

**Agenda for Montgomery County Planning Board Meeting
Thursday, January 3, 2002, 9:30 a.m.**

8787 Georgia Avenue
Silver Spring, MD 20910-3760

Board Action

Roll Call Approval of Minutes: July 5, 2001 Commissioners' Reports Directors' Reports Reconsideration Requests	
--	--

1. Transportation Policy Report

Worksession #3

(Note: No public testimony will be taken at this time.)

Staff Recommendation: Discussion.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

GENERAL MEETING (*Third Floor Conference Room*)

Program Coordination, Legal, Legislation, and Administrative Items

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. Consent Item

Continuation of reservation of land for public use

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. Zoning Map Amendment No. G-792

National Seniors' Housing Corporation, applicant, requests rezoning from the RE-2C (Residential, One-Family) Zone to the PD-5 (Planned Development) Zone; 26.6 acres (39 detached homes, 62 townhouses, 40 multi-family units, and 40 senior housing units); west of Howard Chapel Road, north of Pearl Avenue, Damascus

(Action Required for Hearing of 1/8/02)

Staff Recommendation: Denial.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. Preliminary Plan Review No. 1-02051 – Kimbrook Farm

RC Zone; 2.12 Acres; One (1) Lot Requested (Single-Family Detached Dwelling Unit)

Private Well and Private Septic

Located on the South Side of Brighton Dam Road, Approximately 2,000 Feet West of New Hampshire Avenue (MD 650)

Policy Area: Rural (Olney)

APPLICANT: Golden Builders, Inc.

ENGINEER: Benning and Associates

Staff Recommendation: Approval, Pursuant to Section 59-C-9.73(b)(2) (Size and Dimensional Exemption) of the Montgomery County Zoning Ordinance, and Subject to the Following Conditions:

- 1) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits
- 2) Record plat to show delineation of a Category I conservation easement over the area of stream valley buffer and forest conservation areas as shown on the approved forest conservation plan
- 3) Compliance with conditions of MCDPS (Health Department) septic approval
- 4) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s)
- 5) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
- 6) Necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. Preliminary Plan Review No. 1-02054 – Brighton Knolls

RC Zone; 5.09 Acres; Two (2) Lots Requested (Two (2) Existing Single-Family Detached Dwelling Units)

Private Wells and Private Septic

Located on the East Side of New Hampshire Avenue (MD 650), Approximately 1,000 Feet North of Gold Mine Road

Policy Area: Rural (Olney)

APPLICANT: Anna and Linda Newcomer

ENGINEER: O'Connell and Lawrence, Inc.

Staff Recommendation: Approval, Including One (1) Lot Pursuant to Section 59-C-9.73(b)(4) (Lots for Single-Family Residence for the Child of the Property Owner) of the Montgomery County Zoning Ordinance, and Subject to the Following Conditions:

- 1) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits
- 2) All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the Agricultural and Open Space Master Plan unless otherwise designated on the preliminary plan
- 3) Record plat to show delineation of a Category I conservation easement over the area of forest conservation
- 4) Record plat to reflect dedication of New Hampshire Avenue (MD 650) as required in Condition #2 above
- 5) Record plat to reflect common ingress/egress easements over all shared driveways
- 6) Compliance with conditions of MCDPS (Health Department) septic approval
- 7) Record plat to reflect final dedication of New Hampshire Avenue (MD 650) right-of-way and reconfigured septic area
- 8) Access and improvements, as required, to be approved by MDSHA prior to issuance of access permits
- 9) Record plat to reference the specific lot that is being created under Section 59-C-9.73(b)(4) for the use as a single-family residence only by the child or spouse of a child of the property owner. Applicant to provide signed affidavit prior to the recording of plat for the subject lot
- 10) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
- 11) Necessary easements

5. **Preliminary Plan Review No. 1-02054 – Brighton Knolls - Continued**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

6. Preliminary Plan Review No. 1-01041 – Seneca Springs

RE-2C Zone; 75 Acres; Four (4) Lots Requested (Twelve (12) Previously Approved – Single-Family Detached Dwelling Units)

PrivateWells/Community Water and Private Septic

Located on the South Side of Damascus Road (MD 108), Approximately 100 Feet East of Howard Chapel Drive

Policy Area: Damascus

APPLICANT: Roy Stanley

ENGINEER: Benning and Associates

Staff Recommendation: Approval of Four (4) Lots Only, Subject to the Following Conditions:

- 1) All prior conditions contained in Planning Board Opinion dated, August 21, 2001, remain in full force and effect
- 2) Compliance with conditions of MCDPS (Health Department) septic approval dated, December 18, 2001
- 3) Record plat to reflect common ingress/egress easements over all common driveways
- 4) Access and improvements as required to be approved by MCDPWT prior to recordation of plats and by MDSA prior to issuance of any additional access permits
- 5) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
- 6) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
- 7) Necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

7. Preliminary Plan Review No. 1-98086 – Solomon Simpson

RDT Zone; 327.7 Acres; Three (3) Additional Lots Requested (Eight (8) Previously Approved – Single-Family Detached Dwelling Units)

Private Well and Private Septic

Located on the West Side of Beallsville Road (MD 109), Approximately 4,000 Feet South of Darnestown Road (MD 28)

Policy Area; Rural (Beallsville-Poolesville)

APPLICANT: Poolesville, L.L.C.

ENGINEER: Benning and Associates

Staff Recommendation: Approval, Subject to the Following Conditions:

- 1) All prior conditions contained in Planning Board Opinions dated January 28, 1999 and December 5, 2000, remain in full force and effect
- 2) Compliance with conditions of approval of MCDPS (Health Department) letters dated, November 8, 1999 and October 18, 2001
- 3) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits
- 4) Record plat to show delineation of a Category I conservation easement over the area of stream valley buffer and forest conservation areas as shown on approved forest conservation plan
- 5) Record plat(s) to show 20 foot trail easements, the locations of which to be coordinated and finalized by the applicant and staff, prior to recordation of plat(s)
- 6) Areas of potential park conveyance/dedication to be coordinated with the applicant and approved by staff prior to recordation of plat(s)
- 7) Record plat to reflect common ingress/egress easements over all common driveways
- 8) Access and improvements as required to be approved by MDSHA prior to issuance of any additional access permits
- 9) Provide an affidavit to verify the availability of a TDR for each dwelling unit shown on the approved preliminary plan. Include a note referencing affidavit on record plat
- 10) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
- 11) Necessary easements

7. Preliminary Plan Review No. 1-98086 – Solomon Simpson - Continued

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. **Subdivision Regulations Waiver – SRW-02003 – Gittings Ha Ha**

RC Zone; 2.04 Acres; One (1) Lot Proposed (Single-Family Detached Dwelling Unit)

Private Well and Private Septic

Located on the South Side of New Hampshire Avenue (MD 650), Approximately 1,600 Feet West of Rocky Glen Drive

Policy Area: Rural (Olney)

APPLICANT: Cyril Laughlin

ENGINEER: CAS Engineering

Staff Recommendation: Approval, Pursuant to Section 50-38 of the Montgomery County Subdivision Regulations, and Subject to the Following Conditions;

- 1) Submission of a complete record plat application within sixty (60) days of the mailing date of the Planning Board opinion
- 2) Recordation of the plat to occur within ninety (90) days of the submission date of the plat application
- 3) Record plat to reflect easement for future dedication of the full right-of-way width of New Hampshire Avenue (MD 650) as mandated by the Agricultural and Open Space Master Plan
- 4) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
- 5) Necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

-
9. The Following **Record Plats** are Recommended for APPROVAL, Subject to the Appropriate Conditions of Approval of the Preliminary and/or Site Plans:

NOT AVAILABLE AT TIME OF PRINTING

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

