



BROOKE RUN TREE FARM INC.

P.O. BOX 1491
18201 BROOKE ROAD
SANDY SPRING, MARYLAND 20860
FARM (301) 774-6953 • FAX (301) 774-7013
OFFICE (301) 421-4217

Ms. Catherine Conlon, Acting Supervisor
Subdivision Section
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Re: Preliminary Plan 1-05081

Dear Ms. Conlon,

My partner and I own a wholesale tree farm in Sandy Spring, which is in the Agricultural Land Preservation Program.

Now that the land along our south property line is in the process of being developed, we have some concerns that may impact our farming operations:

1. Noise and dust are common on our farm due to tractors, loaders, tree spades, trucks, and farming implements.
2. Frequent applications of agricultural chemicals- pesticides, herbicides, fertilizer, etc.
3. We have a state water use permit for irrigation from streams and ponds. Water draining into our farm must be free from anything that may damage our crops.

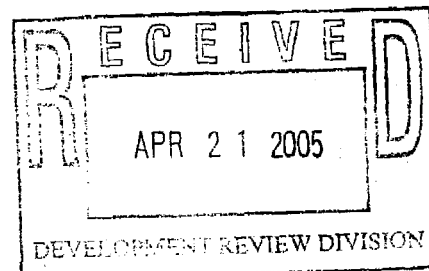
As the above may cause problems with the future residents, we strongly recommend implementing the suggestions made to you from the Agricultural Presentation Advisory Board.

Sincerely,

John A. Fritzges, President
Brooke Run Tree Farm Inc.

4/19/05

cc: Derick Berlage, Chairman MCPB
Michael Knapp, County Council
John Zawitoski, DED (APAB)





Robert L. Ehrlich, Jr., Governor
Michael S. Steele, Lt. Governor

Maryland Department of Transportation

Robert L. Flanagan, Secretary
Neil J. Pedersen, Administrator

Division

February 22, 2005



Mr. Shahriar Etemadi
Transportation Coordinator
M-NCPPC
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Montgomery County
MD 108 General File
Danshes Property

~~1-05081~~

Dear Mr. Etemadi:

Thank you for the opportunity to review the Traffic Impact Study Report by The Traffic Group, Inc. dated January 5, 2005 (received by the EAPD on January 27, 2005) that was prepared for the proposed Danshes Property residential development in Montgomery County, Maryland. The comments and conclusions are as follows:

- Access to the 42 Single Family Detached Dwelling Units is proposed from two (2) full movement access driveways on Brooke Road (a County roadway).
- The traffic consultant determined that the proposed development would negatively impact the MD 108 at Brooke Road/Meeting House Road intersection. Therefore, the traffic consultant proposed to restripe the eastbound MD 108 approach from the existing 1 left/through lane and 1 right turn lane -to- 1 left turn lane and 1 through/right lane.

SHA is in general concurrence with the report findings. However, the proposed eastbound MD 108 through/right lane should be widened to 16 feet to accommodate bicyclists (if right-of-way is available or obtainable). In addition, milling and overlay may be required to implement the proposed improvement along eastbound MD 108 at the MD 108 at Brooke Road/Meeting House Road intersection. Finally, the receiving lane along eastbound MD 108 (east of the intersection) may require improvements to provide a safe and smooth transition through the intersection area.

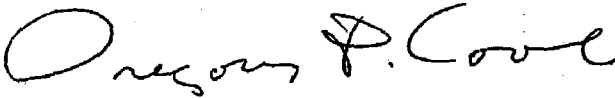
My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Mr. Shahriar Etemadi
Page 2 of 2

Therefore, in conclusion, SHA recommends that the M-NCPPC condition the applicant to modify the eastbound MD 108 approach to provide 1 left turn lane and 1 through/right lane at the MD 108 at Brooke Road/Meeting House Road intersection. The eastbound MD 108 through/right lane should be designed as a 16-foot lane to accommodate bicyclists. The modification of the eastbound MD 108 approach improvement should include any necessary improvements along eastbound MD 108 (east of the intersection) to create a safe and smooth transition through the intersection area. Roadway improvement plans should be submitted to SHA for our review and comment.

Unless specifically indicated in SHA's response on this report, the comments contained herewith do not supersede previous comments made on this development application. If there are any questions on any issue requiring a permit from SHA on this application, please contact Greg Cooke at (410) 545-5602. If you have any questions regarding the enclosed traffic report comments, please contact Larry Green at (410) 995-0090 x20.

Very truly yours,


Steven D. Foster, Chief
Engineering Access Permits Division

cc: Ms. Maureen Decker – M-NCPPC Montgomery County
Mr. Greg Cooke – Assistant Division Chief SHA EAPD
Mr. Joseph Finkle – SHA Travel Forecasting Section
Mr. Robert French – SHA Office of Traffic & Safety
Mr. Larry Green – Daniel Consultants, Inc.
Mr. Michael Lenhart – The Traffic Group, Inc.
Mr. William Richardson – SHA Traffic Development & Support Division
Mr. Lee Starkloff – SHA District 3 Traffic Engineering
Mr. Jeff Wentz – SHA Office of Traffic & Safety



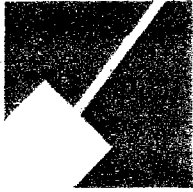
FIRE MARSHAL COMMENTS

DATE: DECEMBER 29, 2005
TO: PLANNING BOARD, MONTGOMERY COUNTY
VIA:
FROM: BATTALION CHIEF MICHAEL A. DONAHUE, FIRE CODE ENFORCEMENT SECTION
RE: DANSHES PROPERTY, PRELIMINARY PLAN, FILE NO. 1-05081

1. PLAN APPROVED.

- a. Review based only upon information contained on the plan submitted 12-01-2005. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
- b. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

cc: Department of Permitting Services



**THE MARYLAND-NATIONAL CAPITAL PARK AND
PLANNING COMMISSION**

**Department of Park & Planning, Montgomery County, Maryland
8787 Georgia Avenue, Silver Spring, Maryland 20910**

MEMORANDUM

TO: Richard Weaver, Development Review Division

FROM: Candy Bunnag, Planner Coordinator, Environmental Planning Section,
Countywide Planning Division

DATE: November 21, 2005

SUBJECT: Preliminary Plan 120050810, Danshes Property

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

1. Compliance with the conditions of approval of the preliminary forest conservation plan. Conditions include, but are not limited to, the following:
 - a. On the final forest conservation plan, show permanent markers such as split rail fencing, signage, and/or equivalent measures to delineate conservation easement boundaries.
2. Category I conservation easements to be placed over environmental buffers and forest retention areas. Easements to be shown on record plats.
3. At site plan, the following information shall be submitted for review and approval:
 - a. Detailed configuration of forest retention areas. Include a survey and critical root zone analysis for trees along the limits of disturbance that are adjacent to proposed forest retention areas and environmental buffers.
 - b. Detailed impervious surface calculations.
 - c. Final location and construction method for sewer line through stream valley to be determined to minimize disturbance of wetlands, steep slopes, and large trees. Survey and a critical root zone analysis of trees along the limits of disturbance to be submitted.

BACKGROUND

The 92-acre property, zoned RNC, lies within the Patuxent River watershed. About 81.7 acres of the property is covered by the Patuxent River Primary Management Area (PMA). Tributary streams to the Hawlings River, a major stream in the Patuxent River watershed, flow through the site. Wetlands and environmental buffers, most of which are forested, also occur on the property.

Forest Conservation

About 40.6 acres of the subject property is forest. The preliminary forest conservation plan proposes to clear 7.5 acres and retain 33.3 acres of forest. This is significantly more than the break even point of 26.6 acres. It also exceeds the minimum 25 percent forest retention threshold (23.0 acres) for subdivisions in the RNC zone. Much of the forest retention areas are within proposed HOA open space areas. Development Review staff is recommending the creation of a large agricultural lot on the eastern portion of the site. This lot will also include some forest retention areas.

Staff believes there are some small areas that may not be appropriate as forest retention areas because they are small. These include a retention area within the circular portion of the proposed private road and an area between the SWM parcel A and proposed lots. Staff recommends that at site plan the configuration of these two areas are re-evaluated to determine if they are too small or isolated to be appropriate as forest retention areas. If these two areas are not counted as forest retention areas, the proposed subdivision would still exceed break even point and the minimum 25 percent forest retention requirement. The preliminary forest conservation plan meets the requirements of the Forest Conservation Law.

Environmental Buffers

Most of the 21.4 acres of environmental buffers on the property is forested. Most of the buffers will be located within Category I conservation easements on HOA open space areas. There is a portion of the environmental buffers and associated conservation easement that will lie within a recommended agricultural lot. Staff believes the conservation easement on the agricultural lot is acceptable if there are permanent markers, such as split rail fencing, installed along the conservation easement boundary to prevent agricultural uses within the environmental buffers.

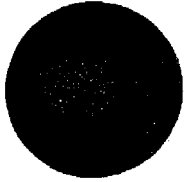
A small area of wetland and its buffer (roughly 430 s.f. of wetland and 7419 s.f. of buffer) within the existing and dedicated Brooke Rd. right-of-way will be graded to widen the road pavement and add a bike path and equestrian trail. Staff believes these encroachments are necessary and unavoidable. In addition, the proposed sewer line for the subdivision goes through a forested environmental buffer. Staff recommends that at the site plan stage, the sewer line should be located to minimize the loss of large trees. Tunneling of the sewer line should also be considered to avoid or minimize loss of forest within the stream valley.

Patuxent River Primary Management Area (PMA)

The "Environmental Guidelines" recommends the application of a 10 percent imperviousness limit for land development projects that lie within the PMA and are reviewed by the Planning Board. This subdivision proposes an imperviousness of 7.4 percent over the subject site. This meets the imperviousness guideline limit.

RECOMMENDATION

Environmental Planning staff recommends approval of the preliminary plan of subdivision with conditions.



October 27, 2005

MEMORANDUM

TO: Catherine Conlon, Supervisor
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning

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

SUBJECT: Preliminary Plan No. 120050810 (1-05081)
Danshes Property
Brooke Road
Rural (Patuxent) Policy Area

This memorandum summarizes Transportation Planning staff's Adequate Public Facilities (APF) review of the subject Preliminary Plan to build 34 single-family and six single-family attached (townhouse) dwelling units on the subject property in an RNC Zone, within the Rural (Patuxent) Policy Area.

RECOMMENDATIONS

Transportation Planning staff recommends the following conditions as part of the transportation-related requirements to approve this Preliminary Plan application:

1. Limit future development on the property to a maximum of 34 single-family and six townhouse dwelling units.
2. Satisfy all preliminary plan conditions included in the Montgomery County Department of Public Works and Transportation (DPWT) letter dated October 23, 2005 (see Attachment No. 1) or any other subsequent letter. All DPWT site frontage, site access, and on-site issues related to this development shall be fully addressed prior to the final record plat.

3. Consistent with the 1998 Approved and Adopted *Sandy Spring/Ashton Master Plan*, dedicate and show on the final record plat right-of-way along Brooke Road to provide a minimum of either 35 feet from the roadway centerline, or 70 feet from the opposite roadway right-of-way line.
4. Dedicate and show on the final record plat 50-foot wide right-of-way along Public Roads "AA" and "BB", as Tertiary Residential Streets (Modified DPWT Standard No. MC-210.05).
5. The final record plat shall reflect dedication of necessary truncation at all intersection corners.
6. Provide a continuous eight-foot wide Class I bike-path, an adjoining four-foot wide equestrian trail, and street trees along the entire property frontage (i.e., along the east side of Brooke Road), including that portion of the referenced bike-path through Parcel A, Rural Open Space of Meadowsweet (approved Preliminary Plan No. 1-04011). The proposed bike-path shall be connected to the existing bike-path along the front of Sandy Spring Fire Station. The applicant shall also plant street trees along the front of the fire station.
7. The development shall provide lead-in sidewalks from Brooke Road along both Public Road "AA" and Public Road "BB".
8. All on- and off-site sidewalk/bike-path ramps and crosswalk shall conform to Americans with Disabilities Act standards.
9. All public improvements, including those required by the DPWT (such as road frontage improvements along Brooke Road, the proposed bike-path along Brooke Road, internal Public Streets "AA" and "BB", internal sidewalks, etc.), shall be constructed and open to traffic prior to the release of the 27th building permit of any type of dwelling unit.
10. Access to all lots shall be from internal streets and shall be reflected on the site plan.

DISCUSSION

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

The proposed development is located along the east side of Brooke Road to the north of Sandy Spring Fire Station and Olney-Sandy Spring Road (MD 108). Two access points are proposed to the site from Brooke Road.

Within the study area, MD 108 is a two-lane roadway, and has a posted speed limit of 30 miles per hour. Limited sidewalks currently exist along both MD 108 and Brooke Road. Additionally, there are no bikeway facilities in the immediate vicinity of the site except for the built portion of the bike-path along Brooke Road to the front of the fire station. 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. A Class I (off-road) bike-path (PB-66; SP-37 in the *2005 Countywide Bikeways Functional Master Plan*) is recommended for MD 108 along its north side in the vicinity of the development.
2. Brooke Road, as a Primary Residential Street (P-2) that connects New Hampshire Avenue (MD 650) to the northeast with MD 108 to the south, 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 to the south and Chandlee Mill Road to the north. With the Approved *2005 Rachael Carson Greenway Trail Corridor Plan*, which recommends the greenway to be along the east side of Brooke Road in this area, staff is recommending that the applicant construct an eight-foot wide bike-path and an adjoining four-foot wide equestrian trail along the whole Brooke Road property frontage as well as Parcel A, Rural Open Space of Meadowsweet.
3. Meeting House Road, as a Rustic Road (R-1) to the south of MD 108 across from Brooke Road, with a recommended minimum right-of-way width of 70 feet and two travel lanes, and extending approximately 0.4 mile.

Nearby Transportation Improvement Projects

The Maryland State Highway Administration (SHA) and the Montgomery County DPWT Capital Improvement Program includes the following nearby transportation improvement projects:

1. A combined firehouse-pedestrian traffic signal at MD 108 and Brooke Road/Meetinghouse Road intersection: This SHA project aimed at promoting safety at this intersection is expected to start construction in October 2005. SHA's goal is to have the traffic signal operational by early November 2005.
2. MD 108 Sidewalk: This joint SHA/DPWT project provides for the construction of a sidewalk along the south side of MD 108 between Hidden Garden Lane to the east and Norwood Road to the west (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 October 2005. The project currently has a finish date of May 2006.

Local Area Transportation Review

A traffic study was required for the subject Preliminary Plan per the *Local Area Transportation Review (LATR) Guidelines* since the initial development proposal with 42 single-family dwelling units was estimated to generate 30 or more peak-hour trips during the typical weekday morning (6:30 – 9:30 a.m.) and evening (4:00 – 7:00 p.m.) peak periods. It is noted that the above finding is also true for the current version of the plan (with 34 single-family and six townhouse dwelling units).

The consultant for the applicant submitted a traffic study (dated January 5, 2005) that presented the traffic-related impacts of the original development on nearby roadway intersections during weekday morning and evening peak periods. Staff review of the above traffic study indicated that the study complied with the requirements of the *LATR Guidelines* and the traffic study scope provided by the staff. The traffic study estimated that the initial site density with 42 single-family dwelling units would generate approximately 40 peak-hour trips during the weekday morning peak-period and 47 peak-hour trips during the weekday evening peak-period. A summary of the above is provided in Table 1.

**TABLE 1
SUMMARY OF SITE TRIP GENERATION
DANSHES PROPERTY – 42 SINGLE-FAMILY DWELLING UNITS**

Time Period	Trip Generation		
	In	Out	Total
Weekday Morning Peak-Hour	10	30	40
Weekday Evening Peak-Hour	30	17	47

Notes:

1. Based on M-NCPPC trip generation rates for the proposed initial density.
2. The current Preliminary Plan, with 34 single-family and six townhouses, was estimated to generate approximately 35 peak-hour trips during the weekday morning peak-period and 43 peak-hour trips during the weekday evening peak-period. Therefore, the submitted traffic study presented a conservative analysis.

A summary of the capacity/Critical Lane Volume (CLV) analysis results for the study intersections for the weekday morning and evening peak hours within the respective peak periods from the traffic study (for 42 single-family dwelling units) is presented in Table 2. As shown in Table 2, the weekday morning and evening peak-hour capacity analysis presented in the traffic study indicated that under Total Future Traffic condition, CLV at the study intersections were below the applicable congestion standard. Therefore the application satisfies the LATR requirements of the APF test.

**TABLE 2
SUMMARY OF CAPACITY CALCULATIONS
DANSHES PROPERTY – 42 SINGLE-FAMILY DWELLING UNITS**

Intersection	Traffic Conditions					
	Existing		Background		Total	
	AM	PM	AM	PM	AM	PM
MD 108 and MD 650 ¹	1,356	1,277	1,370	1,297	1,375	1,303
MD 108 and Brooke Road/Meetinghouse Road ²	1,334	1,275	1,381	1,345	1,418	1,383
MD 108 and Norwood Road ²	1,328	1,295	1,364	1,357	1,384	1,379
Brooke Road and Southern Site Access Road ²	--	--	--	--	138	136
Brooke Road and Northern Site Access Road ²	--	--	--	--	118	111

Source: Danshes Property Traffic Study. The Traffic Group, Inc. January 5, 2005.

Note: Congestion standard for those intersections that straddle two or more policy areas will be the higher of the respective policy area congestion standard.

¹ FY 2005 Congestion Standard for Rural (Patuxent) Policy Area: 1,400.

² FY 2005 Congestion Standard for Olney Policy Area: 1,475.

CE:gw

Attachment

cc: Michael Ma
Mary Goodman
Lyn Coleman
Doug Powell
Piera Weiss
Chuck Kines
Greg Leck
Ray Burns
John Borkowski
Mike Lemon
Kevin Foster
Bob Harris
Mike Lenhart

Mmo to Conlon re Danshes Prop



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

October 23, 2005

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan # 1-05081
Danshes Property

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated March 23, 2005 and the amended detail plans for Brooke Road dated August 22, 2005. The Development Review Committee reviewed this plan at its meeting on April 25, 2005. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Show all existing planimetric and topographic details (paving, storm drainage, driveways adjacent and opposite the site, sidewalks and/or bikeways, bus stops, utilities, etc.) as well as existing rights of way and easements on the preliminary plan.
2. Necessary dedication for widening of Brooke Road in accordance with the master plan.
3. Full width dedication and construction of all interior public streets.
4. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
5. Grade establishments for all new public streets and/or pedestrian paths must be approved prior to submission of the record plat.



Division of Operations

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878
240/777-6000, TTY 240/777-6013, FAX 240/777-6030

6. A Public Improvements Easement (PIE) will be necessary along Brooke Road to accommodate the proposed off-road bike and equestrian paths. The applicant will need to execute a Declaration of Public Improvements Easement document. That document is to be recorded in the Land Records of Montgomery County, with the liber and folio referenced on the record plat. The width(s) of the PIE are to be determined following a decision by the Department of Permitting Services on the proposal to install curb and gutter in this watershed (see Item 12). Unless otherwise noted, the Public Improvements Easement is to extend a minimum of two (2) feet beyond the proposed equestrian path with a Public Utilities Easement overlapping and extending beyond the PIE by an additional ten (10) feet. Provide curb ramps for the bike path where it crosses Street "A". Connect off-road path to the existing path along Sandy Spring Volunteer Fire Department's frontage.
7. A Public Improvements Easement will be necessary along interior streets to accommodate the proposed flat bottom ditch and the required sidewalk construction on those streets. Prior to submission of the record plat, the applicant's consultant will need to execute a Declaration of Public Improvements Easement document. That document is to be recorded in the Land Records of Montgomery County, with the liber and folio referenced on the record plat. Unless otherwise noted, the Public Improvements Easement is to be a minimum width of fourteen (14) feet with a separate Public Utilities Easement being no less than twenty (22) feet wide. Provide curb ramps for sidewalks for all crosswalks at the intersections of Streets "A" and "B".
8. Size storm drain easement(s) prior to record plat. No fences will be allowed within the storm drain easement(s) without a revocable permit from the Department of Permitting Services and a recorded Maintenance and Liability Agreement.
9. Provide driveway aprons for all storm water management facilities.
10. The limits of the floodplain and the building restriction lines are to be shown on the plan where applicable. The floodplain is to be dimensioned from the property line.
11. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.

12. This site is located in the Hawlings River (Class IV) watershed. In accordance with Section 49-35(k) of the Montgomery County Code, curb and gutter may not be installed in an environmentally sensitive watershed unless certain waiver criteria have been satisfied.

The Department of Permitting Services may lift this requirement if the applicant is able to provide documentation which satisfactorily demonstrates the use of curb and gutter will not significantly degrade water quality. This documentation is to be submitted in triplicate to Ms. Sarah Navid of DPS (Right-of-Way Permitting and Plan Review Section), for subsequent review and comment by this Department and the Maryland-National Capital Park & Planning Commission (Environmental Planning Division.)

13. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.

The owner will also be required to execute and record a Declaration of Covenants (for Maintenance and Liability) for the maintenance and operation of the proposed equestrian path along Brooke Road. The deed reference for this document is to be provided on the record plat.

14. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
15. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Fred Lees of our Traffic Control and Lighting Engineering Team at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
16. Trees in the County rights of way - species and spacing to be in accordance with the applicable MCDPWT standards. A tree planting permit is required from the Maryland Department of Natural Resources, State Forester's Office [(301) 854-6060], to plant trees within the public right of way.
17. A Public Improvements Agreement (PIA) will be an acceptable method of ensuring construction of the required public improvements within the County right of way. The PIA details will be determined at the record plat stage. The PIA will include, but not necessarily be limited to, the following improvements:

- A. If the Department of Permitting Services approves a waiver to allow the use of curb and gutter on Brooke Road – provide the proposed street grading, pavement widening, curbs & gutters and drainage swales, five (5) foot wide bituminous concrete bike path and sodded four (4) foot wide equestrian path with handicap ramps, storm drainage and appurtenances, and street trees across the site frontage as shown on the August 22, 2005 supplemental plans.

If the Department of Permitting Services does not approve a waiver to allow the use of curb and gutter on Brooke Road – provide street grading, remove/replace the eastern two (2) feet of pavement and widen the pavement to twelve (12) feet wide, provide eight (8) foot wide sod shoulder and side ditch, five (5) foot wide bituminous concrete bike path and sodded four (4) foot wide equestrian path with handicap ramps, storm drainage and appurtenances, and street trees across the site frontage.

- B. Street grading, paving, shoulders, sidewalks and handicap ramps, side drainage ditches and appurtenances, and street trees along all interior streets in accordance with DPWT Standard No. MC-210.05, modified to provide a flat bottom side ditch.
- C. Driveway aprons for all storm water management parcels.
- D. Enclosed storm drainage and/or engineered channel (in accordance with the DPWT Storm Drain Design Criteria) within all drainage easements.
- E. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
- F. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Montgomery County Department of Permitting Services (MCDPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the MCDPS.
- G. Developer shall ensure final and proper completion and installation of all utility lines underground, for all new road construction.
- H. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the DPWT Traffic Engineering and Operations Services.

Ms. Catherine Conlon
Preliminary Plan No. 1-05084
October 23, 2005
Page 5

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at greg.leck@montgomerycountymd.gov or (240) 777-2190.

Sincerely,


Gregory M. Leck, Manager
Traffic Safety Investigations and Planning Team
Traffic Engineering and Operations Section

m:/subd/DCA/DashesProp1-05081, gml revs.doc

cc: Mike Lemon, Winchester Homes
Kevin Foster, Gutschick, Little & Webber, P.A.
Richard Weaver; M-NCPPC DRD
Shahriar Etemadi; M-NCPPC TP
Joseph Y. Cheung; DPS RWPPR
Christina Contreras; DPS RWPPR
Sarah Navid; DPW RWPPR

MONTGOMERY COUNTY
SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: DANSCHES PROPERTY Preliminary Plan #: _____

Street Name: BROOKE ROAD / PROP INTX'S Master Plan Classification: PRIMARY

Posted Speed Limit: 30

Street/Drwy. 1 (ROAD A ENTRANCE CLOSEST TO MEADOWSWEET) Street/Drwy. 2 (ROAD A ENTRANCE CLOSEST TO RTC 108)

Sight Distance (feet) OK?
Right 856.15 ✓
Left 428.69 ✓

Sight Distance (feet) OK?
Right 380.40 ✓
Left 327.90 ✓

Comments: _____

Comments: _____

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance In Each Direction#
Tertiary - 25	150
Secondary - 30	200
Business - 30	200
Primary - 35	250
Arterial - 40	325
(45)	400
Major - 50	475
(55)	550

Sight distance is measured from an eye height of 3.5 feet at a point on the centerline of the driveway (or side street), 6 feet back from the face of curb or edge of traveled way of the intersecting roadway, to the furthest point along the centerline of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing.)

Source AASHTO


ENGINEER/SURVEYOR CERTIFICATE

I hereby certify that the information is accurate and was collected in accordance with these guidelines.

David L. Little 3/22/05
Signature

#12464

PLS/P/E: MD Registration No. _____



Accepted By: _____
Date: _____



1-05081
RW

DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

September 7, 2005

Robert C. Hubbard
Director

Mr. Brian Lewandowski
Gutschick Little & Weber, P.A.
3909 National Drive, Suite 250
Burtonsville, MD 20866

Re: Stormwater Management **CONCEPT** Request
for Danshes Property
Preliminary Plan #: TBD
SM File #: 216007
Tract Size/Zone: 92/RNC
Total Concept Area: 25ac
Lots/Block: N/A
Parcel(s): P773 P903
Watershed: Hawlings River

Dear Mr. Lewandowski:

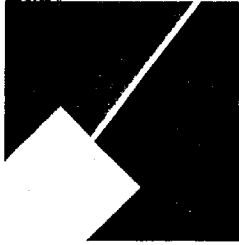
Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site channel protection measures via the use of dry ponds for drainage areas D & F and a waiver for drainage area E. Channel protection volume is not required for the remainder of the drainage areas because the one-year post development peak discharge is less than or equal to 2.0 cfs. On site water quality and on site recharge are provided via the use of a surface sand filter and non structural measures.

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. A level spreader device should be utilized at the outfall of drainage area R.
5. The breaching of the existing pond and the creation of the wetland must be completed early in the sequence of the site construction.
6. Drywells may be required on lots where the grass channel credit cannot be met. Clearly delineate all of the areas that will utilize grass channels for water quality treatment. Water quality must be provided for the common driveways in drainage areas F and J - Q.

This list may not be all-inclusive and may change based on available information at the time.





November 28, 2005

MEMORANDUM

TO: Richard Weaver, Development Review

FROM: Piera Weiss, Eastern County Team, Community-Based Planning

SUBJECT: Preliminary Plan 1-05081 Danshes Property

Staff Recommendation: Approval with the condition that the rural open space parcel intended to be used for farming be specifically so noted in the land records.

Master Plan

The subject property lies within the boundaries of the *1998 Approved and Adopted Sandy Spring/Ashton Master Plan*. The property is zoned Rural Neighborhood Cluster (RNC). The fundamental concept of the master plan was to maintain a critical mass of rural open space on key properties in the master plan area. To achieve that goal the master plan recommended the key properties be required to set aside 70-85 percent open space through the cluster provisions of the zone. "The rural open space is set aside primarily by clustering new development onto a portion of the land and leaving the rest as cropland, pastureland meadow or woodlands." (Page 9, SS/Ashton MP.) The following excerpt addresses the rural open space for the Danshes Property.

Several properties are affected by these recommendations: Danshes and Ligon (Avalon) at the village edge, and Farquhar, Bancroft and some smaller properties (Gibian, Olds and DiBatista) in the rural entries. All the properties are currently zoned for low-density, large lot development under the RE-2 or RC zone. The intent of this Plan is to encourage clustering and create a setting of rural open space around the village center and in the rural entries with rural open space between 70 and 75 percent. Therefore, this Plan recommends rezoning the following properties to the Rural Neighborhood Zone: Dashes, Ligon, Bancroft, Gibian, Olds, Di Batista and Farquhar."

The Ligon Property and the Danshes Property are located on either side of Brook Road just at the western edge of Sandy Spring Village. Development of these two properties under the Rural Neighborhood Cluster Zone could achieve densities at the village edge and open space past the village and in the rural entry.

The master plan limited the density on the site to no more than 33 lots and recommended a pedestrian path/trail and a Class III bikeway along Brook Road to provide access to the Ross Boddy Community Center and Sandy Spring village center. Last, the master plan discussed two strategies, public or private ownership, for management of the rural open space.

The County Council approved a text amendment to the RNC zone after the master plan was approved and adopted in order to provide Moderately Priced Dwelling Units (MPDUs). The applicant has included MPDUs in the development, which is why the development exceeds the master plan limit of 33 lots.

Proposed Development

The proposed development includes a little over 70% rural open space consistent with the master plan recommendation for 70-75% rural open space as well as common open space for the new community. Much of the rural open space is coterminous with the adjacent Stephens Farm (a horticultural nursery) located along the entire length of the subject property's northern boundary. The horticultural nursery is subject to a State of Maryland Agricultural Easement.

The development places the density along Brook Road and as close to the Fire Station as possible given the wetland areas along the southern boundary. The lots are clustered away from the streams, stream buffers and wetlands. MPDU units are located in the interior of the development. The cross section for Brook Road includes a pedestrian path/bikeway. This combined use; paved path connects to the existing Class 1 paved bike path along the frontage of the Fire Station.

The applicant has provided some separation between the lots and the northern boundary with the nursery to address concerns discussed in a April 13, 2005 letter from the county Agricultural Preservation Advisory Board that new houses not be directly adjacent to a working agricultural property and that a buffer be placed between the back of the lots and the edge of the property. The bulk of the rural open space consists of about two thirds of the property or 64 acres. This large expanse of contiguous rural space is consistent with the master plan's intent to preserve rural land for agriculture and open space uses. The applicant is proposing that the rural open space be divided into two parcels, one owned by the HOA and the other owned either by the HOA or a private individual interested in agriculture use of the land. The boundary for the agricultural use parcel should be located to discourage conflict between the future homeowners and future farming; a problem alluded to in the Agriculture Preservation Board's letter. The easement for the rural open space parcel should specify farming as an acceptable use in accordance with the provisions of the RNC zone and should note that there is no development potential left on any of the rural open space.

Staff finds that the proposed development, especially since it is encouraging farming in the rural open space, is consistent with the *Approved and Adopted Sandy Spring/Ashton Master Plan* and recommends approval.

Attachment D

September 8, 2005

Catherine Conlon, Acting Supervisor
Subdivision Review
MNCPPC
8787 Georgia Avenue
Silver Spring, MD 20910

RE: Preliminary Plan 1-05081, aka "Danshes"

Dear Ms. Conlon:

I attended the second DRC meeting for the Danshes subdivision on August 1, 2005. Over the past few months, I have been to several public presentations of Winchester Homes' proposed development of the 99 acre, RNC zoned, parcel. I am writing to express my views about the preliminary plan discussed at the August X DRC meeting.

Since the April DRC meeting, I have seen some good changes in the evolution of this preliminary plan of subdivision. For example, since the April DRC meeting, the developer has made an impressive effort to incorporate the MPDUs into the proposed subdivision. I am pleased that these MPDUs will not be segregated either geographically or, as the developer represented to staff, architecturally. That the MPDU homes will look very much like the market rate houses in the subdivision is appropriate and in keeping with the spirit of the MPDU requirements.

I remain interested in the issue of the buffer between the proposed subdivision and its neighbor to the north, Brooke Run Tree Farm. At the April DRC meeting, the developer proposed a 50-foot buffer. However, in its April 13, 2005 letter, the Agricultural Protection Advisory Board requested a 100-foot buffer for the farm. My understanding is that the developer's current preliminary plan of subdivision still proposes the 50-foot buffer. This is an issue of compatibility. Is a 50-foot buffer adequate? Accordingly, I do suggest that your staff give every consideration to the state Agricultural Preservation Advisory Board's request as stated in its April 13th letter. The tree farm is a Maryland Agricultural Land Preservation Foundation property. The state of Maryland has invested heavily in this property, intending that it stay "farmland forever", for the benefit of all Maryland residents. By skillful application of the RNC zoning regulations, this farm can be well insulated from the effects of development. The subdivision and land use planning decisions made now can either severely burden the farm, or help ensure that this farm remains a vibrant agricultural enterprise well into the future. It is my hope your staff will listen carefully to the farmers, and encourage the developer to make necessary adjustments to accommodate the agricultural enterprises of Brooke Run Tree Farm.

It is my understanding that there is substantial community support for the “open space” on the proposed Danshes subdivision to remain in **agricultural use**. Indeed, the majority of public testimony in the May 19th public hearing on the Rachel Carson Greenway (RCG) rejected a recreational use for this parcel. At the hearing, so many different people testified against a recreational use of the open space in Danshes because they recognized not only that (1) recreational uses too often conflict with agricultural operations, but also that, (2) recreational uses, particularly when they occur in a stream valley setting, have negative environmental consequences.¹ Therefore, I suggest that an agricultural easement be placed on all of the approximately 64 acres of “open space,” which is designated “Parcel C” in the preliminary plan, so this “open space” land can continue to be used for agriculture. I believe that the Planning Board, in its June 16, 2005 work session, *explicitly and specifically*, rejected the trail staff’s proposal for a recreational use of the open space on the proposed Danshes subdivision.

I was surprised and confused by the statements of trail staff at the August DRC meeting. Doug Powell of trail staff suggested extending the “Rural Legacy Trail” through the Danshes property.

The route of the RCG through Sandy Spring was a rather controversial issue that dominated the May 19th hearing on the RGC. The decision by the Planning Board at its June 16th work session, to choose Option C as the RCG route through Sandy Spring, was applauded by the community. Option C was seen as a consensus route that everyone could embrace. See Attachment 2, the June 15th letter of the Sandy Spring Trails Committee, and Attachment 3, the article from the June 29, 2005 *Olney Gazette*. Contrary to the impression given by trail staff at the August DRC meeting, Segment Five of the Rachel Carson Greenway, i.e., the RCG north of Route 108 in Sandy Spring, is the extension of the Rural Legacy Trail.

The hearing record from the June 16th Planning Board work session shows very clearly that when trail staff proposed going through the interior of Danshes, it was rejected by the Planning Board with virtually no discussion. It would appear that, irrespective of a clear policy decision by the Planning Board on June 16th, trails staff continues to advocate contrary policy, perhaps hoping that the community is no longer paying attention.

Contrary to the impression one might have from trail staff’s pronouncements, the equestrian community does not universally favor a trail over Danshes. Many equestrians have a boarder perspective, though not, apparently, the “regulars,” e.g., the folks from TROT, who often appear before the Planning Board. The equestrians with the broader

¹ See, for example, the March 24, 2005 letter to the Planning Board from the Sandy Spring Trails Committee, in particular, pages B-4 and B-6 and the testimonies of Vince Berg, John Zawitoski and John Parrish at the May 19, 2005 public hearing. I have attached the March 24th Trails Committee letter for your convenience.

perspective understand not only that *equestrians need to ride responsibly* but also that they need to *be respectful of their neighbors*. They also realize that as enjoyable as trail riding is for some, it is only a small part of equestrian sports. There are a number of letters in the hearing record from equestrians with this broader perspective.²

I appreciate your attention to the concerns raised in this letter. I look forward to watching closely this preliminary plan proceed through the subdivision process.

Sincerely,

Fran Hayward

Fran Hayward

² For example, I note the hearing record contains letters from Peggy Pariso and Laura Metrione.