

ATTACHMENT F

Arthur and Tina Williams
7618 Royal Dominion Dr.
Bethesda, MD 20817

March 11, 2005

Tariq A. El-Baba
Associate General Counsel
The Maryland-National Capital
Park and Planning Commission
8787 Georgia Avenue
Suite 205
Silver Spring, MD 20910

Dear Mr. El-Baba

I, Arthur Williams, applicant for abandonment of a portion of unimproved Somerset Lane (AB-668), hereby waive the requirement in Montgomery County Code Section 49-62(g) that the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission ("Planning Board") file its recommendation in this case within sixty (60) days from the date of application. This waiver shall remain in effect until May 16, 2005, unless I agree, in writing, to an extension of the waiver. I understand that the Executive's hearing in AB-668 has been scheduled for March 16, 2005 ("Hearing") and agree that the record of the proceedings should be kept open until such time as the Planning Board's comments on AB-668 have been received by the Executive or Executive's designee. I further understand that the Planning Board will transmit its comments on AB-668 following its concurrent consideration and action upon AB-668 and Preliminary Plan No. 1-05004 (Colcsville Farm Estates).

Sincerely,



Arthur W. Williams III

Arthur and Tina Williams
7618 Royal Dominion Drive
Bethesda, Maryland 20817

May 6, 2005

Tariq A. El-Baba
Associate General Counsel
The Maryland-National Capital
Park and Planning Commission
8787 Georgia Avenue, Suite 205
Silver Spring, Maryland 20910

MAY 06 2005

Dear Mr. El-Baba:

I, Arthur Williams, applicant for abandonment of a portion of unimproved Somerset Lane (AB-668), hereby waive the requirement in Montgomery County Code Section 49-62(g) that the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission ("Planning Board") file its recommendation in this case within sixty (60) days from the date of application. This waiver shall remain in effect until seven days after the Planning Board simultaneously reviews Preliminary Plan No. 1-05004 ("Colesville Farm Estates") and Abandonment Application No. AB-668, unless I agree, in writing to a further extension of the waiver. I understand that the Executive's hearing in AB-668 has been scheduled for March 16, 2005 ("Hearing") and agree that the record of the proceedings should be kept open until such time as the Planning Board's comments on AB-668 have been received by the Executive or Executive's designee. I further understand that the Planning Board will promptly transmit its comments on AB-668 following its concurrent consideration and action upon AB-668 and Preliminary Plan No. 1-05004 (Colesville Farm Estates).

Sincerely,

ARTHUR WILLIAMS

(TSK)

Arthur W. Williams, III

To: Montgomery County Planning Board
Maryland National Capital Park and Planning Commission
From: The Residents of the Orchard Way and Notley Road Communities
Date: January 31, 2005
RE: The Proposed Pedestrian Walkway Between Orchard and Notley via Berkely
"Colesville Farms Estates" Subdivision

We understand that Tina and Arthur Williams are in the process of subdividing the lot next to their house at 911 Orchard Way, in preparation for building a house on that field. During the subdivision process the County has proposed to build a pedestrian walkway that would link Notley and Orchard via Bentley. As neighbors who would be impacted by this walkway, we are writing to demonstrate that this action is not supported by the community it is intended to serve and that the subdivision should proceed without further consideration of such a structure.

We have serious concerns about this proposed pedestrian walkway and the impact it will have on the security, tranquility and continuity of our communities. For over 50 years the Orchard and Notley communities have been stable neighborhoods best typified by their unique enclave character with the tranquility and security that this limited access brings. The issue of movement from one neighborhood to the other has never been raised as a problem – in fact, just the opposite has been discussed. This is considered to be a positive characteristic of our communities. The natural walking patterns are within ones immediate blocks where the daily interactions and lifelong relationships have been well established. Although the positive intentions of those proposing this are understood and appreciated, its retro-fit into established communities such as ours is ill conceived and risky at this point in our community development.

Given the lack of current foot paths in the area that would clearly demonstrate the desire of residents to move between these two areas, it is unclear whether the intended outcome would actually be realized. What is clear, however, is that the potential to alter the security, safety and privacy of residents in these neighborhoods will increase in ways not beneficial to either area. This is especially true for the families living in the immediate vicinity of the proposed walkway that will be forced to bear a significant change to their living standards. Children will no longer be able to play independently in their own backyards since any stranger with ill intent would have both direct access to them and a very convenient escape route to an entirely different neighborhood. The same holds true for the potential theft of personal property such as bikes, lawn furniture, generators, etc., in the exposed yards closest to the walkway. Just as ominous is the increased potential for house break-ins, since ingress and egress to these properties would be facilitated by this pathway. Privacy would be completely eliminated for these families in that the current placement of the houses on the lots would necessitate the walkway pass very close to these homes – within 5 feet in one case. While security concerns are particularly acute for these families, the potential for increased access brings with it a potential for increased crime throughout both neighborhoods. Under any scenario it certainly cannot be argued that this action will have a positive impact on neighborhood security.

This attempt to socially re-engineer these well established, comfortable and safe neighborhoods are of particular concern given the absence of a request from anyone that mutual access is now a necessity. What could possibly be the justification for such action when those involved neither asked for it and don't want it to take place? It is presumptuous to believe that the County now feels it must change what has naturally evolved over the course of decades even though there is no evidence that there is now a need where

none previously existed. We have no desire to be part of a social experiment regardless of the positive intensions that precipitated the proposed actions.

We, the undersigned, do not want this pedestrian walkway in our communities and feel it is an unwarranted and unjustifiable intrusion into the safety, social continuity and history of our neighborhoods. We urge that county listen to the will of its residents and conclude the subdivision process without further consideration of a pedestrian walkway.

Walter J. F. [Signature]
901 BIRCHMARD WAY
- 3 - MD - 20904

Angie Maske
13715 Berkeley Rd.
Silver Spring, MD
20904

Paula [Signature]
1000 NUTLEY RD
S S MD 20904

David P. [Signature]
910 Nutley Rd
Silver Spring MD
20904

[Signature]
400 Nutley Rd
S S MD 20904

[Signature]
900 Nutley Rd
S S MD 20904

[Signature]
904 Orchard Way
Silver Spring MD
20904

Stephen S. Spottwood & Sheila A. Spottwood
13716 Berkeley Rd.
Silver Spring, Md 20904

To: Montgomery County Planning Board
Maryland National Capital Park and Planning Commission
From: The Residents of the Orchard Way and Notley Road Communities
Date: January 31, 2005
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This attempt to socially re-engineer these well established, comfortable and safe neighborhoods are of particular concern given the absence of a request from anyone that mutual access is now a necessity. What could possibly be the justification for such action when those involved neither asked for it and don't want it to take place? It is presumptuous to believe that the County now feels it must change what has naturally evolved over the course of decades even though there is no evidence that there is now a need where none previously existed. We have no desire to be

part of a social experiment regardless of the positive intensions that precipitated the proposed actions.

We, the undersigned, do not want this pedestrian walkway in our communities and feel it is an unwarranted and unjustifiable intrusion into the safety, social continuity and history of our neighborhoods. We urge the County to listen to the will of its residents and conclude the subdivision process without further consideration of a pedestrian walkway.

William Gray
812 Nodder Rd.
Silver Spring, Md. 20904
William T. Gray

Arthur W. Williams^{TD}
911 Orchard Way
1001 Orchard Way
Silver Spring, MD 20904

Thomas and Sharon Greene
904 Orchard Way
Silver Spring, Maryland 20904
301 236-9707

April 14, 2005

Maryland-National Capital Park and Planning Commission
Development Review Division
8787 Georgia Ave.
Silver Spring, Maryland 20910

Ref: Plan of Subdivision 1-05004; Name of Plan: Colesville Farm Estates;
Location: 911 and 1001 Orchard Way, Silver Spring, MD 20904

Dear Commission Members:

We are writing in reference to the above plan. We reside directly across the street (904 Orchard Way, Lot 12) from the proposed development.

Initially, we were under the impression that the plans were already approved. Upon further discovery, we found this not to be the case and we would like to offer the following opinions:

While we do not want to block Mr. Arthur Williams's application for a new home, we do regret the loss of the now vacant lot, i.e. the right of way for Somerset Lane. This area provides a scenic and natural area enhancing the beauty of our street. It also is a recreational area for children to play games such as baseball and football. We would also like to see exactly what kind of home is being proposed. Also is more than one home being proposed? We would be definitely against that kind of development.

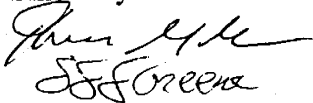
We believe that a proposed pedestrian/bike path, as shown in the above proposal, linking Orchard Way and Notley Road, would be beneficial to two neighborhoods, Paint Branch Farms and Colesville Farm Estates. As it stands now, to traverse from one neighborhood to the other, one must cut through owners' yards or travel up to New Hampshire Avenue, a busy six-lane highway, about a mile away.

The neighborhoods should be connected; this will provide access to facilities such as the Twin Farms Community Pool and the Colesville Shopping Centers, and open more neighborhoods for walking, running, and bicycle riding. Thus making both neighborhoods more desirable places to live and restricting the amount of car use. As an example, for our family to access the Twin Farms Pool, we must drive

to New Hampshire Ave., then Randolph Road, and finally Fairland Road. If the walkway was built, this would be a ten minute bike ride as opposed to a 10 minute or longer car ride. Needless to say, anything to reduce traffic congestion should be appreciated by all. For us walkers/runners, we are limited to two streets in our neighborhood, Hobbs Drive and Orchard Way. It would be nice if we could use all of the streets in Paint Branch Farms, as well as our own, without having to use the pedestrian-unfriendly New Hampshire Avenue.

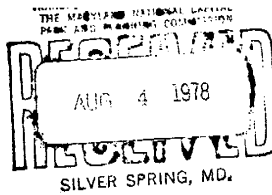
As opposed to Mr. Williams' letter, we do not wish to remain separate from the other neighborhoods. We look forward to joining them and we believe they will too. We regret signing Mr. Williams's letter; it was done in haste and an incomplete understanding of the proposal. We apologize for the misunderstanding. We now wish to be recorded as in favor of a paved walkway on the Somerset Lane right-of-way. Neighborhoods that are connected by biking or walking, will improve the livability for everyone. We think this is what was desired in the Master Plan for the Colesville area. Thank you again for your consideration in this matter.

Sincerely:

Handwritten signatures of Thomas and Sharon Greene. The first signature is in cursive and appears to be 'Thomas', and the second is 'Sharon'.

Thomas and Sharon Greene

C.C. Mr. Mike Cassidy, Office of Real Estate, Montgomery County Dept. of Public Works and Transportation



Resolution 8-2038
Introduced June 20, 1978
Adopted June 20, 1978

COUNTY COUNCIL

FOR MONTGOMERY COUNTY, MARYLAND

SUBJECT: Notley Road DOT Docket No. AB-401

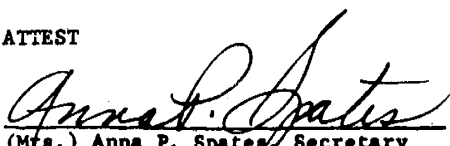
- WHEREAS the County has been petitioned by W. M. Emshwiller to abandon a portion of Notley Road in Colesville Farm Estates; and
- WHEREAS a Public Hearing to consider the abandonment proposal was conducted on January 31, 1978 by Designee of the County Executive; and
- WHEREAS there was no opposition expressed to the abandonment; and
- WHEREAS the Chesapeake and Potomac Telephone Company, Washington Gas Light Company and Washington Suburban Sanitary Commission indicated no objection; and
- WHEREAS the Potomac Electric Power Company expressed no objection provided it is granted an easement for its overhead power line crossing; and
- WHEREAS the Montgomery County Planning Board consented to the abandonment with the requirement that petitioner dedicate sufficient area to provide standard right-of-way width for the remaining portion of Notley Road; and
- WHEREAS the Montgomery County Department of Transportation consented to the abandonment providing there is no conflict with the future development of Parcel P420 which abuts Notley Road; and
- WHEREAS the Hearing Officer recommended conditional approval of the abandonment, as indicated in his Report and Recommendation; and
- WHEREAS the County Executive concurred with recommendation of the Hearing Officer;

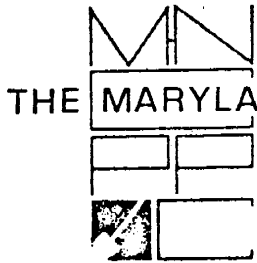
NOW, THEREFORE, BE IT RESOLVED by the County Council for Montgomery County, Maryland, that

1. The County Council finds that the northeasterly spur of Notley Road is no longer necessary for present or anticipated future public use.
2. Pursuant to Section 49-62 of the Montgomery County Code, as amended, the County Council hereby abandons an approximate 15,000 square feet area of Notley Road right-of-way which borders Lots 9, 10 and Outlot "A" in Block F, which was dedicated to public use in Plat Book 31 at Plat No. 1917 entitled "Plat 3- Colesville Farm Estates"; effective upon meeting the following conditions:
 - (a) grant of 10 feet wide easement for overhead power line utility crossing,
 - (b) dedication, by the petitioner, of sufficient area which would provide for a minimum 60 feet wide Notley Road right-of-way at its intersection with Grasmere Road, and
 - (c) filing of a further Plat to assemble land accruing from the abandonment with the abutting properties, at no cost to the County.
3. The County Attorney shall cause authenticated copy of this Resolution to be filed in the County Land Records in conformity with the Montgomery County Code.

A True Copy

ATTEST


(Mrs.) Anna P. Spates, Secretary
of the County Council for
Montgomery County, Maryland



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20907

(301) 589-1480

January 27, 1978

Mr. Edward Borysiewicz
Staff Services Coordinator
Mont. Co. Dept. of Transportation
Room 505 - 6110 Executive Blvd.
Rockville, Maryland 20852

Re: Notley Rd.
DOT Docket No. AB-401

Dear Mr. Borysiewicz

I am writing to advise you that the Montgomery County Board considered the petition for the abandonment of a segment of Notley Rd. abutting lots 9 & 10, Bk F in the "Colesville Farm Estates" subdivision at its meeting of January 26, 1978.

At that time the Board voted to recommend the street be abandoned, with the condition that the abutting lots be resubdivided, including out lot "A".

The petitioner will be required, at the time of re-subdivision, to dedicate the area needed to bring the existing Right-of-Way to Montgomery County Secondary street standards.

If you have any questions in regard to this matter please contact me.

Very truly yours,

John J. Broda, Coordinator
Subdivision Office
Development Review Division

JJB:gg



Department of Transportation

218NE-2

MONTGOMERY COUNTY, MARYLAND

ROOM 505 • 6110 EXECUTIVE BOULEVARD, ROCKVILLE, MARYLAND 20852

DEC 9 1977
864

December 8, 1977

Dr. Royce Hanson, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20907

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
RECEIVED
DEC 9 1977
SILVER SPRING, MD.

Re: Notley Road
DOT Docket No. AB-401

Dear Dr. Hanson:

Enclosed for review by the Maryland National Capital Park and Planning Commission is Executive Order AB-23-77 describing subject petition for abandonment, with attached copy of location map.

It is hereby requested that the Planning Board submit its recommendation to the Department of Transportation prior to date of Public Hearing.

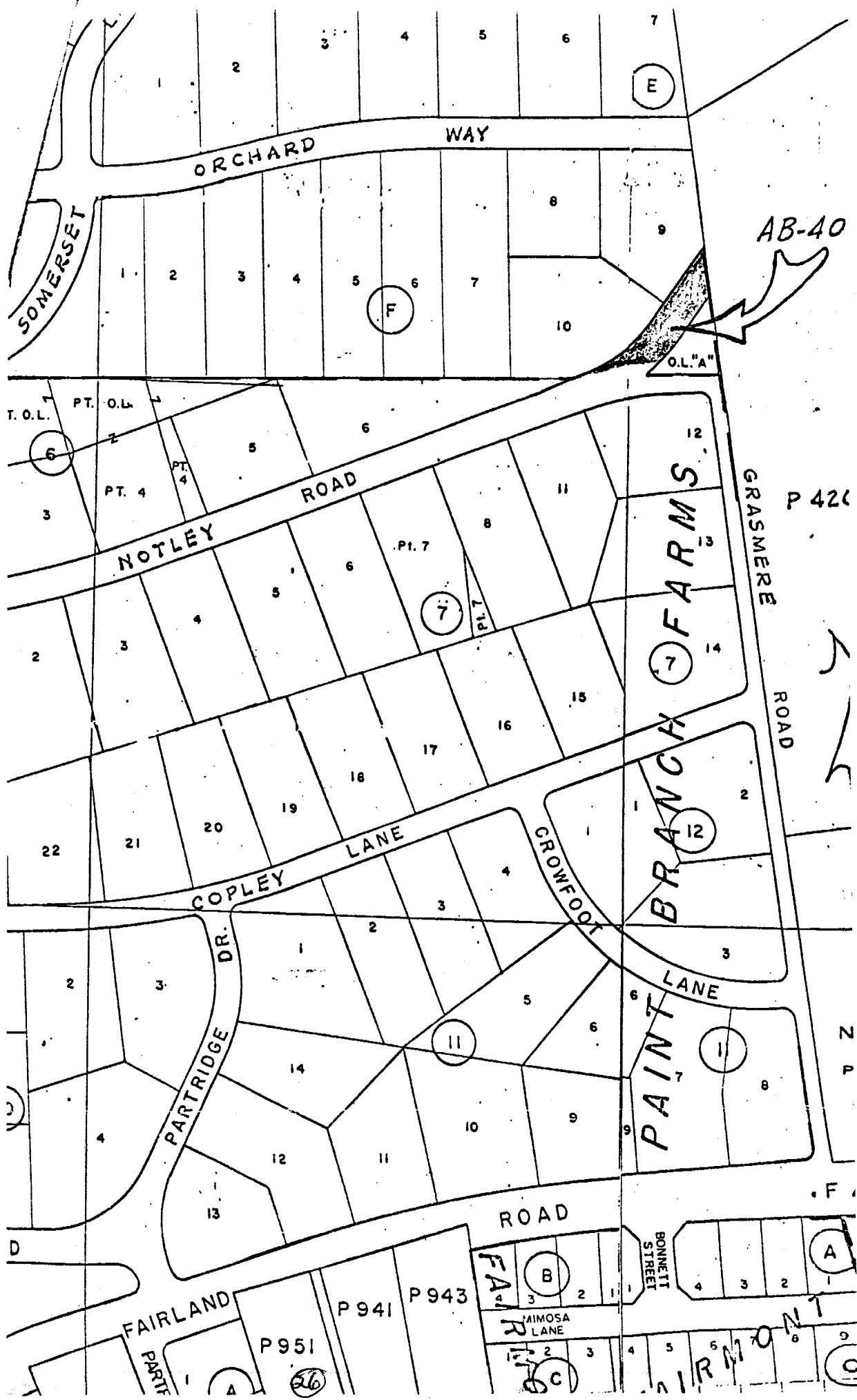
TRANSPORTATION PLANNING DIVISION
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
RECEIVED
DEC 12 1977
SILVER SPRING, MD.

Sincerely,

Edward Borysiewicz
Staff Services Coordinator

EB:aw

Attachment



AB-40

O.L. "A"

P 426

GRASMERE ROAD

PAINT BRANCH FARMS

CROWFOOT LANE

PAINT BRANCH FARMS

ROAD

BONNETT STREET

MIMOSA LANE

FAIRLAND

VERMONT

T.O.L.

PT. O.L.

PT. 4

PT. 7

PT. 7

P 951

P 941

P 943

N

F

A

C

56

50

Office Of The County Executive
Montgomery County, Maryland

Executive Order

Number AB-23-77

Subject Notley Road
DOT Docket No. AB-401

Effective Date
November 11, 1977

Originating
Department

DEPARTMENT OF TRANSPORTATION

1. Pursuant to Section 49-62 of the Montgomery County Code (1972 Edition as amended), the County Executive or his Designee shall conduct a Public Hearing -

at 8:00 P. M. on Tuesday, January 31, 1978 in the Auditorium (on First Floor) of the County Office Building at Rockville,

to consider a Petition heretofore submitted by W. M. Emshwiller seeking the abandonment of -

a segment of Notley Road right-of-way abutting Lots 9 and 10, Block F, located within "Colesville Farm Estates" Subdivision, in the 5th Election District;

as more fully described on Exhibits which are available for examination at the Rockville offices of the Montgomery County Department of Transportation at 6110 Executive Boulevard.
2. After the aforesaid Hearing, the Hearing Officer shall report his findings and recommendations to the County Executive for further consideration as prescribed by the County Code.

Approved



Chief Administrative Officer

EB:aw

Copy to: County Executive File
Secretary of Council

RESOLUTION 12-625
INTRODUCED April 28, 1992
ADOPTED April 28, 1992

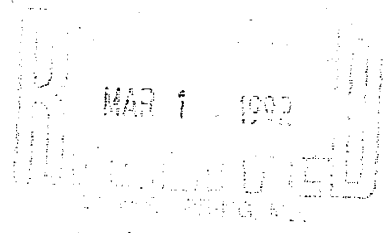
**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By County Council

SUBJECT: DOT DOCKET NO. AB 593 - ABANDONMENT OF A PORTION OF MONOCACY DRIVE

BACKGROUND

1. Donald A. and Marilyn S. Boerum, Nancy B. Falcigno, and Brian P. Daitch petitioned the County for abandonment of a portion of Monocacy Drive described as a 60 foot wide dedicated, unimproved, non-maintained right of way extending 258 feet and consisting of 15,480 square feet. Monocacy Drive is located in Colesville Farm Estates, Silver Spring, and recorded as Plat 1915 in Plat Book 31.
2. A public hearing to consider the abandonment proposal was conducted on January 8, 1992 by Philip J. Tierney, Designee of the County Executive.
3. The Washington Suburban Sanitary Commission granted a conditional approval.
4. The Washington Gas Company and Potomac Electric Power Company granted approval to the proposed abandonment.
5. The Department of Fire and Rescue and Department of Police have no objections to the proposed abandonment.
6. The Montgomery County Planning Board, recommended approval of the abandonment.
7. The Department of Transportation recommended a conditional approval of the abandonment.
9. The County Executive recommended conditional approval of the abandonment.



IN THE MATTER OF:

THE PETITION OF DONALD A. AND MARILYN
S. BOERUM, NANCY B. FALCIGNO AND BRIAN
P. DAITCH FOR THE ABANDONMENT OF
A PORTION OF MONOCACY DRIVE, SILVER
SPRING, IN THE 5TH ELECTION DISTRICT.

Department of Transportation
Docket No. AB-593 (DOT Referral
No. 91-4)

Before: Philip J. Tierney, Hearing Examiner

HEARING EXAMINER'S REPORT AND RECOMMENDATION

I. PROCEDURAL STATUS

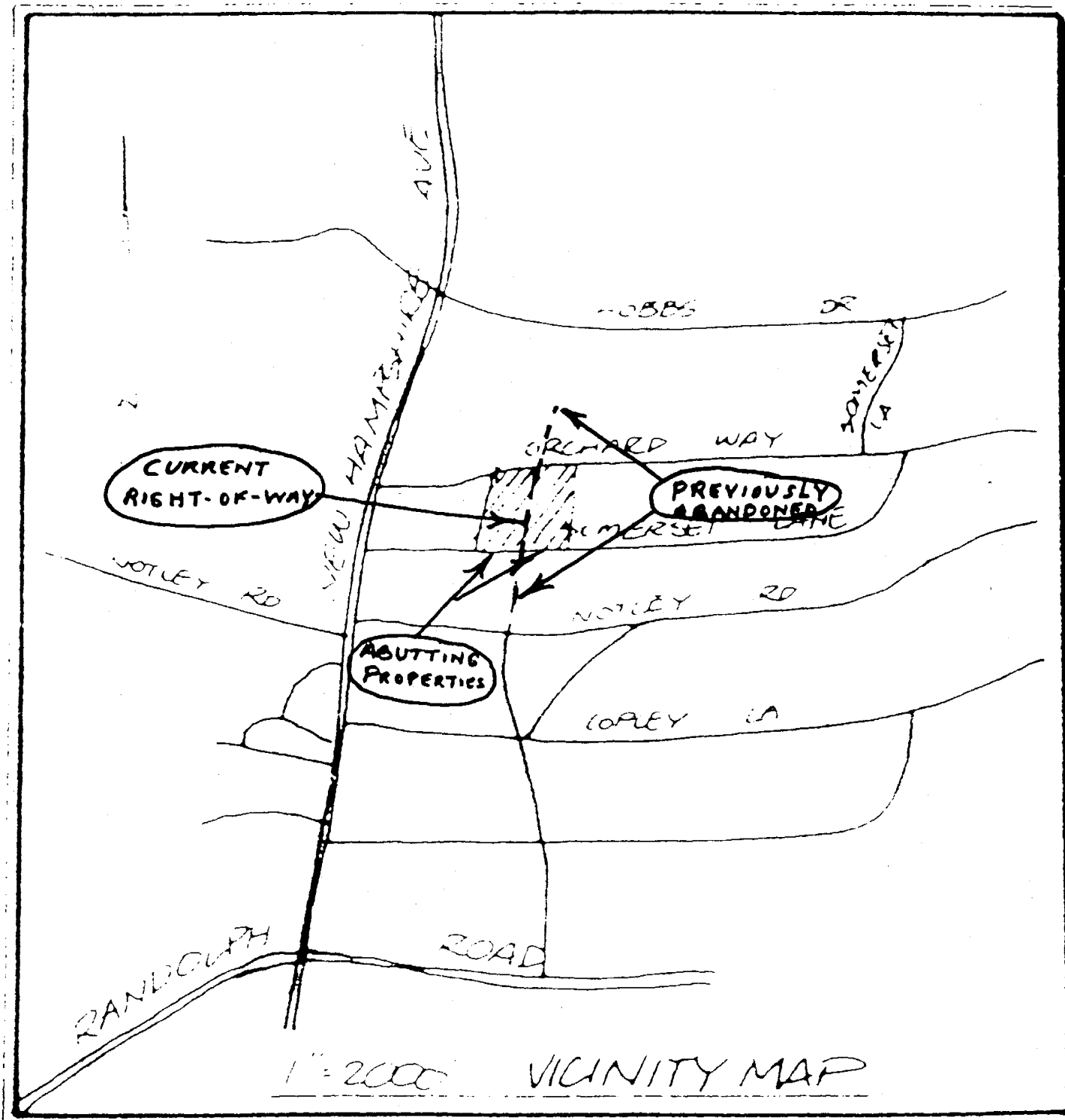
On May 13, 1991, Donald A. and Marilyn S. Boerum, Nancy B. Falcigno and Brian P. Daitch, residents of Orchard Way and abutting property owners to an unbuilt right-of-way for Monocacy Drive, Silver Spring, filed a petition with the County Executive for its abandonment.

Executive Order No. 330-91, dated October 28, 1991, authorized a hearing on the petition and designated a hearing examiner to preside. Public notice was provided by way of newspaper publication, a sign posted on the right-of-way property, and certified mail to abutting property owners. The hearing was convened as scheduled on January 8, 1992, and testimony received in support of the petition. No one appeared in opposition at the hearing although several letters from residents of Orchard Way were filed during the period the record remained open. At the conclusion of the hearing, the record was held open until January 31, 1992, in order to permit the filing of additional comments.

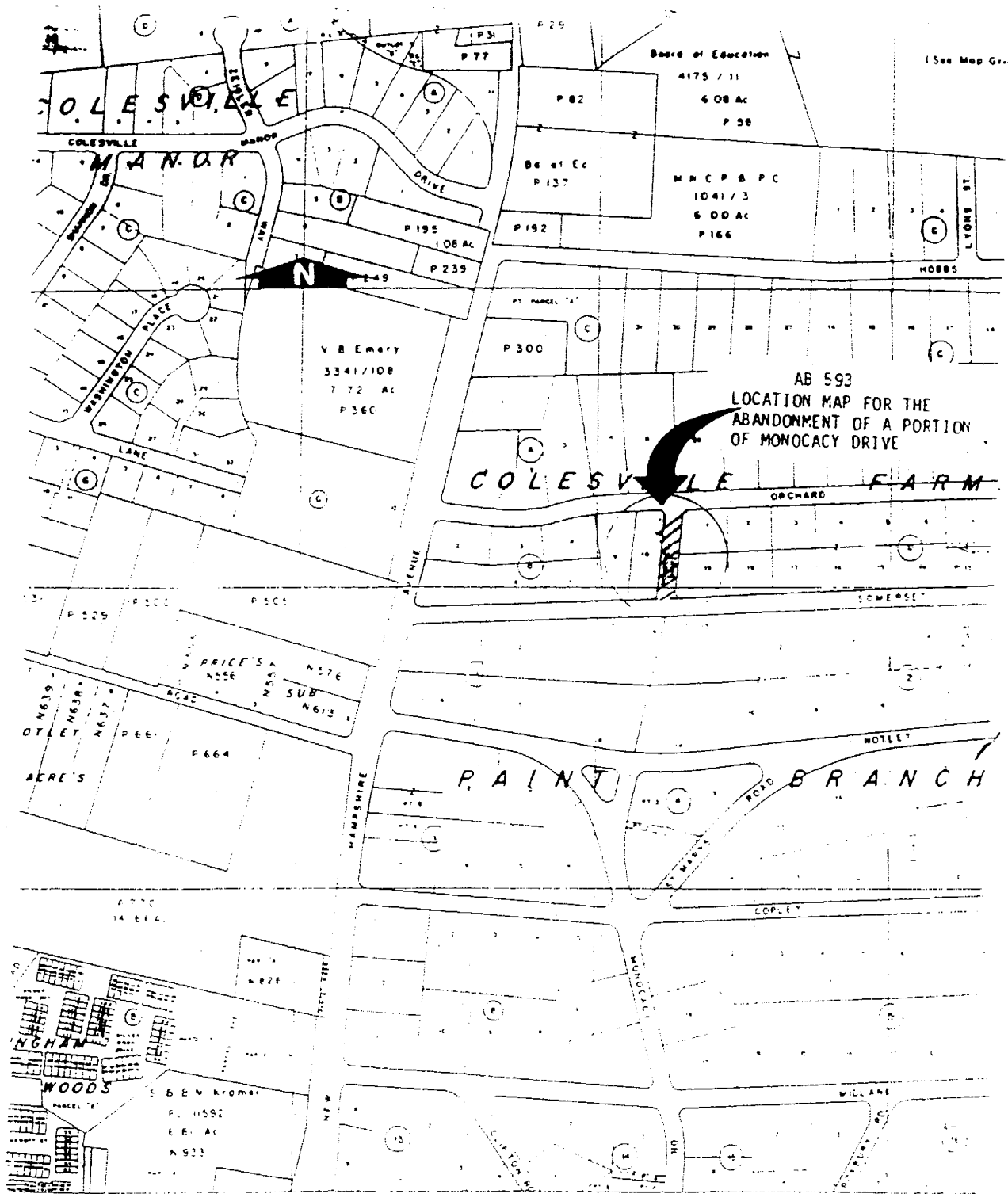
II. FACTUAL BACKGROUND

The petition includes all the property owners that abut the Monocacy Drive right-of-way as proposed for abandonment. This right-of-way is located about 1,600 feet east of New Hampshire Avenue and is the last segment of an unbuilt right-of-way that once extended from Notley Road on the south to just south of Hobbs Drive on the north. Segments of the right-of-way north and south of the

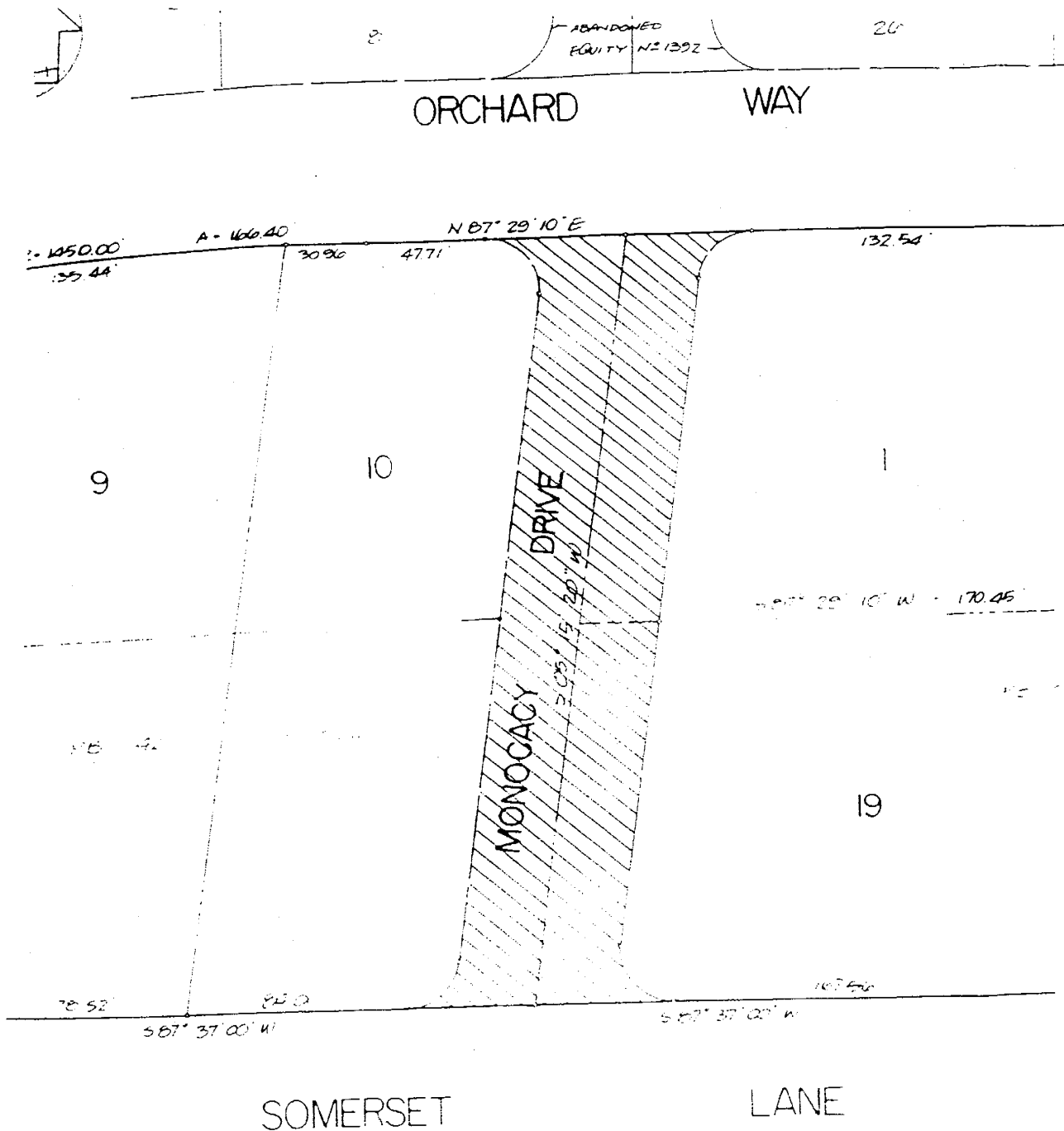
current right-of-way were previously abandoned. The location of the right-of-way, abutting properties and the previously abandoned portions of the right-of-way are depicted below.



The current right-of-way for Monocacy Drive extends between Orchard Way and Somerset Lane, an unbuilt county street. The right-of-way is 60 feet wide, extends 258 feet in length, and consists of 15,480 square feet. It abuts three lots, one on the west and two on the east. The configuration of the right-of-way is depicted below.



The three lots that abut the right-of-way all have direct access to Orchard Way and are not dependent on the Monocacy Drive right-of-way for any access purposes. Ms. Falcigno owns lot 10. Mr. and Mrs. Boerum own lot 1 and sold lot 19 to Mr. Daitch granting him a driveway easement through lot 1 to Orchard Way. These lots and their relationship to the right-of-way are depicted below.



III. SUMMARY OF TESTIMONY AND EVIDENCE

Under the provisions of Section 49-62, Montgomery County Code (1984, Supp. No. 10), several public agencies and utilities are required to review the petition. The Washington Suburban Sanitary Commission (WSSC) reviewed the petition and, by letter dated September 9, 1991, indicated that an 8 inch water main and 8 inch sanitary sewer line are located within the right-of-way and any abandonment must be conditioned upon granting WSSC necessary easements that will protect the integrity of the utility lines. The Potomac Electric Power Company also reviewed the petition and, by letter dated November 13, 1991, indicated that it does not have any existing facilities within the right-of-way and has no objection to the proposed abandonment. The Washington Gas Company responded by letter, dated November 20, 1991, and likewise indicated that it does not have any existing facilities within the right-of-way and no objection to the abandonment.

The Montgomery County Department of Police, by letter dated November 25, 1991, concluded that the abandonment will not hamper the Department's ability to provide public safety services in the immediate area and indicated that it has no objection to the abandonment. The Department of Fire and Rescue Services reviewed the petition and also indicated no objection to the proposed abandonment.

The petition was also reviewed by the Montgomery County Department of Transportation (DOT) which, by memorandum dated January 8, 1992, recommended approval with conditions. The Montgomery County Planning Board considered the petition on January 16, 1992 and recommended approval of the abandonment.

Frances A. Marcus is a Property Acquisition Specialist for the Montgomery County DOT. She described the area proposed for abandonment as well as the surrounding vicinity and submitted evidence that public agencies and affected utilities have no objection to the proposed abandonment. She presented DOT's recommendation of conditional approval and explained that the conditions are included to ensure that no existing lots are denied access, and that the WSSC will

retain appropriate easements to protect the integrity of water and sewer facilities within the right-of-way.

Donald A. Boerum is one of the Petitioners and resides at 601 Orchard Way. He testified that two segments of the Monocacy Drive right-of-way north and south of the proposed abandonment have already been abandoned. He concluded that the right-of-way is no longer necessary for present or future public use and the abandonment will protect the health, safety and welfare of residents of the neighborhood. He indicated that off-road vehicles currently use the right-of-way and create safety hazards for pedestrians and children playing there. Closing the right-of-way to all but pedestrian traffic would promote safety for area residents. He indicated that the Petitioners would be agreeable to maintaining pedestrian use of the right-of-way. He testified that lot 19, located immediately south of his property, has direct access to Orchard Way by way of an easement through his property.

Several residents of Orchard Way were unable to attend the hearing and filed written opposition. Jeffrey A. Bloom, a resident of 900 Orchard Way, opposes the abandonment of the right-of-way because it has been used by walkers, joggers and neighborhood children for many years as a pedestrian path which provides an alternative to New Hampshire Avenue. He also contends that the right-of-way provides open space for the community. John C. and Mary R. Price, residents of 707 Orchard Way, oppose the abandonment because the right-of-way adds value and enjoyment to the neighborhood and should remain as a public right-of-way to serve the general interests of the community. They contend that Monocacy Drive could provide future access to Somerset Lane and relieve the internal traffic circulation for the neighborhood.

IV. FINDINGS AND CONCLUSIONS

The abandonment of road rights-of-way is governed by the provisions of Chapter 49, Montgomery County Code, Sections 62 and 63 (1984, Supp. No. 10). These

two sections establish both procedural and substantive requirements. Section 49-62 establishes the procedural requisites which permit applications to be filed by any person, provide for mandatory public agency and utility company review, and require a public hearing with notice. These procedural requirements have been satisfied.

The substantive requirements are contained in Section 49-63 and provide as follows:

* * *

(b) No road or right-of-way may be abandoned or closed unless the council shall find that the record indicates by a preponderance of the evidence that:

(1) The road or right-of-way is no longer necessary for present public use or anticipated public use in the foreseeable future, or

(2) The abandonment or closing is necessary to protect the health, safety and welfare of the residents in the neighborhood of the road or right-of-way to be abandoned or closed in view of any or all of the following considerations:

a. The master plan applicable to the neighborhood.

b. Safe and efficient pedestrian and vehicular traffic patterns and flows, together with alternatives, in the immediate neighborhood, both as to local and through traffic.

c. Changes in fact and circumstances since the original dedication of the road or right-of-way to be abandoned or closed.

(c) No road or right-of-way which is the sole means of ingress and egress to any property may be abandoned or closed. [Emphasis supplied]

Hence there are alternative grounds for an abandonment, that is, lack of need or a public interest basis. The evidence presented addresses both alternatives. The preponderance of evidence demonstrates that the right-of-way is no longer necessary for present or future public use. While two Orchard Way residents contend that the right-of-way may be necessary for a future connection to Somerset Lane, there is no public agency support for this contention. Indeed, all

public agencies indicate that the right-of-way is not necessary for any present or future public use. This particular right-of-way does not serve any regional traffic function and two connecting segments of it have already been abandoned. New Hampshire Avenue is currently scheduled for road widening to address regional traffic. The petition therefore satisfies the requirements of Section 49-63(b)(1).

Evidence about the public interest benefits of the abandonment is mixed. Several residents of Orchard Way contend that the right-of-way functions as a pedestrian thoroughfare and should be retained for this purpose. The Petitioners agree that the pedestrian path should continue and contend the abandonment is necessary to stop off-road vehicles that threaten pedestrian safety. I conclude that the abandonment is necessary for pedestrian safety and is therefore necessary to protect the health, safety and welfare of residents of the neighborhood provided the abandonment does not cut off the existing pedestrian thoroughfare.

Lastly, the provisions of Section 49-63(c) prohibit an abandonment when the right-of-way is the sole means of ingress and egress to any property. Lot 19 is owned by one of the Petitioners, Brian P. Daitch, who has an easement through lot 1 directly to Orchard Way. The right-of-way does not provide sole means of ingress and egress for any of the abutting lots and the provisions of Section 49-63(c), therefore, do not apply.

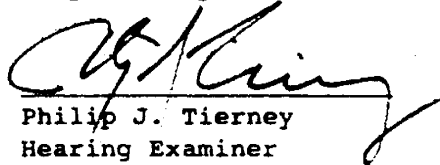
V. RECOMMENDATION

Based on a thorough review of all the testimony and evidence of record, it is my recommendation that the petition to abandon Monocacy Drive as it abuts lot 10 on the west and lots 1 and 19 on the east, and as depicted on page 4 of this report, be granted with the following conditions: (1) that a public pedestrian right-of-way be retained within the abandoned right-of-way with Petitioners having individual and collective responsibility for above-ground care and maintenance of the pedestrian right-of-way; (2) that no existing lots are denied access; (3) that

the Petitioners grant WSSC an easement for water and sewer facilities within the right-of-way with prior review of all necessary easement documents by the WSSC Survey Review Section; (4) that WSSC assessments on abutting properties be continued for the life of the WSSC bond; and (5) that the Petitioners bear the costs for necessary easement documents.

Dated: February 7, 1992


Respectfully Submitted,


Philip J. Tierney
Hearing Examiner

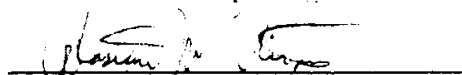
PJT:nz

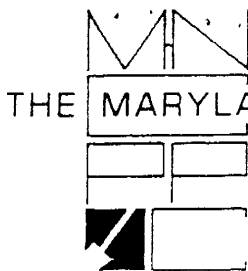
The Hearing Examiner's Recommendation has been reviewed and is approved:

Date: 3/9/92


Neal Potter
County Executive

Date: 3/6/92


William H. Hussmann
Chief Administrative Officer



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

(301) 495-4605

February 4, 1992

Mr. George W. Mosburger
Chief, Office of Property Acquisition
Montgomery County Department
of Transportation
Executive Office Building
101 Monroe Street
Rockville, MD 20850

RE: DOT Docket No. AB 593
Abandonment of a Portion of
Monocacy Drive

Dear Mr. Mosburger:

The Montgomery County Planning Board considered the referenced abandonment at its regularly scheduled meeting of January 16, 1992 and voted to recommend approval of the abandonment.

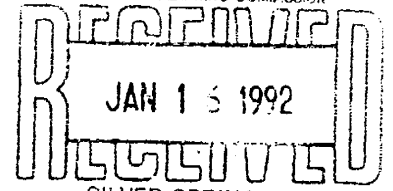
Sincerely,

Richmond M. Keeney
Acting Chairman

RMK:PBW:kcw/ab593.1tr

ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE

TECHNICAL PLANNING DIVISION
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION



FILE NUMBER: 920034 DATE RECEIVED: 01/16/92

CORRESPONDENCE TYPE: letter DATE OF LETTER: 01/10/92

AGENDA DATE:

TO: Bauman

FROM: Frances A. Marcus

SUBJECT:

Letter from MC DOT requests recommendation of PB re proposed abandonment of portion of Monocacy Drive, Colesville Farm Estates, Silver Spring. RESPONSE NEEDED BY JANUARY 31.

TRANSMITTED TO: Pl. Dept./GB

COPIES TO: Willard

DATE DUE: BY 1/31

[] PREPARE REPLY FOR CHAIRMAN'S SIGNATURE

[] REPLY; CC TO CHAIRMAN

REMARKS FROM CHAIRMAN'S OFFICE:

For PB review.

PLANNING DIRECTOR'S OFFICE

DATE RECEIVED BY PDO: DATE SENT TO DIVISION:

RESPONSIBLE STAFF:

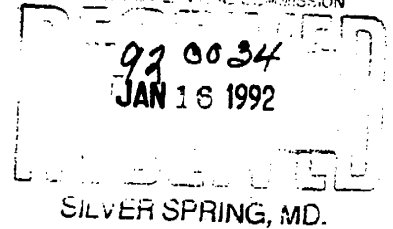
DIVISION:

REMARKS FROM DIRECTOR'S OFFICE:



Montgomery County Government

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



January 10, 1992

GUS BAUMAN, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

RE: DOT DOCKET NO. 593
Abandonment of a Portion
of Monocacy Drive

Dear Mr. Bauman:

The public hearing for the abandonment of Monocacy Drive as per Executive Order No. 330-91 was held on January 8, 1992. In order for the hearing officer to make a recommendation and, according to the County Code, your response is necessary for the final decision.

Please send me your response no later than January 31, 1992. If you have any questions, give me a call at (301) 217-2156. Thank you.

Sincerely,

Frances Marcus

FRANCES A. MARCUS
Property Acquisition Specialist

FAM:mm
3595/13
Enclosures

Executive Order

Office of the County Executive
Montgomery County, Maryland

COPY

Subject	DOT DOCKET NO. AB 593 - ABANDONMENT OF A PORTION OF MONOCACY DRIVE - SILVER SPRING, MD - FIFTH DISTRICT	Executive Order No.	330-91	Subject Suffix	AB
Originating Department	TRANSPORTATION	Dept. Number	5-91	Effective Date	10-28-91

- Pursuant to Section 49-62 of the Montgomery County Code 1984, the County Executive or his Designee shall conduct a Public Hearing

at 4:00 p.m. on Wednesday, January 8, 1992 in the Executive Office Lobby Auditorium, 101 Monroe Street, Rockville, Maryland

to consider a petition submitted by Donald A. Boerum, Marilyn S. Boerum, Nancy B. Falcigno, and Brian P. Daitch, petitioners for the abandonment of Monocacy Drive from Orchard Way to Somerset Lane, in the subdivision of Colesville Farm Estates, Silver Spring, Maryland. Located in the Fifth District of Montgomery County.

as more fully described on Exhibits which are available for examination at the Montgomery County Department of Transportation, Office of Property Acquisition located at 101 Monroe Street, 10th Floor, Rockville, Maryland.

- After the aforesaid Hearing, the Hearing Officer shall report his findings and recommendations to the County Executive for further consideration as prescribed by the County Code.

Approved as to Form and Legality
Office of the County Attorney

APPROVED

By: Gayle Libby Curtiss
Date: 1/13/92

Alastair McArthur
Alastair McArthur, Senior Assistant
Chief Administrative Officer

Distribution:

County Executive's File
Kathleen A. Freedman, Secretary
County Council
Department of Transportation
Philip J. Tierney



January 13, 1992

MEMORANDUM

TO: Montgomery County Planning Board

FROM: Patricia B. Willard, Highway Coordinator *PBW*
Transportation Planning Division

SUBJECT: DOT Docket No. AB-593
Abandonment of a Portion of Monocacy Drive

RECOMMENDATION - Approval

This abandonment request is for the portion of Monocacy Drive between Somerset Lane and Orchard Way. Monocacy Drive is a dedicated but unbuilt street that originally extended, parallel to New Hampshire Avenue (MD 650), from East Randolph Road northward to the church property on the south side of Hobbs Drive. Two sections of this paper street have previously been abandoned - the section north of Orchard Way and the section between Notley Road and Somerset Lane (see location map).

The abandonment request was first pursued through a pre-preliminary plan (No. 7-91035) but, because of an existing sewer line, could not be pursued through the preliminary plan process and is proceeding through the standard County process. The Greater Colesville Citizens Association submitted a letter for the record as part of the pre-preliminary plan review. That letter is attached for your information. The letter and drawing included with the letter point out that, within this community, a number of the dedicated streets have never been built. The letter expresses a desire to keep the right-of-way as public space although no desire to have the roads constructed is expressed. These unbuilt streets include Somerset Lane between New Hampshire Avenue (MD 650) and Orchard Way as well as Monocacy Drive and a portion of Berkley Road. The community has access only to New Hampshire Avenue (MD 650) except for Clifton Road which is one block long between Midland Road and East Randolph Road. The community consists of two segments, with Orchard Way, Somerset Lane, and Hobbs Drive forming one interconnected network and the area to the south of Somerset forming the other one. Staff believes that better internal circulation within the community is desirable but is not certain that any of these streets

will ever be constructed. Given that the portions of Monocacy Lane on either side of this requested abandonment have already been abandoned, we have no objection to the abandonment of this portion.

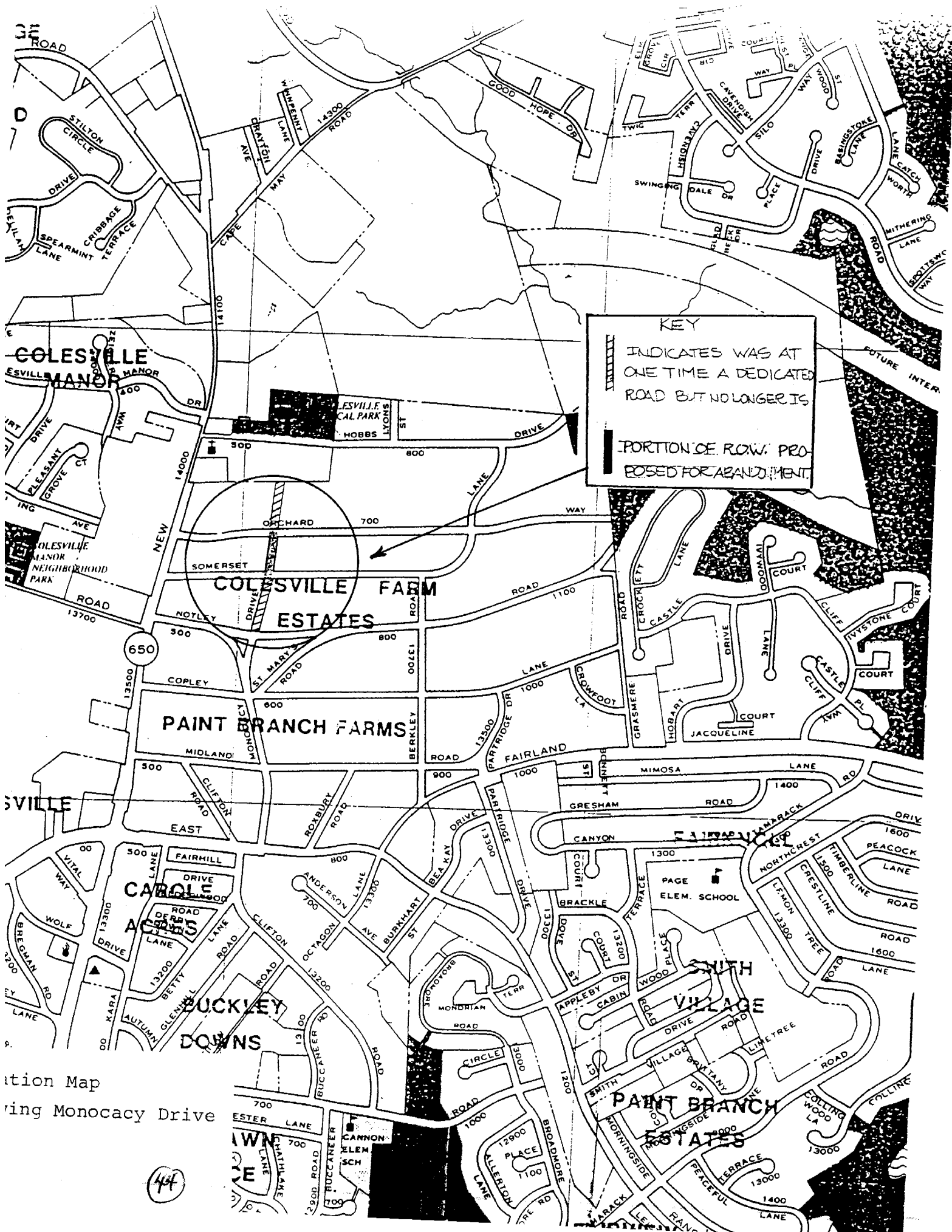
The findings that are necessary in order for the County Council to approve an abandonment, "The road or right-of-way is no longer necessary for present public use or anticipated public use in the foreseeable future" can be made in this case. The lots that front on Somerset Lane are being developed with drive-ways to either Notley Road or Orchard Way on easements across the lots that front on those streets. This pattern makes the construction of Somerset Lane improbable.

The residential area in the immediate vicinity of Monocacy Drive is zoned RE-1. The area was previously zoned R-200. The 1981 Approved and Adopted Master Plan for Eastern Montgomery County recommended RE-1 zoning for this residential area. The subsequent Sectional Map Amendment (G-337) rezoned the area to RE-1. Any re-subdivisions in the area rezoned RE-1 would have to conform to the standards of the RE-1 zone.

In summary, staff has reviewed the abandonment request and recommends approval.

PBW:kcw/ab593.pw

cc: Piera Weiss



KEY

INDICATES WAS AT ONE TIME A DEDICATED ROAD BUT NO LONGER IS

PORTION OF ROAD PROPOSED FOR ABANDONMENT

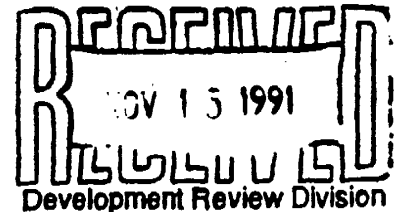
ation Map
ing Monocacy Drive

44

Greater Colesville Citizens Association
P. O. Box 4087
Colesville, Maryland 20914

September 22, 1991

Mr. Joe Davis
MNCPPC Subdivision Office
Development Review Division
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760



Dear Mr. Davis,

The Greater Colesville Citizens Association (GCCA) has reviewed Pre-preliminary plan 7-91035 to abandon the Monacacy Drive right-of-way between the Somerset Lane right-of-way and Orchard Way. The following information should be considered by staff before making a decision to abandon the right-of-way.

A review of the Colesville Farm Estates and Paint Branch Farms subdivisions reveals that the following platted streets were never built:

1. Somerset Lane between New Hampshire Ave. and Orchard Way
2. Monacacy Drive between Orchard Way and Randolph Road
3. Fifty percent of Roxbury Road between Midland Road and Randolph Road
4. Ninety percent of Berkley Road between Fairland Road and Notley Road
5. Fifty percent of Crowfoot Lane between Midland Road and Grasmere Road
6. Grasmere Road between Midland Road and Randolph Road.
7. The Partridge Drive/Midland Road connection to Randolph Road.

The enclosed map illustrates the status of the streets in the two subdivisions. Cross-hatched streets have not been built.

This large number of street right-of-ways provide a park environment for community enjoyment and locations for sewer and water service. If they are abandoned, they will be used for driveways and other uses and the natural areas will disappear. When the area Master Plan was updated in 1981, the Colesville Farm Estates and Paint Branch Farms subdivisions requested that the zoning be downzoned from R200 to RE-1, i.e. from two to one unit per acre. A more rural environment was thus desired.

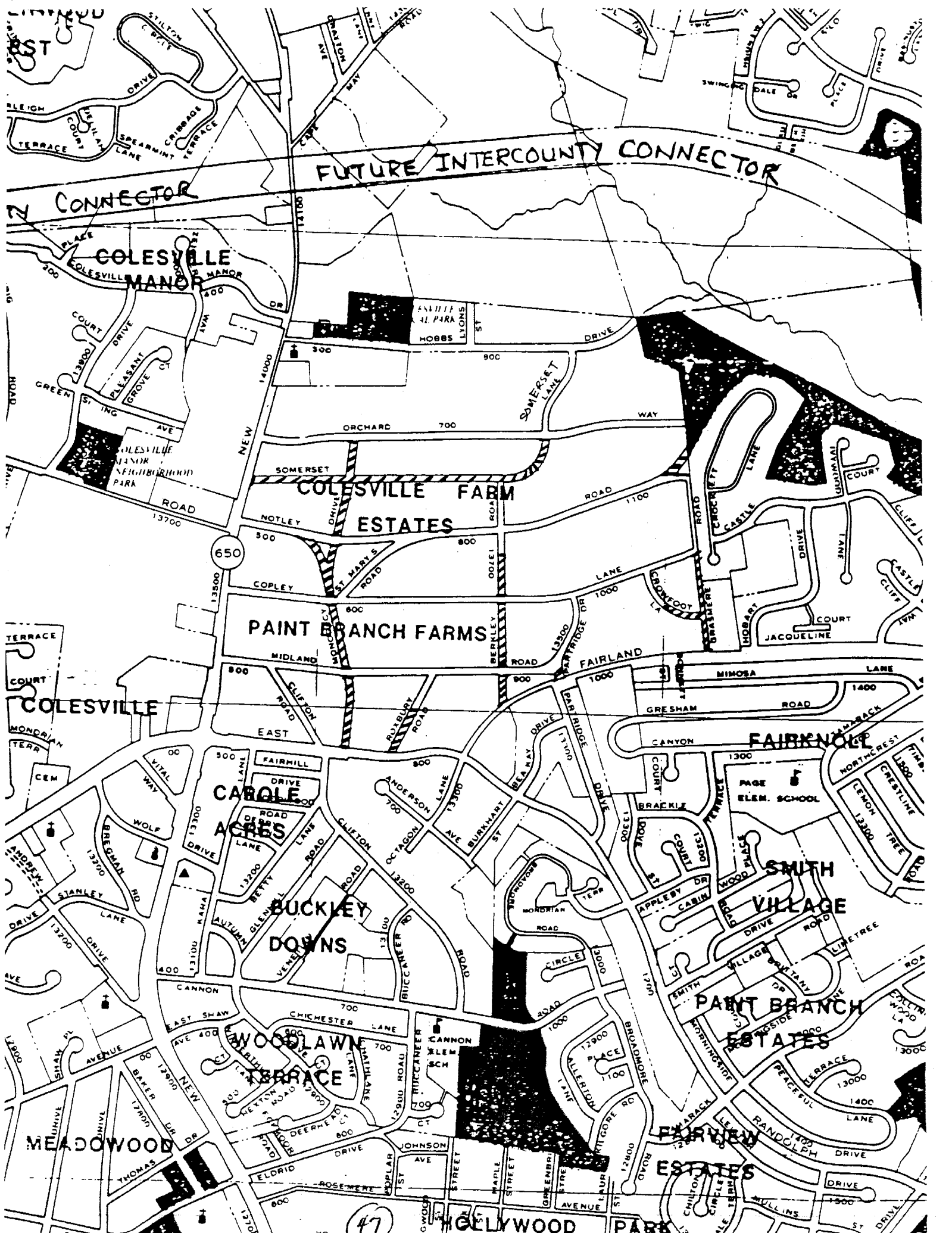
The arrangement of most of the lots in both subdivisions adheres to the RE-1 zoning. There is however a problem that exists between Orchard Way and Notley Road where the abandonment of Monocacy Drive is proposed. There are a large number (18) of R200 and RE-1 lots without street access because Somerset Lane was never built. Several of these back lots already have residences built with driveway easements provided through the front lot to Notley Road or Orchard Way. Development of the back lots in this manner promotes a subdivision design contrary to the one that was originally approved, i.e. that all residences have street frontage. Development of the R200 back lots is also contrary to the desired RE-1 zoning.

The GCCA would like to thank the MNCPPC for the opportunity to comment on this pre-preliminary plan.

Sincerely yours,

Edward C. Wetzlar

Edward C. Wetzlar
GCCA President



FUTURE INTERCOUNTY CONNECTOR

CONNECTOR

COLESVILLE MANOR

COLESVILLE FARM ESTATES

PAINT BRANCH FARMS

COLESVILLE

CAROLE ACRES

BUCKLEY DOWNS

WOODLAWN TERRACE

MEADOWWOOD

FAIRKNOLL

SMITH VILLAGE

PAINT BRANCH ESTATES

FAIRVIEW ESTATES

HOLLYWOOD PARK

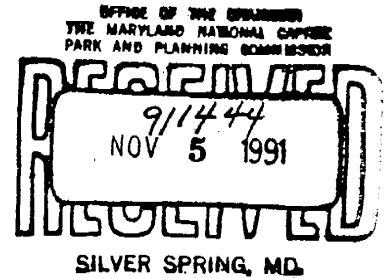
650

47



Montgomery County Government

November 1, 1991



GUS BAUMAN, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

RE: DOT DOCKET NO. AB-593
Abandonment of a Portion of
Monocacy Drive

Dear Mr. Bauman:

Enclosed for review by the Maryland National Capital Park and Planning Commission is Executive Order MCEO 330-91 describing the above-captioned abandonment proposal, location map and copy of petitioners letter requesting the abandonment.

It is requested that the Planning Board submit its recommendation to the Department of Transportation before the hearing scheduled for January 8, 1992. Your attention to this matter is greatly appreciated

Sincerely yours

GEORGE W. MOSBURGER, Chief
Office of Property Acquisition

GWM:mm
3595/11
Enclosures

Donald A. Boerum
601 Orchard Way
Silver Spring, Md. 20904
(301)384-7213

October 3, 1991

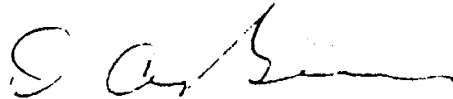
Mr. George W. Mosburger, Chief
Office of Property Acquisition, DOT
Executive Office Building
101 Monroe Street
Rockville, Md 20850

Dear Mr. Mosburger

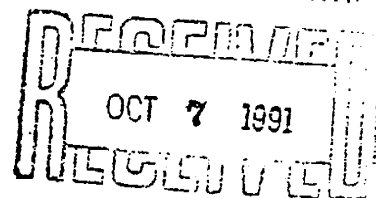
I am resubmitting our petition of May 8, 1991 to Montgomery County for the abandonment of the only unabandoned portion of Monocacy Drive located in the subdivision of Colesville Farm Estates, recorded in Plat Book 31 Plat 1915. We have, at your suggestion, attempted to secure abandonment through the subdivision process. Based on the recommendations of the Review Committee, we, are ready to proceed with this effort through the Public Hearing Process.

Enclosed is the fee as originally submitted. Please advise what additional is required of us.

Sincerely,

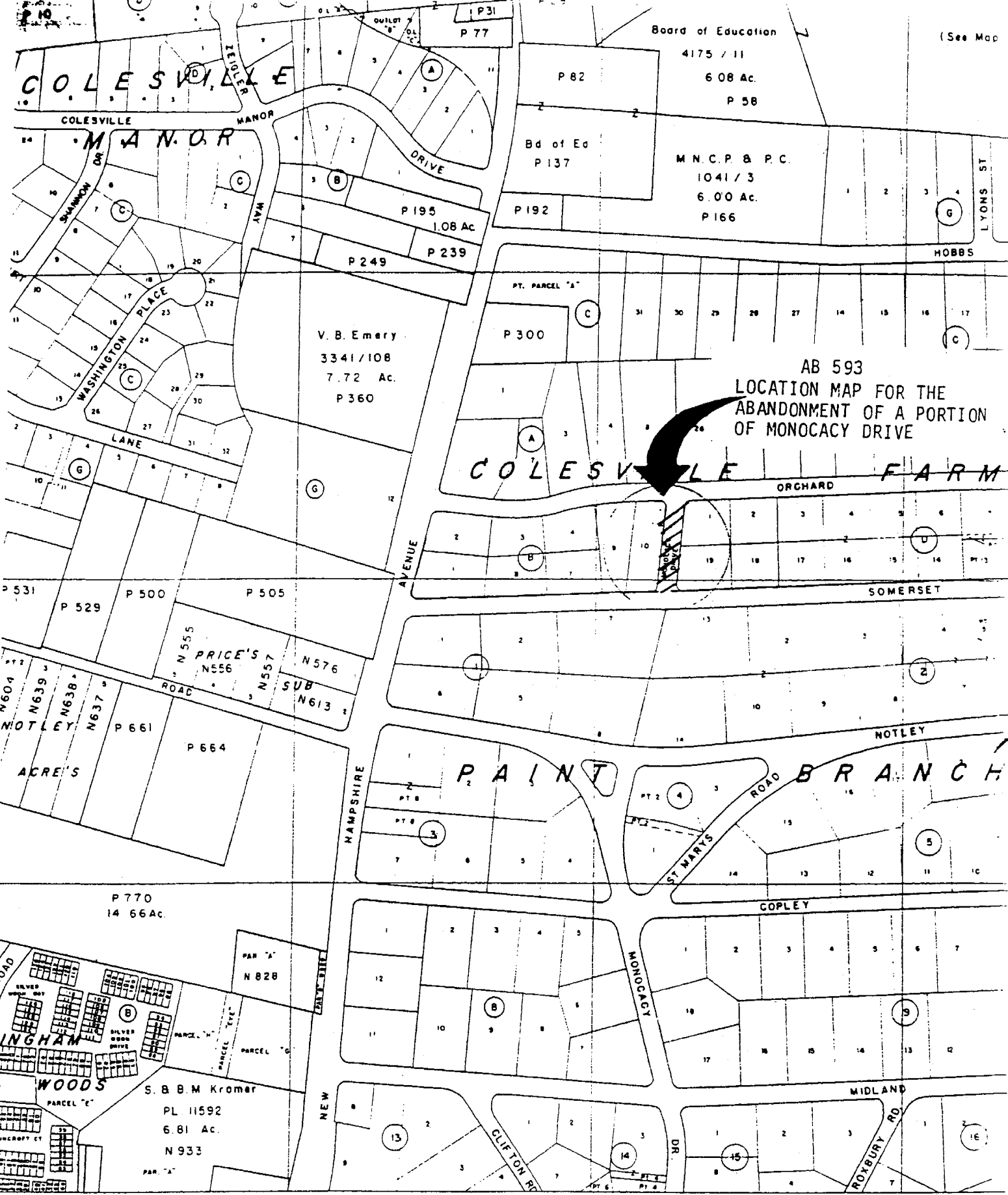


DEPT. OF TRANSPORTATION



Office of Property Acq.

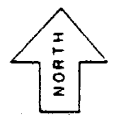
49



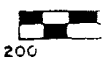
IC MAPS COMPILED BY
 N W S S C. COORDINATE
 E FROM DEED
 TUAL FIELD SURVEYS.
 TING SECTION.
 CKVILLE, MARYLAND

LEGEND
 - - - - - ELECTION DISTRICT BOUNDARY
 - - - - - CORPORATE BOUNDARY
 P-768 OR N-768 PARCEL NO. IS USED FOR OWNERSHIP IDENTIFICATION AND MUST BE PRECEDED BY GRID REFERENCE READING FIRST BY COLUMN AND THEN BY ROW

THESE MAPS ARE PROTECTED BY COPYRIGHT. THEY MAY NOT BE COPIED OR REPRODUCED IN ANY FORM INCLUDING ELECTRONIC MEANS SUCH AS: DIGITIZING, SCANNING, AND IMAGE PROCESSING, OR BY ANY SYSTEM NOW KNOWN OR TO BE INVENTED WITHOUT PERMISSION IN WRITING FROM THE PROPERTY MAP DIVISION

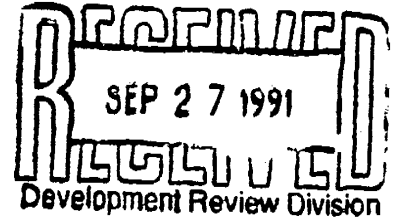


DIST.	CURRENT TO
5	7-1-90





Montgomery County Government



Mr. Joseph R. Davis, Coordinator
Development Review Division
Maryland-National Capital Park
& Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20907

SEP. 24 1991

RE: Pre-Preliminary Plan No. 7-91035
Colesville Farm Estates

Dear Mr. Davis:

The above referenced pre-preliminary plan has been reviewed by this office. It is recommended that a preliminary plan, prepared in accordance with Section 50-34 of the Subdivision Regulations, be submitted for review.

The following conditions for platting are tentatively set forth subject to the prior approval of the preliminary plan:

1. Show all existing topo, i.e., paving, storm drainage, driveway, utilities, etc. If there are existing utilities in this right of way, contact MCDOT Office of Property Acquisition for abandonments procedure.
2. Necessary slope and drainage easements.
3. Permanent monuments and property line markers certified in place on the record plat in accordance with the master plan.
4. Show previous Monocacy Drive abandonments on the plan. Provide copies of previous Council resolutions.
5. Provide ingress/egress easement on the plat for Lot 19.
6. Front foot benefit covenant for the future construction or reconstruction of Somerset Lane.

Sincerely,

[Signature]
for Robert C. Merryman, Chief
Division of Transportation Engineering

RCM:GML:abc:2168Q(7)
Enclosure(s)

cc: Frey, Sheehan, Stoker & Associates, Inc.
Donald A. Boerum

51

Department of Transportation, Division of Transportation Engineering
Subdivision Development Section

ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE

Handwritten note:
1/28/87
1/29/87

FILE NUMBER: 870100 DATE RECEIVED: 02/02/87

CORRESPONDENCE TYPE: letter DATE OF LETTER: 01/29/87

AGENDA DATE:

TO: Christeller

FROM: Arthur W. Spengler

SUBJECT:

Letter advised that Council voted to authorize the PB to make the decision regarding the abandonment of unbuilt Monocacy Dr. in Colesville Farm Estates (Prel. Plan 1-86208).

TRANSMITTED TO: Pl. Dept./NLC

COPIES TO: Loehr/Winick

DATE DUE:

PREPARE REPLY FOR CHAIRMAN'S SIGNATURE

REPLY; CC TO CHAIRMAN

REMARKS:

TRANSPORTATION PLANNING DIVISION
MONTGOMERY COUNTY PLANNING BOARD
SILVER SPRING, MD.
RECEIVED
FEB 4 1987

52



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
8700160
FEB 2 1987
SILVER SPRING, MD

January 29, 1987

Mr. Norman L. Christeller, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Dear Mr. ^{Norman} ~~Christeller~~:

On January 27, 1987, the Council voted to authorize the Planning Board to make the decision regarding the following abandonment, in accordance with section 49-67A of the Montgomery County Code:

Unbuilt Monocacy Drive in the Colesville Farm Estates (Preliminary Plan #1-86 208).

Sincerely,

Arthur W. Spangler
Council Staff Director

CHS/kcb
E40/81

53

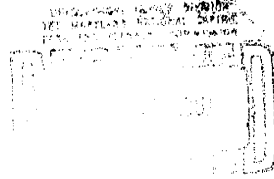
80009

Resolution 9-1392

Introduced July 7, 1981

Adopted July 7, 1981

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND



SUBJECT: MONOCACY DRIVE DOT Docket No. AB-466

WHEREAS, the County has been petitioned by Raymond S. and Peggy L. Trout, Patrick Raggio, and Gloria J. Sessums to abandon a portion of Monocacy Drive located in the Colesville area; and

WHEREAS, a Public Hearing to consider the abandonment proposal was conducted on October 15, 1980 by Designee of the County Executive; and

WHEREAS, no opposition was expressed to the abandonment; and

WHEREAS, the Washington Suburban Sanitary Commission indicated no objection subject to conditional requirement; and

WHEREAS, the Chesapeake & Potomac Telephone Company, the Washington Gas Light Company, and the Potomac Electric Power Company expressed no objection; and

WHEREAS, the Montgomery County Planning Board consented to the abandonment; and

WHEREAS, the Montgomery County Department of Transportation did not object to the abandonment; and

WHEREAS, the Hearing Officer recommended conditional approval of the abandonment; and

WHEREAS, the County Executive concurs with the recommendation of the Hearing Officer;

NOW, THEREFORE, BE IT RESOLVED by the County Council for Montgomery County that -

1. The County Council finds that unimproved Monocacy Drive is no longer necessary for present or anticipated future public use, and that abandonment of said right of way appears necessary to protect the health, safety and welfare of residents in the neighborhood.
2. Pursuant to Section 49-62 of the Montgomery County Code (1977 Replacement Volume) the County Council hereby abandons the dedicated 60-foot wide Monocacy Drive right of way extending north of Orchard Way for an approximate distance of 400 feet and bordering Lot 1, Block C and Lot 5, Block A which are indicated in Plat Book 31 at Plat No. 1915 entitled "Plat No. 1, Colesville Farm Estates"; effective upon meeting the following conditions:
 - a) provide a 20-foot wide right of way required by the Washington Suburban Sanitary Commission for its existing sanitary sewer facility, and
 - b) preparation and filing of a Plat to assemble land accruing from the abandonment with the appropriate abutting properties, at no cost to the County.
3. The County Attorney shall cause authenticated copy of this Resolution to be filed in the County Land Records in conformity with the Montgomery County Code.

A True Copy

ATTEST:

Anna P. Spates
(Mrs.) Anna P. Spates, Secretary
of the County Council for
Montgomery County, Maryland

57



Department of Transportation

MONTGOMERY COUNTY, MARYLAND
ROOM 505 • 6110 EXECUTIVE BOULEVARD, ROCKVILLE, MARYLAND 20852

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
858
AUG 20 1980
SILVER SPRING, MD.

August 19, 1980
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

AUG 21 1980
833
DIR. OF PLANN.
MONTGOMERY COUNTY.

Dr. Royce Hanson, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20907

Re: Monocacy Drive
DOT Docket No. AB-466

Dear Mr. Hanson:

Enclosed for review by the Maryland National Capital Park and Planning Commission is Executive Order AB-16-80 describing subject petition for abandonment, with attached copy of location map.

It is hereby requested that the Planning Board submit its recommendation to the Department of Transportation prior to date of Public Hearing.

Sincerely,

Edward Borysiewicz
Staff Services Coordinator

EB/law
Enclosure



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20907

September 19, 1980

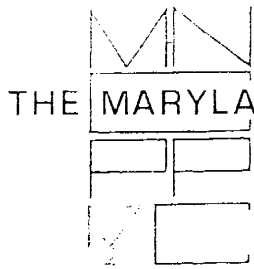
MEMORANDUM

TO: George Vaughn, Transportation Planning Division
FROM: Myron Goldberg, Chief, Park Planning & Acquisition *My*
SUBJECT: Monocacy Drive Proposed Abandonment

The Park Planning & Acquisition Division has reviewed the proposed abandonment of Monocacy Drive between Orchard Way and Parcel A. Although the unbuilt road right-of-way does not provide direct linkage to the Colesville Local Park, it does, however, provide access to Parcel A, which is the Church property with a developed recreation facility on it.

We would, therefore, recommend that in lieu of the full existing right-of-way abandonment, that it be abandoned except for a 10-foot strip in the middle of the subject right-of-way. The 10-foot strip could then be retained for pedestrian public access to the Church property and ultimately, perhaps, to the Colesville Local Park site north of the Church property.

MBG:ps



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20907

(301) ~~588-1488~~

565-7442

September 26, 1980

Mr. Edward Borysiewicz
Staff Services Coordinator
Montgomery County Department
of Transportation
6110 Executive Blvd.
Rockville, MD 20852

Re: Abandonment of a Portion
of Right-of-Way
MONOCACY DRIVE
DOT Docket No. AB-466
M-NCPPC File No. 3-80009

Dear Mr. Borysiewicz:

I am writing to advise you that the Montgomery County Planning Board considered the petition for the abandonment of a portion of Monocacy Drive right-of-way located north of Orchard Way in Colesville Farm Estates subdivision at its regular meeting of September 25, 1980.

At that time the Planning Board voted to consent to the abandonment.

If you have any questions regarding this matter, please contact this office.

Sincerely,

John J. Broda, Coordinator
Development Review Division

JJB:vtg

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20907



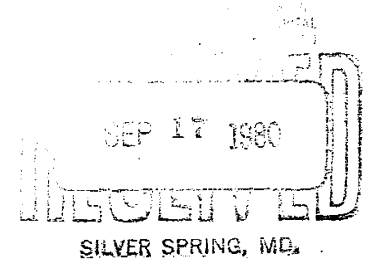
September 17, 1980

MEMORANDUM

TO: John Broda, Coordinator

FROM: George Vaughn, Principal Transportation Planner

SUBJECT: Monocacy Drive, DOT Docket No. AB-466



A petition has been submitted to the Montgomery County Department of Transportation seeking the abandonment of the portion of Monocacy Drive right-of-way located north of Orchard Way, and abutting Lot 5, Block A and Lot 1, Block C in Colesville Farm Estates subdivision, within the 5th Election District.

It is our finding that the subject right-of-way is not needed for vehicular circulation and, therefore, have no objection to approval of the petition.

GV:bap

Office Of The County Executive
Montgomery County, Maryland

Executive Order

Number AB-16-80

Subject Monocacy Drive
DOT Docket No. AB-466

Effective Date
August 5, 1980

Originating
Department

DEPARTMENT OF TRANSPORTATION

1. Pursuant to Section 49-62 of the Montgomery County Code (1972 Edition as amended), the County Executive or his Designee shall conduct a Public Hearing -

at 7:30 p.m. on Wednesday, October 15, 1980 in the Auditorium (First Floor) of the County Office Building at Rockville,

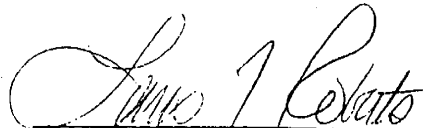
to consider a Petition heretofore submitted by Raymond S. and Peggy L. Trout, Patrick Raggio and Gloria J. Sessums, seeking the abandonment of -

the portion of Monocacy Drive right of way located north of Orchard Way, and abutting Lot 5, Block A and Lot 1, Block C in Colesville Farm Estates subdivision, within the 5th Election District

as more fully described on Exhibits which are available for examination at the Rockville offices of the Montgomery County Department of Transportation at 6110 Executive Boulevard.

2. After the aforesaid Hearing, the Hearing Officer shall report his findings and recommendations to the County Executive for further consideration as prescribed by the County Code.

Approved

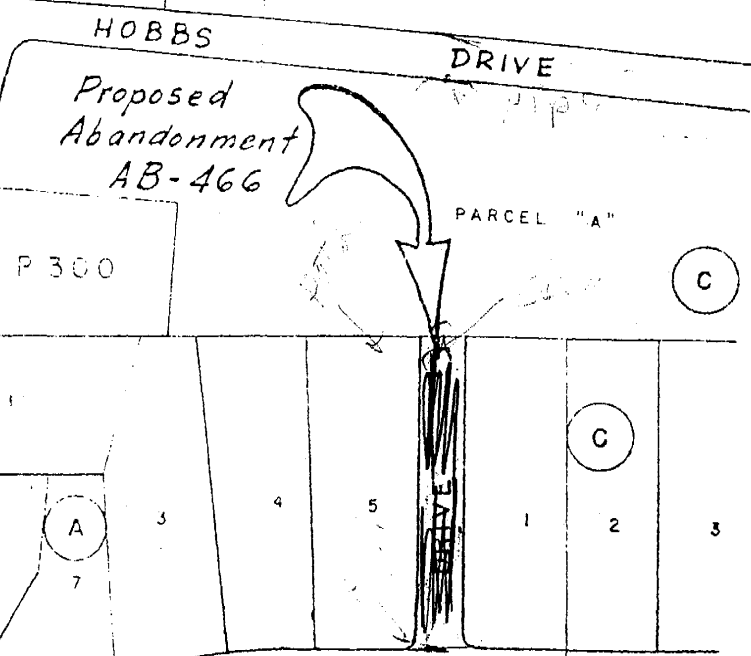
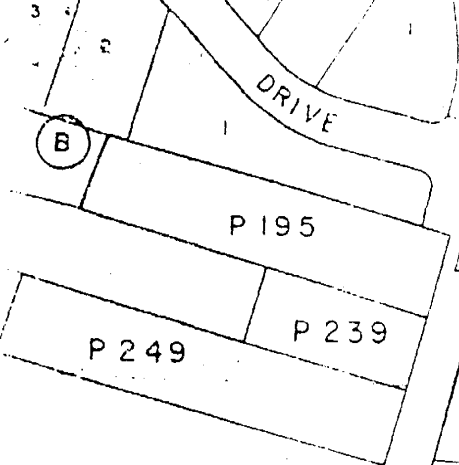

Chief Administrative Officer

EB/law

Copy to: County Executive File
Secretary of Council

Bd. of Ed
P 137

M.N.C. & P.C.
1041 / 3
6.00 Ac.
P 166



V. B. Emery
3341 / 108
13.33 Ac.
P 360



No Scale

