

ATTACHMENT F

AGENCY CORRESPONDENCE



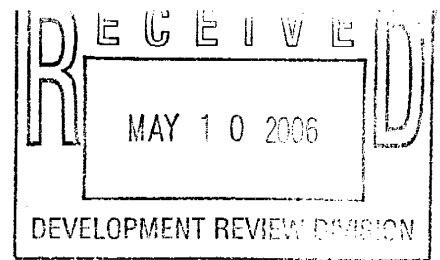
FIRE MARSHAL COMMENTS

DATE: 3-06-06
TO: PLANNING BOARD, MONTGOMERY COUNTY
VIA:
FROM: CAPTAIN JOHN FEISSNER 240.777.2436
RE: APPROVAL OF ~ *KENTSDALE ESTATES (P&P #1-06020) PLAN DATED MARCH 6, 2006*

1. **PLAN APPROVED.**

- a. Review based only upon information contained on the plan submitted 3-6-06. 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



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

May 5, 2006

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 # 1-06020
Kentsdale Estates

Dear Ms. Conlon:

We have completed our review of the amended preliminary plan dated April 3, 2006. The original preliminary plan for this site was reviewed by the Development Review Committee at its meeting on September 26, 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 MCDPS 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. *The plan should be updated to delineate the locations of the existing entrances on Democracy Boulevard and Stapleford Hall Drive, as well as the existing on-site improvements.*
2. Necessary dedication across the Democracy Boulevard and Stapleford Hall Drive site frontages in accordance with the master plan.
3. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
4. Grade establishments for all new public streets and/or pedestrian paths must be approved prior to approval 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

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5. A Public Improvements Easement (PIE) will be necessary along Democracy Boulevard, in order to accommodate the required off-road bikepath construction. Prior to submission of the record plat, the applicant's consultant will need to obtain approval of their plans for the improvements along Democracy Boulevard -- including the off-road bikepath and related bridges. Using this information, the applicant will then 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 PIE is to extend a minimum of two (2) feet beyond the limits of the off-road bikepath and related bridges.

We have not received a waiver package to approve installing the proposed retaining wall in the public right-of-way near the intersection of Democracy Boulevard and Stapleford Hall Drive. At the permit stage, the applicant's engineer may elect to submit a waiver package that analyzes the implications of (approving versus denying) the retaining wall. If the retaining wall is ultimately approved, the front face of the retaining wall will need to be at least two (2) feet beyond the bikepath and the PIE will need to extend a minimum of five (5) feet beyond the limits of that wall.

6. We have the following additional comments on the concept plan for the off-road bikepath and related bridges:
 - o The path should be extended on the west end to the property line and then tapered to tie into the existing paved shoulder.
 - o The Department of Permitting Services and our department will need more design details at the permit stage in order to approve the permit construction drawings for the proposed bridges. Items to be addressed, but not limited to, include: longitudinal and cross-sections, elevation details, manufacturer's specifications, and foundation design. The bridges should be designed in accordance with the AASHTO Guide for Development of Bicycle Facilities, 1999 which reflects a 10-12 foot minimum clear zone width and handrails.
7. 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.
8. Prior to approval of the record plat by the Department of Permitting Services, submit a revised completed, executed and sealed DPWT Sight Distances Evaluation certification form, for each of the proposed driveways on Democracy Boulevard and Stapleford Hall Road, for our review and approval.
9. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by each proposed private common driveway.

10. Record plat to reflect denial of access along the Democracy Boulevard site frontage, except at the approved entrance locations.
11. Waiver from the Montgomery County Planning Board for lot(s) on a private right of way.
12. Private common driveways and private streets shall be determined through the subdivision process as part of the Planning Board's approval of a preliminary plan. The composition, typical section, horizontal alignment, profile, and drainage characteristics of private common driveways and private streets, beyond the public right-of-way, shall be approved by the Planning Board during their review of the preliminary plan.
13. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
14. 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.
15. If the proposed development will alter or impact any existing County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Bruce Mangum of our Traffic Systems Engineering Team at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
16. Permit and bond will be required as a prerequisite to MCDPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
 - A. Eight (8) foot wide off-road bike path and related bridges across the Democracy Boulevard site frontage.
 - B. Enclosed storm drain system along the north side of Democracy Boulevard, between the two flood plains, with stabilized inlet and outlet protection.

* **NOTE: the Public Utilities Easement is to be graded on a side slope not to exceed 4:1.**
 - C. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.

Ms. Catherine Conlon
Preliminary Plan No. 1-06020
May 5, 2006
Page 4

- D. 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.

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,

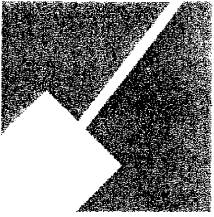


Gregory M. Leck, Manager
Development Review Group
Traffic Engineering and Operations Section

m:/subd/gml/pp/1-06020, Kentsdale Estates

Enclosure

cc: William Lukens; Democracy Boulevard Investments, LLC
Charles T. Grimsley, P.E.; Landmark Engineering, Inc.
Erica A. Leatham; Holland & Knight, LLP
Shahriar Etemadi; M-NCPPC TP
Joseph Y. Cheung; DPS RWPPR
Christina Contreras; DPS RWPPR
Gail Tait-Nouri; DPWT DCD




**MARYLAND-NATIONAL CAPITAL
PARK & PLANNING COMMISSION**

ENVIRONMENTAL RECOMMENDATIONS

June 15, 2006

TO: Cathy Conlon, Supervisor, Development Review

FROM: Stephen D. Federline, Supervisor
CountyWide Environmental Planning 

SUBJECT: Preliminary Plan/Forest Conservation Plan Recommendations for # 1-06020
KENTSDALE ESTATES (Proposal for Twelve Lots)

The subject plan has been reviewed by Environmental Planning to determine if it meets the requirements of Chapter 22A of the Montgomery County Code (Forest Conservation Law), the Environmental Guidelines, Noise Guidelines, and other related requirements. The following determination has been made:

RECOMMENDATION: Approval subject to the following conditions:

1) The proposed development shall comply with the conditions of the preliminary forest conservation plan. The applicant shall satisfy all conditions of Countywide Environmental Planning memo dated June 15, 2006 prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits.

Specific conditions of approval of the preliminary forest conservation plan:

- a) Approval of final forest conservation plan consistent with the approved preliminary forest conservation plan (PFCP), including afforestation planting of the entire stream valley buffer, prior to any clearing or grading on the site.
- b) Revise "buffer edge planting detail" to specify only native trees and shrubs. Non-native plantings may be planted as desired outside the conservation easement.
- c) Permanent forest conservation signage must be shown on the final FCP at appropriate intervals along the easement line.
- d) Maintenance and management agreement to be reviewed and approved by M-NCPPC staff prior to first inspection of planted areas.
- e) Submittal of financial security to M-NCPPC prior to clearing or grading.
- f) Required MNCPPC site inspections per Section 110 of the Forest Conservation Regulations.
- g) Revise FCP to provide protection for trees lining Democracy Boulevard:
 - i) Submit a revised cross-sectional detail for Democracy Boulevard to maximize the distance between the line of existing trees (which includes Pin Oaks up to 28" DBH) on the subject property and the proposed sidewalk/bikeway.
 - ii) PUE shall be located as depicted on preliminary plan signed by engineer on June 9, 2006.

- 2) Record plat to show category I forest conservation easement over all forest conservation and stream valley buffer areas. Prior to plat recordation, MNCPPC staff must approve any amended language to easements or agreements.

Discussion

No forest currently exists on the 28.73 acre property. However, two streams and their associated stream valley buffers of 100' from the stream edge (200' total) break the developable area into three distinct sections. The applicant is proposing to afforest the entire stream buffer of 8.83 acres, exceeding the required afforestation planting of 5.75 acres.

This FCP proposes to plant a "buffer edge" to demarcate a natural edge to the afforestation area on the lots. This detail is intended in lieu of fencing along the afforestation edge. Signage will be required as part of the buffer edge.

Many larger pin oaks currently exist along Democracy Boulevard (up to 28" DBH) that could be saved with a more careful alignment of the sidewalk and the utilities easement. The shared use path has been moved away from the edge of Democracy Boulevard, bridging the stream channel at the two crossings. However, a slight realignment back towards the existing roadway would still protect existing utilities in the ROW and the trees.

Justification for Use of Private Road in the RE-2 Zone

Private roads are proposed for this subdivision, and a finding is required per Section 59-C-1.34.1 that such private road will "***better protect significant environmental features on and off site than would a public road***". On this site, the unforested environmental (stream) buffer is the primary feature worthy of protection, aside from the roadside trees previously discussed. The use of private roads allows an optimized lot configuration and associated development envelope that will provide better direct and indirect protection to the soon-to-be-forested environmental buffer. The private roadway can be internal to the lots (rather than fronting the lots), allowing the roadway to be away outside the environmental buffer. In addition, the driveway creates a de-facto barrier between the development envelope of the lots and the buffer, thereby adding to the protection afforded the buffer, and the afforestation to occur within it.



WASHINGTON SUBURBAN SANITARY COMMISSION

14501 Sweitzer Lane • Laurel, Maryland 20707-5902

March 27, 2006

COMMISSIONERS
Marc P. Lieber, Chairman
Prem P. Agarwal, Vice Chairman
Sandra A. Allen
Stanley J. Botts
Dr. Juanita D. Miller
Joyce Starks

GENERAL MANAGER
Andrew D. Brunhart

DEPUTY GENERAL MANAGER
Carla Reid Joyner

Mr. William Lukens
Democracy Investments, LLC
13972 Baltimore Avenue
Laurel, MD 20707

Re: Phase I Letter of Findings, WSSC Project No. DA4450Z06, Kentsdale Estates

Dear Mr. Lukens:

A hydraulic planning analysis has been completed on the Kentsdale Estates project, and the project has been conceptually approved. Please refer to the enclosed 200'-scale sketch along with the summary table and list of conditions included in this letter, which provide the results of our analysis.

HYDRAULIC SUMMARY TABLE	
Proposed Development: 12 proposed single family houses	
200-ft Sheet: 213NW09	
SEWER	WATER
WWTP Service Area: Blue Plains	Hydraulic Zone Group: Montgomery Main Zone Group
Available Safe Capacity: 24 mgd of average flow as of September 2004	
Sanitary Sewer Service Status: Adequate	Pressure Zone: 495A
Mini-Basin Number: 07-068 (Democracy Blvd) and 07-069 (Stapleford Hall Drive)	High Grade: 560 feet Low Grade: 480 feet
	Water Storage Status: Adequate
	Water Supply/Transmission Status: Adequate

The following is a list of conditions that apply to this project and must be met before a systems extension permit will be issued.

ASSESSMENT PAYOFF REQUIRED

The property to be developed has an existing benefit assessment. This project will not be granted a System Extension Permit until the existing assessment balance is paid. **If paid by May 2006, the amount required is \$7,086.67.** Assessment payoff should be made immediately if plat is recorded before the System Extension Permit is granted. For details contact the Property Assessment Unit on 301-206-8126.



Mr. William Lukens
Democracy Investments, LLC
DA4450Z06
March 27, 2006
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PROPERTY WILL BE ASSESSED

Once a connection to an existing main line is in service, a front-foot-benefit assessment and any deferred connection costs will be levied against the property served. A yearly charge will appear on your County property tax bill for a set period of time -- currently 23 years. For details contact the Property Assessment Unit on 301-206-8126.

SANITARY SEWER CONDITIONS

SEWER AVAILABLE TO SOME PROPOSED HOUSES

Existing sewers may be available to serve some of the proposed houses in this project by constructing service connections without a public extension. Each property connecting to the existing lines will be assessed at the rate prevailing at the time of the main's construction (see "PROPERTY WILL BE ASSESSED" above).

REQUIRED SANITARY SEWER MAIN SIZES

All sewer is to be 8-inch diameter gravity sewer unless otherwise shown on sketch.

EJECTOR PUMPS MAY BE REQUIRED FOR SERVICE TO SOME HOUSES

Based on the grading plan, ejector pumps and on-site low-pressure sewer may be required for basement sewer service to some of the proposed houses. A registered plumber must install the pumps at the developer's expense.

For properties to be served by ejector pumps, the developer is responsible for all on-site installation (i.e., materials, electrical equipment, the ejector pump unit and plumbing hook-up which shall be installed by a registered plumber). Ejector pump units must be approved by WSSC. Ultimately the property owner will be responsible for all on-site maintenance of ejector pump systems. Builder/developers/owners should disclose this requirement to purchasers at property settlement.

WATER MAIN EXTENSION CONDITIONS

WATER AVAILABLE TO SOME PROPOSED HOUSES

Existing water lines may be available to serve some of the proposed houses in this project by constructing service connections without a public extension. Each property connecting to the existing lines will be assessed at the rate prevailing at the time of the main's construction (see "PROPERTY WILL BE ASSESSED" above).

Mr. William Lukens
Democracy Investments, LLC
DA4450Z06
March 27, 2006
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REQUIRED WATER MAIN SIZES

The diameters of the proposed lines, 4-inch and 8-inch, are shown on the attached sketch.

PRESSURE REDUCING VALVES REQUIRED

Due to high water pressure conditions (greater than 80 psi), the on-site plumbing system requires pressure reducing valves for buildings with first floors below 375 feet.

OUTSIDE METERS

Any water service connection over 300 feet in length will require an outside meter.

RIGHT-OF-WAY CONDITIONS

PROVIDE FREE RIGHT-OF-WAY TO WSSC

Rights-of-way across your property for water and/or sewer line placement must be provided at no cost to the WSSC. The Applicant shall execute and deliver on-property rights-of-way prior to the Certificate of Substantial Completion, which shall constitute an irrevocable offer by the Applicant to convey all on-property rights-of-way to WSSC.

CONNECTION AND ON-SITE CONDITIONS

ABANDON EXISTING SERVICE CONNECTION

WSSC records indicate there are existing water and sewer connections to an existing structure on the subject property. If these connections are not to be used to serve any of the proposed houses, then these water and sewer connections must be abandoned in a manner deemed appropriate by WSSC. The developer must absorb the abandonment cost. If the connection is being carried on tax bill as deferred, the connection must be paid in full.

RECORD SERVICE CONNECTION EASEMENT

A service connection easement across Lot 58 to provide service to Lot 57 and Lot 59 must be recorded. A minimum easement width of 15 feet is required for both water and sewer connections.

The next step in the process is Phase 2, Review for System Integrity. Your submission package should include the Review for System Integrity Checklist and all checklist items, including the review fee. Should you want to schedule a pre-design meeting, please contact Ross Beschner at 301-206-8396.

Mr. William Lukens
Democracy Investments, LLC
DA4450Z06
March 27, 2006
Page 4

If you have any questions, please contact me at 301-206-8817 or bMaclar@wsscwater.com.

Sincerely,

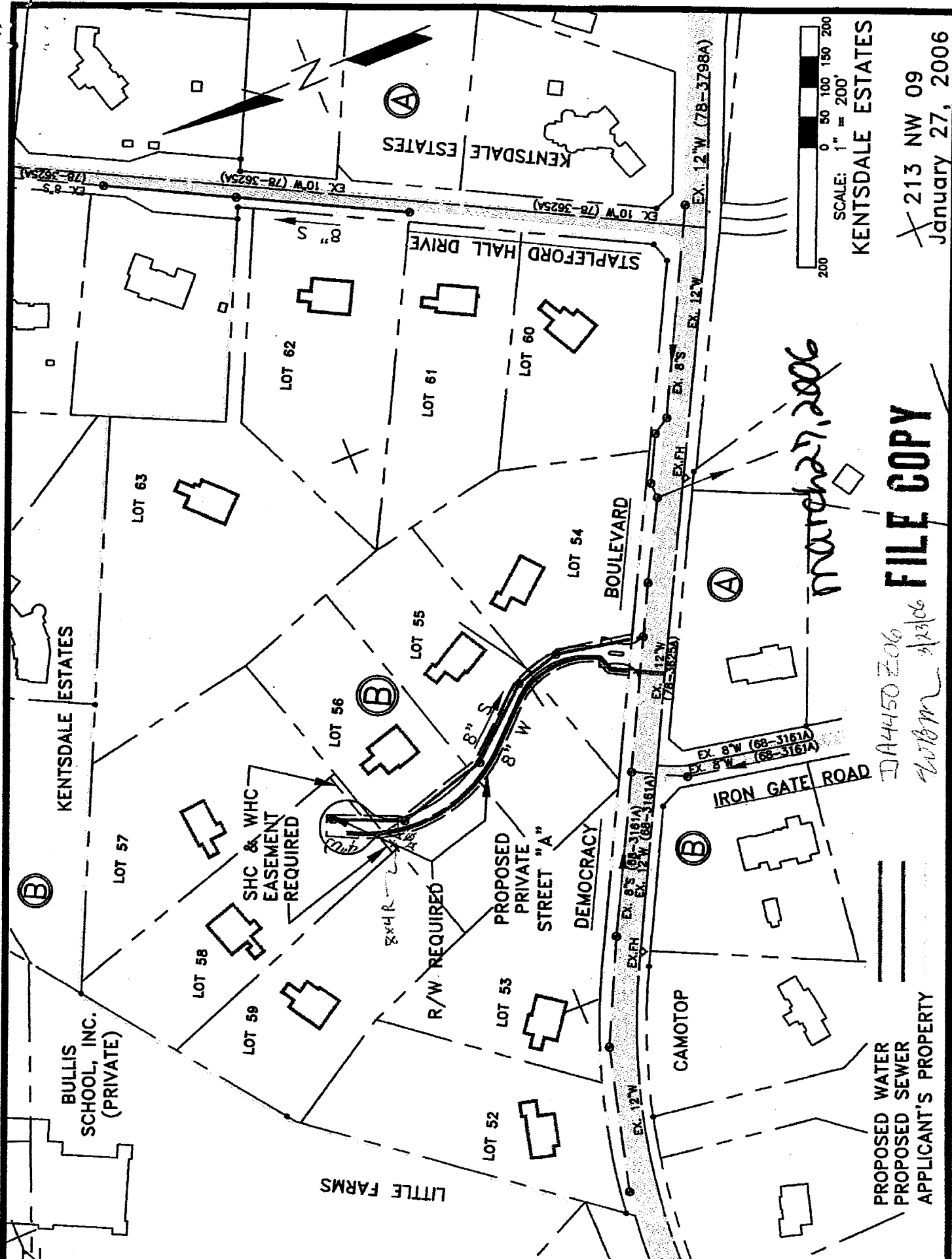


Bruce MacLaren
Development Project Manager
Development Services Group

WBM:jtn

Enclosure

cc: ✓ Landmark Engineering, Inc. – Mr. Charles T. Grimsley, P.E.
Montgomery County Government – Department of Environmental Protection –
Mr. Alan Soukup



KENTSDALE ESTATES

213 NW 09
January 27, 2006

March 27, 2006

FILE COPY

DA4450 Z06
William 3/23/06

PROPOSED WATER
PROPOSED SEWER
APPLICANT'S PROPERTY



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

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

Maryland Department of Transportation

September 22, 2005

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


Re: Montgomery County
MD 189 General
Kentsdale Estates
File No. 1-06020

Dear Ms. Conlon:

The State Highway Administration (SHA) would like to thank you for the opportunity to review the preliminary plan application for the Kentsdale Estates development. We have completed our review and have no comments at this time.

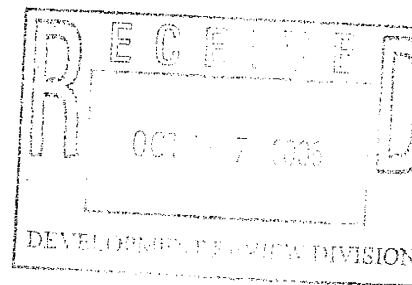
If additional information is required from SHA regarding this project, please do not hesitate to contact Mr. Gregory Cooke at 410-545-5602, Mr. John Borkowski at 410-545-5595, or by using our toll free number in Maryland only, 1-800-876-4742 (x-5602 for Greg, x-5595 for John). You may also E-mail Greg at gcooke@sha.state.md.us or John at jborkowski@sha.state.md.us. Thank you for your cooperation.

Very truly yours,


Steven D. Foster, Chief
Engineering Access Permits Division

SDF/jb

cc: Mr. Darrell Mobley (Via E-mail)
Mr. Augustine Rebish (Via E-mail)
Mr. Richard Weaver, M-NCPPC (Via E-mail)



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

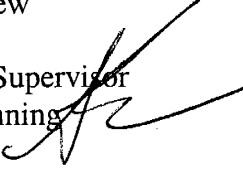
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com




June 14, 2006

MEMORANDUM

TO: Cathy Conlon, Supervisor
Development Review

VIA: Shahriar Etemadi, Supervisor
Transportation Planning 

FROM: Charles S. Kines, Planner/Coordinator
Transportation Planning 

SUBJECT: 120060200, Kentsdale Estates
Zone RE-2
Potomac Policy Area

This memorandum is Transportation Planning staff's review of the subject preliminary plan with 12 single-family detached residential units.

RECOMMENDATION

Transportation Planning staff supports approval of this application with the following conditions:

1. Limit the development to 12 single-family detached residential units.
2. Construct an eight-foot-wide shared-use path along Democracy Boulevard between Stapleford Hall Drive and the western property boundary as shown on the preliminary plan dated June 9, 2006. This improvement shall be complete and open to bicycle traffic prior to the issuance of occupancy permit.
3. Prior to plat recordation, determine the precise alignment of the shared-use path, as well as the size and location of the PIE and PUE along Democracy Boulevard.

DISCUSSION

Site Location and Access

The subject property is located along Democracy Boulevard in Potomac area between Stapleford Hall Drive and the Bullis School property. Proposed access to the site will be from one private road and one driveway along Democracy Boulevard, as well as from three driveways on Stapleford Hall Drive.

Local Area Transportation Review

The proposed development of 12 single-family detached residential units is anticipated to generate 11 AM peak hour trips and 13 PM peak hour trips during the typical weekday peak periods. This number is below the threshold necessary to require an LATR study to determine the impact upon the adjacent transportation infrastructure. Additional site generated trips are not expected to cause additional congestion at nearby intersections to a level above congestion standard for this area.

Master Plan Roadways and Bikeways

Democracy Boulevard is a two-lane arterial (A-73) road with a recommended 80 feet of right-of-way, which was previously dedicated by prior approvals. The applicant does not need to dedicate any additional right-of-way.

The 2005 Countywide Bikeways Functional Master Plan recommends a dual bikeway (DB-20) along Democracy Boulevard, consisting of both an off-road shared-use path along the north side, as well as on-road accommodation in the form of shared travel lanes and shoulders providing for bike use. The applicant will construct an eight-foot wide shared-use path along its property frontage, with the following modifications discussed and negotiated with the applicant on May 25, 2006:

- a. Prior to plat recordation, coordinate with the Department of Public Works and Department of Permitting Services to identify the precise alignment of the shared-use path.
- b. Shift the shared-use path closer to the roadway to avoid the root zones for the mature trees along the Democracy Boulevard frontage.
- c. As necessary, meander the path to avoid impacts to existing utilities and significant trees within the Democracy Boulevard right-of-way.
- d. Bridge over the streams using timber pedestrian bridge designs by York Bridge Concepts, as proposed by the applicant and approved by the Department of Public Works and the Department of Permitting Services.

CK:gw

mno to Conlon re Kentdale Estates