



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

September 5, 2002

Mr. Jeff Seidleck
Charles P. Johnson & Associates, Inc.
1751 Elton Road
Silver Spring, Maryland 20903

Re: Final Water Quality Plan for Greenway Village at
Clarksburg Phases I and II
SM File #: 204344
Tract Size/Zone: 164.0 Ac/PD-7
Tax Plate: EW
Watershed: Little Seneca Creek

SPECIAL PROTECTION AREA

Dear Mr. Seidleck:

Based on a review by the Department of Permitting Services, the Final Water Quality Plan (FWQP) for the above mentioned site is conditionally approved.

Site Description: The total site area is 374.08 acres and is located mainly southwest of the intersection of MD Route 27 (Ridge Road) and Skylark Road. Phases I and II will include 164 acres, primarily consisting of single-family detached units, townhouses and some multi-family units, in a proposed neo-traditional town layout. Additionally, this plan includes the grading to improve Skylark Road and the proposed sales trailers and their associated parking. The site is located in the Clarksburg Special Protection Area (SPA) of the Little Seneca Creek Watershed.

Stormwater Management: Water quantity control for this site will be provided via several extended detention dry ponds. These structures will provide control of the one-year storm and a maximum detention time of 12 hours per the new state standards. Quality control will be provided via a treatment train that consists of vegetated conveyance swales, dry swales (vegetated swales underlain with infiltration structures), bioretention structures (for small drainage areas), surface sand filters, underground sand filters, water quality inlets and recharge structures. In areas where open section roads were not feasible, additional water quality structures were provided to offset the lost benefits that open section roadways provide. These offsetting structures included additional recharge structures, bioretention structures and underground sand filters. Runoff from vehicular use areas is to be pretreated prior to entering water quality structures. The water quality structures must be sized to treat a minimum of one-inch over the proposed impervious area.

Sediment Control: Redundant sediment control structures are to be used throughout the site. These are to include upland sediment traps that drain to secondary traps down grade. When this is not feasible sediment traps with forebays will be acceptable. All sediment trapping structures are to be equipped with dewatering devices. **Interim water quantity control is required in the proposed sediment traps for the grading of Skylark Road.** The following features are to be incorporated into the sediment control concept for the final water quality plan:



Jeff Seidleck
September 5, 2002
Page 2

1. The earth dikes that feed the sediment traps are to be constructed using trapezoidal channels to reduce flow rates.
2. The site grading shall be phased whenever possible to limit disturbance and immediate stabilization is to be emphasized.
3. Silt fence alone will not be allowed as a perimeter control. The use of super silt fence will be acceptable for small areas of disturbance.

Performance Goals: The performance goals that were established at the pre-application meeting are to be met with the implementation of this Final Water Quality Plan. They are as follows:

1. Protect the streams and aquatic habitat.
2. Maintain the natural on-site stream channels.
3. Minimize storm flow run off increases.
4. Identify and protect stream banks prone to erosion and slumping.
5. Minimize increases to ambient water temperatures.
6. Minimize sediment loading.
7. Maintain stream base flows.
8. Protect springs, seeps, and wetlands.
9. Minimize pollutant loading.

Monitoring: The monitoring must be in accordance with the BMP monitoring protocols which have been established by the Department of Permitting Services (DPS) and Department of Environmental Protection (DEP). The monitoring requirements of the Preliminary Water Quality still apply. **These requirements will be made more specific and refined in a follow up memorandum from DEP.** The following is a list of the monitoring requirements that were required in the Preliminary Water Quality Plan approval and may currently be being performed:

1. Provide discrete flow readings on the three tributaries west of proposed A-302 roadway. Flow readings are to be taken along with groundwater readings to allow comparison of groundwater levels to stream flows levels (to be submitted quarterly). Water chemistry monitoring parameters are to include nitrogen (nitrate, nitrite and TKN), phosphorus (total and ortho) metals, (lead, zinc, copper and cadmium) and total suspended solids. Three storm composite samples are to be collected during the pre-construction period to establish a baseline for this component of the monitoring.
2. Monitoring of the main linked stormwater management (SWM) system in the western portion of the site (SWM Pond #3) for flow, temperature, and chemical parameters as specified above in condition #1. The monitoring is to be at the inflow and outflow point of each cell of the structure. **This monitoring may be changed to the monitoring of individual structures (three to four structures) if it is determined by DPS and DEP that it would be more beneficial.**

2

Jeff Seidleck
September 5, 2002
Page 3

3. Establish a stream monitoring station down stream of the SWM system that is being monitored (SWM Pond #3). This station will be used to monitor embeddedness and stream morphology changes.
4. Provide a continuous flow monitoring station on the main tributary below SWM Pond #5 as close to the southern property line as possible.
5. Total suspended solids are to be sampled (composite or grab samples is to be determined in the DEP memorandum) at the discharge into and out of each cell of the sediment trapping system (forebay, main cell and at the outlet). This sampling is to be done four times a year, during storm events, throughout the construction phase on the largest active sediment trap.
6. Groundwater monitoring wells are to be installed as per a previous field meeting with representatives of DEP.
7. Water temperature is to be monitored in Little Seneca Creek immediately below the bridge of Skylark Road. This monitoring is to occur from June through September of each year.

Prior to the start of any monitoring activity, a meeting is to be held on site with DEP, DPS and those responsible for conducting the monitoring to establish the monitoring parameters. Monitoring is to begin one-year prior to the start of construction, lasting through the construction phase of the development, and for up to five years after construction is complete. **One year of pre-construction monitoring must be completed prior to the issuance of a sediment control permit.** These monitoring requirements are based on the information currently available and may change based on final structure locations and subsequent project phases.

Conditions of Approval: The following conditions must be addressed in the initial submission of the detailed stormwater management and sediment control plan. This list may not be all inclusive and may change based on available information at the time of the review:

1. The proposed on-lot recharge areas must be within an easement.
2. All of the proposed stream buffer encroachments must be approved by MNCPPC.
3. Documentation must be provided that allows for the proposed grading, pond outfalls and a portion of proposed Pond #6 which is shown on the approved stormwater management concept as being on adjacent property.
4. Provide clear access to all stormwater management structures from a public right-of-way.
5. A dam breach analysis will be required for proposed Pond #6. As shown there appears to be a breach impact on the downstream property which would preclude development below the dam embankment and/or require the pond to be designed as a high hazard structure. If this matter can't be resolved in a timely manner with the adjacent property owner, the water quality plan (and possibly the site plan) will have to be revised for this portion of the site.
6. Water quality structures that are to be used for sediment control must have a minimum undisturbed buffer of two feet from the bottom of the sediment trap to the bottom of the stormwater structure.
7. At a minimum, one foot of stone (dead storage) is to be provided below the outlet pipe of all of the proposed water quality filtering devices to provide additional groundwater recharge.



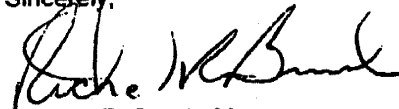
Jeff Seidleck
September 5, 2002
Page 4

8. Provide a hydrologic study point at DEP's existing monitoring station LSL5 104 (from Annual Report-May 2001) to determine the effect of the ultimate buildout (pre-development, post-development and post-development with the proposed BMPs) on this subwatershed. This analysis is to be done using accepted methodology (e.g. TR-20, HEC-2, HEC-RAS, HSPF and SWMM).
9. In general, quantity compensation is not permitted in SPA's, however due to the proximity of lots to stream buffers and tree save areas some compensation may be permitted to minimize disturbance in these areas. The compensation areas are to be minimized as much as possible.
10. Minimize the use of insecticides and fertilizers via a residential Integrated Pest Management Plan as part of the Homeowners Association (HOA) documents. A draft of this plan/document is to be submitted at the detailed sediment control plan stage, and the final document is to be submitted prior to bond release.
11. All of the proposed stream crossings are to use environmentally sensitive design criteria.
12. The stream channels on-site are to be walked to determine if channel restoration is necessary.
13. Additional upland percolation tests may be required to determine the feasibility of providing ground water recharge.
14. Provide a tree planting plan to allow for shading of the dry pond outfalls (into the low flow channels and out of the ponds).
15. MCDPS reserves the right to require the developer to provide full-time, third-party, on-site, sediment control inspection if the department decides the goals of the Water Quality Plan are not being met.

Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended Water Quality Plan requirements.

If you have any questions regarding these actions, please feel free to contact Leo Galanko at (240) 777-6242.

Sincerely,



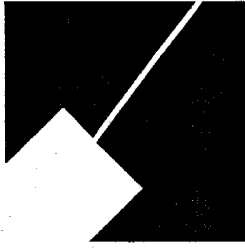
Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:enm:CN204344

cc: M. Shaneman MNCPPC-DR
M. Pfeffert MNCPPC-ER
D. Marshall MCDEP
L. Galanko
SM File # 204344

4

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

Date Mailed: **NOV 18 2005**
Public Hearing Date: June 2, 2005

Action: Approved Staff
Recommendation

Motion of Commissioner Bryant,
Seconded by Commissioner Robinson,
with a vote of 5-0; Chairman Berlage,
Commissioners Bryant, Robinson,
Wellington and Perdue voting in favor.

**MONTGOMERY COUNTY PLANNING BOARD
OPINION**

Site Plan No.: 8-02036A
Project: Greenway Village at Clarksburg
Date of Hearing: June 2, 2005

Action: **APPROVAL SUBJECT TO CONDITIONS.** Motion to approve was made by Commissioner Bryant; duly seconded by Commissioner Robinson; with a vote of 5-0, Commissioners Berlage, Perdue, Bryant, Wellington, Robinson voting in favor.)

The date of this written opinion is NOV 18 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, as provided in the Maryland Rules of Procedure, thirty days from the date of this written opinion. This site plan shall remain valid as provided in Section 59-D-3.8.

On June 2, 2005, Site Plan Review #8-02036A 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.

I. SUBJECT PROPERTY

The 374-acre Greenway Village site is bounded by Piedmont Road and M-NCPPC Ovid Hazen Wells Recreation Park to the north and by Ridge Road to the east. The area contains a mix of zones and uses with farmland being the primary land use. Adjoining the site to the south and southwest is the proposed Clarksburg Village development. The subject site plan includes the first two phases of the development, which contain 164 acres, and is located west of Little Seneca Creek and south of Ovid Hazen Wells Recreation Park.

The community center site is located on the west side of Chestnut Glen Road, between Birch Mead Road and Basswood Hill Drive, in Phase II of the Greenway Village development. It is also the site of a pool and pool house for the residents.

II. BACKGROUND

The Greenway Village property was reclassified from the R-200 Zone to the PD-4 Zone in 2001 by Local Zoning Map Amendment G-735. Provision of a 2,000-square-foot community center in the commercial area was a binding element of the Development Plan. In December 2004, the Montgomery County District Council granted an amendment to Development Plan (DPA-04-3) to change the location of the 2,000-square-foot of indoor community space from the commercial area to the upper level of the Greenway Village pool house located in the residential portion of the development. The DPA-04-03 clarified the Development Plan by showing 2,000 square feet of outdoor community space within the commercial area and an additional 2,000 square feet of indoor community space in the upper level above the proposed pool house.

The Greenway Village also was approved pursuant to Preliminary Plan No. 1-02033, and subsequently amended in Preliminary Plan No. 1-02033A, and the applicant is required to provide 2,000 square feet of indoor community space in the commercial center. A copy of the Planning Board opinion is attached. Although the subject site plan amendment proposes to move the location of the community center from the commercial center to the upper level of the Greenway Village pool house located in Phase II of the development, the change does not alter the overall development program and does not affect traffic generation for the development. Therefore, a preliminary plan amendment is not needed to accommodate the proposed changes.

Site Plan 8-02036 for Greenway Village (Phases I and II) provides that future phases must provide 2,000 square feet of civic space (that is privately owned and maintained) for public use in the commercial center. A copy of the Planning Board opinion is attached. As noted on page 196 of the Clarksburg Master Plan, the commercial center for the Newcut Road Neighborhood should be deferred until 90,000 square feet of retail uses have been established in the Clarksburg Town Center area. According to the developer of the Clarksburg Village Center, it will be approximately seven years before the retail center will be approved.

III. PROPOSED DEVELOPMENT

The site plan amendment proposes the following changes:

- a. Relocate the proposed pool house from the north side of the pool to the east side, fronting on Chestnut Glen Road.
- b. Modify the design of the pool house to add a second floor for a 2,000-square-foot community center. The pool house and the community center will have separate entrances.

The indoor community space is intended to provide meeting room space for Clarksburg as a whole and not be restricted to the Greenway Village community. The proposed community space will be constructed as part of the current Phases of development.

IV. SUMMARY OF TESTIMONY AND EVIDENCE IN RECORD

Staff gave a summary of the proposed amendment (*i.e.*, that the community center is being relocated over the Greenway Village pool building). Staff noted that Phases I is almost completely built out, and Phase II is under construction. Staff also advised the Board that a preliminary plan amendment is not required, because the preliminary plan identified the square footage of the community as 2,000 square feet. Staff noted that for the timing of the pool, rather than amend the phasing, it recommends that the pool be completed by the earlier of June 1, 2006, or 85% occupancy. Finally, staff recommended that the HOA provide the community uses for other Homeowner Associations use the community meeting rooms to conduct their business meetings, that the HOA would provide them free of charge.

The Applicant, represented by legal counsel, testified in support of staff recommendations and raised no objections to the staff recommendation or the conditions.

Kathy Hulle, Chair of the Planning Committee for the Clarksburg Civic Association, also testified. She testified that moving the community from the recreation center from the retail portion of the site suggests that homeowner groups may have more difficulty using the space, and that with the proposed condition number 4 her concern has been addressed.

Chairman Berlage asked whether prospective purchasers in unbuilt units (or those units under construction) would be surprised to learn that the community center has been moved. A representative of the applicant testified that the community plans that they showed to all buyers reflected the location of the community center over the pool building in this location.

Also in response to the Chairman's questions, staff indicated that from the front of the building, the building would be one story tall, the height of the building would be approximately 25 feet, and taller in the back because of grading changes on the site.

There was no testimony presented in opposition to the application.

V. FINDINGS

Based on all of the testimony and evidence presented and on the staff report, which is made a part hereof, the Montgomery County Planning Board finds:

1. The Site Plan is consistent with the approved development plan or a project plan for the optional method of development, if required.

The amended site plan is consistent with the approved Development Plan Amendment 04-3 for Greenway Village at Clarksburg.

2. The Site Plan meets all of the requirements of the zone in which it is located.

The proposed changes to the pool house meet the requirements of the PD zone and the approved site plan 8-02036.

3. The locations of the buildings and structures, the open spaces, the landscaping, the recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient.

The proposed pool house and community center building is located in the proposed Park #3 within the second phase of the development. The pool house and the community center have a separate entrance to each facility at two different levels. A parking lot will be provided to the north of the building for the users of the facilities. A number of paths and sidewalks will be installed near and around the proposed building to provide pedestrian access to the building. The landscape plan proposes a mix of shade and evergreen plants within Park #3 to help define outdoor recreation space and to provide amenity features for the park and proposed building. This layout and the locations of the buildings and pedestrian and vehicular circulation systems are adequate, safe and efficient.

4. Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.

The proposed pool house and community center building is to be used by the Greenway Village community for various recreation and social activities. Its architectural design reflects the residential character of the surrounding neighborhood, and is compatible with the surrounding uses.

5. The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.

The proposed changes to the pool house and the community center do not affect the approved Forest Conservation Plan for the overall development.

VI. PLANNING BOARD ACTION AND CONDITIONS

The Montgomery County Planning Board APPROVES Site Plan Review #8-02036A for relocation of the proposed pool house and modification of the design of the pool house to add a second floor for a 2,000-square-foot community center within Phase II of the development in the PD zone with the following conditions:

1. Preliminary Plan Conformance
The proposed development shall comply with the conditions of approval for Preliminary Plan 1-02033A for Greenway Village at Clarksburg as listed in the Planning Board opinion dated November 7, 2002.
2. Conformance with Prior Site Plan Approval
The proposed development shall comply with the conditions of approval for Site Plan 8-02036 as listed in the Planning Board opinion dated October 16, 2002, unless modified by the subject amendment.
3. Lighting
 - a. Provide a lighting distribution and photometric plan for the subject park area with summary report and tabulations to conform to IESNA standards for residential development.
 - b. All light fixtures shall be full cut-off fixtures.
 - c. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, especially on the perimeter fixtures abutting the adjacent residential properties.

4. Community Center

- a. The proposed community center shall be available for business and community activities promoted by any Homeowner Association, Condominium Association, or similar non-profit organization located in Clarksburg, Maryland. The use of the proposed community center by such organizations for their business meetings shall be rent free.
- b. The governing body of the Arora Hills Homeowners' Association, in coordination with the Clarksburg Civic Association, shall establish procedures for the reservation of time by other organizations identified in 4.a. above to use the Community Center on a first-come first-served basis. It may also establish other reasonable rules and regulations for the use of the center.
- c. A notice board shall be available in the center for the posting of community notices.

5. Recreation Facilities

Prior to 85 percent occupancy of Phases I and II of the development or June 1, 2006, whichever comes first, the proposed pool house/community center, shall be completed and operational.

6. Moderately Priced Dwelling Units (MPDUs)

The proposed development shall provide 12.5% MPDUs on site.

7. Development Program

Applicant shall amend the approved Site Plan Enforcement Agreement and the Development Program for Site Plan 8-02036 to reflect the proposed amendment prior to approval of the signature set of site plan.

8. Signature Set

Prior to signature set approval of site and landscape/lighting plans the following revisions shall be included and/or information provided, subject to staff review and approval:

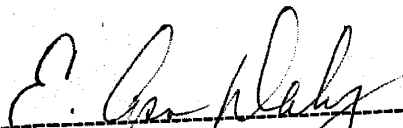
- a. Show limits of disturbance.
- b. Provide two bike racks.
- c. Identify all of the proposed plant materials.
- d. Provide required MPDUs.

[CERTIFICATION OF BOARD APPROVAL ON SUBSEQUENT PAGE]

MR 11/15/05
Approved for legal sufficiency
M-NCPPC Office of General Counsel

CERTIFICATION OF BOARD ADOPTION OF OPINION

At its regular meeting, held on **Thursday, November 17, 2005**, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission by unanimous consent, with the five Commissioners present, **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 **Site Plan No. 8-02036A, Greenway Village at Clarksburg.**



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

Appendix C



FIRE MARSHAL COMMENTS

DATE: DECEMBER 30, 2005
TO: PLANNING BOARD, MONTGOMERY COUNTY
VIA:
FROM: BATTALION CHIEF MICHAEL A. DONAHUE, FIRE CODE ENFORCEMENT SECTION
RE: GREENWAY VILLAGE, PHASE 1 AND 2, FILE NO. 8-2002036A

1. PLAN APPROVED.

- a. Review based only upon information contained on the plan submitted 12-27-2005. 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.



CHECKLIST Site Plan / Project Plan Review

Plan # ~~802~~ 82002036B Name: greenway village at clarksburg, phases one and two
Zone: pda Tract Area: 164 Proposed Use: residential

Number of Units: 486 Square Footage:

Development Method: Other:

Referral Comments:

M-NCPPC	Staff	Date	Other Agencies	Staff	Date
Transportation	kk	1-9-2006	SHA	na	
Environmental	mp	1-3-2006	DPS (SWM)	na	
Community Planning	nm	5-31-2002	DPS (Traffic)	na	
Historic Planning	na		Public School	na	
Park Planning	na		Utility	na	
Research/Housing	na		Fire & Rescue	Michael Donahue	12-30-2005
			DPW & T	na	

Development Standards / Requirements

- Zoning Requirements
- MPDU Calculation
- Building Restriction Lines
- Development Data Table
- TDR Calculation
- Building Height
- Recreation Calculation
- Timing/Phasing Conditions
- Master Plan Conformance

Prior Approvals

- Development Plan
- Preliminary Plan
- Prior Site Plan Approvals
- Record Plat

Community Input

- Civic Association meetings on 11-1-2005 and 12-12-2005 with clarksburg civic association
 - Individuals ongoing correspondence with greg fioravanti, who is the informal leader of active aurora hills residents.
- Supervisor Review *Pat* 1-5-06
Chief Review *Pat K* 1/6/06