michael Conklin (o)	1026
6	Melissa Malachoff	Melissa Malachoff	1016
6	Mark Hajjar	Mark Hajjar (o)	1018
6	Shelly D'Amico	Shelly D'Amico (o)	1024
6	St. Clair B. Valente	St. Clair Valente (o)	1020
6	CLAIRE BODE	CLAIRE BODE (o)	1022
6	MARK D'AMICO	MARK D'AMICO (o)	1024
6	Paula Kahla (owner)	1030 Paula Kahla (o)	1030
9	Molly Lantz	1006 Windrush (o)	Molly Lantz 1006
9	Dan Lantz	Dan Lantz (o)	1006
10	Patricia Nestbut	Patricia Nestbut (o)	1026

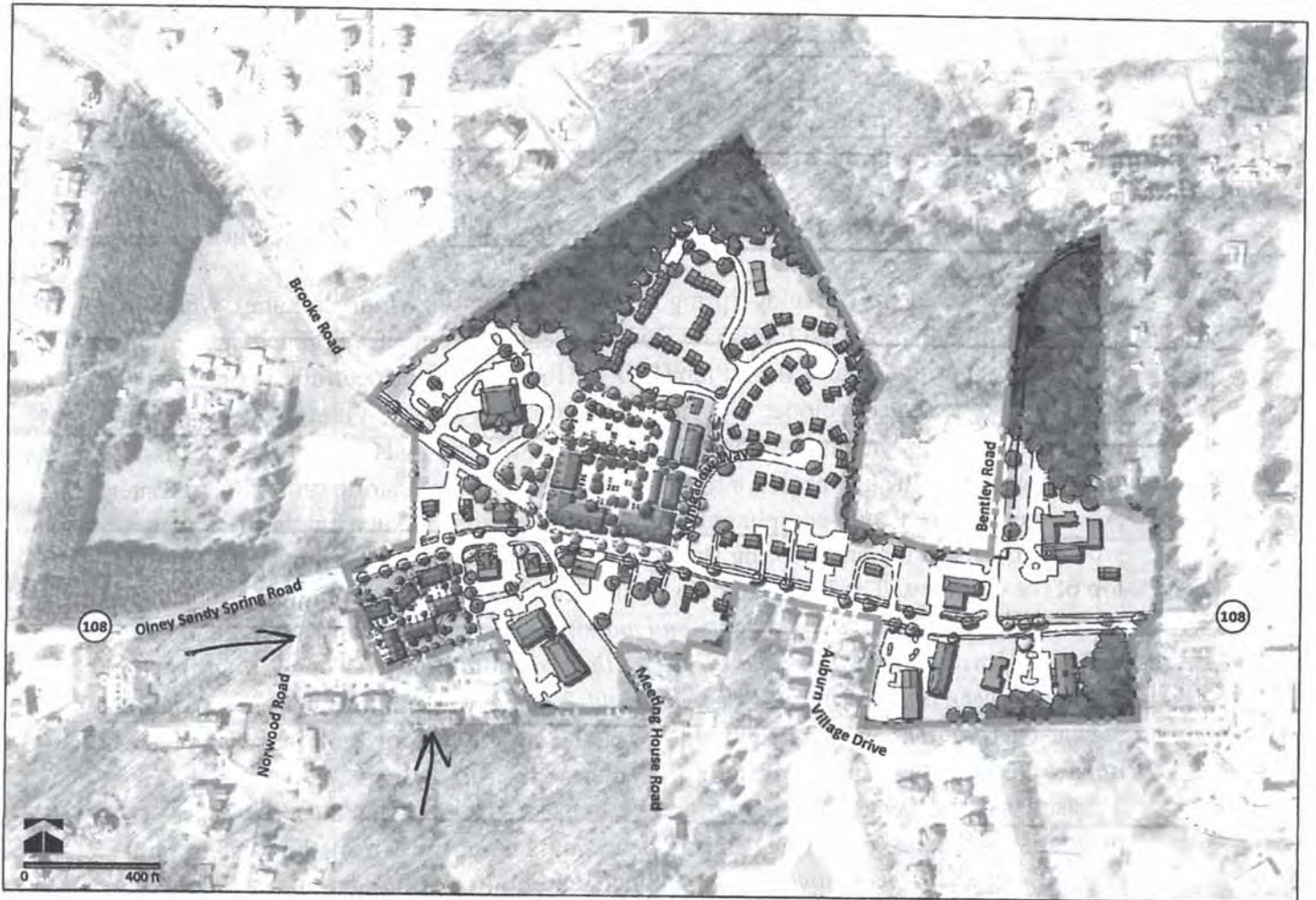
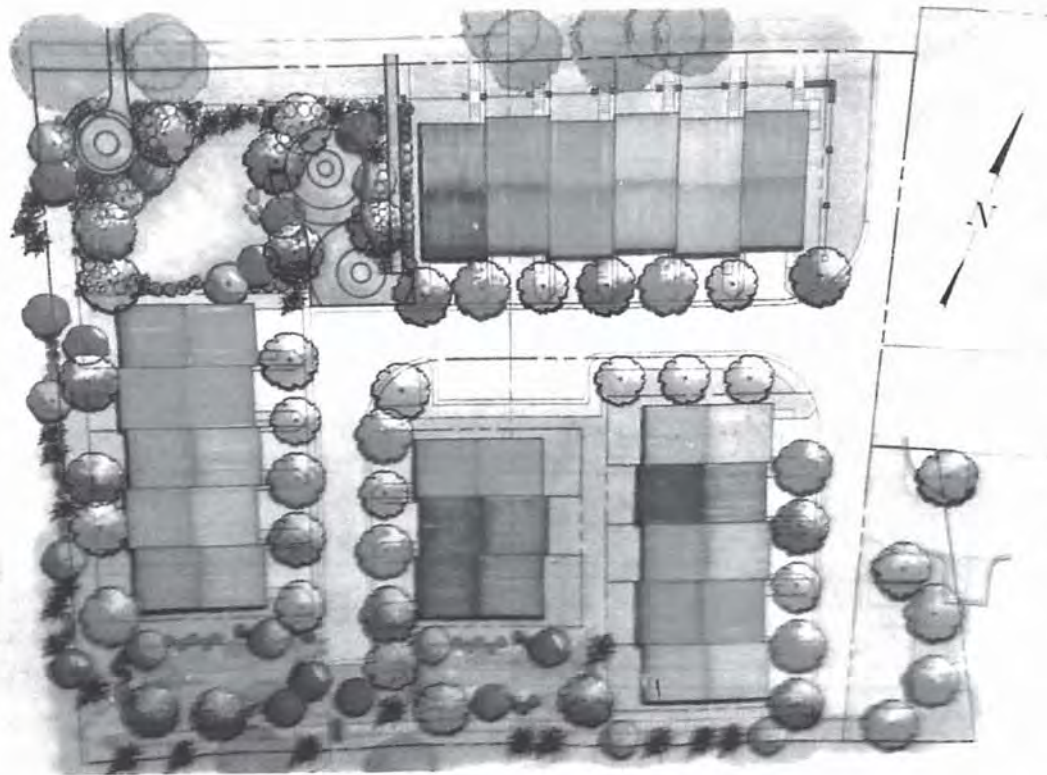


Illustration 1: Sandy Spring Rural Village Concept

SSRVP

Approved And Adopted Sandy Spring Rural Village Plan | March 2015 19



Developer
rendition
July 2015

Western
Gateway
cluster
45 feet
high

A Petition

Re: Preliminary Plan Application #120160030
for the Montgomery County Planning Board

to

"Right Size" Earnshaw To Sandy Spring Rural Village Plan Guidelines

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- All of the proposed code-compliant townhouse units will stand at a height of 45 feet, whereas the historic Sandy Spring Bank building next door is only about 25 feet at the top of the chimney. The RVP Building Design Checklist (p.58) recommendations include that builders: *"Vary building heights and massing to achieve visual interest and a distinct building character (buildings should reflect the scale and character of existing structures and be between one and three stories in height)."* The proposed townhouses if all built to a near-maximum allowable height will dwarf the current historic buildings and adversely impact the rural character "look and feel" entering the rural village center from the west.
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Feb 2016

Windrush Lane
address #

<u>Date</u>	<u>Resident Signature</u>	<u>Printed Name (o)=owner</u>	<u>Windrush Lane address #</u>
2/6/16	Nancy Porter	NANCY PORTER (o)	1036
2/14/16	Barbara Wyatt	BARBARA WYATT (o)	1044
2/14/16	Deborah Hanson	Deborah Hanson (o)	1045
2/6/16	John M. Porter	John Porter (o)	1036
2/4/16	Liz See Nehrbass	Elizabeth Nehrbass (o)	1040
2/6/16	Eric L. Nehrbass	ERIC L. NEHRBASS (o)	1040
2/6/16	David Finlay	DAVID FINLAY (o)	1032
2/7/16	Trevor F. Hewitt	TREVOR F. HEWITT	1051
2/7/16	Sergey Golub	Sergey Golub (o)	1041
2/7/2016	Natalia Golub	Natalia Golub (o)	1041
2/09/2016	Kathryn B. Virkus	Kathryn B. Virkus (o)	1047
* 2-10-16	James Castagna	James Castagna (o)	1045
* 2-10-16	Lynn Castagna	Lynn Castagna (o)	1045

~~darfinlay@hotmail.com~~

A Petition

Re: Preliminary Plan Application #120160030
for the Montgomery County Planning Board

to

“Right Size” Earnshaw To Sandy Spring Rural Village Plan Guidelines

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Feb 2016

<u>Date</u>	<u>Resident Signature</u>	<u>Printed Name (o)=owner</u>	<u>Windrush Lane address #</u>
2/7		Orfa N. Nunez (o)	1043
2/7	Maurine Khloek	MARLENE L. COOK (o)	1049
2/7		Christopher Chamness	1039
2/7		Catherine Chamness (o)	1039
2/7		Michael Chamness	1039
2/7		Dawn D. Maurer (o)	1037

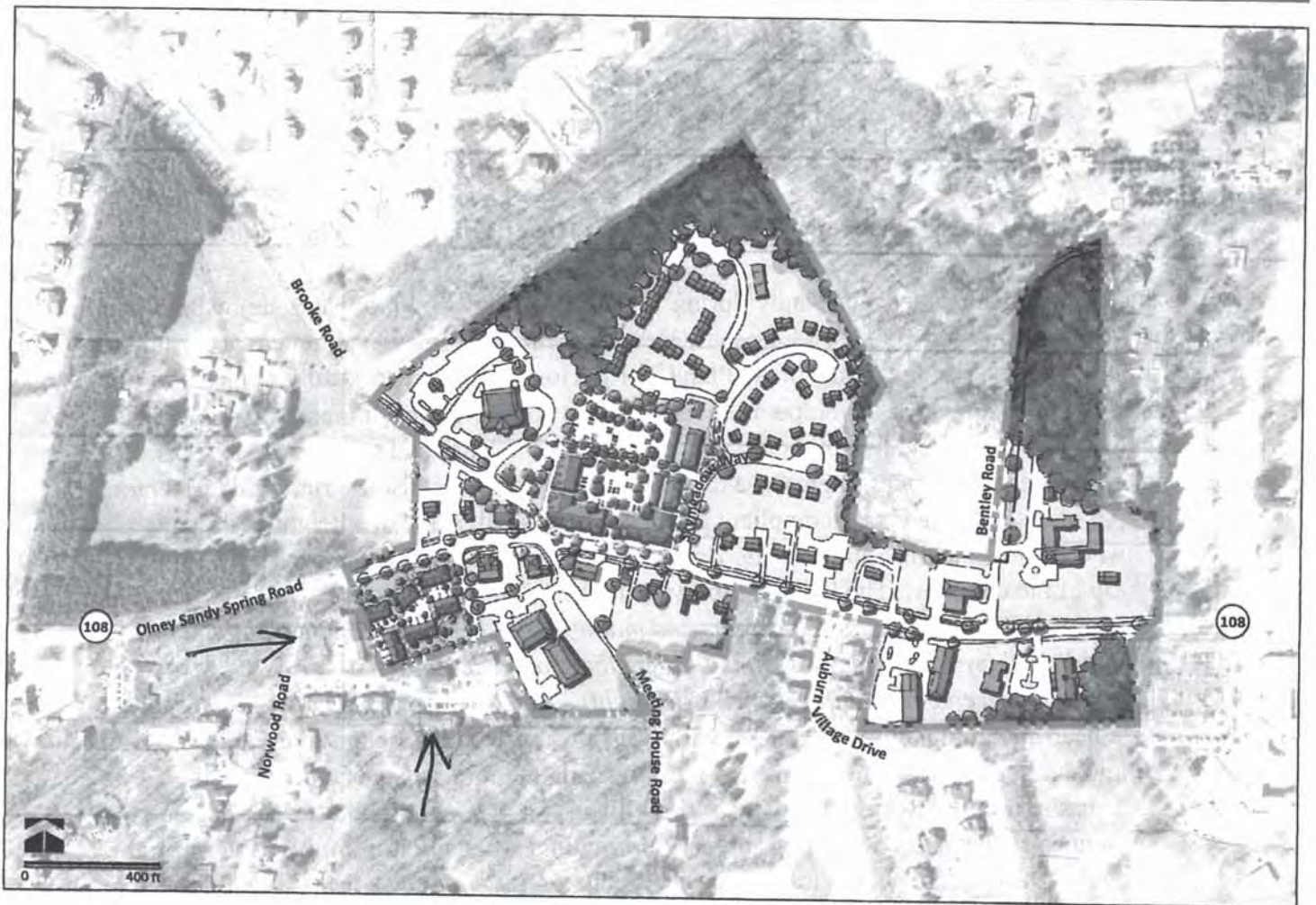
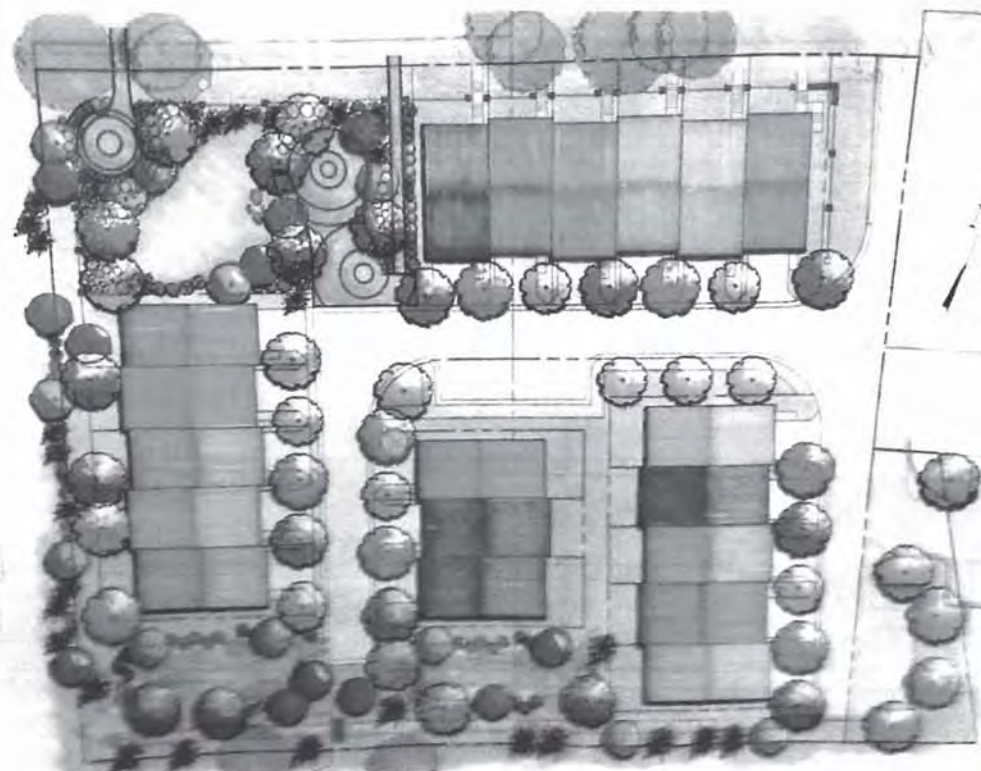


Illustration 1: Sandy Spring Rural Village Concept

SSRVP

Approved And Adopted Sandy Spring Rural Village Plan in March 2015 19



Developer
Presentation
July 2015

Western
Gateway
cluster
45 feet
high

A Petition

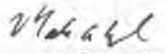

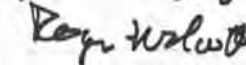
Re: Preliminary Plan Application #120160030
for the Montgomery County Planning Board
to

“Right Size” Earnshaw To Sandy Spring Rural Village Plan Guidelines

We, the undersigned members of the Sandy Spring Civic Association, support this petition by the residents of Sandy Spring Village community (Windrush Lane), who border on the west and south the proposed Earnshaw Development, welcome development according to the County's Sandy Spring Rural Village Plan (RVP). However, we respectfully request the Planning Board to direct the developer to revise the plan so that it doesn't merely maximize the code-allowable density and height, but that it also reflects the letter and spirit of the RVP as illustrated by these guidelines to preserve the “look and feel” of our historic rural village center:

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Feb 2016

<u>Date</u>	<u>SSCA Member Signature</u>	<u>Printed Name</u>	<u>Zip code address #</u>
8 Feb 2016		MARK ROUSH	16700 Norway Rd 20860
8 Feb.		John Salzberg	20860
8 Feb		ROGER WOLCOTT	20860



February 3, 2016

Mr. Casey Anderson
Montgomery County Planning Department
M-NCPPC
8787 Georgia Ave
Silver Spring, MD 20910

Dear Mr. Anderson:

This is in regards to Preliminary Plan Application # 120160030.

The Nichols Company has proposed developing the 2-acre Earnshaw Property in Sandy Spring with an oversized plan and capacity that is inappropriate to the location and inconsistent with the existing and historical scale of the neighborhood.

Nichols is known for pushing for the absolute maximum limit and dimension so that the return on the investment will be as lucrative as possible. This does not take into consideration the established flavor of the neighborhood or the quality of life that will be degraded by the imposition of 19 oversized townhouses.

My family and I live in Ashton. The Sandy Spring/Ashton/Brinklow area has been my home for over 60 years. It is with horror that my wife and I view the shoe-horning of a relatively massive and looming townhouse complex into an existing human-sized community. Furthermore, nearby historical architectural icons, the Sandy Spring Bank and the Montgomery Mutual Insurance Building will be overwhelmed by the height and breadth of Nichols' proposal.

It has been said that the plan conforms to the Sandy Spring Rural Village Plan but this has been accomplished by pushing the restriction limits and calling a 4-story building a 3-story. The community's residents and those who pass by every day deserve to be protected from development plans whose proponents use rhetoric and sleight of hand to present a design that will earn more money but is clearly inconsistent with local values and the SSRVP.

Please have this design scaled down so that it respects existing parameters of a unique and historic Maryland community.

Sincerely,

RECEIVED
0106
JAN 27 2016

OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

January 21, 2016

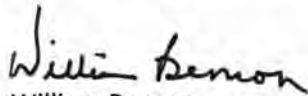
Ms. Casey Anderson
Montgomery County Planning Department
M-NCPPC
8787 Georgia Ave
Silver Spring, MD 20910

Re: Earnshaw Townhouse Community Development

Dear Ms. Anderson

As a resident of Ashton, MD for thirty seven years and as much as Nancy and I appreciate the rural setting, we are in favor of the development in Sandy Spring and support the Earnshaw Townhouse Community Project

Thanks you for your time and consideration.



William Benson
17733 Tree Lawn Dr.
Ashton, MD 20861

From: [Bolen, Steve](#)
To: [Anderson, Casey](#)
Subject: Earnshaw Townhouse Project
Date: Friday, January 22, 2016 12:37:13 PM

Casey –

I'm writing to express my support for the proposed 19-unit townhouse project in Sandy Spring referred to as the Earnshaw Townhouse Community Project. The proposed project would be a positive addition to the housing stock in our area and would offer potential homebuyers with a more affordable new home option (as compared to large and very expensive single-family detached homes). As a long-time resident of the Ashton/Sandy Spring area, I view this project as just the kind of smart development that will be accretive to our community.

Thank you,

Steve Bolen
17508 Skyline Drive
Ashton, MD 20861
301-526-9118

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Berbert, Benjamin

From: jim@bullardfamily.org
Sent: Saturday, January 09, 2016 5:14 PM
To: MCP-Chair
Cc: Berbert, Benjamin; terrywatcedars@aol.com
Subject: Sandy Spring Development Proposal

Mr. Casey Anderson
Montgomery County Planning Department
M-NCPPC
8787 Georgia Ave
Silver Spring, MD 20910

RE: Preliminary Plan Application #120160030

Dear Mr. Anderson:

I was a member of the 1980 CAC which reviewed and updated the Ashton-Sandy Spring Development Plan which was part of the Olney Master Plan at that time. The CAC was very pleased to have the wishes of the community heard and included in the resulting Master Plan.

I again was a member of the CAC for the new Ashton/Sandy Spring Master Plan in the 1990s when the community was given a master plan of its own.

Furthermore, my wife, Elizabeth, and I were very pleased when "many people within the community worked together with the Planning Department to develop the SSRVP (which was adopted in March 2015) and to establish a common vision for the future development of Sandy Spring village. The vision reflects the unique Rural Village Character of our local community within the context of Montgomery County. The Rural Village Character describes the desired scale, density, architectural style, public open space, and other aspects of development in the SSRVP. The SSRVP includes a recommendation that builders "vary building heights and massing to achieve visual interest and a distinct building character (buildings should reflect the scale and character of existing structures and be between one and three stories in height)"

The current application for these town-homes does not in any way meet either the letter or spirit of the SSRVP. Mr Nichols has repeatedly applied for building permits that have always gone against the community's wishes and the Park and Planning Master Plans, such as: 1) he built a three story structure next to the current gas station in Ashton when the zoning only allowed for a two story structure; 2) He proposed a shopping center in Ashton which was turned down by Park and Planning because it was totally out of character for the Ashton/Sandy Spring rural environment, 3) his plan for Earnshaw Property have the backs of town-houses **with roof peaks more than 40 feet above grade and a 144-foot long building mass** facing Route 108, the western entrance to Sandy Spring, a designated rural village, 4) his plans require the cutting down of several very old oak trees that add rural character to the neighborhood; and 5) his development would tower over the Sandy Spring Village where my wife and I are homeowners.

Elizabeth and I first moved to Ashton in 1966, are members of the Friends Meeting and we care deeply about the future of Sandy Spring. The SSRVP provides important guidance for development. We hope that the Planning Board will act to reject the plan in its current state if we are to have any confidence in the value and integrity of our Plans.

Respectfully,

James and Elizabeth Bullard,
Sandy Spring Village
1046 Windrush Lane,
Sandy Spring, Maryland, 20860

From: [Jim Bentson](#)
To: [Anderson, Casey](#)
Subject: Regarding Sandy Spring Development/Earnshaw Property PPA # 120160030
Date: Sunday, January 31, 2016 4:31:57 PM

Dear Casey,

My name is Jim Bentson and I grew up in Ashton, went to Sherwood High School, (Athletic Hall of Famer), and absolutely love the greater Ashton/Sandy Spring/Olney community.

For the past 32 years, my career has been as a real estate appraiser doing well over 10,000 appraisals.

Many of these appraisals have been in the greater Sandy Spring area, and I have studied the highs and lows of the market, along with absorption rates, etc.

Obviously, many changes have occurred over the years and new businesses have come and gone.

Overall desirability of this area has remained constant with excellent schools, access to shopping and places of worship, and other typical neighborhood amenities. In my opinion, the market for an upscale townhome community has been untapped and the area would benefit from having such a project becoming part of the community. It is this type of project that can help sustain the existing businesses and also spur on new business and residential activity with the increased revenue generated by such a project. I hope you will consider my opinion in the decisions ahead and I look forward to hearing that the project is on track to become a part of this wonderful community.

Respectfully submitted,

James E. Bentson, CREA
Professional Appraisals
MD State Certified Appraiser #764
443-280-4262

Berbert, Benjamin

From: Tedd Conner <tconner@ecodepotsales.com>
Sent: Thursday, January 28, 2016 8:55 AM
To: Anderson, Casey
Subject: Earnshaw Townhouse Development

Casey,

I am writing to cast my support for the Earnshaw Townhouse Development in Sandy Spring, MD. I have reviewed the plans thoroughly and the development fits the criteria under the revised Master Plan, but evidently there is still some opposition by some members of the Sandy Spring Civic Association, who initially okayed the development at the charrettes, which has left me dismayed and puzzled.

Nichols Contracting has gone above and beyond the normal process to please the community on this project and other projects in our town, As a lifelong resident of this community, I find it sad and disheartening that the voice of a few who are against the project are being heard over the voice of many who are in support of responsible development within the Sandy Spring/Ashton area. I have seen this community evolve from a sleepy hamlet to a bustling town, and we can no longer try to turn back the clock as we have to deal with the here and now. Many of the people who are against the development actually profited from sale and development of former farmland to create subdivisions and communities within the SS/Ashton area, and ultimately are responsible for the growth of SS/Ashton. It is unfair and hypocritical that these people have been able to profit from such deals, then are able to stand on a stump and say "no more." The SS/Ashton area is no longer a rural community and that is because of people like Mr. Farquhar and others who sold their farmland and allowed development of their land. My family owns the ONLY working farm left in the SS/Ashton area so I would think my voice should be heard as well. I wish that the SS/Ashton area had remained the way it once was, but that water has long gone under the bridge and we must deal with the reality of the present with our eyes on the future.

Mr. Nichols is ALSO a member of this community, and should be allowed to build a tasteful development that conforms to the Master Plan. There almost seems to be a personal vendetta against Nichols Contracting, and you should not allow such a witch hunt to stand in the way of responsible development within our fine community. Please take this into consideration when you determine the outcome of saying yes or no to allowing the development of the Earnshaw Townhouses.

Best Regards,

Tedd Conner

General Manager
EcoDepot, LLC
2621 Brickhead Road
Gambrills, MD 21054
tconner@EcoDepotSales.com
www.EcoDepotSales.com
301-252-5537

**DOUGLAS B. FARQUHAR
ANN T. FRANKLIN
1601 OLNEY-SANDY SPRING ROAD
SANDY SPRING MD 20860**

By email, with confirmation copy by first-class mail

Mr. Casey Anderson
Montgomery County Planning Department
M-NCPPC
8787 Georgia Ave
Silver Spring, MD 20910

January 9, 2016

Re: Preliminary Plan Application #120160030

Dear Mr. Anderson,

I am writing to you to express serious objections to the townhouse development that is the subject of the above-cited Preliminary Plan Application. Nichols Development has proposed 19 townhouses to be placed on the the Earnshaw Property, an approximately two acre parcel that is located along Route 108 in Sandy Spring between the historic Sandy Spring Bank building (to the east) and the Sandy Spring Village townhouse development (to the south and west). Each townhouse would contain a garage and living space on the ground floor, two full living floors above the ground floor, and a large room with dormers in the attic.

As proposed, the fronts of the townhouses would tower over the existing sidewalk at the western entrance to the Village Center of Sandy Spring. The six townhouses planned to face Route 108, with roof peaks more than 40 feet above grade, would create a 144-foot long building mass (even with staggered facades) dwarfing both the neighboring Sandy Spring Village townhouses and two neighboring historic buildings: the Sandy Spring Bank building and the headquarters of the former Montgomery Mutual Insurance Company. Although meeting the 45 foot maximum height set in the applicable zone, the mass and height of these buildings are completely inconsistent with other requirements of the Sandy Spring Rural Village Plan (SSRVP), which specifically provides that the Earnshaw property should have “varying building heights and massing to achieve visual interest and a distinct building character (buildings should reflect the scale and character of existing structures and be between one and three stories in height).” Although the SSRVP limits buildings to three stories in height, the townhouses are effectively four stories in height, and the proposed townhouses, which are each 24 feet wide and 50 feet

long, are incompatible with “existing structures,” such as the neighboring two-story townhouses in Sandy Spring Village.

The western approach to the Village Center is characterized by large wooded tracks and open fields, as well as multiple historic buildings, including two old single-family houses directly across from the Earnshaw Property. A building mass that is 144 feet long and more than 40 feet high next to the sidewalk at the western edge of the Village Center provides no transition to the small town feel of the Village Center, which will be achieved when buildings are constructed consistent with the SSVRP.

There is a feasible and attractive solution that would make the development much more appropriate and appealing as the western gateway to the Village Center: to provide a transition to a rural village from the west, the six townhouses planned along Route 108 should be reduced in height to a maximum of 30 feet (at roof peak) above existing grade at Route 108. While this height would not accommodate within the proposed townhouse footprint all the Nichols Development seeks (a garage at ground level in the rear, two stories of living space, and an attic room), the 30-foot height should be sufficient to accommodate two floors of living space and an attic room above, with either outside parking pads or a garage attached to the rear of the townhomes (due to the difference in grade, the first floors of the townhouses could still have windows above the garage roof). Removing the garages from the ground floor of the townhomes and placing them to the rear of the homes may result in necessarily reducing the number of townhomes below the 19 proposed by Nichols Development, but we would not object to townhouses in the center of the tract being as high as 45 feet above grade (since they would largely be screened by the lower townhouses along Route 108), so the impact on the profitability of the development should be tolerable. And even with the reduction in the height of the six townhomes along Route 108, the size of the townhomes would still be greater than that of the artist’s renderings of the townhouse development in the SSRVP.

We also strongly endorse the Sandy Spring Civic Association’s request that approval of the preliminary plan be conditioned on design considerations. The townhomes, especially along Route 108, must reflect historic and rural aesthetic values, such as: a combination of exterior finishes (brick, siding) that will be appealing, will break up the monotony of the facades facing Route 108, and will reflect architectural features found in historic homes in the area. The exposed side walls of each end unit should maintain the same type and color of siding that is used on the facades of the townhomes, and these side walls must also contain windows on each level similar to the number of windows on the fronts of the townhomes, with similar architectural features. These features should be consistent with the SSRVP, which encouraged “architectural

styles compatible with the existing buildings in the Sandy Spring Rural Village, including the Sandy Spring Historic District,” including “traditional architectural elements on buildings, such as porches, stoops, bay windows, dormer windows and cupolas.” These architectural requirements should be made a condition of the approved site plan for the Earnshaw Property.

Thank you for considering community input on this development, which is vitally important to ensure that the goals of the SSRVP are achieved.

Sincerely,

Douglas B. Farquhar

cc: Benjamin Berbert (by email)
Fred Nichols

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OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Carrie F. Fletcher
1700 Olney-Sandy Spring Rd.
Sandy Spring, Maryland 20860

January 12, 2016

Casey Anderson
Chair, Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Dear Mr. Anderson:

I recently learned of the proposal for 19 townhouses in central Sandy Spring, and write to express my concern regarding this intended development and to request that the Planning Board instruct the developers to reduce the size of the townhouses to be consistent with the scale and character of existing neighboring buildings.

I first moved to Sandy Spring as a child in 1980, when my parents purchased from my grandmother the house that she and my grandfather had bought in the 1940s. In 2007, when my parents moved away, my husband and I bought the house, and are now raising our two young sons as the fourth generation to live in the home. Sandy Spring has changed quite a bit in my lifetime, becoming less rural and losing some of its historic feel. As a life-long resident, I have been sorry to see many of these changes, but I recognize the reality of growth, particularly in the metropolitan DC area. All too often, however, growth is accomplished without due regard for aesthetics and the character of existing structures. The proposed cluster of 45-foot-tall townhouses in the heart of historic Sandy Spring, dwarfing the existing buildings and dominating the landscape, suffers from just this problem.

The proposed development would not only be a visual sore thumb, but the plan for the townhouses does not align with the Sandy Spring Rural Village Plan (the "Plan"), adopted last year. The Planning Board developed the Plan in consultation with Sandy Spring community members to document a common vision for the future development of Sandy Spring village. While the Plan envisions a townhouse development in the area at issue, it also encourages the preservation of the unique, historic rural village character of Sandy Spring through development that balances the scale, density, and architectural style of buildings; public open space; and pedestrian and bicycle connectivity. The proposed development would negate any such balance. For example, the Plan's Design Checklist, intended to "help create an attractive public realm that enhances the historic character of the Sandy Spring community," recommends "[v]arying building heights and massing to achieve visual interest and a distinct building character (buildings should reflect the scale and character of existing structures and be between one and three stories in height)." The current proposal, however, meets none

Mr. Casey Anderson
Page 2 of 2

of these recommendations and, rather, the scale of the proposed homes would significantly detract from the lower-profile and historic character of the village.

For the foregoing reasons, I urge the Planning Board to reject the proposal with instructions to the developers to reduce the size of the townhouses to be consistent with the scale and character of the neighboring buildings. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Fletcher', with a long horizontal flourish extending to the right.

Carrie F. Fletcher

cc: Benjamin Berbert

**ANN T. FRANKLIN
1601 OLNEY-SANDY SPRING ROAD
SANDY SPRING MD 20860**

By email, with confirmation copy by first-class mail

Mr. Casey Anderson
Montgomery County Planning Department
M-NCPPC
8787 Georgia Ave
Silver Spring, MD 20910

January 9, 2016

Re: Preliminary Plan Application #120160030

Dear Mr. Anderson,

I am writing to you to express my strong objection to the townhouse development that Nichols Development has proposed for what is referred to as the Earnshaw Property, an approximately two acre parcel that is located along Route 108 in Sandy Spring between the historic Sandy Spring Bank building (to the east) and the Sandy Spring Village townhouse development (to the south and west).

The development would contain 19 townhouses, each with a garage and living space on the ground floor, two full living floors above the ground floor, and a large room with dormers in the attic.

As proposed, the fronts of the townhouses would tower over the existing sidewalk at the western entrance to the Village Center of Sandy Spring. The six townhouses planned to face Route 108, with roof peaks more than 40 feet above grade, would create a 144-foot long building mass (even with staggered facades) dwarfing both the Sandy Spring Village townhouses and two neighboring historic buildings: the Sandy Spring Bank building and the headquarters of the former Montgomery Mutual Insurance Company.

Although meeting the 45 foot maximum height set in the applicable zone, the mass and height of these buildings are completely inconsistent with other requirements of the Sandy Spring Rural Village Plan (SSRVP), which specifically provides that the Earnshaw property should have “varying building heights and massing to achieve visual interest and a distinct building character (buildings should reflect the scale and character of existing structures and be between one and three stories in height).” Although the SSRVP limits buildings to three stories in height, the townhouses are effectively four stories in height,

and the proposed townhouses, which are each 24 feet wide and 50 feet long, are incompatible with “existing structures,” such as the neighboring two-story townhouses in Sandy Spring Village.

Further, and equally importantly, the proposed height of these townhomes would have a chilling impact on the abutting Sandy Spring Village homeowners---virtually casting a dark shadow that robs them of natural light. The impact on these homeowners must be addressed.

As you are aware, the western approach to the Village Center is characterized by large wooded tracks and open fields, as well as multiple historic buildings, historic homes like my own, and including two old single-family houses directly across from the Earnshaw Property. A building mass that is 144 feet long and more than 40 feet high next to the sidewalk at the western edge of the Village Center provides no transition to the small town feel of the Village Center, which will be achieved when buildings are constructed consistent with the SSVRP.

Thank you for considering community input on this development, which is vitally important to ensure that the goals of the SSRVP are achieved.

Sincerely,

Ann T. Franklin

cc: Benjamin Berbert (by email)

Fred & Michelle Harde
315 Ashton Rd
Ashton, MD 20861

December 20, 2015

Mr. Casey Anderson
Montgomery County Planning Department
M-NCPPC
8787 Georgia Ave
Silver Spring, MD 20910

RE: Preliminary Plan Application #120160030

Dear Mr. Anderson:

We own an historic property, Tanglewood, which is located about one mile from the center of Sandy Spring, MD. We have learned of the proposal for 19 townhouses on the Earnshaw Property which we feel are too big for the village center. We ask that the Planning Board deny the application and instruct the developers to reduce the size of the townhouses to be more consistent with the existing historic buildings in the immediate vicinity.

If left unchanged, the townhouses will stand at a height of 45 feet, whereas the historic Sandy Spring Bank building which will be adjacent to the townhouses is only 24 feet at the top of the chimney. The townhouses will dwarf the current historic buildings and adversely impact the rural character of the town center.

Furthermore, these townhouses do not seem to be aligned with the Sandy Spring Rural Village Plan (the "SSRVP") which was adopted in March 2015. The current site plan, building design and green space design do not reflect the vision or characteristics outlined in the SSRVP.

Many people within the community worked together with the Planning Department to develop the SSRVP and to establish a common vision for the future development of Sandy Spring village. The vision reflects the unique Rural Village Character of our local community within the context of Montgomery County. The Rural Village Character describes the desired scale, density, architectural style, public open space, and other aspects of development in the SSRVP. The SSRVP includes a recommendation that builders "vary building heights and massing to achieve visual interest and a distinct building character (buildings should reflect the scale and character of existing structures and be between one and three stories in height)" (p. 58 of the SSRVP)

The current proposal for these townhomes does not meet either the letter or spirit of these recommendations. If the SSRVP can be ignored so early following its adoption, what

message does this send for future development, or future planning engagements with communities in the county? The SSRVP provides important guidance for development. Why bother if it can be so easily ignored? The Planning Board must act to reject the plan in its current state if we are to have any confidence in the value and integrity of our Plans.

Very Sincerely,

Fred and Michelle Harde
315 Ashton Rd
Ashton, MD 20861
c) 301-873-6177
e) fredharde@yahoo.com

cc: Benjamin Berbert

MCP-CTRACK

From: Tlkracing <tlkracing@gmail.com>
Sent: Wednesday, February 17, 2016 12:16 PM
To: MCP-Chair
Cc: Berbert, Benjamin
Subject: Earnshaw Site Plan No. 820160010

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OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Dear Mr. Anderson,

I am writing to you and your board regarding the proposed Sandy Spring Earnshaw Site Plan No. 820160010. For twenty years my wife, Rumsey, and I have called Sandy Spring our home. Our Avalon Farm has been part of the Sandy Spring community for more than 160 years. We have kept its tradition going by offering our land to two local Pony Clubs as their "home base" for their young members to learn horseback riding. Our four children also support the Montgomery County 4-H as members in both the Beef Club and the Sheep/Swine Club. Sandy Spring is a growing community with a lot of rural character.

As land owners we believe one should not be limited to the potentials of development by community outcry. We do, however, believe that development should be consistent with the current zoning and local rural plans for the community. We respectfully do not believe the current Earnshaw Site Plan No. 820160010 meets the current SSRVC Plans. As the current plans call for the town homes to be 3 1/2 stories high, they would dwarf the current buildings in Sandy Spring and stick out like a sore thumb.

We appreciate your consideration and look forward to being part of any future discussion regarding the development process.

Timothy L. Keefe
Timkeeferacing.com

January 27, 2016

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OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Casey Anderson
Montgomery County Planning Department
M-NCPPC
8787 Georgia Ave.
Silver Spring, MD 20910

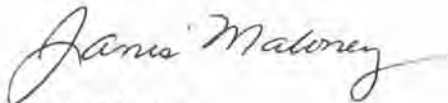
Re: Preliminary Plan Application #120160030, Earnshaw Property

Dear Casey Anderson,

I am writing in support of the proposed townhouse development know as Earnshaw Property in Sandy Spring, MD. As a business owner in Olney, MD I am interested in the continued growth of the area to support local commerce. Additionally I am looking to move closer to my business and have found the current townhouse market to be limited.

I believe allowing the Earnshaw Property to be developed for residential purposes would be a benefit to Sandy Spring, MD.

Sincerely,



Janis Maloney
Evolution Fitness Systems, LLC
3420 Morningwood Drive, Olney, MD 20832

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JAN 27 2016

OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

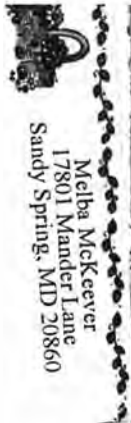
Casy Anderson, Chair
Montgomery County Planning Board
Silver Spring, Md. 20910

Dear Mr. Anderson:

Unfortunately I was out of town and unable to attend the most recent meeting regarding the proposal to build 19 townhomes in the Sandy Spring Village Center. Having discussed this meeting with neighbors in attendance I believe this is not consistent with the Sandy Spring Rural Village Plan.

I have lived in Sandy Spring over 50 years and have witnessed many changes, over and over, changing County Planning. What is the purpose of "Master Plans" if they are not going to be complied with. Certainly the builders plan does not comply with the Sandy Spring Rural Village plan. Our Village of Sandy Spring is the only Village in Montgomery County that still maintains a "rural feel" and we all like it that way. If the planning Board continues to make changes there will not be a "rural feel". Therefore I ask that you please not approve the builders current plans.

Sincerely,
Melba McKeever



Melba McKeever
17801 Mander Lane
Sandy Spring, MD 20860

Mr. Casey Anderson, Chair
Montgomery County Planning Board
8766 Bluegrass Road
Bellevue Spring, Md. 20912

CAPITAL DISTRICT 200/208

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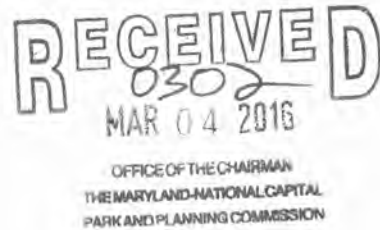


Passion Bakery Cafe

816 Olney Sandy Spring Rd, Olney, MD 20860 | 301-570-4583 |

February 24, 2016

Ms. Casey Anderson
Montgomery County Planning Department
M-NCPPC
8787 Georgia Ave.
Silver Spring, MD 20910



Ref: Earnshaw Townhouse Community Development

Dear Ms. Anderson,

I am co-owner of the Passion Bakery Café, located at 816 Olney Sandy Spring Rd, Olney, MD 20860. We have been in business for the past three years in this community and we would like to express our support for the "Earnshaw Townhouse Community Project".

We believe this project would enhance the community and bring new customers to all of us.

Sincerely,

Huber Mendoza

From: [Mike Miller](#)
To: [Anderson, Casey](#)
Subject: Earnshaw Townhome Project
Date: Wednesday, January 27, 2016 10:08:00 AM

Mr. Anderson,

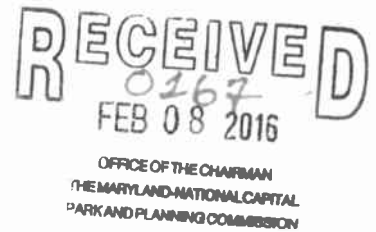
I'm writing you to convey my support for the proposed Earnshaw Townhome project in Sandy Spring. I have lived in Brookeville for 10 years and am dismayed by the lack of development in the Ashton and Sandy Spring area. Please approve this project.

Michael Miller
250 Brinkwood Road

Michael Miller

President
Washington Express
Office: (301) 210-0899 ext. 201
Fax: (240) 241-7912
mike.miller@washingtonexpress.com
www.washingtonexpress.com

Mr. Casey Anderson, Chair
Montgomery County Planning Board
8787 Georgia Ave.
Silver Spring, MD 20910



Dear Mr. Anderson,

I write to you about the proposal to build 19 townhouses in the Sandy Spring Village Center. We believe that the proposal is inconsistent with the Sandy Spring Rural Village Planning process which was conducted two winters ago. I participated in that planning process, where we were told that developers need flexibility to create the kind of town center that we said we'd like to see. We provided flexibility, and believe that what we got instead is the maximum number of townhouses on the property.

When describing our Village Center, the Plan said that our structures, especially houses and businesses, are currently small scale. We also agreed that there was room for "a few three-story buildings" as long as they looked like two-story structures, and that there should be a mix of building widths. Also, while we didn't think there would be much more new housing, we hoped any new housing would focus on seniors, be affordable, and focus on live/work spaces.

This site is particularly important, as it sits on the western edge of the Village Core Neighborhood, and provides a transition from the western rural entry to Sandy Spring. As described in the RVP, our community's vision for the site included reinforcing the edges of the Plan with medium density residential areas, and tapered heights of buildings, starting at the tallest at the center of the Village Core and tapering towards the plan boundaries. We thought the site should include a small green space that will serve as a transition from the western rural entry to the Village Core. This green space should have shade trees, benches for gathering and passive recreation areas.

Our family moved to the western side of Sandy Spring from Bethesda over three years ago to raise our three children in a town with a rural feel. We know that the area will change, and that traffic will increase as others choose to move here, but we do hope the area can keep the rural town center feel that we all admire. We appreciate your consideration of our request to ask the builder to resubmit a plan that is consistent with the wishes of the Sandy Spring community and its Rural Village Plan.

Sincerely,
Susan Milner
Susan Milner

17800 Marden Lane

Sandy Spring, MD 20860

301-961-9353

From: [Chris Milner](#)
To: [Berbert, Benjamin](#); [Reynolds, Kipling](#); [Weaver, Richard](#)
Subject: M-NCPPC Hearing regarding Sandy Spring Rural Village Plan and townhomes
Date: Wednesday, February 10, 2016 8:53:15 AM

Good morning Mr. Berbert,

I received a copy of your email of Tuesday Feb 9th to John Salzberg regarding scheduling of the planning board hearing for Carter's townhomes. I understand that the hearing is now scheduled for March 3rd.

Most town residents object to the proposed development because it is inconsistent with the community's vision for our Town as described in the SSRVP. I was at the Sandy Spring Civic Association meeting on January 20th and at that meeting there was a non-binding survey of the residents present (not all of whom are voting members on the SSCA) and as I recall the vote was about 25 opposing and about 6 supporting.

I plan on attending the planning board hearing and voicing my objections to the development because it is inconsistent with the community's vision described in the SSRVP, and also presenting objections from other Sandy Spring residents who reside nearby to the proposed townhome development and who may be unable to attend the meeting.

Consequently please add me to your distribution list about notification on the scheduling of the hearing. I don't want to miss it.

Thank you very much for your service to our county!

Regards,

Chris Milner
17800 Marden Lane
Sandy Spring MD 20860

MCP-CTRACK

RECEIVED

JAN 19 2016

OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

0075

From: Greg Mort <gregmort@me.com>
Sent: Friday, January 15, 2016 2:38 PM
To: MCP-Chair
Cc: Nadine Mort
Subject: Preliminary Plan Application #120160030
Attachments: Mort Planning Board Preliminary Plan Application #120160030 .docx; ATT00001.htm

Please see letter below and attached concerning Preliminary Plan Application #120160030

Greg Mort

320 Ashton Road Ashton, Maryland 20861 301-774-0157

Mr. Casey Anderson

Montgomery County Planning Department

M-NCPPC

8787 Georgia Ave

Silver Spring, MD 20910

January 14, 2016

Re: Preliminary Plan Application #120160030

Dear Mr. Anderson,

My wife Nadine and I have attended many community meetings and carefully reviewed the Sandy Spring Ashton Master Plan and the Sandy Spring Rural Village Plan as they relate to Preliminary Plan Application #120160030. In addition we have personally spoken to numerous abutting business owners and residents who will be directly affected by this proposed project. It seems clear that the project, as proposed, does not comply or compliment the stated rural character description as presented in the SSA Master Plan, the Sandy Spring Village Pan (SSRVP) designed to preserve the historic and rural character of the area. Our concerns about the Nichols Development relate to the size and over all building and landscape design of the proposed 19 townhouses to be placed on the Earnshaw Property. Another very serious environmental concern relates to the large amount of impervious surface it would create on a two acre parcel that is located along Route 108 in Sandy Spring between the historic Sandy Spring Bank building (to the east) and the much smaller Sandy Spring Village townhouse development (to the south and west)

It must be noted that if approved this development would forever alter the **tone** of ones "Entry Experience" coming into historic Sandy Sprig. The fronts of the townhouses are out of proportion to the scale of the current structures and even those proposed in the SSRVP. Please note that the six townhouses planned to face Route 108, with roof peaks more than 40 feet above grade, would create a massive wall rather than a welcoming entry into our community. I understand that this structure might meet the 45 foot maximum height set in the applicable zone but the mass and height of these buildings are completely inconsistent with other requirements of the Sandy Spring Rural Village Plan (SSRVP), which specifically provides that the Earnshaw property should have "varying building heights and massing to achieve visual interest and a distinct building character (buildings should reflect the scale and character of existing structures and be between one and three stories in height)." It is clearly stated that SSRVP limits buildings to three stories in height. The proposed townhouses are three + stories and are each 24 feet wide and 50 feet long and thus will appear incompatible with "existing structures," such as the neighboring two-story townhouses in Sandy Spring Village.

The SSA Master Plan as well as the SSRCP designates this portion of Route 108 as "rural" and large wooded tracks and open fields, as well as multiple historic buildings, including two old single-family houses directly across from the Earnshaw Property, characterize the homes and properties along the western approach to the Village Center. The proposed development would offer an abrupt 144 feet long and more than 40 feet high structure next to the sidewalk at the western edge of the Village Center.

Our first suggestion would be for the designers to recognize that they have the unique opportunity to influence the preservation of a rare historic village. We hope that they go back to the drawing board using the SSRVP and come up with a proposal that is consistent with the rural character of Sandy Spring/Ashton. Of special concern is the proposed plan's so-called "Open Space" area on Route 108 that is meant to offset the building mass with green space. As proposed, families will never use it, as it is much too close to a very busy road. We also like the suggestion that we heard at the last SSCS meeting: The six townhouses planned along Route 108 should be reduced in height to a maximum of 30 feet (at roof peak) above existing grade at Route 108. While this height would not accommodate within the proposed townhouse footprint all the Nichols Development seeks (a garage at ground level in the rear, two stories of living space, and an attic room), the 30-foot height should be sufficient to accommodate two floors of living space and an attic room above, with either outside parking pads or a garage attached to the rear of the townhomes (due to the difference in grade, the first floors of the townhouses could still have windows above the garage roof). Removing the garages from the ground floor of the townhomes and placing them to the rear of the homes may result in necessarily reducing the number of townhomes below the 19 proposed by Nichols Development, but we would not object to townhouses in the center of the tract being as high as 45 feet above grade (since they would largely be screened by the lower townhouses along Route 108), so the impact on the profitability of the development should be tolerable. And even with the reduction in the height of the six townhomes along Route 108, the size of the townhomes would still be greater than of the artist's renderings of the townhouse development in the SSRVP.

As members of the Sandy Spring Civic Association and the Sandy Spring Ashton Rural Preservation Consortium we would encourage the Planning Board to make the approval of this preliminary plan be conditional upon the above and these following design considerations. The over all landscaping and all the townhomes must reflect historic and rural aesthetic values. These features should be consistent with the SSRVP, which encouraged "architectural styles compatible with the existing buildings in the Sandy Spring Rural Village, including the Sandy Spring Historic District," including "traditional architectural elements on buildings, such as porches, stoops, bay windows, dormer windows and cupolas." These architectural requirements should be made a condition of the approved site plan for the Earnshaw Property.

Best regards,

Nadine and Greg Mort

By email, with confirmation copy by first-class mail

Greg Mort

320 Ashton Road Ashton, Maryland 20861 301-774-0157

By email, with confirmation copy by first-class mail

Mr. Casey Anderson

Montgomery County Planning Department

M-NCPPC

8787 Georgia Ave

Silver Spring, MD 20910

January 14, 2016

Re: Preliminary Plan Application #120160030

Dear Mr. Anderson,

My wife Nadine and I have attended many community meetings and carefully reviewed the Sandy Spring Ashton Master Plan and the Sandy Spring Rural Village Plan as they relate to Preliminary Plan Application #120160030. In addition we have personally spoken to numerous abutting business owners and residents who will be directly affected by this proposed project. It seems clear that the project, as proposed, does not comply or compliment the stated rural character description as presented in the SSA Master Plan, the Sandy Spring Village Plan (SSRVP) designed to preserve the historic and rural character of the area. Our concerns about the Nichols Development relate to the size and overall building and landscape design of the proposed 19 townhouses to be placed on the Earnshaw Property. Another very serious environmental concern relates to the large amount of impervious surface it would create on a two acre parcel that is located along Route 108 in Sandy Spring between the historic Sandy Spring Bank building (to the east) and the much smaller Sandy Spring Village townhouse development (to the south and west)

It must be noted that if approved this development would forever alter the tone of ones "Entry Experience" coming into historic Sandy Sprig. The fronts of the townhouses are out of proportion to the scale of the current structures and even those proposed in the SSRVP. Please note that the six townhouses planned to face Route 108, with roof peaks more than 40 feet above grade, would create a massive wall rather than a welcoming entry into our community. I understand that this structure might meet the 45 foot maximum height set in the applicable zone but the mass and height of these buildings are completely inconsistent with other requirements of the Sandy Spring Rural Village Plan (SSRVP), which specifically provides that the Earnshaw property should have "varying building heights and massing to achieve visual interest and a distinct building character (buildings should reflect the scale and character of existing structures and be between one and three stories in height)." It is clearly stated that SSRVP limits buildings to three stories in height. The proposed townhouses are three + stories and are each 24 feet wide and 50 feet long and thus will appear incompatible with "existing structures," such as the neighboring two-story townhouses in Sandy Spring Village.

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Our first suggestion would be for the designers to recognize that they have the unique opportunity to influence the preservation of a rare historic village. We hope that they go back to the drawing board using the SSRVP and come up with a proposal that is consistent with the rural character of Sandy

Spring/Ashton. Of special concern is the proposed plan's so-called "Open Space" area on Route 108 that is meant to offset the building mass with green space. As proposed, families will never use it, as it is much too close to a very busy road. We also like the suggestion that we heard at the last SSCS meeting: The six townhouses planned along Route 108 should be reduced in height to a maximum of 30 feet (at roof peak) above existing grade at Route 108. While this height would not accommodate within the proposed townhouse footprint all the Nichols Development seeks (a garage at ground level in the rear, two stories of living space, and an attic room), the 30-foot height should be sufficient to accommodate two floors of living space and an attic room above, with either outside parking pads or a garage attached to the rear of the townhomes (due to the difference in grade, the first floors of the townhouses could still have windows above the garage roof). Removing the garages from the ground floor of the townhomes and placing them to the rear of the homes may result in necessarily reducing the number of townhomes below the 19 proposed by Nichols Development, but we would not object to townhouses in the center of the tract being as high as 45 feet above grade (since they would largely be screened by the lower townhouses along Route 108), so the impact on the profitability of the development should be tolerable. And even with the reduction in the height of the six townhomes along Route 108, the size of the townhomes would still be greater than of the artist's renderings of the townhouse development in the SSRVP.

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with the existing buildings in the Sandy Spring Rural Village, including the Sandy Spring Historic District," including "traditional architectural elements on buildings, such as porches, stoops, bay windows, dormer windows and cupolas." These architectural requirements should be made a condition of the approved site plan for the Earnshaw Property.

Best regards,

Nadine and Greg Mort

Casey Anderson
Montgomery County Planning Department
M-NCPPC
8787 Georgia Ave
Silver Spring, MD 20910

February 8, 2016

Dear Mr. Anderson:

I am a lifelong resident of Montgomery County, a long-term resident of Sandy Spring, and I own and operate a business based in Sandy Spring. I love this area, have raised my children here and want to see the area continue to thrive. This letter is to share my thoughts on the proposed Earnshaw Townhouse Development.

I notice with great interest how bustling Olney is, with growth of both homes and businesses, practically inviting new restaurants and retail to open, creating new and fresh opportunities for residents to eat, shop, etc., while creating more employment opportunities at the same time. This vibrancy is great for the community. Regrettably, when I look in the Sandy Spring/Ashton corridor, we don't see the same thing. In fact, just look at the corner of 108 and New Hampshire Avenue to see what the anti-development forces have brought us – a malaise where we'd rather have property sit idle and unoccupied, becoming an eyesore, than to allow reasonable development. Frankly, the Sandy Spring/Ashton corridor has become tired and worn out and those interested in developing there are tired of the anti-development crowd's impact on that process. It's indeed good to see that the drug store project has received approval, but I'm perplexed why some projects seem to get approval while other worthwhile projects seem to get denied.

This letter is written in strong support of the proposed Earnshaw Townhouse Development. I believe it will be good for residents, businesses and the community at large and strongly urge your approval for the development. Please feel free to reach out to me if you have any questions regarding my endorsement.

Thanks for your consideration.

Sincerely,



Frank and Carroll Sherman
1501 Sandy Glenn Place
Sandy Spring Maryland 20860

February 8, 2016

Casey Anderson, Montgomery County Planning Department, M-NCPPC



RE: Earnshaw Project – Sandy Spring, Maryland

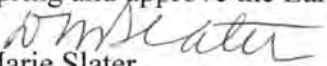
I am writing in support of the subject project. I have been a resident of Sandy Spring for over 40 years and raised our son and daughter here who are graduates of Sherwood High School. In turn, my son and his wife have built their home here and raised their two daughters—one has graduated from Sherwood and the other has been a cheerleader there and will be a senior next year. In addition, my daughter and her husband also have recently built their home here and are raising their son who is a 6th grader at Farquhar Middle School.. So while 40 plus years may still be considered as a newcomer, our family has planted its roots here so we are very interested in what happens.

The new development would benefit for the entire community. It would provide a source of housing that is not now available in the Sandy Spring Village. The new development would improve the appearance of the town center when compared with some of the structures currently on the northern side of the Village. It would also allow families to live here who can't afford the very large houses that have been built in Bancroft or along Brooke Road. More families could also increase the economic viability of the small businesses here.

As I understand it, the developer has agreed to reduce the number of units by almost 25 percent. Most of us would not willingly take a 25 percent cut in pay or take \$75 for an item that we could sell for \$100. This means there will be more green space. The housing is to be situated to lessen the vertical impact of the townhouses, although I find it hard to understand why a few 3 story townhouses are not acceptable when Mega Macs, McMansions, or mini Macs are spread out all across almost all the other green space in Sandy Spring. The development also provides Sandy Spring with added amenities like a community playground.

Sandy Spring has never been about buildings, but the people who choose to live here—whether in affordable housing or McMansions. Taxes and death are a certainty and so is change. The horse is out of the barn for keeping Sandy Spring the way it was 40 or 50 years ago. We have the Master Plan on how Sandy Spring is to be developed. We should focus our efforts on ensuring that the development is built to those standards, making sure we keep as much green space as possible, that the units are attractive and that all amenities are provided as promised.

The world did not come to an end with adding affordable house, mcmansions or stop lights in Sandy Spring. We should move ahead with other developments for Sandy Spring and approve the Earnshaw Project.


Marie Slater
19205 Chandlee Mill Road
Sandy Spring, MD 20860

From: [Dan Snyder](#)
To: [Anderson, Casey](#)
Subject: Sandy Spring Townhomes, Earnshaw Property
Date: Tuesday, February 09, 2016 12:49:32 AM

Ms. Anderson:

My name is Dan Snyder (not the Redskin's owner ☺) and our family has resided in Montgomery County for over 60 years of which the last 25 years has been in Ashton. First, in the townhouses behind the Ashton Village Shopping Center, then in the Spring Lawn Farm community at 17720 Country Hills Rd. It has seemed that over most of the last 15 years the Sandy Spring/ Ashton corridor has been stymied from any new or redevelopment that could enhance the area's village character and create desirable walkable community gathering spaces. This trend of watching the existing commercial buildings deteriorate and tenants come and go continued until the redevelopment of the old rental site into what is now the Christopher's Hardware store and Nichols Building. The unique and period architecture of these buildings and expansion of a truly local small business has been a welcome change and become a valuable asset to our neighborhood.

On my daily trips through the corridor, I noticed the sign for the proposed Sandy Spring Townhomes on the Earnshaw Property. I have reviewed the plans on your website and want to voice my full support for the proposed community. The planned design provides the village character, walkable design and unique community gathering places that will be a true asset to the overall community. The quality development of this site will hopefully continue to spur redevelopment of the commercial properties and allow the corridor to reach its envisioned potential as a viable, vibrant, walkable village community.

Thank you for your consideration.

Dan Snyder

February 1, 2016

Mr. Casey Anderson

Montgomery County Planning Department

M-NCPPC

8787 Georgia Ave

Silver Spring, Md. 20910

RE: Preliminary Plan Application #120160030



Dear Mr. Anderson:

I am writing you to express my concern regarding the intended development of what is known as the Earnshaw property at the entry to the "Rural Village" of Sandy Spring. I would like to request that the Planning Board instruct the developers to reduce the size of the townhouses to be consistent with the scale and character of the existing neighboring buildings.

The Rural Village Character describes the desired scale, density, architectural style, public open space, and other aspects of development in the SSRVP. The SSRVP includes a recommendation that builders "vary building heights and massing to achieve visual interest and a distinct building character (buildings should reflect the scale and character of existing structures and be between one and three stories in height)" (p.58 of the SSRVP)

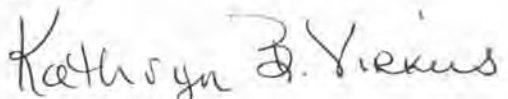
If left unchanged, the townhouses will stand at a height of 45 feet, whereas the historic Sandy Spring Bank building which will be adjacent to the townhouses is only 24 feet at the top of the chimney. These townhouses will dwarf the current historic buildings and adversely impact the rural character of the town center.

I moved to Sandy Spring in 1987 because of the "rural feel" of the community and because of the careful attention the residents make in maintaining the "rural feel" of this important Historic Community.

The current proposal for these townhomes does not meet either the letter or spirit of these recommendations. If the SSRVP can be ignored so early following its adoption, what message does this send for future development, or future planning engagements with communities in the county? The SSRVP provides important guidance for development. I ask the Planning Board

to reject the plan in its current state if we are to have any confidence in the value and integrity of our Plans.

Sincerely,

A handwritten signature in cursive script that reads "Kathryn B. Virkus".

Kathryn B Virkus

1047 Windrush Lane

Sandy Spring, Md. 20860

301-580-0916

cc: Benjamin Barbert



Montgomery County Planning Department
Maryland-National Capital Park and Planning Commission

Effective: December 5, 2014

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

www.montgomeryplanning.org

Phone 301.495.4550
Fax 301.495.1306

REGULATORY PLAN EXTENSION REQUEST

Request #1 Request #2

M-NCPPC Staff Use Only			
File Number	_____	MCPB Hearing Date	_____
Date Received	_____		

Plan Name: Sandy Spring Townhomes Plan No. 820160010

This is a request for extension of: Project Plan Sketch Plan
 Preliminary Plan Site Plan

The Plan is tentatively scheduled for a Planning Board public hearing on: 12/10/2015

The Planning Director may postpone the public hearing for up to 30 days without Planning Board approval. Extensions beyond 30 days require approval from the Planning Board.

Person requesting the extension:

Owner, Owner's Representative, Staff (check applicable.)


Benjamin Berbert		MNCPPC	
<i>Name</i>		<i>Affiliation/Organization</i>	
8787 Georgia Avenue			
<i>Street Address</i>			
Silver Spring		MD	20910
<i>City</i>		<i>State</i>	<i>Zip Code</i>
(301) 495-4644		benjamin.berbert@montgomeryplanning.org	
<i>Telephone Number</i>	<i>ext.</i>	<i>Fax Number</i>	<i>E-mail</i>

We are requesting an extension for 1 months until 1/07/2016

Describe the nature of the extension request. Provide a separate sheet if necessary.

Issues regarding site access and frontage improvements have not been finalized with SHA. Additionally both MNCPPC and County Arborist staff has requested additional justification for variance tree impacts. The site may require a further extension and re-design pending SHA's decision.

Signature of Person Requesting the Extension



Signature

11/17/2015
Date

Extension Review

Planning Director Review for Extensions 30 days or less

I, the Planning Director, or Director's designee, have the ability to grant extensions of the Planning Board public hearing date of up to 30 days and approve an extension of the Planning Board public hearing date from 12/10/15 until 1/7/16.

Aileen Wright
Signature

11/18/15
Date

Planning Board Review for Extensions greater than 30 days

The Montgomery County Planning Board reviewed the extension request on _____ and approved an extension for more than 30 days of the Planning Board public hearing date from _____ until _____.

Extension Review

Planning Director Review for Extensions 30 days or less

I, the Planning Director, or Director's designee, have the ability to grant extensions of the Planning Board public hearing date of up to 30 days and approve an extension of the Planning Board public hearing date from _____ until _____.

Signature

Date

Planning Board Review for Extensions greater than 30 days

The Montgomery County Planning Board reviewed the extension request on _____ and approved an extension for more than 30 days of the Planning Board public hearing date from _____ until _____.

Attachment 12C



Montgomery County Planning Department
Maryland-National Capital Park and Planning Commission

Effective: December 5, 2014

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

www.montgomeryplanning.org

Phone 301.495.4550
Fax 301.495.1306

REGULATORY PLAN EXTENSION REQUEST

Request #1

Request #2

M-NCPPC Staff Use Only

File Number	_____	MCPB Hearing Date	_____
Date Received	_____		

Plan Name: _____ **Plan No.** _____

This is a request for extension of:

<input type="checkbox"/> Project Plan	<input type="checkbox"/> Sketch Plan
<input type="checkbox"/> Preliminary Plan	<input type="checkbox"/> Site Plan

The Plan is tentatively scheduled for a Planning Board public hearing on: _____

The Planning Director may postpone the public hearing for up to 30 days without Planning Board approval. Extensions beyond 30 days require approval from the Planning Board.

Person requesting the extension:

Owner, Owner's Representative, Staff (check applicable.)

Name _____ Affiliation/Organization _____

Street Address _____

City _____ State _____ Zip Code _____

Telephone Number ext. Fax Number E-mail _____

We are requesting an extension for _____ months until _____

Describe the nature of the extension request. Provide a separate sheet if necessary.

Signature of Person Requesting the Extension

Signature

Date

Extension Review

Planning Director Review for Extensions 30 days or less

I, the Planning Director, or Director's designee, have the ability to grant extensions of the Planning Board public hearing date of up to 30 days and approve an extension of the Planning Board public hearing date from _____ until _____.

Signature

Date

Planning Board Review for Extensions greater than 30 days

The Montgomery County Planning Board reviewed the extension request on _____ and approved an extension for more than 30 days of the Planning Board public hearing date from _____ until _____.

Attachment 12D



Montgomery County Planning Department
Maryland-National Capital Park and Planning Commission

Effective: December 5, 2014

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

www.montgomeryplanning.org

Phone 301.495.4550
Fax 301.495.1306

REGULATORY PLAN EXTENSION REQUEST

Request #1

Request #2

M-NCPPC Staff Use Only

File Number Date Received	_____ _____	MCPB Hearing Date	_____
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Plan Name: _____ **Plan No.** _____

This is a request for extension of: Project Plan Sketch Plan
 Preliminary Plan Site Plan

The Plan is tentatively scheduled for a Planning Board public hearing on: _____

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Person requesting the extension:

Owner, Owner's Representative, Staff (check applicable.)

Name _____ Affiliation/Organization _____

Street Address _____


City _____ State _____ Zip Code _____

Telephone Number ext. Fax Number E-mail _____

We are requesting an extension for _____ months until _____

Describe the nature of the extension request. Provide a separate sheet if necessary.

Signature of Person Requesting the Extension



Signature

Date

Extension Review

Planning Director Review for Extensions 30 days or less

I, the Planning Director, or Director's designee, have the ability to grant extensions of the Planning Board public hearing date of up to 30 days and approve an extension of the Planning Board public hearing date from _____ until _____.

Signature

Date

Planning Board Review for Extensions greater than 30 days

The Montgomery County Planning Board reviewed the extension request on _____ and approved an extension for more than 30 days of the Planning Board public hearing date from _____ until _____.