

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION


8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

MCPB
Item # 6
05/11/06

MEMORANDUM

DATE: March 25, 2006

TO: Montgomery County Planning Board

FROM: Catherine Conlon, Supervisor 
Development Review Division
(301) 495-4542

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for May 11, 2006

The following record plats are recommended for APPROVAL, subject to the appropriate conditions of approval of the preliminary plans and site plans, if applicable, and conditioned on conformance with all requirements of Chapter 50 of the Montgomery County Code. Attached are specific recommendations and copies of plat drawings for the record plats. Two of the plats depict creation of lots through the minor subdivision process. The other two plats are associated with Preliminary Plan approvals and the approved plans are attached.

PLAT NO. 220061490

Clubbs Farm

Located on the northwest quadrant of Darnestown-Germantown Road (MD 118) and
Darnestown Road (MD 28)

RC Zone, 3 Lots

Private Well, Private Septic

Master Plan Area: Potomac

Black Rock Development, Applicant

The record plats have been reviewed by MNCPPC staff and other applicable agencies as documented on the attached Plat Review Checklist. Staff has determined that the plats comply with Preliminary Plan No. 120050930, formerly 1-05093, as approved by the Board; and that any minor modifications reflected on the plats do not alter the intent of the Board's previous approval of the preliminary plan.

RECORD PLAT REVIEW SHEET

Plan Name: Chubbs Farm Plan Number: 120050930
 Plat Name: Chubbs Farm Plat Number: 2-06149
 Plat Submission Date: 1/17/06
 DRD Plat Reviewer: PW
 DRD Prelim Plan Reviewer: Dolores Kinney

Initial DRD Review:
 Signed Preliminary Plan - Date 1/17/06 Checked: Initial PW Date 3/25/06
 Planning Board Opinion - Date 12/16/05 Checked: Initial PW Date _____
 Site Plan Req'd for Development? Yes ___ No Verified By: _____ (initial)
 Site Plan Name: _____ Site Plan Number: _____
 Planning Board Opinion - Date _____ Checked: Initial _____ Date _____
 Site Plan Signature Set - Date _____ Checked: Initial _____ Date _____
 Site Plan Reviewer Plat Approval: Checked: Initial _____ Date _____

Review Items: Lot # & Layout Lot Area Zoning Bearings & Distances
 Coordinates Plan # Road/Alley Widths Easements Open Space N/A
 Non-standard BRLs N/A Adjoining Land Vicinity Map Septic/Wells
 TDR note N/A Child Lot note N/A Surveyor Cert Owner Cert Tax Map

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	Josh Penn/Phy	1/23	2/10	4/17/06	Correct Conservation Easement
Research	Bobby Fleury	"	"	1/24/06	OK
SHA	Doug Mills	"	"	N/A	Didn't respond
PEPCO	Jose Washington	"	"	4/14/06	10' PUE
Parks	Doug Powell	"	"		
DRD	Steve Smith	"	"		

Final DRD Review:

DRD Review Complete:	Initial <u>TA</u>	Date <u>4/20/06</u>
(All comments rec'd and incorporated into mark-up)		
Engineer Notified (Pick up Mark-up):	<u>TA</u>	<u>3/28/06</u>
Final Mylar w/Mark-up & PDF Rec'd:	<u>TA</u>	<u>4/20/06</u>
Board Approval of Plat:		
Plat Agenda:	<u>TA</u>	<u>5/11/06</u>
Planning Board Approval:	_____	_____
Chairman's Signature:	_____	_____
DPS Approval of Plat:		
Engineer Pick-up for DPS Signature:	_____	_____
Final Mylar for Reproduction Rec'd:	_____	_____
Plat Reproduction:		
Addressing:	_____	_____
File Card Update:	_____	_____
Final Zoning Book Check:	_____	_____
Update Address Books with Plat #:	_____	_____
Update Green Books for Resubdivision:	_____	_____
Notify Engineer to Seal Plats:	_____	_____
Engineer Seal Complete:	_____	_____
Complete Reproduction:	_____	_____
Sent to Courthouse for Recordation:	_____	_____

No. _____

NOTES

- 1) ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, PROJECT PLAN OR OTHER PLAN ALLOWING DEVELOPMENT OF THE PROPERTY SHOWN HEREON IS TO BE SEEN BY WELL AND BECOME A PART OF THIS PLAN. THE OFFICIAL PLAN FOR THE PROPERTY SHOWN HEREON IS TO BE SEEN BY WELL AND BECOME A PART OF THIS PLAN.
- 2) THE PROPERTY SHOWN HEREON IS TO BE SEEN BY WELL AND BECOME A PART OF THIS PLAN.
- 3) THE LAND HEREON IS TO BE SEEN BY WELL AND BECOME A PART OF THIS PLAN.
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- 6) THE PROPERTY SHOWN HEREON IS TO BE SEEN BY WELL AND BECOME A PART OF THIS PLAN.
- 7) THE PROPERTY SHOWN HEREON IS TO BE SEEN BY WELL AND BECOME A PART OF THIS PLAN.
- 8) AS SPECIFIED ON THE MEASUREMENT PLAN, HEREON, CONSTRUCTION ON THIS PROPERTY IS LIMITED AS FOLLOWS: DIMENSIONS TO BE MET ON LOTS 1, 2 AND 3 ARE LIMITED TO A MAXIMUM OF SIX (6) FEET AND DIMENSIONS TO BE MET ON LOTS 4, 5 AND 6 ARE LIMITED TO A MAXIMUM OF FOUR (4) FEET.
- 9) THE PROPERTY SHOWN HEREON IS TO BE SEEN BY WELL AND BECOME A PART OF THIS PLAN.
- 10) THE PROPERTY SHOWN HEREON IS TO BE SEEN BY WELL AND BECOME A PART OF THIS PLAN.
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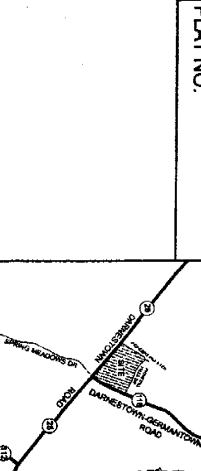
SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF AND REASONABLE OPINION AND THAT THE SAME COMPLIES WITH THE REQUIREMENTS OF THE MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES AND THAT THE PROPERTY SHOWN HEREON IS TO BE SEEN BY WELL AND BECOME A PART OF THIS PLAN. I HAVE BEEN A LICENSED SURVEYOR IN MONTGOMERY COUNTY, MARYLAND, SINCE [DATE]. I HAVE BEEN A LICENSED SURVEYOR IN MONTGOMERY COUNTY, MARYLAND, SINCE [DATE]. I HAVE BEEN A LICENSED SURVEYOR IN MONTGOMERY COUNTY, MARYLAND, SINCE [DATE].

DATE: APRIL 12, 2005

PROFESSIONAL LAND SURVEYOR
MONTGOMERY COUNTY REGISTRATION NO. 18771

PLAT NO.



206 L14
MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MONTGOMERY COUNTY PLANNING BOARD
APPROVED: _____
CHAIRMAN
ASST. SECRETARY TREASURER

APPROVED: _____
DATE: _____
BY: _____
DIRECTOR

RECORDED
DATE: _____
PLAT NO. _____

Dewberry
203 Patty Parkway, Suite 1
Gaithersburg, MD 20877-2169
301-948-8300 Fax: 301-258-7607

SUBDIVISION RECORD PLAT
CLUBBS FARM
LOTS 1, 2, AND 3
DARNESTOWN (6th) ELECTION DISTRICT - MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 100' DATE: SEPT. 2005

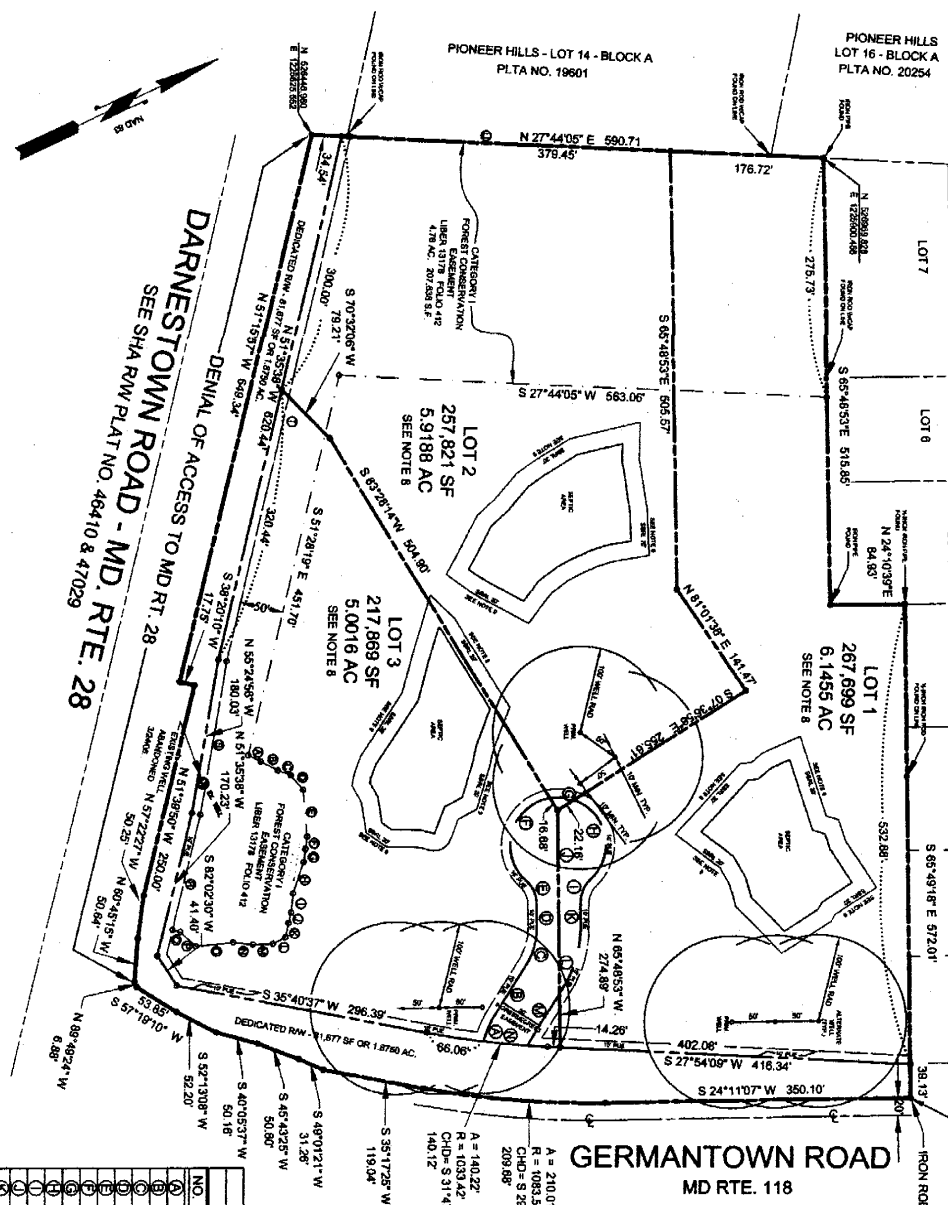


TABLE OF COURSES

NO.	BEARING	CHD LEN.	RADIUS	ARC
1	N 40°59'38" W	34.94		135.00
2	N 33°33'29" W	65.99		35.04
3	N 49°41'11" W	47.22		47.85
4	N 65°44'53" W	23.26		65.00
5	N 69°28'36" W	20.52		47.85
6	N 29°44'30" E	99.00	30.00	31.41
7	N 77°07'30" E	27.48	55.00	12.30
8	N 24°11'07" E	93.96	55.00	27.77
9	S 41°19'16" E	74.92	55.00	112.63
10	S 65°46'52" E	29.53	28.34	28.34
11	S 49°41'11" E	75.00		30.33
12	S 33°33'29" W	78.65		135.00
13	S 31°23'56" W	50.54		76.00
14	S 31°23'56" W	50.54		1033.42

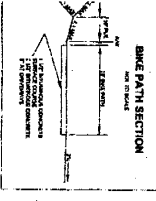
[Signature]
DATE: _____
WITNESSES:
[Signatures]
DATE: _____

OWNER'S CERTIFICATE

WE, THE UNDERSIGNED OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION ESTABLISHING THE LAMBDA BUILDING, 2870 PINEBUSH ROAD, DEDICATING GERMANTOWN ROAD (MD RTE. 118) AND DARNSTOWN ROAD (MD RTE. 28) TO PUBLIC USE AS SHOWN ON THIS PLAN. THE PROPERTY SHOWN HEREON IS TO BE SEEN BY WELL AND BECOME A PART OF THIS PLAN. THE PROPERTY SHOWN HEREON IS TO BE SEEN BY WELL AND BECOME A PART OF THIS PLAN.

REVISIONS	NO.	DATE	DESCRIPTION
	1	1/2/23	ISSUED FOR PERMITTING
	2	1/2/23	REVISIONS TO PERMITTING
	3	1/2/23	REVISIONS TO PERMITTING
	4	1/2/23	REVISIONS TO PERMITTING
	5	1/2/23	REVISIONS TO PERMITTING
	6	1/2/23	REVISIONS TO PERMITTING
	7	1/2/23	REVISIONS TO PERMITTING
	8	1/2/23	REVISIONS TO PERMITTING
	9	1/2/23	REVISIONS TO PERMITTING
	10	1/2/23	REVISIONS TO PERMITTING
	11	1/2/23	REVISIONS TO PERMITTING
	12	1/2/23	REVISIONS TO PERMITTING
	13	1/2/23	REVISIONS TO PERMITTING
	14	1/2/23	REVISIONS TO PERMITTING
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	17	1/2/23	REVISIONS TO PERMITTING
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	27	1/2/23	REVISIONS TO PERMITTING
	28	1/2/23	REVISIONS TO PERMITTING
	29	1/2/23	REVISIONS TO PERMITTING
	30	1/2/23	REVISIONS TO PERMITTING

- GENERAL NOTES**
1. Check that the lot boundaries shown on this plan are correct and that the lot areas are correct.
 2. Check that the lot boundaries shown on this plan are correct and that the lot areas are correct.
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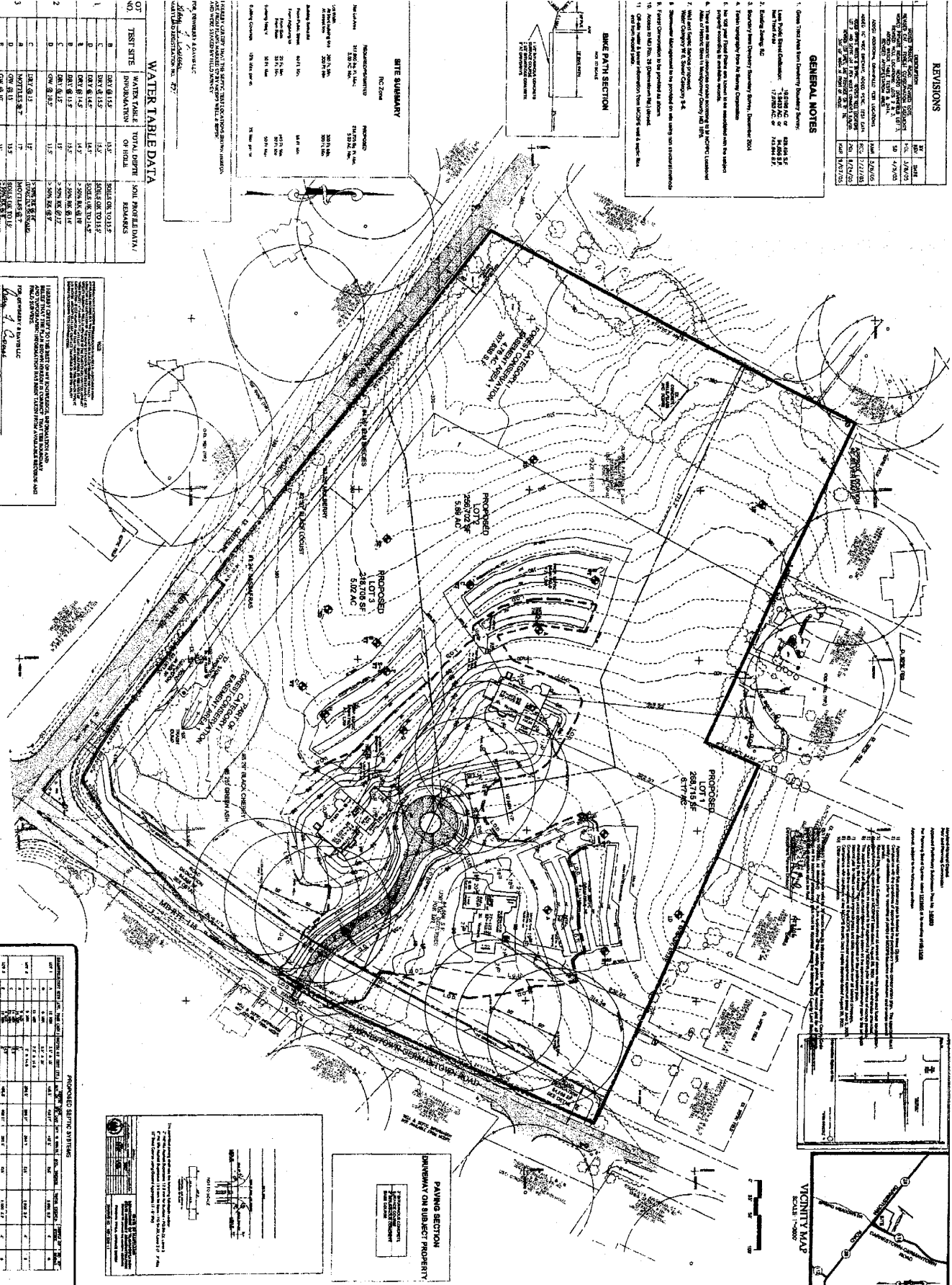


SITE SUMMARY

NO.	DESCRIPTION	REMARKS
1	PROPOSED LOT 1	2,587.72 SQ. FT. (59.01 AC)
2	PROPOSED LOT 2	2,587.72 SQ. FT. (59.01 AC)
3	PROPOSED LOT 3	2,587.72 SQ. FT. (59.01 AC)
4	PROPOSED LOT 4	2,587.72 SQ. FT. (59.01 AC)
5	PROPOSED LOT 5	2,587.72 SQ. FT. (59.01 AC)
6	PROPOSED LOT 6	2,587.72 SQ. FT. (59.01 AC)
7	PROPOSED LOT 7	2,587.72 SQ. FT. (59.01 AC)
8	PROPOSED LOT 8	2,587.72 SQ. FT. (59.01 AC)
9	PROPOSED LOT 9	2,587.72 SQ. FT. (59.01 AC)
10	PROPOSED LOT 10	2,587.72 SQ. FT. (59.01 AC)
11	PROPOSED LOT 11	2,587.72 SQ. FT. (59.01 AC)
12	PROPOSED LOT 12	2,587.72 SQ. FT. (59.01 AC)
13	PROPOSED LOT 13	2,587.72 SQ. FT. (59.01 AC)
14	PROPOSED LOT 14	2,587.72 SQ. FT. (59.01 AC)
15	PROPOSED LOT 15	2,587.72 SQ. FT. (59.01 AC)
16	PROPOSED LOT 16	2,587.72 SQ. FT. (59.01 AC)
17	PROPOSED LOT 17	2,587.72 SQ. FT. (59.01 AC)
18	PROPOSED LOT 18	2,587.72 SQ. FT. (59.01 AC)
19	PROPOSED LOT 19	2,587.72 SQ. FT. (59.01 AC)
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21	PROPOSED LOT 21	2,587.72 SQ. FT. (59.01 AC)
22	PROPOSED LOT 22	2,587.72 SQ. FT. (59.01 AC)
23	PROPOSED LOT 23	2,587.72 SQ. FT. (59.01 AC)
24	PROPOSED LOT 24	2,587.72 SQ. FT. (59.01 AC)
25	PROPOSED LOT 25	2,587.72 SQ. FT. (59.01 AC)
26	PROPOSED LOT 26	2,587.72 SQ. FT. (59.01 AC)
27	PROPOSED LOT 27	2,587.72 SQ. FT. (59.01 AC)
28	PROPOSED LOT 28	2,587.72 SQ. FT. (59.01 AC)
29	PROPOSED LOT 29	2,587.72 SQ. FT. (59.01 AC)
30	PROPOSED LOT 30	2,587.72 SQ. FT. (59.01 AC)

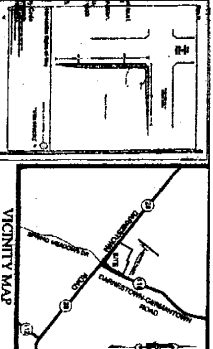
WATER TABLE DATA

TEST SITE NO.	WATER TABLE DEPTH (FEET)	SOIL REMARKS
1	1.5	SOIL REMARKS
2	1.5	SOIL REMARKS
3	1.5	SOIL REMARKS
4	1.5	SOIL REMARKS
5	1.5	SOIL REMARKS
6	1.5	SOIL REMARKS
7	1.5	SOIL REMARKS
8	1.5	SOIL REMARKS
9	1.5	SOIL REMARKS
10	1.5	SOIL REMARKS
11	1.5	SOIL REMARKS
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14	1.5	SOIL REMARKS
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16	1.5	SOIL REMARKS
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24	1.5	SOIL REMARKS
25	1.5	SOIL REMARKS
26	1.5	SOIL REMARKS
27	1.5	SOIL REMARKS
28	1.5	SOIL REMARKS
29	1.5	SOIL REMARKS
30	1.5	SOIL REMARKS



PROPOSED DRIVE SYSTEMS

NO.	DESCRIPTION	WIDTH (FEET)	LENGTH (FEET)	AREA (SQ. FEET)
1	DRIVEWAY	12	100	1200
2	PARKING	12	100	1200
3	PARKING	12	100	1200
4	PARKING	12	100	1200
5	PARKING	12	100	1200
6	PARKING	12	100	1200
7	PARKING	12	100	1200
8	PARKING	12	100	1200
9	PARKING	12	100	1200
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11	PARKING	12	100	1200
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25	PARKING	12	100	1200
26	PARKING	12	100	1200
27	PARKING	12	100	1200
28	PARKING	12	100	1200
29	PARKING	12	100	1200
30	PARKING	12	100	1200



DEWBERRY
 205 Perry Parkway, Suite 1
 Washington, MD 20757-2100
 Tel: 301 291-1000 Fax: 301 291-1000

LEGAL DESCRIPTION:
 PARCEL MAP
 LOTS 1-30
 1/2 AC (21,780 SQ. FT.)

DEVELOPER:
 DEWBERRY
 205 PERRY PARKWAY, SUITE 1
 WASHINGTON, MD 20757-2100
 TEL: 301 291 1000 FAX: 301 291 1000

DATE: 24.09.2023

SCALE: 1"=50'

PROJECT: CLUBBS FARM (EXISTING PARCEL P860)

SHEET NO.: 11-30/12

DATE: 11-30/23

PROJECT NO.: 11-30/23

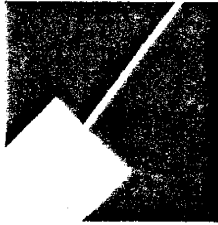
PROJECT NAME: CLUBBS FARM (EXISTING PARCEL P860)

PROJECT LOCATION: 67N ELECTRON PARKWAY

CITY/TOWN: WASHINGTON

COUNTY: MARYLAND

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

Public Hearing Date: September 15, 2005

Date Mailed: DEC 16 2005

Action: Approved Staff Recommendation

Motion of Commissioner Perdue,
seconded by Commissioner Robinson,
with a vote of 5-0;

Chairman Berlage and Commissioners
Perdue, Bryant, Wellington, and Robinson
voting in favor

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 120050930
NAME OF PLAN: Clubbs Farm

The date of this written opinion is DEC 16 2005 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules of Court – State).

On April 28, 2005, the applicant, William Magruder ("Applicant"), submitted an application for the approval of a preliminary plan of subdivision of property in the RC zone. The application proposed to create 3 lots on 19 acres of land located at the northwest quadrant of the intersection of Darnestown Road (MD 28) and Darnestown-Germantown Road (MD 118), in the Potomac master plan area ("Property or Subject Property"). The application was designated Preliminary Plan 120050930 (formerly 1-05093) ("Application" or "Preliminary Plan"). On September 15, 2005, the Preliminary Plan was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application.

The record for this application ("Record") closed at the conclusion of the public hearing, upon the taking of an action by the Planning Board. The Record includes: the information on the Preliminary Plan Application Form; the Planning Board staff-generated minutes of the Subdivision Review Committee meeting(s)

on the application; all correspondence and any other written or graphic information concerning the application received by the Planning Board or its staff following submission of the application and prior to the Board's action at the conclusion of the public hearing, from the applicant, public agencies, and private individuals or entities; all correspondence and any other written or graphic information issued by Planning Board staff concerning the application, prior to the Board's action following the public hearing; all evidence, including written and oral testimony and any graphic exhibits, presented to the Planning Board at the public hearing.

SITE DESCRIPTION:

The Subject Property, Parcel 860, consists of 19 acres located at the northwest quadrant of the intersection of Darnestown Road (MD 28) and Darnestown-Germantown Road (MD 118). Currently vacant, the property is zoned RC.

PROJECT DESCRIPTION:

Application for a preliminary plan of subdivision to create three (3) lots for the construction of three (3) one-family detached dwelling units. The proposed lots will be served by private well and standard private septic. Access to the proposed lots will be via a shared private driveway. The Property will be subject to forest conservation requirements.

BACKGROUND

Master Plan Compliance

The Potomac Master Plan does not specifically identify the Subject Property for discussion but does give general guidance and recommendations to retain and reconfirm the existing zoning for all developed, underdeveloped, and undeveloped land in the subregion except those specifically recommended for change. The Subject Property was not recommended for change.

Issues

The record includes correspondence from neighboring citizens. One letter, dated February 25, 2005, had been submitted by certain adjoining property owners to the Development Review Division and the Montgomery County Department of Permitting Services ("DPS") as a part of a pre-application review¹ of the subject

¹ Prior to submission of the instant preliminary plan application, and pursuant to Montgomery County Code § 50-33, the Applicant had submitted a pre-application plan for review and comment by Planning Staff and the subdivision review committee. The application, captioned as Pre-Preliminary Plan No. 7-05036

proposal. That letter expressed concern regarding the pre-preliminary plan, including the adequacy of stormwater management, topography, drainage, location and adequacy of the septic field, and house site location. The record includes a letter from Planning Board Staff to the senders addressing the neighbors' concerns as follows:

1. Stormwater Management, Runoff, and Drainage Issues

Staff informed the Residents that Montgomery County Department of Permitting Services ("MCDPS") would complete review and approval of the stormwater management concept pursuant to Chapter 19 of the Montgomery County Code. Staff informed the residents that the MCDPS had proposed mitigation measures for stormwater runoff in its evaluation of the stormwater management concept, and that detailed review of the stormwater management computations would occur prior to the issuance of permits. Staff indicated that storm drainage for the Preliminary Plan was under review by the Department of Public Works and Transportation ("MCDPWT").

Staff further indicated that residents could communicate their concerns regarding the Preliminary Plan to Staff prior to the Board's public hearing on the Preliminary Plan; to DPWT during their review of storm drainage; and to the Board at the public hearing on the Preliminary Plan.

The Planning Board received no additional correspondence or public hearing testimony expressing concern over these aspects of the proposed development.

2. Topography

Staff informed the residents that in response to their concerns regarding the topographical data in the pre-preliminary plan, the Applicant's engineer would be providing an updated topographic map for review by the appropriate reviewing agency, as indicated in the engineer's letter to Staff, which is included in the record of the application.

The Planning Board received no additional correspondence or public hearing testimony expressing concern over these aspects of the proposed development.

sought input from staff concerning the layout of the proposed lots and the proposed common driveway.

3. Septic Field

Citing to a letter from the Applicant's engineer, Staff informed the residents that the Applicant had relocated the proposed septic field on Proposed Lot 1 further from the residents' properties, approximately 100 to 180 feet from adjacent properties, and at a higher elevation than that proposed in the pre-preliminary plan. Further, Staff communicated the favorable results of MCDPS review of the proposed septic and reserve drain fields.

The Planning Board received no additional correspondence or public hearing testimony expressing concern over these aspects of the proposed development.

4. Location of Proposed Development

Staff informed the residents that Proposed Lot 1 had been reconfigured to address the residents' concerns regarding the location of Proposed Lot 1 in relation to the Subject Property. Staff further informed the residents that the proposed lots meet or exceed the requirements for lot size and setbacks in the RC zone. The Board notes that it is not within the authority of the Planning Board to regulate the size or location of homes through a preliminary plan of subdivision.

The Planning Board received no additional correspondence or public hearing testimony expressing concern over these aspects of the proposed development.

The relevant public agencies have reviewed the application and have recommended its approval.

A second letter was submitted by the owner of a lot confronting the Subject Property on the east side of Darnestown-Germantown Road (MD 118). Although that property owner expressed his support for the proposed subdivision, he noted his preference that the access point for the proposed common driveway be located to the northern end of the subdivision, as originally proposed in the pre-preliminary plan; and, he also expressed concern that the addition of the common driveway serving the three proposed lots would exacerbate the traffic congestion on MD 118.

In a responding letter, Staff explained that the proposed private driveway location complies with the sight distance requirements regulated by the State Highway Administration (SHA); and, as such, the location of the access is considered safe and adequate. Staff also noted that the Transportation Planning Division had reviewed the application and that only three weekday peak-hour trips would be generated from the proposed subdivision. Staff added that there existed capacity for additional trips on MD 118 and commented that the proposed development would have a minimal impact on existing traffic volumes.

PUBLIC HEARING TESTIMONY

Development Review Staff ("Staff") recommended approval of the Application in its memorandum dated September 9, 2005 ("Staff Report"). Staff testified at the public hearing, presenting its findings consistent with the Staff Report. Staff advised the Board that the Application as conditioned complies with subdivision regulations and recommended approval of the Preliminary Plan. Staff also brought to the attention of the Board an error in the Preliminary Plan Data Table and Checklist, which was attached to the Staff Report. Staff clarified that the zoning ordinance sets the maximum height for dwelling units in the RC Zone at 50 feet.

The Applicant appeared at the hearing represented by legal counsel and indicated its concurrence with the Staff recommendations. No other speakers testified at the public hearing.

FINDINGS

Having given full consideration to the recommendations of its Staff, which the Board hereby adopt and incorporate by reference; the recommendations of the applicable public agencies²; the Applicant's position; and other evidence contained in the Record, which is hereby incorporated in its entirety into this Opinion, the Montgomery County Planning Board finds that:

- a) The Preliminary Plan No. 120050930 (formerly 1-05093) substantially conforms to the Potomac Subregion Master Plan.
- b) Public facilities will be adequate to support and service the area of the proposed subdivision.
- c) The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.
- d) The application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A. This finding is subject to the applicable condition(s) of approval.

² The application was referred to outside agencies for comment and review, including the Washington Suburban Sanitary Commission, the Department of Public Works and Transportation, the Department of Permitting Services and the various public utilities. All of these agencies recommended approval of the application.

- e) The application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the MCDPS that the Stormwater Management Concept Plan meets MCDPS' standards, as memorialized in the MCDPS letter dated June 3, 2005.
- f) Any future objection concerning a substantive issue that was not raised prior to the closing of the Record is waived.

CONDITIONS OF APPROVAL

Finding Preliminary Plan No. 120050930 (formerly 1-05093) in accordance with the purposes and all applicable regulations of Montgomery County Code Chapter 50, the Planning Board approves Preliminary Plan No. 120050930 (formerly 1-05093), subject to the following conditions:

- 1) Approval under this preliminary plan is limited to three (3) lots.
- 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) Compliance with conditions of MCDPWT letter dated, (*forthcoming*), 2005 unless otherwise amended.
- 5) Access and improvements as required to be approved by MDSA prior to issuance of access permits.
- 6) The applicant shall dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan unless otherwise designated on the preliminary plan.
- 7) Record plat to reflect common ingress/egress and utility easements over all shared driveways.
- 8) Compliance with the conditions of the MCDPS stormwater management approval dated June 2, 2005.
- 9) Compliance with conditions of the MCDPS (Health Dept.) septic approval dated (*forthcoming*).
- 10) Other necessary easements.

This Preliminary Plan will remain valid for 36 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended). Prior to the expiration of this validity period, a final record plat for all property delineated

Preliminary Plan No. 120050930
Clubbs Farm
Page 7

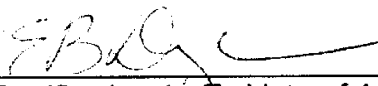
on the approved preliminary plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed.

APPROVED AS TO LEGAL SUFFICIENCY
TAB
M-NCFP COLLECTIONS DEPARTMENT
DATE 12/13/05

[CERTIFICATION OF BOARD VOTE ADOPTING OPINION ON FOLLOWING PAGE]

CERTIFICATION OF BOARD VOTE ADOPTING OPINION

At its regular meeting, held on Thursday, December 15, 2005, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, by unanimous consent, **ADOPTED** the above Opinion, which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for Clubbs Farm, Preliminary Plan No. 120050930. Commissioner Bryant was absent.



Certification As To Vote of Adoption
Technical Writer

PLAT NO. 220061820

Kenilworth

Located on the west side of Kensington Parkway, approximately 200 feet south of
Inverness Drive

R-90 Zone, 1 Lot

Community Water, Community Sewer

Master Plan Area: Bethesda-Chevy Chase

Miller & Smith, Applicant

The record plats have been reviewed by MNCPPC staff and other applicable agencies as documented on the attached Plat Review Checklist. Staff has determined that the plats comply with Preliminary Plan No. 120051110, formerly 1-05111, as approved by the Board; and that any minor modifications reflected on the plats do not alter the intent of the Board's previous approval of the preliminary plan.

RECORD PLAT REVIEW SHEET

Plan Name: Kenilworth Plan Number: 1-05111
 Plat Name: Kenilworth Plat Number: 2-06182
 Plat Submission Date: 3/8/06
 DRD Plat Reviewer: PW
 DRD Prelim Plan Reviewer: Dolores E. Loney

Initial DRD Review:

Signed Preliminary Plan - Date 3/14/06 Checked: Initial Dma Date 4/3/06
 Planning Board Opinion - Date 2/27/06 Checked: Initial PW Date 4/3/06
 Site Plan Req'd for Development? Yes No ✓ Verified By: (initial)
 Site Plan Name: None Site Plan Number:
 Planning Board Opinion - Date Checked: Initial Date
 Site Plan Signature Set - Date Checked: Initial Date
 Site Plan Reviewer Plat Approval: Checked: Initial Date

Review Items: Lot # & Layout ✓ Lot Area ✓ Zoning ✓ Bearings & Distances ✓
 Coordinates ✓ Plan # ✓ Road/Alley Widths ✓ Easements ✓ Open Space N/A
 Non-standard BRLs ✓ Adjoining Land ✓ Vicinity Map ✓ Septic/Wells N/A
 TDR note N/A Child Lot note N/A Surveyor Cert ✓ Owner Cert ✓ Tax Map ✓

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>Amy Lindley</u>	<u>3/13</u>	<u>3/31</u>	<u>4/6/06</u>	<u>OK</u>
Research	<u>Bobby Fleury</u>	<u>"</u>	<u>"</u>	<u>3/14/06</u>	<u>OK</u>
SHA	<u>Doug Mills</u>	<u>"</u>	<u>"</u>	<u>N/A</u>	<u>N/A</u>
PEPCO	<u>Jose Washington</u>	<u>"</u>	<u>"</u>	<u>4/3/06</u>	<u>10' PUE</u>
Parks	<u>Doug Powell</u>	<u>"</u>	<u>"</u>	<u>N/A</u>	<u>N/A</u>
DRD	<u>Steve Smith</u>	<u>"</u>	<u>"</u>	<u>4/27/06</u>	

Final DRD Review:

DRD Review Complete: TA 4/6/06
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up): TA 4/6/06
 Final Mylar w/Mark-up & PDF Rec'd: TA 4/19/06
Board Approval of Plat:
 Plat Agenda: TA 5/11/06
 Planning Board Approval:
 Chairman's Signature:
DPS Approval of Plat:
 Engineer Pick-up for DPS Signature:
 Final Mylar for Reproduction Rec'd:
Plat Reproduction:
 Addressing:
 File Card Update:
 Final Zoning Book Check:
 Update Address Books with Plat #:
 Update Green Books for Resubdivision:
 Notify Engineer to Seal Plats:
 Engineer Seal Complete:
 Complete Reproduction:
 Sent to Courthouse for Recordation:

No.

OWNER'S CERTIFICATE

WE, CHARLES F. STUART, JR. AND DANE HAMPRETT STUART, OWNERS OF THE PROPERTY SHOWN HEREON, HEREBY ADAPT THIS PLAT OF RESUBDIVISION TO THE PLANNING BOARD'S REQUIREMENTS AND GRANT A PUBLIC UTILITY EASEMENT (P.U.E.) AS SHOWN HEREON TO THE PARTIES NAMED IN THE DOCUMENT ENTITLED "TERMS AND PROVISIONS OF PUBLIC UTILITY EASEMENTS" AS RECORDED IN LIBER BOOK AT FIELD 437 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY AND WHICH SAID TERMS ARE INCORPORATED HEREON BY THIS REFERENCE. SUBJECT TO ALL CURRENT AND APPLICABLE REGULATIONS OF ALL FEDERAL, STATE, AND LOCAL GOVERNMENT AGENCIES, WE, AND OUR SUCCESSORS AND ASSIGNS WILL COMPLY WITH ALL APPLICABLE ORDINANCES AND ANY OTHER REQUIREMENTS TO BE SET BY A REGISTERED MARYLAND LAND SURVEYOR IN ACCORDANCE WITH SECTION 50-24(O) OF THE MONTGOMERY COUNTY CODE. IF WE OR OUR SUCCESSORS OR ASSIGNS SHOULD BE REQUIRED TO MAKE ANY CHANGES TO THIS PLAT OF RESUBDIVISION, WE WILL BE RESPONSIBLE FOR ANY SUCH CHANGES AND WE WILL BE RESPONSIBLE FOR ANY CHARGES FOR REVISIONS AND ANY OTHER CHARGES FOR REVISIONS. WE HEREBY CERTIFY THAT WE HAVE READ THE SAID RECORDS OF MONTGOMERY COUNTY, MARYLAND, AND WE HAVE BEEN ADVISED THAT WE ARE THE ONLY PARTIES WITH AN INTEREST IN THE LAND SHOWN ON THIS PLAT OF RESUBDIVISION. WE HEREBY CERTIFY THAT WE HAVE BEEN ADVISED THAT WE ARE THE ONLY PARTIES WITH AN INTEREST IN THE LAND SHOWN ON THIS PLAT OF RESUBDIVISION.

BY: *Charles F. Stuart, Jr.* CHARLES F. STUART, JR. DATE: April 13, 2006
 ATTEST: *Linda E. Baron* LINDA E. BARON
 BY: *Dane Hamprett Stuart* DANE HAMPRETT STUART
 ATTEST: *Linda E. Baron* LINDA E. BARON

LOT 15 KENILWORTH PLAT BK. 1 PLAT NO. 7
 N/F MICHAEL J. KINS & SARAH MILLER KING L. 10676 F. 028
 N/F FRANCIS MILTON HUNT L. 13145 F. 45
 N/F CHRISTOPHER C. & HARRY H. ROBERTS L. 8620 F. 120
 N/F NORMAN R. EVANS, JR. AND DENISE COLEMAN EVANS L. 6788 F. 372

LOT 16 KENILWORTH PLAT BK. 1 PLAT NO. 7
 N/F FRANCIS MILTON HUNT L. 13145 F. 45
 N/F CHRISTOPHER C. & HARRY H. ROBERTS L. 8620 F. 120
 N/F NORMAN R. EVANS, JR. AND DENISE COLEMAN EVANS L. 6788 F. 372
 LOT 18 KENILWORTH PLAT BK. 1 PLAT NO. 7
 N/F FRANCIS MILTON HUNT L. 13145 F. 45
 N/F CHRISTOPHER C. & HARRY H. ROBERTS L. 8620 F. 120
 N/F NORMAN R. EVANS, JR. AND DENISE COLEMAN EVANS L. 6788 F. 372

LOT 19 KENILWORTH PLAT NO. 8653
 N/F NORMAN R. EVANS, JR. AND DENISE COLEMAN EVANS L. 6788 F. 372
 LOT 20 KENILWORTH PS 1 PLAT NO. 7
 N/F ANN B. SULLIVAN, et al L. 13641 F. 273

LOT 21 KENILWORTH PS 1 PLAT NO. 7
 N/F ANN B. SULLIVAN, et al L. 13641 F. 273
 LOT 22 KENILWORTH PS 1 PLAT NO. 7
 N/F ANN B. SULLIVAN, et al L. 13641 F. 273

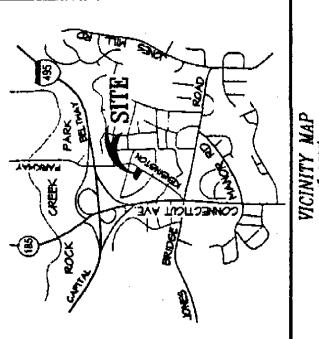
LOT 23 KENILWORTH PS 1 PLAT NO. 7
 N/F ANN B. SULLIVAN, et al L. 13641 F. 273
 LOT 24 KENILWORTH PS 1 PLAT NO. 7
 N/F ANN B. SULLIVAN, et al L. 13641 F. 273

LOT 25 KENILWORTH PS 1 PLAT NO. 7
 N/F ANN B. SULLIVAN, et al L. 13641 F. 273
 LOT 26 KENILWORTH PS 1 PLAT NO. 7
 N/F ANN B. SULLIVAN, et al L. 13641 F. 273

LOT 27 KENILWORTH PS 1 PLAT NO. 7
 N/F ANN B. SULLIVAN, et al L. 13641 F. 273
 LOT 28 KENILWORTH PS 1 PLAT NO. 7
 N/F ANN B. SULLIVAN, et al L. 13641 F. 273

LOT 29 KENILWORTH PS 1 PLAT NO. 7
 N/F ANN B. SULLIVAN, et al L. 13641 F. 273
 LOT 30 KENILWORTH PS 1 PLAT NO. 7
 N/F ANN B. SULLIVAN, et al L. 13641 F. 273

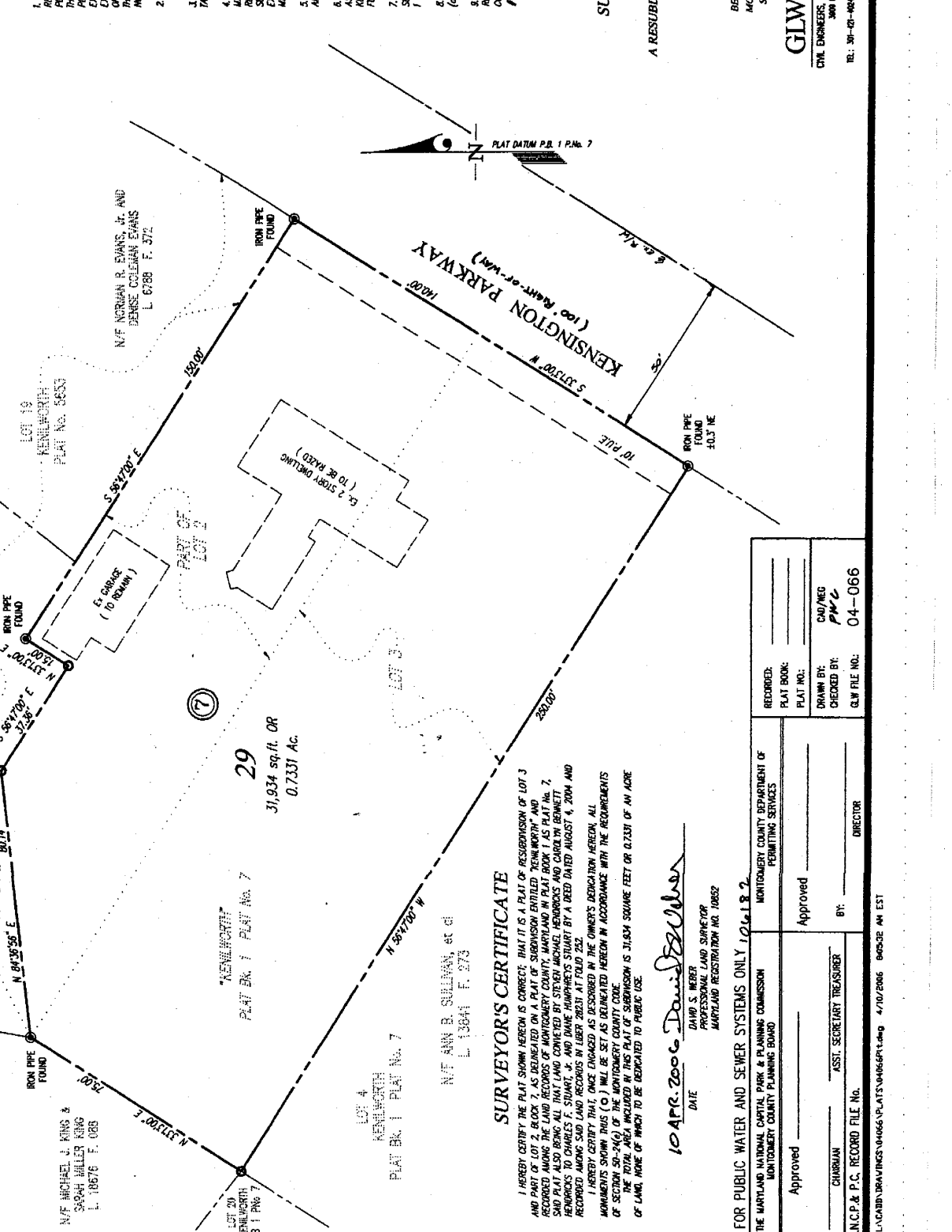
LOT 31 KENILWORTH PS 1 PLAT NO. 7
 N/F ANN B. SULLIVAN, et al L. 13641 F. 273
 LOT 32 KENILWORTH PS 1 PLAT NO. 7
 N/F ANN B. SULLIVAN, et al L. 13641 F. 273



1. ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, PROJECT PLAN OR OTHER PLAN, ALLOWING DEVELOPMENT OF THIS PROPERTY, APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD ARE INTENDED TO SURVIVE AND NOT BE ENDORSORSED BY THE RECREATION OF THIS PLAT, UNLESS EXPRESSLY CONTAINED BY THE PLAN AS APPROVED. THE PLANNING BOARD HAS REVIEWED THE PLAN FOR THE APPLICABLE TERMS AND CONDITIONS AND IS AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
2. PROPERTY MARKERS TO BE SET SHOWN THIS O. PROPERTY MARKERS FOUND SHOWN THIS O.
3. THIS PROPERTY IS ZONED R-30 AND LOCATED ON TAX MAP TP 41.
4. THIS SUBDIVISION PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE, NOR EVERY MATTER RESTRICTING THE OWNERSHIP AND USE OF THE PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE REPORT OR TO DEFECT OR NOTE ALL MATTERS AFFECTING TITLE.
5. THE APPROVAL OF THIS PLAT IS PREDICTED ON THE ADEQUACY AND AVAILABILITY OF PUBLIC WATER AND SEWER.
6. THE LOT SHOWN HEREON IS LIMITED TO USES AND CONDITIONS AS REQUIRED BY PRELIMINARY PLAN 1-051H, ENTITLED "KENILWORTH" AND ANY PROPOSED CHANGES IN USE WILL REQUIRE FURTHER PLANNING BOARD REVIEW AND APPROVAL.
7. THE HORIZONTAL DATUM IS ESTABLISHED FROM A PLAT OF SUBDIVISION ENTITLED "KENILWORTH" AND RECORDED IN PLAT BOOK 1 AS PLAT NO. 7.
8. THIS SUBDIVISION RECORD PLAT CONCERNS WITH SECT. 50-3B (6)(2)(K) OF THE MONTGOMERY COUNTY CODE.
9. THE PROPERTY SHOWN HEREON IS EXEMPT FROM THE REQUIREMENTS OF THE MONTGOMERY COUNTY FOREST CONSERVATION LAW OF 1992 (FOREST CONSERVATION EXEMPTION # 4-05314).

SUBDIVISION RECORD PLAT
LOT 29, BLOCK 7
 BLOCK 7, "KENILWORTH"
 PLAT BK. 1 PLAT NO. 7
KENILWORTH
 BETHESDA ELECTION DISTRICT NO. 7
 MONTGOMERY COUNTY, MARYLAND
 SCALE: 1"=20'
 MARCH 2006

GLW GUTSCHICK LITTLE & WEBER, P.A.
 CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
 3000 WINTHROP DRIVE, SUITE 200, FALLS CHURCH, VA 22044
 TEL: 703-401-0888 FAX: 703-401-0888
 M-HOPPC #2-06182



SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THE PLAT SHOWN HEREON IS CORRECT; THAT IT IS A PLAT OF RESUBDIVISION OF LOT 3 AND PART OF LOT 2, BLOCK 7, AS DELINEATED ON A PLAT OF SUBDIVISION ENTITLED "KENILWORTH" AND RECORDED ALONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN PLAT BOOK 1 AS PLAT NO. 7. I HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN MONTGOMERY COUNTY, MARYLAND, AND THAT I AM THE ONLY PARTY WITH AN INTEREST IN THE LAND SHOWN ON THIS PLAT OF RESUBDIVISION. I HEREBY CERTIFY THAT I HAVE BEEN ADVISED THAT WE ARE THE ONLY PARTIES WITH AN INTEREST IN THE LAND SHOWN ON THIS PLAT OF RESUBDIVISION. I HEREBY CERTIFY THAT, ONCE ENGAGED AS DESCRIBED IN THE OWNER'S DECLARATION HEREON, ALL INFORMATION SHOWN THIS (O) WILL BE SET AS DEIGNED HEREON IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 50-24(O) OF THE MONTGOMERY COUNTY CODE. THE TOTAL AREA INCLUDED IN THIS PLAT OF RESUBDIVISION IS 31,934 SQUARE FEET OR 0.7331 OF AN ACRE OF LAND, NONE OF WHICH TO BE DEDICATED TO PUBLIC USE.

10 APR. 2006 David S. Weber
 DAVID S. WEBER
 PROFESSIONAL LAND SURVEYOR
 MARYLAND REGISTRATION NO. 10852

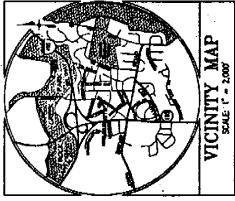
FOR PUBLIC WATER AND SEWER SYSTEMS ONLY 10 APR. 2006

THE MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION
 MONTGOMERY COUNTY PLANNING BOARD

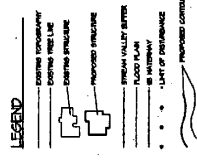
RECORDED:	PLAT BOOK:	PLAT NO.:	DATE REC:
DRAWN BY:	CHECKED BY:	C.S.M. FILE NO.:	04-066

Approved: _____ Approved: _____
 CHAIRMAN ASST. SECRETARY TREASURER BY: _____ DIRECTOR

M.N.C.P.A. P.C. RECORD FILE NO. _____
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VICINITY MAP
SCALE 1" = 2,000'



- GENERAL NOTES**
- OWNER: [Name]
 - PROJECT: [Name]
 - DATE: [Date]
 - DESIGNED BY: [Name]
 - DATE: [Date]
 - APPROVED BY: [Name]
 - DATE: [Date]
 - PROJECT: [Name]
 - DATE: [Date]
 - DESIGNED BY: [Name]
 - DATE: [Date]
 - APPROVED BY: [Name]
 - DATE: [Date]
 - PROJECT: [Name]
 - DATE: [Date]
 - DESIGNED BY: [Name]
 - DATE: [Date]
 - APPROVED BY: [Name]
 - DATE: [Date]

SITE DATA

Site Area: [Value]

Site Location: [Address]

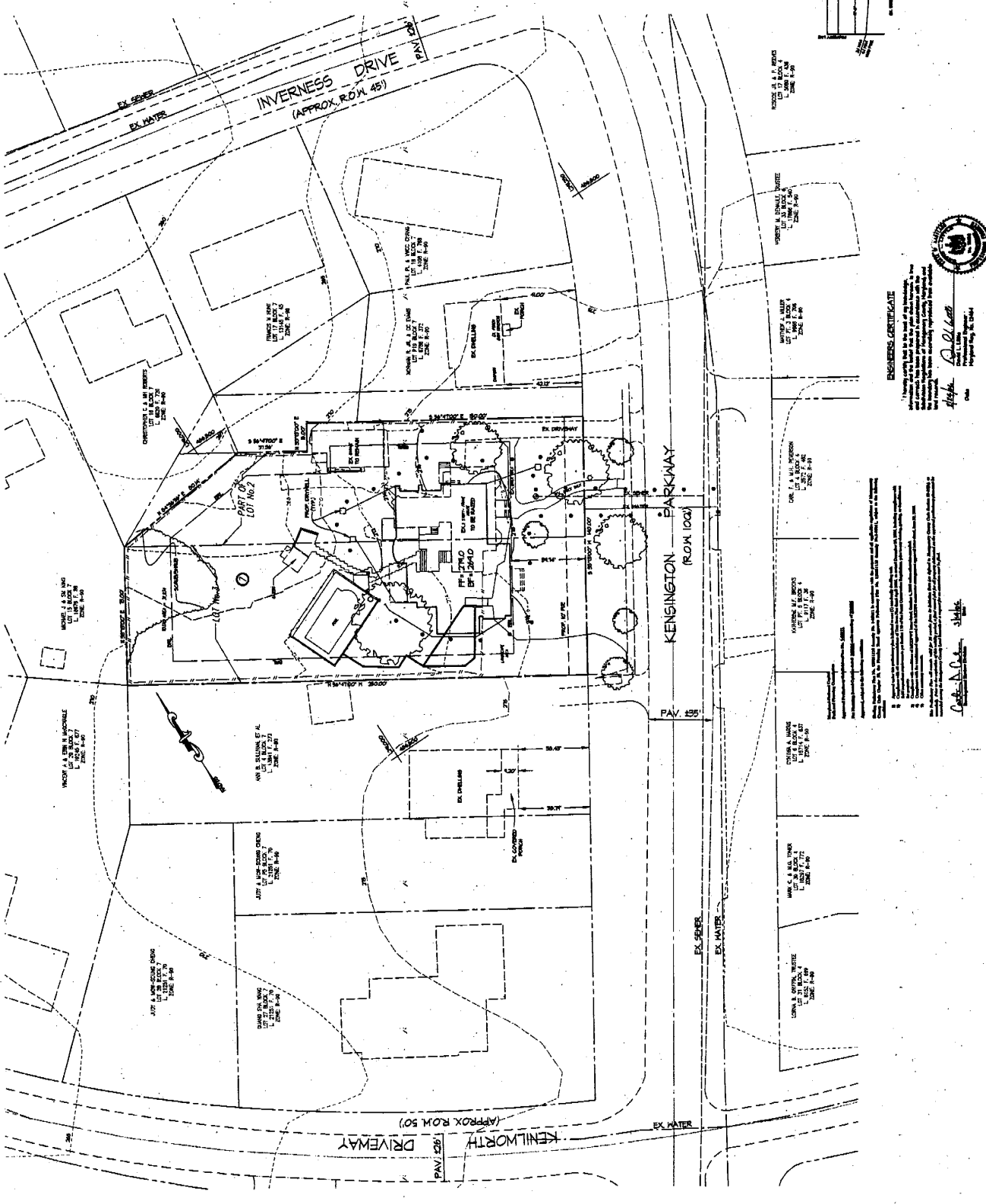
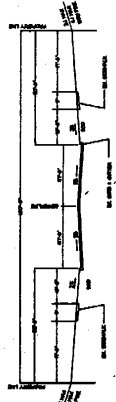
Adjacent Properties: [List]

ZONING STANDARDS

Zone: [Type]

Setback: [Value]

Height: [Value]



ENGINEER'S CERTIFICATE

I hereby certify that I am a duly Licensed Professional Engineer in the State of Virginia, and that I am the author of the above described plans and specifications, and that I am not aware of any fraud or deception in their preparation.

[Signature]
[Name]
[Address]
[City, State, Zip]

GLW GILBERT LITTLE & WENNER, P.A. ENGINEERS, ARCHITECTS & PLANNERS 1000 W. MARKET STREET, SUITE 200 CHARLOTTE, NC 28202 TEL: 704.375.1100 FAX: 704.375.1101	PREPARED FOR: HEALTH CARE PARTNERS 1000 W. MARKET STREET, SUITE 200 CHARLOTTE, NC 28202	PROJECT NO.: 05-001	SHEET NO.: 04058
	PRELIMINARY SITE PLAN KENILWORTH LOT 3 AND PART OF LOT 2, BLOCK 7 LINDEN HILLS	SCALE: 1" = 20'	DATE: APRIL, 2005

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

Board Approval Date: Oct. 10, 2005

Date Mailed: FEB 16 2006

**Action: Approved Staff Recommendation.
Motion of Commissioner Robinson,
seconded by Commissioner Perdue, with a
vote of 4-0;
Chairman Berlage and Commissioners
Perdue, Robinson and Wellington voting in
favor. Commissioner Bryant absent.**

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 12004105A (formerly 1-04105A)
NAME OF PLAN: Roberts Landing

The date of this written opinion is FEB 16 2006 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules of Court - State).

On 6/17/05, Classic Community Development Corporation ("Applicant") submitted an application for the approval of a preliminary plan of subdivision of property in the R-200 zone. The application proposed to create 7 lots on 78.47 acres of land located on the north side of Turkey Foot Road approximately 125 feet west of Jones Lane, in the Potomac master plan area. The application was designated Preliminary Plan 12004105A (formerly 1-04105A). On 10/10/05, Preliminary Plan 1-04105A was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application.

RECEIVED

FEB 20 2006

GEORGE W. LITTLE & ASSOCIATES, INC.

The record for this application ("Record") closed at the conclusion of the public hearing, upon the taking of an action by the Planning Board. The Record includes: the information on the Preliminary Plan Application Form; the Planning Board staff-generated minutes of the Subdivision Review Committee meeting(s) on the application; all correspondence and any other written or graphic information concerning the application received by the Planning Board or its staff following submission of the application and prior to the Board's action at the conclusion of the public hearing, from the applicant, public agencies, and private individuals or entities; all correspondence and any other written or graphic information issued by Planning Board staff concerning the application, prior to the Board's action following the public hearing; all evidence, including written and oral testimony and any graphic exhibits, presented to the Planning Board at the public hearing.

PUBLIC HEARING TESTIMONY

At the public hearing, Staff recommended approval of the application, including a waiver to permit a sidewalk on only one side of proposed public roads, subject to the revised conditions it issued subsequent to its memorandum dated 9/29/05 ("Staff Report"). The Applicant, represented by its engineer, concurred in the Staff recommendation.

The Board heard testimony from an adjacent property owner who expressed his concern that the Applicant's project would restrict ingress/egress to his property. The adjacent property owner claimed that the Applicant's development would render him landlocked, insofar as his only other means of achieving ingress/egress would involve access through an apparent stream valley buffer. Both Staff and the Applicant stated that they were previously unaware of the adjacent property owner's concern, and further noted that the property owner has access to road frontage via an adjoining parcel in common ownership by the adjacent property owner. The Board also noted that the property in question does not abut the project before the Board at the instant public hearing, and as a result, the Board determined that they did not have authority to amend the instant application in any way to mitigate the situation.

No other testimony was received on the application and the record contains no correspondence or other evidence submitted in opposition to the application.

FINDINGS

Having given full consideration to the recommendations of its Staff; the recommendations of the applicable public agencies¹; the Applicant's position; and other

¹ The application was referred to outside agencies for comment and review, including the Washington Suburban Sanitary Commission, the Department of Public Works and Transportation, the Department of Permitting Services and the various public utilities. All of these agencies recommended approval of the application.

evidence contained in the Record, which is hereby incorporated in its entirety into this Opinion, the Montgomery County Planning Board finds that:

- a) The uncontested evidence of record demonstrates that Preliminary Plan No. 12004105A (formerly 1-04105A) substantially conforms to the Potomac master plan.
- b) The uncontested evidence of record demonstrates that public facilities will be adequate to support and service the area of the proposed subdivision.
- c) The preponderance of the evidence in the record demonstrates that the size, shape and orientation of the proposed lots are appropriate for the location of the subdivision. The uncontested evidence in the record demonstrates that the waiver of sidewalk along one side of public roads is appropriate.
- d) The uncontested evidence of record demonstrates that the application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A. This finding is subject to the applicable condition(s) of approval.
- e) The uncontested evidence of record demonstrates that the application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department of Permitting Services ("MCDPS") that the Stormwater Management Concept Plan meets MCDPS' standards.
- f) Aside from the access issue raised by the adjoining property owner, the Record of this application contains no other contested issues; and, therefore, the Planning Board finds that any future objection, which may be raised concerning a substantive issue in this application, is waived.

CONDITIONS OF APPROVAL

Finding Preliminary Plan No. 12004105A (formerly 1-04105A) in accordance with the purposes and all applicable regulations of Montgomery County Code Chapter 50, the Planning Board approves Preliminary Plan No. 12004105A (formerly 1-04105A), including a waiver pursuant to §50-26(h)(3) to permit sidewalk on only one side of proposed public roads (extension of Talley Lane, Pilots Landing Way and Navigators Way), and subject to the following conditions:

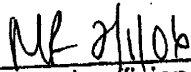
- 1) Approval under this preliminary plan amendment is limited to 7 additional dwelling units for a total of 33 dwelling units within the subdivision.

- 2) Compliance with conditions of MCDPS (Health Dept.) septic approval dated July 12, 2005.
- 3) Prior to any clearing and grading, applicant shall install tree protection or super silt fence along the proposed limit of disturbance for Lots 30 and 31. The fencing shall be maintained during construction to ensure protection of trees.
- 4) Applicant to dedicate proposed Parcel E to M-NCPPC for stream valley parkland. Dedicated parkland to be transferred by time of record plat, free of trash and unnatural debris, and the boundaries and corners marked and identified to delineate between parkland and private property. Design and location of boundary markers and signs to be approved by M-NCPPC staff.
- 5) All other previous conditions included in Planning Board opinion dated February 24, 2005 remain in full force and effect.

This Preliminary Plan will remain valid for 36 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed.

* * * * *

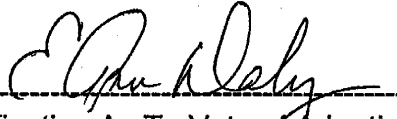
[CERTIFICATION OF BOARD VOTE ADOPTING OPINION ON FOLLOWING PAGE]



Approved for legal sufficiency
M-NCPPC Office of General Counsel

CERTIFICATION OF BOARD ADOPTION OF OPINION

At its regular meeting, held on **Thursday, February 9, 2006**, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, by unanimous consent **ADOPTED** the above Opinion which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for **Preliminary Plan No. 1-2004105A (formerly 1-04105A), Roberts Landing**. Commissioner Bryant abstained.



Certification As To Vote of Adoption
E. Ann Daly, Technical Writer

PLAT No. 220061760

English Village-Bradley Hills

Located on the east side of Aberdeen Road, approximately 200 feet south of York Lane

R-90 Zone, 1 Lot

Community Water, Community Sewer

Master Plan Area: Bethesda-Chevy Chase

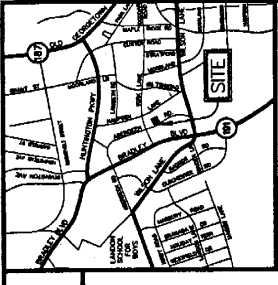
Paul & Sheri Edenbaum, Applicant

Staff recommends approval of this minor subdivision plat pursuant to section **50-35A (a)(3)** of the Subdivision Regulations, which states:

Consolidation of Two or More Lots or a Part of a lot into One Lot. Consolidating more than one lot into a single lot is permitted under the minor subdivision procedure provided:

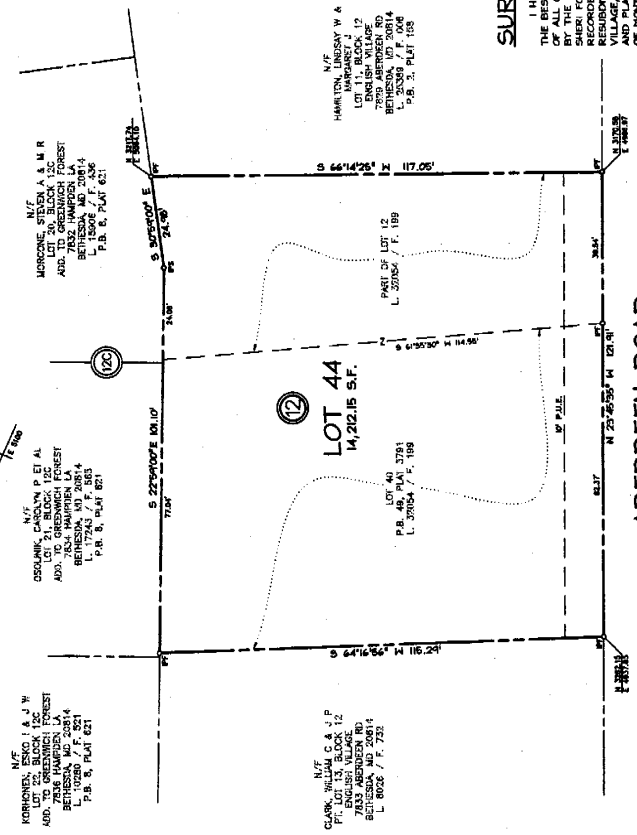
- a. Any conditions applicable to the original subdivision remain in full force and effect and the number of trips generated on the new lot do not exceed those permitted for the original lots or as limited by an Adequate Public Facilities agreement.
- b. Any consolidation involving a part of a lot may occur under the minor subdivision process if the part of a lot was created by deed recorded prior to June 1, 1958

Staff applied the above-noted minor subdivision criteria for this lot (previously known as part of lot 40 and part of lot 12) and concludes that the proposed minor subdivision complies with the criteria of Section 50-35A (a)(3) of the subdivision regulations and supports this minor subdivision record plat.



VICINITY MAP
SCALE: 1" = 200'

PLAT No.



ABERDEEN ROAD
(50' R/W PER P.B. 2, PLAT 159)

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT IT IS A RESUBDIVISION OF LOT 44, BLOCK 12, ENGLISH VILLAGE, BRADLEY HILLS, MONTGOMERY COUNTY, MARYLAND, BY THE ORDER OF CLARENCE O. KNIGHT UNTO PAUL G. EDENBAUM AND SHERI FORTAIN-EDENBAUM, BY A DEED DATED FEBRUARY 24, 2006 AND RECORDED MARCH 29, 2006 IN LIBER 50064 AT FOLD 400, INCLUDING A VILLAGE, BRADLEY HILLS, AS RECORDED IN PLAT BOOK 44, PLAT 159 AND PLAT BOOK 2, PLAT 159, AS RECORDED ALONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, AND IN PLACE AS SHOWN HEREON IN ACCORDANCE WITH SECTION 50-2(C) OF THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, MARYLAND.

Paul G. Edenaum
DATE _____
DAVID JOHN BITTNER
REGISTERED PROFESSIONAL SURVEYOR
HD REG. NO. 2872

SUBDIVISION RECORD PLAT
LOT 44, BLOCK 12
**ENGLISH VILLAGE
BRADLEY HILLS**
A RESUBDIVISION OF LOT 40 & FT. LOT 12, BLOCK 12
BETHESDA (7TH) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 20' FEBRUARY 2006

CAS ENGINEERING
CIVIL, SURVEYING, LAND PLANNING
A DIVISION OF GAS ENTERPRISES, INC.
100 Montgomery Boulevard, Suite 107, Jessel, MD, Maryland 21771
P.O. Box 6041, Fort Detrick, MD 21740-6041

- NOTES**
- TOTAL AREA INCLUDED ON THIS PLAT IS 14,430.65 (3.63 ACRES).
 - TOTAL AREA OF DEDICATION FOR ABERDEEN ROAD IS 0 ACRES.
 - WATER CATEGORY: 1 - SMOKE CATEGORY: 1
 - ZONE AND THE DATE OF PLAT RECORDATION.
 - UP/PS - IRON PIPE FOUND OR IRON PIN SET.
 - THE APPROVAL OF THIS PLAT IS PREDICATED ON THE AVAILABILITY OF PUBLIC WATER AND SEWER.
 - THIS PROPERTY IS SHOWN ON THE TYP 104 IN 125.
 - THIS PROPERTY IS SHOWN ON N.S.S.C. 300-FOOT SHEET 26 104 06.
 - ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, PROJECT PLAN, OR OTHER INSTRUMENT OF SERVICE SHALL APPLY TO THIS PLAT.
 - MONTGOMERY COUNTY PLANNING BOARD ARE INTENDED TO SHARVE USERS, NOT BE USED TO CONSTITUTE A WARRANTY BY THE MONTGOMERY COUNTY PLANNING BOARD AND ARE AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
 - THIS PLAT CONFORMS WITH THE REQUIREMENTS FOR TYPICAL SUBDIVISION APPROVALS CONTAINED IN SECTION 50-2(C) OF THE MONTGOMERY COUNTY CODE. THIS PLAT INVOLVES CONSOLIDATION OF TWO OR MORE LOTS OR PARTS OF LOTS INTO ONE OR MORE LOTS OR PARTS OF LOTS. THE SUBJECT PARTS OF LOTS WERE CREATED BY DEED PRIOR TO JAN 1, 1954.
 - THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE, NOR EVERY MATTER RESTRICTING THE RIGHT OF THE OWNER TO ENJOY HIS PROPERTY, BUT ONLY THOSE MATTERS AFFECTING TITLE.
 - THE PROPERTY SHOWN HEREON IS NOT SUBJECT TO THE REQUIREMENTS OF CHAPTER 25A, MONTGOMERY COUNTY FOREST CONSERVATION LAW.
 - THIS PROPERTY IS LOCATED ON F.E.T.A. FLOOD INSURANCE MAP COMMUNITY-HAZEL NUMBER 26045 015 C, FLOOD ZONE 'C'.
 - ALL EXISTING AND PROPOSED DEVELOPMENT ON THIS PROPERTY IS SUBJECT TO THE STANDARDS OF THE MONTGOMERY COUNTY ZONING ORDINANCE.

OWNER'S CERTIFICATE

WE, PAUL G. EDENBAUM AND SHERI FORTAIN-EDENBAUM, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION. WE HEREBY GRANT A 10-FOOT PUBLIC UTILITY EASEMENT, SHOWN HEREON AS '10' P.U.E.', TO THOSE PARTIES MENTIONED IN THE DOCUMENT ENTITLED 'DECLARATION OF TERMS AND PROVISIONS OF PUBLIC UTILITY EASEMENT' AS RECORDED IN MONTGOMERY COUNTY RECORDS. THERE ARE NO SUITS, ACTIONS AT LAW, LEASES, LIENS, MORTGAGES, OR TRUSTS AFFECTING THE PROPERTY SHOWN HEREON, EXCEPT AS INDICATED BELOW.

Paul G. Edenaum
DATE 4/19/06
P.G. EDENBAUM
Sheri Fortain-Edenaum
DATE 4-13-06
SHERI FORTAIN-EDENBAUM

PLAT TABULATION

NUMBER OF LOTS	1
NUMBER OF PARCELS	1
AREA OF LOT	14,212.15
AREA OF PARCEL	0
AREA OF STREET DEDICATION	0
TOTAL AREA	14,212.15 S.F. (0.323 ACRES)

Department of
Permitting Services
Montgomery County, Maryland

Date: _____
Approved: _____

The Maryland National Capital Park and Planning Commission
Montgomery County Planning Board

Approved: _____
M.N.C.P. & P.C. Record File No. _____

Recorded _____
Plat No. _____

PLAT NO. 220061770

Ridgewood Village

Located on the south side of Greenvale Street, approximately 200 feet east of Western Avenue

R-60 Zone, 1 Lot

Community Water, Private Septic

Master Plan Area: Bethesda-Chevy Chase

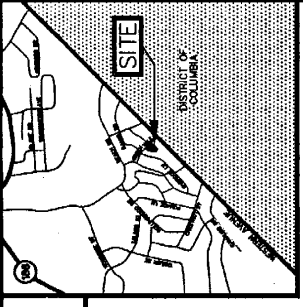
David Noll & Diane Robertson, Applicant

Staff recommends approval of this minor subdivision plat pursuant to section **50-35A (a)(3)** of the Subdivision Regulations, which states:

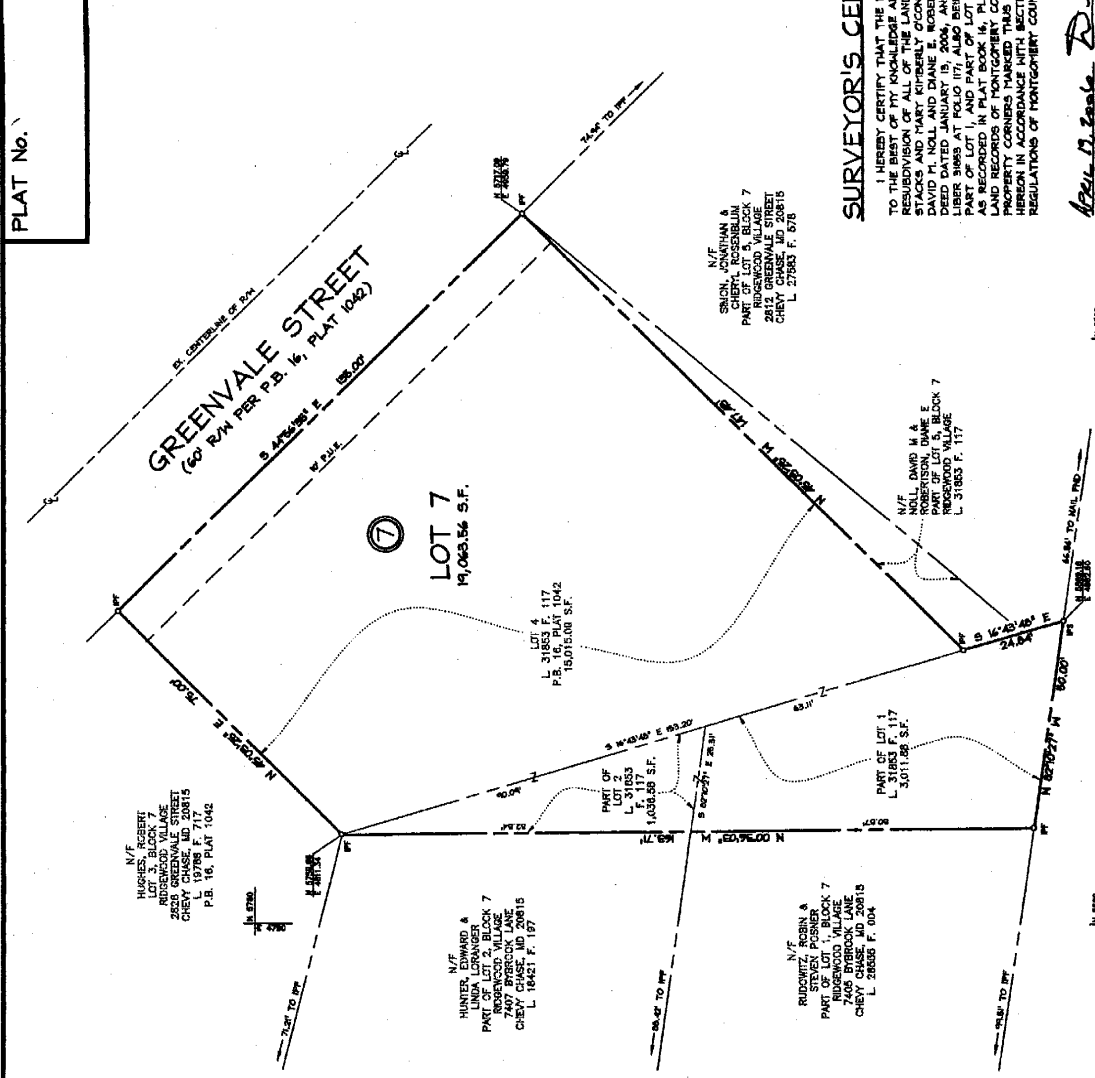
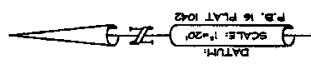
Consolidation of Two or More Lots or a Part of a lot into One Lot. Consolidating more than one lot into a single lot is permitted under the minor subdivision procedure provided:

- c. Any conditions applicable to the original subdivision remain in full force and effect and the number of trips generated on the new lot do not exceed those permitted for the original lots or as limited by an Adequate Public Facilities agreement.
- d. Any consolidation involving a part of a lot may occur under the minor subdivision process if the part of a lot was created by deed recorded prior to June 1, 1958

Staff applied the above-noted minor subdivision criteria for this lot (previously known as lot 4 and part of lot 1 and 2) and concludes that the proposed minor subdivision complies with the criteria of Section 50-35A (a)(3) of the subdivision regulations and supports this minor subdivision record plat.



VICINITY MAP
SCALE: 1" = 2000'



PLAT No. 1

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT IT IS A RESUBDIVISION OF ALL OF THE LANDS CONVEYED BY BELLAHIN M. STACKS AND MARY KIRKBERLY O'CONNOR, HUSBAND AND WIFE, UNTO DAVID M. NOLL AND DANE E. ROBERTSON, HUSBAND AND WIFE, BY A LIBER INSTRUMENT RECORDED IN LIBER 2884 AT FOLIO 467 IN PART OF LOT 1, AND PART OF LOT 2, BLOCK 7, RIDGEMOOD VILLAGE, AS RECORDED IN PLAT BOOK 16, PLAT 1042 AS RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, AND THAT ALL THE LANDS SHOWN HEREON ARE SUBJECT TO THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, MARYLAND.

DATE: April 17, 2008
 DAVID JOHN BITTICHE
 PROFESSIONAL LAND SURVEYOR
 MD REG. NO. 20172

**SUBDIVISION RECORD PLAT -
 LOT 7, BLOCK 7
 RIDGEMOOD VILLAGE**

A RESUBDIVISION OF LOT 4
 AND PART OF LOTS 1 & 2, BLOCK 7
 BETHESDA (7TH) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND
 SCALE: 1" = 20' FEBRUARY 2006

- NOTES**
- TOTAL AREA INDICATED ON THIS PLAT IS 19,063.56 S.F. (0.436 ACRES).
 - TOTAL AREA OF DEDICATION FOR GREENVALE STREET IS 0 S.F. (0 ACRES).
 - WATER CATEGORY: 1 SEWER CATEGORY: 1
 - THE PROPERTY WHICH IS THE SUBJECT OF THIS RECORD PLAT IS IN THE R-60 ZONE, AS OF THE DATE OF PLAT RECORDECTION.
 - 1PP/PS - IRON PIPE FOUND OR IRON PIN SET.
 - THE APPROVAL OF THIS PLAT IS PREDICATED ON THE AVAILABILITY OF PUBLIC WATER AND SEWER.
 - THIS PROPERTY IS SHOWN ON TAX MAP IN 562.
 - THIS PROPERTY IS SHOWN ON M.S.A.C. 200-FOOT SHEET 204 M4 03.
 - ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, PROJECT PLAN OR OTHER PLAN ALLOWING DEVELOPMENT OF THIS PROPERTY AND APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD, THE OFFICIAL PUBLIC PLANS FOR ANY SUCH PLAN ARE MAINTAINED BY THE MONTGOMERY COUNTY PLANNING BOARD AND ARE AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
 - THIS PLAT CONFORMS WITH THE REQUIREMENTS FOR MINOR SUBDIVISION APPROVALS CONTAINED IN SECTION 80-26A OF THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS. THE MONTGOMERY COUNTY PLANNING BOARD HAS REVIEWED AND APPROVED THIS PLAT AND HAS CONCLUDED THAT IT IS IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 80-26A OF THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS.
 - THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER OF RECORD AFFECTING THE PROPERTY, NOR IS IT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPECT OR NOTE ALL MATTERS AFFECTING TITLE.
 - THE PROPERTY SHOWN HEREON IS NOT SUBJECT TO THE REQUIREMENTS OF CHAPTER 23A, MONTGOMERY COUNTY FOREST CONSERVATION PLAN.
 - THIS PROPERTY IS LOCATED ON F.E.P.A. FLOOD INSURANCE MAP COMMUNITY-PANEL NUMBER 24004 016 C, FLOOD ZONE 'C'.
 - ALL EXISTING AND PROPOSED DEVELOPMENT ON THIS PROPERTY IS SUBJECT TO THE STANDARDS OF THE MONTGOMERY COUNTY ZONING ORDINANCE.

OWNER'S CERTIFICATE

WE, DAVID M. NOLL AND DANE E. ROBERTSON, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION.
 WE FURTHER GRANT A 10-FOOT PUBLIC UTILITY EASEMENT, SHOWN HEREON AS THE 10-FOOT PUBLIC UTILITY EASEMENT, TO THE PUBLIC UTILITIES, AS RECORDED IN LIBER 2884 AT FOLIO 467 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.
 WE HEREBY WAIVE AND SURRENDER ALL CLAIMS, LIENS, MORTGAGES, EASEMENTS AND RIGHTS AFFECTING THE PROPERTY SHOWN HEREON, EXCEPT AS INDICATED BELOW.

DATE: 4/17/08 David M. Noll
 DAVID M. NOLL
 WITNESS
 DATE: 4/17/08 Dane E. Robertson
 DANE E. ROBERTSON
 WITNESS

WE, FIRST SAVINGS MORTGAGE CORPORATION, HEREBY CONSENT TO THIS PLAN OF SUBDIVISION.
 DATE: 4/17/08 John E. F.
 JOHN E. F.
 PRESIDENT, FIRST SAVINGS MORTGAGE CORPORATION
 WITNESS

PLAT TABULATION

NUMBER OF LOTS	1
NUMBER OF PARCELS	0
AREA OF LOTS	19,063.56 S.F.
AREA OF PARCELS	0
AREA OF STREET DEDICATION	0
TOTAL AREA	19,063.56 S.F. (0.436 ACRES)

Department of
 Permitting Services
 Montgomery County, Maryland

Date: _____
 Approved: _____ Director

The Maryland National Capital Park and Planning Commission
 Montgomery County Planning Board

Approved: _____ Chairman
 _____ Asst. Secretary - Treasurer

M.N.C.P. & P.C. Record File No. _____

CAS ENGINEERING
 CIVIL SURVEYING - LAND PLANNING
 A DIVISION OF CAS ENTERPRISES, INC.
 105 West Hagerstown Avenue, 10th Floor, Hagerstown, Maryland 21740
 DC Metro (301) 407-6007 FAX (301) 407-6006

Recorded
 Plat No. _____