

Item #6

MEMORANDUM

DATE: November 26, 2003
TO: Robert Kronenberg, Planning Coordinator
Development Review
FROM: Mark Pfefferle, Planning Coordinator *MP*
Environmental Planning Staff
NAME: Hargett Tract
CASE #: 8-00019



STAFF RECOMMENDATION:

The Environmental Planning staff has reviewed the site plan referenced above. Staff recommends approval of the site plan with the following conditions.

- Imperviousness for the 5.7-acre tract not to exceed 49,658 square feet.
- Applicant to enter into an agreement with the Montgomery County Planning Board for the purpose of withholding four (4) residential lots for final recordation, of the 15 lots recommended for approval by staff, to ensure compliance with the impervious limitations. The lots to be held shall be graphically denoted on the site plan. Imperviousness coverage limitation and information pertaining to the above agreement to be recorded on the record plat.
- All driveways must be designed as single car width (10 feet) at the public right of way, flaring out to twenty feet in front of the garage. M-NCPPC Environmental Planning staff on a case-by-case basis may approve alternative driveway design provided any additional imperviousness surface is accounted for as part of the overall impervious limit. All sales contracts must disclose to buyers that these dimensions are imposed as a condition of the Planning Board approval.
- The developer/builder must submit an impervious report to M-NCPPC Environmental Planning staff after issuance of the 5th, 9th, and 11th building permits. Thereafter, the applicant must submit an imperviousness report for each of the remaining building permits. The imperviousness reports must include: surveyed final 'as-builts' drawings which include dimensions for buildings, driveways, sidewalks, leadwalks, porches, patios, chimneys, welled exits, rear exits, and any building feature that is two feet or less from the ground. Imperviousness numbers in these reports must be verified by M-NCPPC prior to the release of the next building permit.
- It at any time the impervious limit is reached before building permits for all approved lots have been released, the lots for which building permits have not been released must be re-recorded as non-imperviousness open space. All pending use and occupancy permits will be held until such time that the open space plats are recorded.
- Upon recordation of the plan, the applicant shall record in the land records a disclosure of the impervious limits and monitoring requirements to subsequent land

buyers. This disclosure shall be reviewed and approved by Commission legal staff before recordation.

- A final tree save plan must be developed, submitted and approved by M-NCPPC Environmental Planning prior to any clearing and grading, for protection of the specimen trees preserved on the lots. The Tree Save Plan must be prepared and implemented by a certified arborist.

DISCUSSION

The Hargett tract was formerly the Hargett family homestead and consists of a red brick farmhouse and outbuildings. The parcel contains numerous specimen-size and significant trees, including a mass of mature holly trees, which line the original driveway from Schaeffer Road. The proposal includes the removal of the existing farmhouse and the construction of 15 single-family homes. Two specimen trees will remain on private lots. The applicant originally submitted a plan for more units and a more intensive road network. The imperviousness constraints have forced the applicant to combine driveways to accommodate the coverage requirements.

Imperviousness

The subject property is part of a two-phase development located in Germantown within the KI-2 analysis area identified in the Germantown Master Plan. This analysis area is subject to special environmental protection measure because of the high sensitivity and high water quality conditions of the portion of Little Seneca Creek stream to which it drains. This section of Little Seneca Creek and its tributaries are classified as III-P waters (natural trout waters).

The special environmental protection measure recommended by the master plan are set forth in Appendix D of the master plan. These measures include an imperviousness cap of 20 percent.

Staff requests a condition, to ensure compliance with the master plan that restricts the amount of imperviousness surfaces in the Hargett tract to 49,658 square feet. Other conditions necessary to ensure compliance with the 20 percent imperviousness limitation are identified above.

Forest Conservation

There is no forest on the Hargett tract. The site is subject to an approved forest conservation plan established for the Hoyles Mill village preliminary plan. However there are 2 specimen trees on-site that must be protected. A final tree save plan must be developed, submitted and approved by M-NCPPC Environmental Planning prior to any clearing and grading, for protection of the specimen trees preserved on the lots. The Tree Save Plan must be prepared and implemented by a certified arborist.

Environmental Guidelines

There are not stream buffer, wetlands, erodible soils, or environmental sensitive areas on the site.