

Item #5



M E M O R A N D U M

DATE: April 04, 2003

TO: Montgomery County Planning Board

FROM: A. Malcolm Shaneman
Development Review Division
(301) 495-4587

SUBJECT: Informational Maps for Subdivision Items on the
Planning Board's Agenda for April 10, 2003.

Attached are copies of plan drawings for Items #03, #05, #06, and #07. These subdivision items are scheduled for Planning Board consideration on April 10, 2003. The items are further identified as follows:

Agenda Item #03 - Preliminary Plan 1-99030B
Friendship Place (Hecht's)

Agenda Item #05 - Preliminary Plan 1-03045
The Estates at Greenbriar Preserve

Agenda Item #06 - Preliminary Plan 1-03041
Greenbriar Preserve

Agenda Item #07 - Preliminary Plan 1-02038
Goodwill Property

Attachment

VICINITY MAP FOR

THE ESTATES AT GREENBRIAR PRESERVE



Map compiled on March 18, 2003 at 2:15 PM | Site located on base sheet no - 216NW11

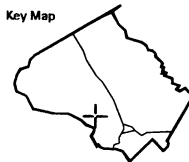
NOTICE

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Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

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Key Map



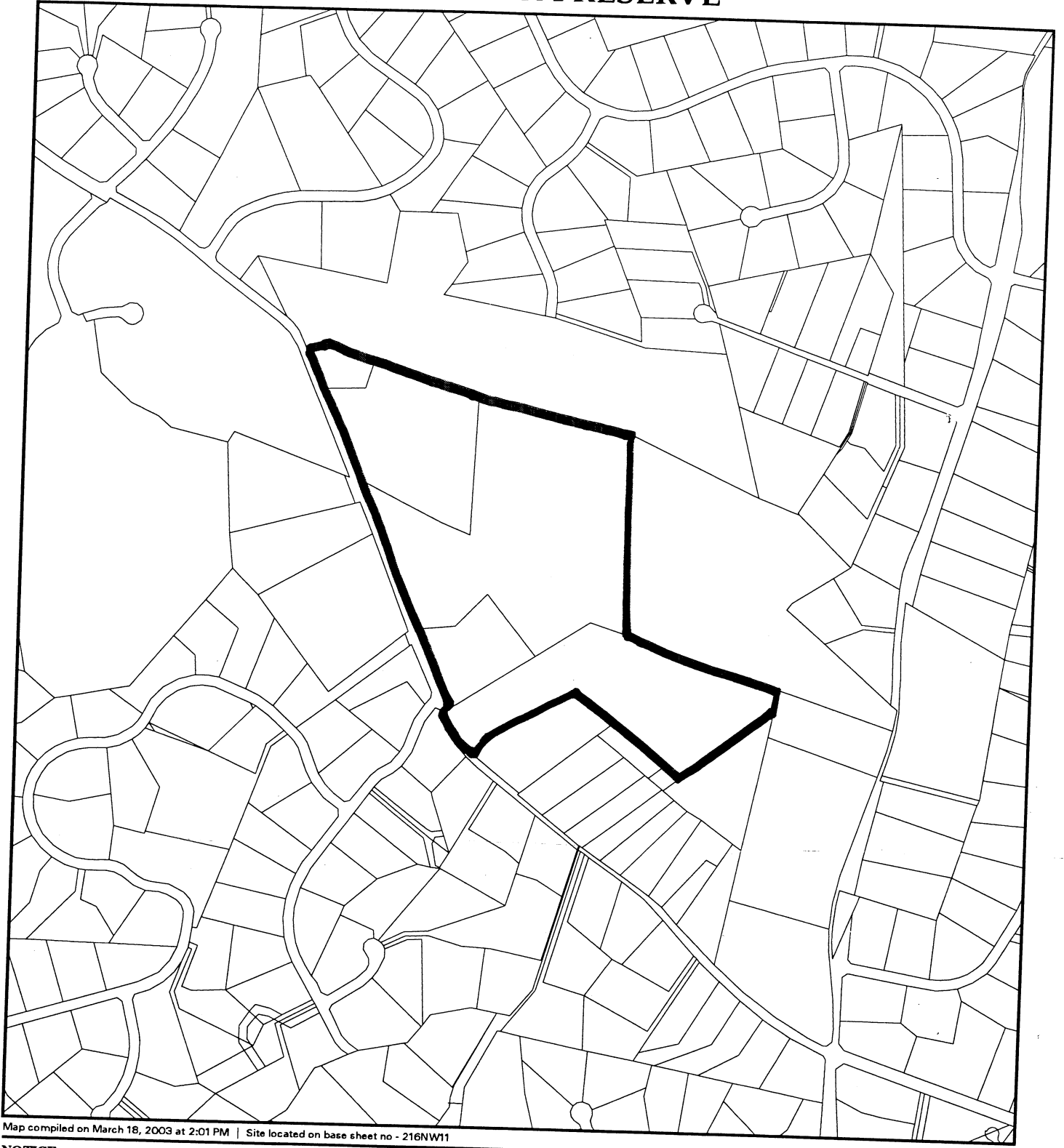
Research & Technology Center



1 : 9600

VICINITY MAP FOR

THE ESTATES AT GREENBRIAR PRESERVE



Map compiled on March 18, 2003 at 2:01 PM | Site located on base sheet no - 216NW11

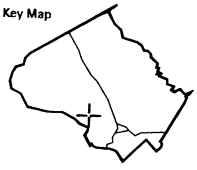
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Key Map



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#5 and #6



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ATTORNEYS

April 4, 2003

HARRY W. LERCH

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The Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Md. 20810

Via telefax 301-495-1306

Re: Greenbriar Preserve (Hillman and Weihe properties) and the Estates at
Greenbriar Preserve (Tipton and Semmes properties)
Subdivision Case Nos. 1-03045 and 1-03041, Items 5 & 6

Dear Planning Board Members:

As you know, the Greenbriar properties were studied at length during environmental studies preparatory to Potomac Master Plan, and also during the Legacy Open Space Master Plan process.

During its work sessions on the Legacy Open Space Master Plan, the County Council determined that the properties should not be purchased for L.O.S. but should be made the subject of an appropriate zoning category change in which a substantial portion of the property would be dedicated to public use. This was a compromise accomplished after many weeks of testimony and fact finding by the County Council and its PHED Committee.

The properties were also discussed and studied at length during the Potomac Master Plan process, in which it was decided by the Planning Board and County Council that the four properties should be planned comprehensively, consolidated in complimentary plans, and developed pursuant to the RNC zone with public water and sewer.

Neal Fitzpatrick and the Audubon Society were very involved, and were behind the compromise proposed by the staff. I personally walked the properties for several hours with Neal.

The RNC cluster subdivision plans now before you were ultimately drafted by your staff and presented to you at the final Potomac Master Plan work session. Subsequently, the County Council held hearings on the Master Plan and approved it.

After the Potomac Subregion Master Plan was adopted and approved, a Sectional Map Amendment was drafted and proposed by your staff. It came before you at a public meeting, was heard by the County Council at a public hearing, and subsequently adopted by the Council.



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Montgomery County Planning Board

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After that, the County Executive submitted the long held water and sewer category changes to the Council including category changes for these properties as recommended by the Master Plan. Another public hearing was held, and the Council adopted the proposals.

Subsequently, these subdivision plans were submitted to the Planning Board as amendments to then pending pre-preliminary plans; they were reviewed by all agencies, and the Development Review Committee. They were positively received and reviewed by you, the Planning Board. No negative testimony was presented, and no conditions were imposed by the Board.

Most importantly, in summary: as many of you will personally recall, neither the WMCCA, nor any abutting owner, has previously raised any objection to these plans, either (1) during the Legacy Master Plan public hearings, or (2) during the Potomac Master Plan public hearings, or (3) during the Sectional Map Amendment public hearings, or (4) the Sewer and Water category change public hearings, or (5) during the Pre-preliminary plan review before the Planning Board.

The plans we will bring before you on Thursday are essentially the same plans that were drafted and presented to you by your Staff during work sessions in the summer of 2001, that underwent pre-preliminary review before you a few months ago, and to which no opposition was raised in any of the multiple public hearings listed above.

The applicants submit that the plans are clearly in accordance with the Legacy Open Space Master Plan, the Potomac Master Plan, the Sectional Map Amendment, the sewer and water plan, the zoning ordinance, and all applicable regulations. Under ordinances recommended and supported by the Planning Board, subdivision plans must be in accordance with Master Plans. Our plans clearly are. The Master Plan should not be allowed to become the starting point for new negotiations. We respectfully request your favorable consideration and approval of these subdivision plans in accordance with the recommendation of your professional staff.

Respectfully yours,


Harry W. Lerch

HWL:klb