

## **APPENDIX A**

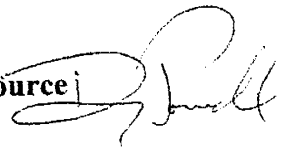


THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
Office of the Chairman, Montgomery County Planning Board

**MEMORANDUM**

November 13, 2003

**TO:** Malcolm Shaneman, Plan Review Supervisor, Development Review  
Division  
Robert Kronenberg, Site Planner, Development Review Division

**FROM:** Doug Powell, Plan Review Coordinator, Park Planning and Resource  
Analysis Unit, Countywide Planning Division 

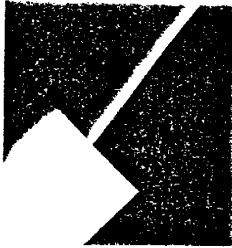
**SUBJECT:** Meadowsweet Subdivision, Site Plan #8-04004 and Preliminary Plan  
#1-04011

---

Park Planning and Resource Analysis staff has reviewed the above-referenced Plan and request the following Conditions of Approval:

- Provide a 15' wide Public Use Trail Easement from the development's entrance off of Brooke Road to the southern boundary of the subject property at Route 108 near or adjacent to the Sherwood Elementary School property. Final alignment approximately as shown on Preliminary Plan Revised on October 13, 2003, except final adjustments as needed to avoid sensitive areas to be coordinated with Park Planning and Resource Analysis staff prior to record plat.
- Provide a 15' wide Equestrian Trail Easement along the entire east boundary of the subject property adjacent to Brooke Road as shown on Preliminary Plan Revised on October 13, 2003.
- Construct a 4' wide natural surface trail within the Trail Easements.
- Easements and trails to be adequately identified and signed to mark their location.
- Public Use Trail Easements and trail access to be provided from Meadowsweet Court and at the end of Meadowsweet Drive to the HOA open space (Parcel D and E).

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

~~December 24, 2003~~

REVISED December 31, 2003

MEMORANDUM

TO: Malcolm Shaneman, Supervisor  
Development Review Division

VLA: Ronald C. Welke, Supervisor  
Transportation Planning Division

FROM: Cherian Eapen, Planner Coordinator  
Transportation Planning Division  
301-495-4525

SUBJECT: Preliminary Plan No. 1-04011  
Site Plan No. 8-04004  
Meadowsweet  
Brooke Road  
Olney Policy Area

CE

---

This memorandum presents Transportation Planning staff's Adequate Public Facilities (APF) Ordinance review of the above Preliminary Plan/Site Plan for 32 "new" single-family dwellings in the RNC Zone within the Olney Policy Area.

The Olney Policy Area currently has staging ceiling capacity available for additional housing (+82 dwelling units as of November 30, 2003). However, there are several other developments already in the "development queue" ahead of the proposed Meadowsweet development, and the total housing associated with these development proposals in the queue far exceeds the capacity that is currently available.

Therefore, the subject Meadowsweet development proposes to satisfy the Policy Area Transportation Review (PATR) component of the APF test under the FY 2004 Annual Growth Policy (AGP) Staging Ceiling Flexibility section (see Attachment 1; TP4 - Ceiling Flexibility for Developer Participation Projects) with a Full-Cost Developer Participation option (see Attachment 1; TP4.1 - Full-Cost Developer Participation). The Montgomery County Planning Board (MCPB) staff, and the Montgomery County Department of Public Works and Transportation (DPWT) staff have worked with the applicant to develop a Draft Traffic Mitigation Agreement (TMA) to satisfy the PATR test. Based on these consultations, the applicant is proposing a Transit Fare Subsidy Program

(see Attachment 2; letter from DPWT), which will enable the subject application to satisfy the PATR.

## RECOMMENDATIONS

Transportation Planning staff recommends the following conditions as part of the transportation-related requirements to approve the Meadowsweet Preliminary Plan/Site Plan:

1. Limit the development to a maximum of 32 new single-family dwellings.
2. Satisfy the PATR component of the APF test by entering into a TMA (as detailed in Attachment 2) with MCPB and DPWT to sponsor and implement a trip reduction program for 12 years.
3. Dedicate along site frontage to provide:
  - a. 40 feet of right-of-way from the centerline of Olney-Sandy Spring Road (MD 108).
  - b. 35 feet of right-of-way from the centerline of Brooke Road, and
  - c. 30 feet of right-of-way from the centerline of Marden Lane.
4. Provide a public access and maintenance easement across P444 for a Class I bikeway.
5. Provide a continuous eight-foot Class I bikeway along the north side of MD 108 (and across parcel P444) between Sherwood Elementary School eastern property line and the western property line at parcel P587.
6. Provide a five-foot sidewalk along site frontage to the west side of Brooke Road and an eight-foot bikeway within the portion of the property to the east side of Brooke Road.
7. Provide a 15-foot public easement and a pedestrian connection to Sherwood Elementary School from Meadowsweet Drive (between Lots 11 and 12) through coordination with Montgomery County Public Schools (MCPS) and Sherwood Elementary School.
8. Provide a 15-foot public easement (between Lots 6 and 7) for a possible future connection to the Ligon Property located to the east of the subject property.
9. Provide a 15-foot public easement (between Lots 21 and 22) and access to the trail to the north of the property from Meadowsweet Court.
10. Per requested waiver, provide adequate pedestrian circulation within the site along the internal residential streets by constructing sidewalks on at least one side of the internal streets.

11. Per requested waiver, provide a modified, reduced radius (with a minimum outside radius of 40 feet) cul-de-sac on Meadowsweet Drive.
12. Coordinate with the Maryland State Highway Administration, DPWT (per letter dated November 21, 2003), Department of Permitting Services, and MCPS/Sherwood Elementary School, as needed, to facilitate construction of the above bikeways, sidewalks, sidewalk connections and cul-de-sac, and to provide necessary easements.
13. Coordinate with the Parks Department to provide necessary trail connections and easements through the property.

## DISCUSSION

### Site Location, Access, Existing Pedestrian/Bikeway Facilities and Public Transit

The proposed Meadowsweet subdivision is located along the north side of MD 108, between Brooke Road to the east and Marden Lane to the west. Sherwood Elementary School is located to the south of the proposed development.

Access to the site (Lots 1-31) is proposed off Brooke Road, a two-lane roadway in front of the property. Lot 32 will have access to MD 108 through consolidation/relocation of an existing access driveway to an existing dwelling on parcel P444.

Within the study area, MD 108 is a two-lane roadway, and has a posted speed limit of 30 mph. Limited sidewalks exist along both MD 108 and Brooke Road. Currently, there are no bikeway facilities within the study area. The plan does not propose access to the property via Marden Lane. MD 108 is serviced by the Metrobus system via Norwood Road (Route Z2).

### Master Plan Roadway and Pedestrian/Bikeway Facilities

The 1998 Approved and Adopted Sandy Spring/Ashton Master Plan describes the nearby master-planned roadways, pedestrian and bikeway facilities as follows:

1. Olney-Sandy Spring Road (MD 108), as a master-planned east-west Arterial (A-92) between the Howard County line to the east and Dr. Bird Road to the west, with a minimum 80-foot right-of-way. The roadway is "Main Street" for the Sandy Spring and Ashton village centers. The Master Plan also recommends regional trails along MD 108, with connections to the Rural Legacy Trail, and the Northwest Branch Trail that connect to the Sandy Spring, Woodlawn Manor Park, and to the Northwest Branch Park. A Class 1 (off-road) bikeway (PB-66) is recommended for MD 108 along its north side between MD 650 and Dr. Bird Road.

2. Brooke Road, as a Primary Residential Street (P-2) that connects MD 650 and MD 108, with a recommended minimum right-of-way width of 70 feet and two travel lanes. The Master Plan recommends a local trail and a Class III (on-road) bikeway (PB-68) along Brooke Road between MD 108 and Chandlee Mill Road.

#### Nearby Transportation Project

DPWT is currently developing preliminary designs (Project 506747 – MD 108 Sidewalk) to construct a sidewalk along the south side of MD 108 between Hidden Garden Lane and Norwood Road (approximately 4,000 feet), and a sidewalk along the east side of Norwood Road to the south of MD 108 (approximately 350 feet). The project is anticipated to start construction in the Winter of 2004.

#### Previous Planning Board Actions

The Meadowsweet Preliminary Plan/Site Plan was reviewed by the Planning Board as Pre-Preliminary Plan No. 7-03034, Farquhar Property, on April 24, 2003.

#### Local Area Transportation Review

The proposed Meadowsweet development, consisting of 32 single-family detached units, will generate less than 50 total peak hour trips during the weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods (30 and 36 total peak hour trips, respectively). Therefore, a traffic study (to analyze traffic impact at nearby intersections) is not required to satisfy Local Area Transportation Review.

#### Policy Area Transportation Review/Staging Ceilings

As noted earlier, the Olney Policy Area currently has staging ceiling capacity available for additional housing (+82 dwelling units as of November 30, 2003). However, there are several other developments already in the "development queue" ahead of the proposed Meadowsweet development, and the total housing density associated with these development proposals in the queue far exceeds the capacity that is currently available.

Therefore, the applicant for Meadowsweet development is proposing to mitigate its impact as a Full-Cost Developer Participation development under the FY 2004 AGP Staging Ceiling Flexibility provisions. This would permit the applicant to go forward by entering into a TMA with MCPB and DPWT to sponsor and implement a trip reduction program for 12 years, and satisfy the PATR component of the APF test.

RCW:CE:gw  
Attachments

cc: Robert Kronenberg  
Mary Goodman  
Doug Powell  
Piera Weiss  
Jeff Riese  
Richard Earp  
Mary Pat Wilson  
Greg Leck  
Greg Cooke  
Barbara Sears

mno to shaneman re meadowsweet-updated

households at or below 50% of the area median income, adjusted for family size, or 40% of the units are occupied by households at or below 60% of the area median income, adjusted for family size. Such a development must be certified by HOC as affordable housing, and the owner of that development must agree with HOC to maintain the occupancy requirements for at least 15 years. These requirements include the provision of any MPDUs.

**TP3.2** Except as provided in **TP3.3**, in a policy area with insufficient remaining capacity, the Planning Board may approve in each fiscal year not more than:

- 125 units for projects owned or controlled by HOC;
- 500 units for privately owned affordable housing developments; or
- an aggregate of 500 units in a policy area with both HOC owned and controlled developments and privately owned affordable housing developments.

**TP3.3** The Planning Board must not approve additional housing units under this allocation in a policy area:

- that has been in a moratorium for new housing subdivision approvals for more than 5 consecutive years and the remaining capacity for the policy area is at least 1000 housing units in deficit; and
- if the Planning Board has cumulatively approved 500 housing units in that policy area under this special ceiling allocation.

Subject to the housing unit cap under **TP3.2**, approvals under this special ceiling allocation may resume if the deficit in remaining capacity in the policy area has been reduced under 1000 housing units, but only to the extent that transportation capacity has increased due to a programmed transportation improvement that is either under construction or funded for construction in the fiscal year for which the special ceiling allocation is requested from the Planning Board.

If the subdivision moratorium is eliminated in a policy area subject to **TP3.3** and is later reinstated, the calculation of the number of cumulative housing units approved under **TP3** starts at zero.

**TP3.4** Any development approved under **TP3** must meet all zoning requirements and all other subdivision requirements, including standards for local area transportation review.

**TP3.5** Development approved under **TP3** must be added to the pipeline.

**TP3.6** Each recommended annual growth policy ceiling element must contain a list of all pending or approved development under **TP3**.

## **TP4 Ceiling Flexibility for Developer Participation Projects**

Staging Ceiling Flexibility allows the Planning Board, after considering the recommendation of the County Executive, to approve a preliminary plan application, which exceeds the staging ceiling. In



allowing the staging ceiling to be exceeded, caution should be exercised to assure that the average level of service for the relevant policy area is not adversely affected. Except as otherwise expressly stated in **TP4**, the same level of service criteria already established in the Annual Growth Policy must be used in evaluating an application under these ceiling flexibility provisions.

In general, each approval above the staging ceiling must be conditioned upon the planned and scheduled construction by either the applicant and/or the government of some public facility project or other appropriate capacity measure (such as the private operation of a transit program) which, if added to the approved CIP or CTP programmed facilities, will add capacity or its equivalent to the existing facility system and result in no lessening of the area-wide level of service.

In general, the capacity addition must be scheduled for completion at the same time or before the proposed development is to be completed. The application must also be approved under Local Area Transportation Review standards. The nature, design and scale of the additional project or program must receive prior approval from the relevant governmental agencies responsible for constructing or maintaining such facilities or programs. The recommendation of the Executive also must be evaluated carefully.

Both the subdivision plan and the necessary additional facilities must be in accordance with an adopted master plan or other relevant policy statement; the design of the facilities must be subject to mandatory referral to the Planning Board; and the applicant and the relevant public agency must execute an appropriate public works agreement before record plat approval.

The phrase "additional transportation facilities" means transportation facilities other than those on which the policy area staging ceilings of the current Annual Growth Policy are based.

#### **TP4.1 Full-Cost Developer Participation**

If an applicant agrees to pay for the full cost of all the additional necessary public facilities, and the relevant administering agency has agreed, the Planning Board may approve subdivision plans whose public facility needs exceed the net remaining capacity under the adopted staging ceiling.

Where the applicant commits to provide the full cost of a transit, para-transit or ridesharing program, such application may be deemed to have passed the staging ceiling test, insofar as transportation is concerned, if the Board finds, after reviewing recommendations of the County Executive, that the program will reduce the number of peak-hour, peak-direction automobile trips by as many trips as would be generated by the proposed development. After a preliminary subdivision plan has been approved on this basis, later applications may be credited for reduced trips generated by the new proposal.

An applicant may meet the requirements of **TP4.1** even if all or part of the funds used to build public facilities or operate programs is provided by a government agency.

#### **TP4.2 Development District Participation**

Under Chapter 14 of the County Code, development districts may be created by the County Council as a funding mechanism for needed infrastructure in areas of the County where substantial development is expected or encouraged. The Planning Board may approve subdivision plans in accordance with the terms of the development district's provisional adequate public facilities approval (PAPF).



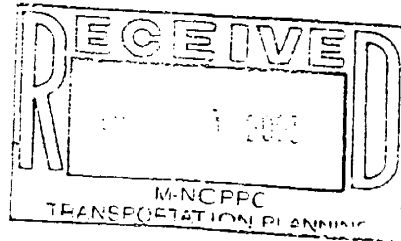
Douglas M. Duncan  
County Executive

DEPARTMENT OF PUBLIC WORKS  
AND TRANSPORTATION  
MEMORANDUM

Albert J. Genetti, Jr., P.E.  
Director

December 9, 2003

TO: Ron Welke, M-NCPPC  
FROM: Howard P. Benn, Chief  
Customer & Operations Support  
*Howard P. Benn*  
SUBJECT: Pulte Homes - Farquhar Property



We have been in contact with the attorneys representing the above property, located at the intersection of Route 108 and Brooke Road in Olney. In order to comply with what will be the transit portion of their mitigation requirements (36 peak hour trips), they have proposed the following trip mitigation program. It would accomplish the reduction of these trips by the operation of a transit bus pass buy-down program ("Buy-Down Program") for new transit riders. Specifically, the components of such a program include:

- Fund, for a 12-year period, the buy-down of the cost of monthly transit bus passes in an amount up to 80 percent but not less than 51 percent of the cost of such passes for purchase by new transit riders in the Olney Policy Area.
- Administer the sale of the reduced cost bus passes to new transit riders through a third party property management company.
- Make a good faith effort to market the passes available through the Buy-Down Program to the initial purchasers of homes in the Project.
- Provide annual reports to Park and Planning and the Department of Public Works and Transportation verifying the initial sale of the bus passes to new transit riders in the required amounts.
- Provide either a bond or such other acceptable security in the event the Buy-Down Program does not result in the sale of 36 transit bus passes to new transit riders as contemplated.



Division of Transit Services

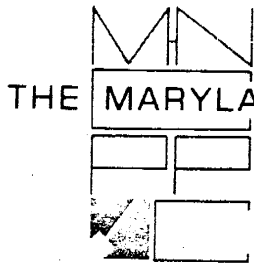
Ron Welke  
December 9, 2003  
Page 2

Pulte will initiate operation of the Buy-Down Program before the release of the third building permit for the Project, thus allowing the construction of two model homes. Therefore, prior to release of the third building permit, the Buy-Down Program must be in operation. It is our understanding that the implementation of the Buy-Down Program in this manner would fulfill Pulte's requirement to mitigate 36 new weekday peak-hour trips.

On this basis we believe that Park and Planning can proceed with rescheduling the Preliminary Plan and Site Plan for a public hearing.

HPB:jmg:Pulte Fahruqz

cc: Sande Brecher  
Yael Klejman  
Greg Leck  
Scott Wallace



December 29, 2003

**MEMORANDUM**

**TO:** Robert Kronenberg, Planning Coordinator  
Development Review Division

**FROM:** *CB*  
Candy Bunnag, Planning Coordinator  
Environmental Planning Section, Countywide Planning Division

**SUBJECT:** Meadowsweet, Site Plan No. 8-04004

---

**STAFF RECOMMENDATIONS**

Staff recommends approval of the site plan with the following conditions:

1. Category I conservation easements to be placed over forest retention areas, forest planting areas, natural regeneration areas, and environmental buffer areas. Easements to be shown on record plats.
2. Change proposed chain link fence through Category I conservation easements to a split rail fence that is no more than 4 feet high.
3. Compliance with the conditions of approval for the final forest conservation plan. The applicant must satisfy all conditions of the forest conservation plan prior to recording of plat(s) and DPS issuance of sediment and erosion control permit. Conditions include, but are not limited to, the following:
  - a. Provide sediment and erosion control plan with final forest conservation plan.
  - b. Record Category II conservation easement over parcel G, where champion black gum is located or, alternatively, locate tree on record plat and include language that tree must be protected and that any land-disturbing activities that could disturb the tree, including its root system, is prohibited without prior written approval from M-NCPPC.
  - c. Category II conservation easement to be 25-foot wide and to be placed over tree-save area and HOA open space in the back of Lots 8-13 and part of Lot 7.
  - d. Split rail fence to be placed along the rear lot lines of Lots 8-13 and part of Lot 7, except where path to elementary school is to be located.
  - e. Final forest conservation plan to include 2-inch caliper trees at 100 trees/acre or 1-inch caliper trees at 200 trees/acre.

- f. Provide critical root zone analysis for trees 6 inches and greater in diameter at breast height (DBH) 25 feet on either side of limits of disturbance for Class I bike path along Rte. 108.

## **SITE DESCRIPTION AND BACKGROUND**

The subject property is about 70.3 acres in size. Most of the property has been in active cropland. There are about 14.75 acres of forest which are located both within and outside environmental buffer areas. There are two first-order streams that originate on the property. These streams are tributaries to James Creek. Wetlands occur on the site and are mostly associated with the two streams. There is part of a wetland on the part of the property east of Brooke Road that is associated with an offsite stream.

There are also tree stands and hedgerows on the property. There are 54 large or specimen trees, including the state champion black gum (64-inch diameter at breast height).

Most (51.7 acres) of the property drain to James Creek, a tributary to the Patuxent River (Use IV waters). About 18.6 acres of the southern portion of the property lies in the Northwest Branch watershed (Use IV waters).

## **DISCUSSION**

### **Forest Conservation and Tree Save**

Existing forest covers 14.75 acres. The applicant proposes to retain 11.89 acres of forest and reforest 5.93 acres. About 1.13 acres of the reforestation will be accomplished by natural regeneration in existing stands that are considered to be tree cover and not forest. Portions of the environmental buffers that are currently unforested will be reforested. Forest retention areas and reforestation areas will be placed in Category I conservation easements. The proposed forest retention and reforestation areas meet the requirements of the forest conservation law.

Many of the large and specimen trees lie within the proposed Category I conservation easements. There are also some large trees along the northern property line of Sherwood Elementary School that are proposed to be retained as part of a tree-save area during the construction of the subdivision. These trees will lie within HOA open space. The forest conservation plan shows a 15-wide Category II conservation easement to provide long-term protection for the tree-save area. Staff believes the easement should be the full width of the HOA open space (25 feet wide) to provide better protection for the trees. In addition, staff recommends a split-rail fence along the rear lot lines to physically identify the boundary of the Category II conservation easement during and after construction. If a homeowner of one of these lots wants to put up a different kind of fence along his or her rear lot line once construction is completed, this may occur.

The State champion black gum is located near an existing tennis court on proposed Parcel G, which will be placed in a rural open space conservation easement. Staff has proposed placing a Category II conservation easement over Parcel G to ensure that the black gum will be protected in the long-term. The applicant does not want to use a conservation easement. Staff believes that an acceptable alternative to the Category II conservation easement is having the following information on the record plat for Parcel G: specific location of the tree and language that specifies that the tree must be protected and any possible disturbance to the tree or its roots must be reviewed and approved by staff

### **Environmental Guidelines**

Category I conservation easements are proposed to be placed over environmental buffers, forest retention areas, and forest planting areas.

The site plan proposes to locate a 6-foot high black chain link fence through the center of the subdivision from Rte. 108 north to Parcel P119. The fence is proposed to separate the privately-owned rural open space parcels from the HOA open space land. Much of this proposed fence will be located within Category I conservation easements (environmental buffers, forest retention, and forest planting areas). Staff believes the type of fence that is proposed is inconsistent with the terms of the Category I conservation easement. The Category I conservation easement agreement states that "fences consistent with the purposes of the Easement may be erected only after written approval from the Planning Director." In other cases, staff has allowed only specific kinds of fences along property lines that include conservation easement areas. Fencing within and along Category I conservation easements should be fences that are open and allow for wildlife passage, do not require removal of trees or understory during installation, and do not visually or physically fragment the easement area. Staff has approved split-rail fences that are no more than four feet high (with and without chicken wire) in and along Category I conservation easement areas. Chain link fences and fences that are 6 feet high have not been approved.

### **Primary Management Area (PMA) for the Patuxent River**

The "*Environmental Guidelines*" defines a Primary Management Area (PMA) within the Patuxent River watershed. According to the guidelines the PMA is "a water quality protection and restoration area where land use activities are managed to protect and enhance water quality in the rivers and streams. The PMA is composed of strips of land that run along the entire length of all streams within the watershed." For most tributaries of the Patuxent River, the PMA is 660 feet wide, measured from each side of the stream bank.

One of the water quality protection measures recommended in the "*Environmental Guidelines*" is a 10 percent imperviousness limit on new development. This imperviousness limit can be applied in one of two ways: It can be applied to that portion of the PMA that lies outside of environmental buffer areas; this portion of the PMA is known as the transition area. Or, according to the guidelines, if a "higher imperviousness

is desirable in the transition area to maintain community character, achieve compatibility, and/or accomplish master plan goals, imperviousness may be averaged over the entire development" that lies within the Patuxent River drainage area.

For the subject site, the PMA transition area covers about 28.8 acres. The Patuxent River drainage area within the site covers 51.7 acres. The proposed subdivision conforms to the 10 percent imperviousness guideline using the Patuxent River drainage area. The imperviousness is 9.93 %. This includes the paved path that is recommended to connect to the elementary school.

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
FOREST CONSERVATION PLAN RECOMMENDATIONS

Revised  
conditions

TO: Robert Kronenberg  
Development Review Division

SUBJECT: Preliminary Forest Conservation Plan # 1-04011 and 8-04004  
Preliminary/Site Plan Meadowsweet  
NRI/FSD # 4-03182

The subject Forest Conservation Plan has been reviewed by the Environmental Planning Division to determine if it meets the requirements of Chapter 22A of the Montgomery County Code (Forest Conservation Law). The following determination has been made:

SUBMISSION ADEQUACY

Adequate as submitted

RECOMMENDATIONS

- Approve subject to the following conditions:
- Required site inspections by M-NCPPC monitoring staff (as specified in "Trees Technical Manual")
  - Approval of the following items by M-NCPPC staff prior to DPS issuance of the sediment and erosion control permit:
    - Tree Protection Plan
    - Afforestation/Reforestation Planting Plan
  - Submittal of financial security to M-NCPPC prior to clearing or grading.
  - Record plat to show appropriate notes and/or easements. Agreements must be approved by M-NCPPC staff prior to recording plats.
  - Maintenance agreement to be reviewed and approved by M-NCPPC staff prior to first inspection of planted areas.
- Others:
- a. Provide sediment and erosion control plan with final forest conservation plan.
  - b. Record Category II conservation easement over parcel G, where champion black gum is located or, alternatively, locate tree on record plat and include language that tree must be protected and that any land-disturbing activities that could disturb the tree, including its root system, is prohibited without prior written approval from M-NCPPC.
  - c. Category II conservation easement to be 25-foot wide and to be placed over tree-save area and HOA open space in the back of Lots 8-13 and part of Lot 7.
  - d. Split rail fence to be placed along the rear lot lines of Lots 8-13 and part of Lot 7, except where path to elementary school is to be located.
  - e. Final forest conservation plan to include 2-inch caliper trees at 100 trees/acre or 1-inch caliper trees at 200 trees/acre.
  - f. Provide critical root zone analysis for trees 6 inches and greater in diameter at breast height (DBH) 25 feet on either side of limits of disturbance for Class I bike path along Rte. 108.

SIGNATURE: Candy Bunnag  
Environmental Planning Division

DATE: 12/29/03

Cc: Dusty Rood, Rodgers Consulting, (fax: 301-948-6256)





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

December 29, 2003

**MEMORANDUM**

**TO:** Malcolm Shaneman, Development Review Division  
✓ Robert Kronenberg, Development Review Division

**VIA:** Bill Barron, Community-Based Planning

**FROM:** Calvin Nelson, Jr., Community-Based Planning *CN*

**SUBJECT:** Meadowsweet Preliminary Plan #1-04011  
Site Plan #8-04004

---

The 1998 Approved and Adopted Master Plan for Sandy Spring/Ashton recommended rezoning of the subject plan, also known as the Farquhar Property, from the RE-2 Zone to the RNC (Rural Neighborhood Cluster) Zone. The Plan encourages clustering and creating a setting of rural open space around the village center and in the rural entries with rural open space between 70 to 75 percent, and states that the RNC Zone could be used to guide development towards the villages and away from rural surroundings. Development along Marden Lane could be achieved in a manner consistent with the pattern that has developed there over the years. The Plan also states that there are high priority reforestation areas on the Farquhar property that should be identified at the time of development in conformance with the County Forest Conservation Regulations.

Community-Based Planning staff finds that the proposed preliminary and site plans meet the intent of the Plan by providing 70% open space, maintaining a rural setting and providing a diversity of lot sizes. The proposed plans identify the high priority reforestation areas on the site and according to Environmental Planning staff, the proposed forest retention and reforestation areas meet the requirements of the forest conservation law.

The proposed plans are also consistent with the Master Plan in providing a Class I bikeway along the north side of MD 108 that will be located to meander around some of the existing trees to help preserve the rural character of this road. Along

Brooke Road, a Class III on-road bikeway is recommended by the Plan. Submitted plans show a Class I bikeway on the eastern side of Brooke Road that will link to the existing Class I bikeway to the south. The Plan also recommends a pedestrian path along Brooke Road to the community center. A 5-foot sidewalk and a 15-foot wide equestrian easement is proposed on the western side of Brooke Road.

Community-Based Planning staff concurs with the two proposed pedestrian links located on the boundary of the property that will provide access to the Sherwood Elementary School.



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
County Executive

May 15, 2003

Robert C. Hubbard  
Director

Mr. Randy Frey  
Rodgers Consulting, Inc.  
9260 Gaither Road  
Gaithersburg, MD 20877

Re: Stormwater Management **CONCEPT** Request  
for Farquhar Property  
Preliminary Plan #: Pending  
SM File #: 207216  
Tract Size/Zone: 69.7 acres / RNC  
Total Concept Area: 27 acres  
Lots/Block: Proposed Lots 1-31, Block 1  
Parcel(s): A-C  
Watershed: Hawlings River

Dear Mr. Frey:

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 consists of on-site channel protection measures via construction of a detention pond; on-site water quality control via construction of two Montgomery County Sand Filters (MCSF's) and other, nonstructural measures; and onsite recharge via grass swales and storage within the sand filters.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. The release rate from Sand Filter "B" must be considered when computing the allowable channel protection release rate from the pond.
5. The facilities must be designed per current Montgomery County design specifications. The conceptual designs are not acceptable.
6. Do not install the pond forebay.
7. Stormwater management facilities must be located on "Stormwater Management Parcels".
8. Overflows from the sand filters must be piped. Use of overflow weirs will not be allowed.

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. 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 Mark Etheridge at 240-777-6338.

Sincerely,



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

RRB:dm mce

cc: M. Shaneman  
S. Federline  
SM File # 207216

QN -ON; Acres: 27  
QL - ON; Acres: 27  
Recharge is provided