

MEMORANDUM

**DATE:** November 30, 2005

**TO:** Montgomery County Planning Board

**VIA:** Rose Krasnow, Chief *RK*  
Catherine Conlon, Supervisor *CC*  
Development Review Division *Dmk*

**FROM:** Dolores M. Kinney, Senior Planner (301) 495-1321  
Development Review Division

**REVIEW TYPE:** Preliminary Plan Review

**APPLYING FOR:** Subdivision of Parcel 115

**PROJECT NAME:** Ponds Property

**CASE #:** 120060250 (Formerly 1-06025)

**REVIEW BASIS:** Chapter 50, Montgomery County Subdivision Regulations

**ZONE:** RC

**LOCATION:** Located on the south side of Denit Estates Drive, approximately 2,877 feet southwest of the intersection with New Hampshire Avenue (MD 650)

**MASTER PLAN:** Olney

**APPLICANT:** Hailey Development L.C.

**ENGINEER:** Gutschick, Little & Weber, P.A.

**FILING DATE:** August 19, 2005

**HEARING DATE:** December 15, 2005

**STAFF RECOMMENDATION:** Approval, pursuant to Chapter 50, Montgomery County Subdivision Regulations and subject to the following conditions:

- 1) Approval under this preliminary plan is limited to three (3) lots and one (1) outlot.
- 2) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 3) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation.
- 4) Record plat to contain the following note, "The land contained hereon is within an approved cluster development. Subdivision or resubdivision is not permitted after property is developed.
- 5) Compliance with conditions of MCDPWT letter dated, October 25, 2005 unless otherwise amended.
- 6) Record plat to reflect common ingress/egress and utility easements over all shared driveways.
- 7) Compliance with the conditions of the MCDPS stormwater management approval dated September 23, 2005.
- 8) Compliance with conditions of the MCDPS (Health Dept.) septic approval dated November 14, 2005.
- 9) Other necessary easements.

**SITE DESCRIPTION:**

Parcel 115 ("Subject Property") is located on the south side of Denit Estates Drive, approximately 2,877 feet southwest of the intersection with New Hampshire Avenue (Attachment A). It is zoned RC and contains 23.57 acres.

**PROJECT DESCRIPTION:**

This is a preliminary plan of subdivision to create three (3) clustered lots and one (1) outlot (Attachment B). The property is bisected by a stream and contains forested areas. The proposed lots will be served by private well and standard private septic. Access to the proposed lots will be via a shared driveway from Denit Estates Drive.

**DISCUSSION OF ISSUES**

**Master Plan Compliance**

The Olney Master Plan does not specifically identify the Subject Property for discussion but does give general guidance and recommendations to maintain the low-density residential character. The plan is consistent with the master plan goals.

## **Environment**

The Ponds Property is located within the Hawlings River Watershed. The site contains 13.21 acres of forest, 0.52 acres of forested wetlands, and 10.39 acres of stream valley buffer. The preliminary forest conservation plan proposes to save all 13.21 acres of forest on-site and is placing 14.53 acres into a Category I Conservation Easement.

## **CONCLUSION:**

Staff's review of Preliminary Plan #120060250 (Formerly 1-06025), Ponds Property indicates that the plan conforms to the recommendations of the Olney Master Plan. The proposed preliminary plan is consistent with the master plan goal to maintain the area's low-density residential character and protects natural resources. Staff also finds that the proposed preliminary plan complies with Chapter 50 of the Montgomery County Code, Subdivision Regulations, in that public facilities will be adequate to support and service the proposed lots, as demonstrated in the Data Table (Attachment C). Staff further finds that the size, width, shape, and orientation of the proposed and future lots are appropriate for the location of the subdivision. As such, Staff recommends approval of the preliminary plan.

## **Attachments**

- Attachment A Vicinity Development Map
- Attachment B Proposed Development Plan
- Attachment C Data Table
- Attachment D Agency Comments