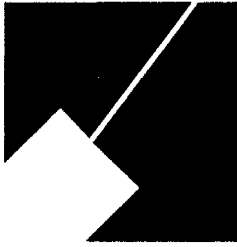


M-NCPPC



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 #13
7/27/06**

MEMORANDUM

DATE: July 12, 2006

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Development Review Division

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

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: 8 lots for 8 one-family detached residential units

PROJECT NAME: Radwick Lane

CASE NO. 120050600

REVIEW BASIS: Pursuant to Montgomery County Code, Chapter 50, the Subdivision Regulations and Chapter 59, the Zoning Ordinance

ZONE: R-200, cluster option

LOCATION: Located on the west side of Radwick Lane 3,000 feet south of Norbeck Road (MD 28)

MASTER PLAN: Aspen Hill

APPLICANT: Marcello Nucci

ENGINEER: Macris, Hendricks & Glascock, P.A.

FILING DATE: December 22, 2004

HEARING DATE: July 27, 2006



Staff Recommendation: Approval of the Preliminary Plan, including a waiver pursuant to §50-26(h)(3) to permit sidewalk on only one side of the proposed internal tertiary road, and subject to the following conditions:

- 1) Approval under this preliminary plan application is limited to eight (8) lots for eight (8) one-family detached residential dwelling units.
- 2) The applicant shall construct the proposed internal street as an open section, tertiary residential street within a 50 foot right-of-way.
- 3) The applicant shall dedicate, and show on final record plat, adequate right-of-way along Radwick Lane to provide 60 feet of right-of-way from the opposite right-of-way line.
- 4) Prior to the issuance of the last building permit, the applicant shall construct a five-foot sidewalk on the west side of Radwick Lane along the property frontage, and a five-foot wide sidewalk on only one side of the proposed internal street (north side), extended around the cul-de-sac to the driveway for proposed Lot 4.
- 5) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must meet all conditions prior to recording of plat or MCDPS issuance of sediment and erosion control permit(s), as appropriate. Conditions include, but are not limited to:
 - a) Applicant shall remove the existing driveway within the proposed Category I conservation easement and reforest all previously cleared area.
 - b) Final forest conservation plan shall include a planting plan for the reforestation area using a minimum of 1-inch diameter trees.
- 6) The applicant shall construct a split-rail fence at the back of proposed Lots 1 through 8 to delineate the forest conservation easement. Access points into the easement will be permitted to allow passive use of the area by the residents.
- 7) Record plat to reflect a Category I easement over all stream buffer and forest conservation areas.
- 8) Record Plat to reflect all areas under Homeowners Association ownership and stormwater management areas.
- 9) Record plat to reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant shall provide verification to Commission staff prior to release of final building permit that Applicant's recorded HOA Documents incorporate by reference the Covenant.
- 10) Compliance with the conditions of the MCDPS stormwater management approval dated April 6, 2006.
- 11) Compliance with conditions of the MCDPWT approval dated July 12, 2006, unless otherwise amended.
- 12) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s).
- 13) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
- 14) Other necessary easements.

SITE DESCRIPTION

The 5.81-acre property consists of two unrecorded parcels (P880 and P901) located on the west side of Radwick Lane approximately 3,000 feet south of Norbeck Road (MD 28) in Aspen Hill (Attachment A). The property is zoned R-200 and is undeveloped except for one existing residential structure which will be removed. The site is surrounded by one-family detached residential to the north and east, and townhouses to the west and south.

The site is located within the Northwest Branch watershed, which is designated Use Class IV. There are no streams on the subject property, however, stream buffers for two nearby, off-site streams extend onto the site. The site is mostly forested.

PROJECT DESCRIPTION

The proposed Preliminary Plan contains eight one-family detached residential dwelling units clustered in the middle of the site and served by an open-section, public tertiary residential street (Attachment B). The proposed lot sizes range from 10,000 to 11,300 square feet. The lots are clustered to provide a 2.62 acre forested open space parcel. Stormwater management for the site will be provided by an on-site dry pond facility.

Justification for Cluster Development

Section 59-C-1.51 of the zoning ordinance establishes that the cluster method of development should encourage the provision of community open space for active or passive recreation, as well as the preservation of trees. The flexibility in lot size and layout provided in the standards should be utilized to serve this purpose. The proposed plan includes lots which average 10,415 square feet in size, which is very close to the minimum permitted under the cluster option. The smaller lots allow for maximum on-site forest preservation, in addition to full protection of the on-site stream buffers. Compared to the cluster subdivision, a non-cluster subdivision layout would preserve little of the existing forest because of the additional land that would be needed for the road, homes, driveways, and yards. In addition, stream buffer protection areas would be located on private lots (as opposed to common open space in the cluster subdivision). It is staff's opinion based on observation, that protection areas within common open space are much more effective than on-lot conservation easements, particularly in smaller lot subdivisions. Finally, a portion of the open space area created by the cluster will be reforested, in excess of the minimum forest conservation requirements, to restore previous clearing and connect forest stands. For these reasons, staff finds the proposed cluster subdivision is better from a tree save and open space perspective than a standard subdivision.

MASTER PLAN COMPLIANCE

The Aspen Hill Master Plan does not specifically mention the subject property, but does give general guidance and recommendations to maintain the residential character of the area. In staff's opinion, the proposed plan is in compliance with this recommendation.

TRANSPORTATION

Site Location, Access, Circulation and Transportation Facilities

Staff concludes that the subject preliminary plan will provide safe and adequate access for vehicles and pedestrians, and satisfies the APF requirements. A waiver of sidewalk on one side of the proposed internal road is being recommended to help reduce the overall level of impervious surfaces on the property, thereby reducing the amount of stormwater runoff generated and treated in the on-site stormwater management facility. Staff believes that pedestrians will be able to safely use the roadway and remaining sidewalk.

Local Area Transportation Review

The subject Preliminary Plan, consisting of eight one-family detached units, will generate less than 30 total peak hour trips during the weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods. Therefore, Local Area Transportation Review (LATR) is not required.

ENVIRONMENT

Environmental Buffers

There are no streams, floodplains or wetlands on the property. However, portions of buffers for two streams on adjoining property extend onto the subject property. These buffer areas are located in the northeastern and southeastern corners of the site. In total, there are 0.71 acres of environmental buffer on the subject property. The proposed plan does not indicate any encroachment into the buffers except for a stormwater management outfall. Therefore, the plan meets the requirements of the Planning Board's *Environmental Guidelines*.

Forest Conservation

There are 4.37 acres of existing forest on the property. The forest is dominated by tulip poplar and southern oak trees, and is part of a larger contiguous forest. There are numerous trees in excess of 24 inches in diameter at breast height, several of which qualify as specimen trees. Two "watchlist" American chestnut trees were identified on the property. One will be saved within the proposed conservation easement, and the second, which is in poor condition, will be removed.

The preliminary forest conservation plan includes protection of 1.95 acres of the existing forest within an on-site Category I conservation easement. The conservation easement will also include 0.67 acres of land previously cleared for the existing residential structure. This area will be planted by the applicant, who may then use the planting area to establish forest conservation bank credits that can be used for other projects. The proposed forest retention and planting exceed the minimum requirements of the forest conservation law. Therefore, staff finds that the plan meets forest conservation requirements. Staff is recommending installation of a split-rail fence along the rear of the proposed lots to delineate the edge of the conservation easement area

from the usable area within the lots. In staff's opinion, fencing is needed to ensure that future homeowners will not expand their yards into the easement area. Access points will be permitted to permit the passive use of the easement area by the residents.

CITIZEN OUTREACH

This application predated the requirement for a pre-submission meeting with interested parties, however, written notice of the application, and this public hearing, was given to adjacent and confronting property owners, and local civic and homeowners associations. No citizen correspondence regarding the application has been received as of the date of this memo.

CONCLUSION

Staff finds that the proposed preliminary plan provides safe and adequate access for vehicles and pedestrians, and meets adequate public facilities requirements. The plan is consistent with the recommendations of the Aspen Hill Master Plan to maintain the existing residential character, and staff finds that the lots are the appropriate size, width and orientation for their location in the neighborhood. Staff further concludes that pedestrians will be able to safely use the proposed internal roadway and a sidewalk on only one side, and recommends that the Planning Board grant a waiver to permit this configuration pursuant to Section 50-26(h)(3) of the Subdivision Regulations. Finally, the plan has been reviewed by all applicable agencies, and they have recommended approval (Attachment C). Therefore, staff finds that the plan meets the requirements of the Subdivision Regulations and the Zoning Ordinance, as summarized in Table 1, and recommends approval with the specified conditions.

Attachments:

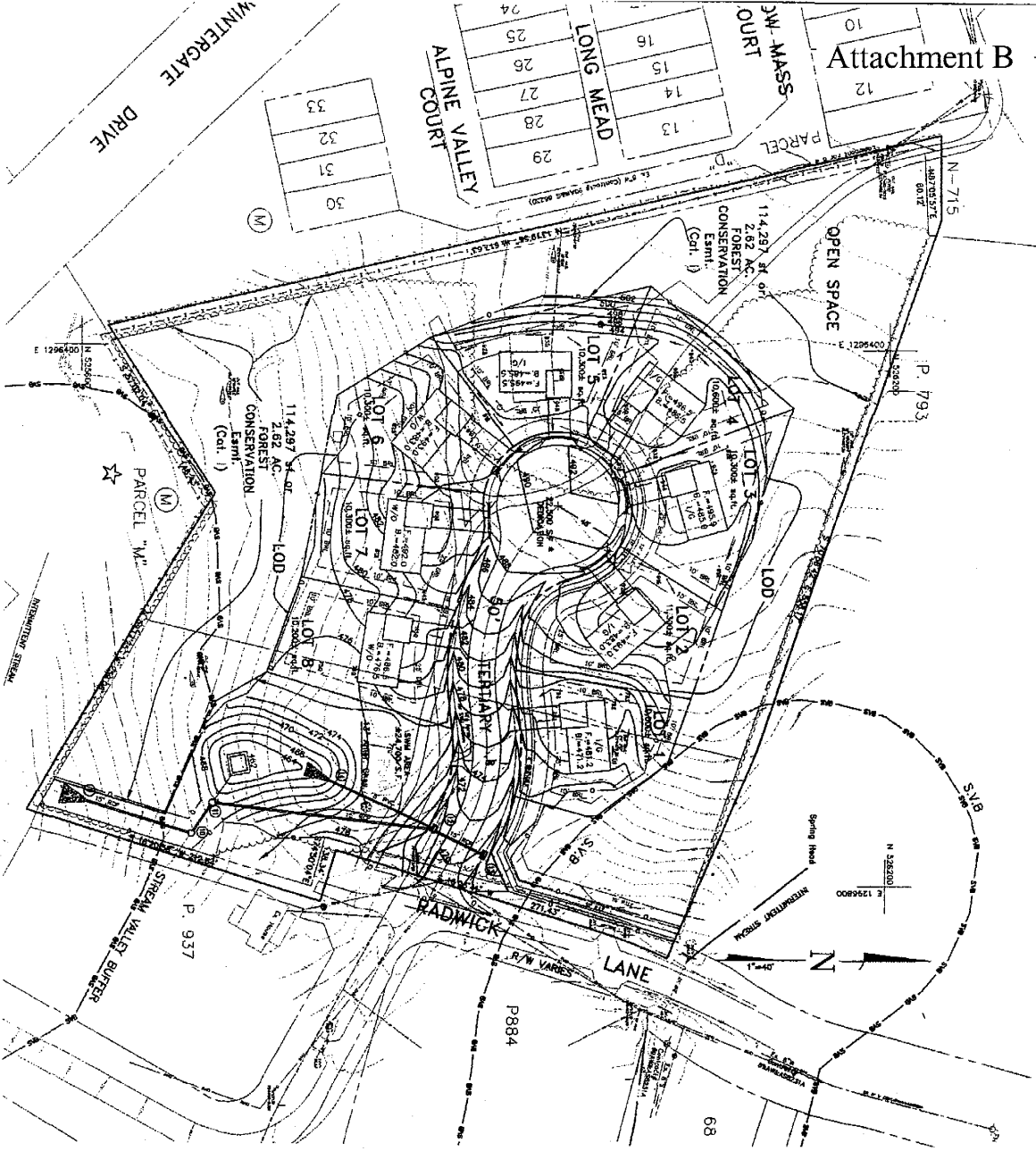
Attachment A – Site Vicinity Map

Attachment B – Preliminary Plan

Attachment C – Agency Correspondence

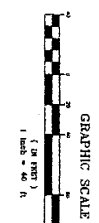
TABLE 1. Preliminary Plan Data Table and Checklist

Plan Name: Radwick Lane				
Plan Number: 120050600				
Zoning: R-200, cluster option				
# of Lots: 8				
Dev. Type: one-family detached residential dwellings				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval on the Preliminary Plan	Verified	Date
Minimum Tract Area	5 acres	5.81 acres	CAC	7/12/06
Minimum Lot Area	10,000 sq.ft.	10,000 sq.ft. is minimum proposed	CAC	7/12/06
Lot Width	25 ft. at existing or proposed street line	Must meet minimum	CAC	7/12/06
Setbacks				7/12/06
Front	25 ft. Min.	Must meet minimum	CAC	7/12/06
From any lot line	10 ft. Min.	Must meet minimum	CAC	7/12/06
Rear yard setback from any subdivision boundary	40 ft. Min.	Must meet minimum	CAC	7/12/06
Height	35 ft. Max.	May not exceed maximum	CAC	7/12/06
Max Resid'l d.u. or Comm'l s.f. per Zoning	11 dwelling units	8 dwelling units	CAC	7/12/06
MPDUs	N/a			
TDRs	N/a			
Site Plan Req'd?	No		CAC	7/12/06
FINDINGS				
<i>SUBDIVISION</i>				
Lot frontage on Public Street	Yes		CAC	7/12/06
Road dedication and frontage improvements	Radwick Lane and internal public street, with sidewalks		Agency letter	7/12/06
Environmental Guidelines	Yes		Staff memo	7/12/06
Forest Conservation	Yes		Staff memo	7/12/06
Master Plan Compliance	Yes		CAC	7/12/06
Other (i.e., parks, historic preservation)				
<i>ADEQUATE PUBLIC FACILITIES</i>				
Stormwater Management	Yes		Agency letter	4/6/06
Water and Sewer (WSSC)	Yes		CAC	7/12/06
10-yr Water and Sewer Plan Compliance	Yes		CAC	7/12/06
Well and Septic	N/a			
Local Area Traffic Review	N/a			
Fire and Rescue	Yes		Agency letter	3/29/06



SHOWN'S CERTIFICATE
 I hereby certify that the foregoing is a true and correct copy of the original as shown to me by the applicant and that the same is in accordance with the records of the County of Montgomery, Maryland.

Robert S. H. H.
 Professional Land Surveyor
 No. 2113



- NOTES**
1. This plan was prepared by the undersigned in accordance with the provisions of the Subdivision Map Act, Article 28, of the Annotated Code of Maryland, and the Regulations of the State Board of Planning and Zoning.
 2. The property shown on this plan is the property of the undersigned and is not subject to any other claims or interests.
 3. The property shown on this plan is not subject to any other claims or interests.
 4. The property shown on this plan is not subject to any other claims or interests.
 5. The property shown on this plan is not subject to any other claims or interests.
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 10. The property shown on this plan is not subject to any other claims or interests.

REGULATORY STANDARDS (R-200 District)

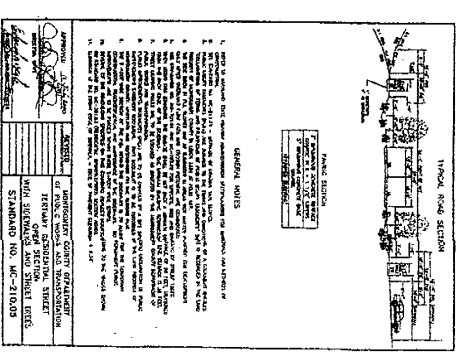
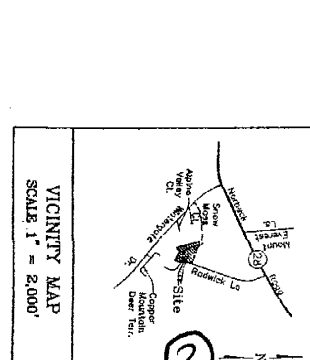
Regulatory Standard	Required	Proposed
Number of Lots	2 (each 1/2 acre)	1 (each 1/2 acre)
Lot Area (sq. ft.)	50,000 sq. ft.	10,000 sq. ft.
Lot Width (ft.)	25 ft.	25 ft.
Lot Depth (ft.)	20 ft.	20 ft.
Setback (ft.)	25 ft.	25 ft.
Height (ft.)	10 ft.	10 ft.
Maximum Building Height (ft.)	20 ft.	20 ft.

AREA INFORMATION

Site Area: 5.81 Ac.
 Area of Road Dedication: 0.28 Ac.
 Net Site Area: 5.53 Ac.

PREPARED FOR:
 Mario Construction Company
 7304 Connecticut Avenue
 Chevy Chase, MD 20815
 Phone: (301) 440-7716
 Fax: (301) 205-0660

NO.	DATE	DESCRIPTION	BY



13TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

PRELIMINARY PLAN OF SUBDIVISION
PARCELS 880 & 901
RADWICK LANE

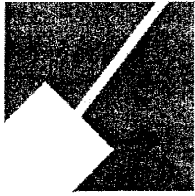
MHG
 Masons, Hendricks & Glasscock, P.A.
 Engineers • Planners • Surveyors
 Landscapers • Architects

1525 Wisconsin Blvd., Suite 200
 Montgomery, Virginia 22906-2728
 Phone: 541-2620
 Fax: 541-2620
 www.mhg.com

Project No. 1-114
 Sheet 1 of 1

DATE: 2/22/05
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

Agency Correspondence



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

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

MEMORANDUM

TO: Cathy Conlon, Supervisor, Development Review

FROM: Mark Pfefferle, Planning Coordinator, Environmental Planning Division *MP*

DATE: May 30, 2006 (Revised July 12, 2006)

SUBJECT: Preliminary Plan 120050600
Radwick Lane

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

1. Compliance with the conditions of approval of the preliminary forest conservation plan.
2. Applicant to construct a split rail fence at the back of lots 1 through 8 to delineate the forest conservation easement.
3. Applicant to remove all impervious surfaces from the proposed forest conservation easement.

BACKGROUND

The 5.81-acre property is located at the end of Radwick Lane in Silver Spring and includes 4.37-acres of existing forest. There are no streams, wetlands, or floodplain on the subject property, however there are streams on adjoining properties, which extend onto the subject property. There is 0.71 acres of stream buffer on the subject property. Currently, there is one residence on the subject property and the plan is to remove this structure. The property address for the existing house is 15501 Wintergate Drive. The entire property is tributary to the Northwest Branch in the Anacostia watershed, a Use IV water.

Environmental Buffers

A Natural Resource Inventory/Forest Stand Delineation was submitted for the subject site. Environmental Planning staff approved the NRI/FSD on October 25, 2004. The site does not include any streams, wetlands, or floodplains on the property. However, portions of buffers for two streams on adjoining property extend onto the subject property. There is an environmental buffer on the northeastern portion of the subject property and another on the southeastern portion. In total there are 0.71-acres of environmental buffers on the subject property. The preliminary plan of subdivision

does not indicate any encroachment into the environmental buffers except for a stormwater management outfall.

Forest Conservation

There is 4.37 acres of existing forest on the property. The onsite forest is dominated by tulip and southern oak trees and is part of a larger contiguous forest. There are numerous trees 24 inches in diameter and greater on the subject property and 23 trees 30 inches in diameter and greater. The subject property also includes two "watchlist" American Chestnut trees. One American Chestnut tree is 13 inches in diameter and the other is 2 inches in diameter. The 13-inch diameter tree is in poor condition and will be removed. The smaller American Chestnut will be retained within the category I forest conservation easement.

The preliminary forest conservation plan indicates the removal of 2.42 acres of forest and the preservation of 1.95 acres of forest. All retained forest will be protected in a category I forest conservation easement. There are no planting requirements associated with this plan for the applicant is meeting the break-even point on site. The applicant proposes to place non-forested portions of the site, which are not in stream buffers or on proposed lots, within the Category I forest conservation easement. The preliminary forest conservation plan submitted by the applicant designates this area for natural regeneration. The applicant requests the possibility of banking this area for other developments. Environmental Planning is amendable to forest conservation banking only if the applicant plants the unforested portion of the easement with trees, maintains the area from invasive plants, and protects the area from homeowner encroachment. Invasive materials will overwhelm the unforested easement area if no trees are planted and an invasive management plan is not developed and implemented.

Under the R-200 cluster development standards the minimum side and rear yard set back for a building is 10 feet. The preliminary forest conservation plan does not show any house footprints within 20 feet of the rear property line; however, the plan shows 50 x 30 foot rectangular boxes. Few builders construct and few homeowners want rectangular boxes. The Planning Board, through the approval of the preliminary plan of subdivision, establishes the building envelope and not the building location. The builder has the flexibility to locate the building anywhere within building envelope including at the rear building restriction line. If the builder constructs the house, or any house feature at the rear building restriction line there would be 10 feet from the building to the conservation easement. This would provide an inadequate backyard space and encourage the homeowner to enter the conservation easement area to create a useable backyard space. In order to delineate the forest conservation easement and protect the trees from construction staff and future homeowner encroachment, Environmental Planning requests a preliminary plan condition requiring the applicant to construct a split rail fence at the back of lots 1 through 8. The split rail fence should be installed as part of the tree protection fencing.

Cluster Justification

The applicant is proposing to develop the property as a cluster development and requires an environmental justification. Environmental Planning supports this cluster development plan. The plan submitted indicates lots close to the minimum lot size of 10,000 square feet. The average lot

size is approximately 10,415 square feet. The smaller minimum lot size for cluster development (10,000 square feet for cluster plans as compared to 20,000 square feet for standard method development) allows for greater forest retention than could occur under a standard method plan. The cluster development requires the application to meet the forest conservation threshold on site, which this plan does. In addition the plan is meeting the forest conservation break-even point on the property. This means that the development proposes to preserve more forest than the conservation threshold and has no forest planting requirements.

Sidewalk Waiver

Environmental Planning supports a waiver that would allow the applicant to build a public sidewalk on only one side of the proposed roadway. This will reduce the amount of impervious surfaces within the development, thereby reducing the amount of stormwater runoff generated and treated in the stormwater management facility.

RECOMMENDATION

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

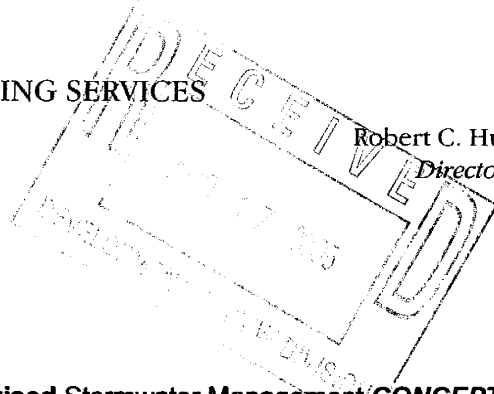


DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

April 6, 2006

Robert C. Hubbard
Director



Mr. Scott D. Roser
Macris, Hendricks & Glascock, P.A.
9220 Wightman Road, Suite 120
Montgomery Village, MD 20886-1279

Re: **Revised Stormwater Management CONCEPT**
Request for Radwick Lane / Flint Ridge
Preliminary Plan #: 1-05060
SM File #: 215656
Tract Size/Zone: 5.43 acres / R-200
Total Concept Area: 5.43 acres
Lots/Block: N/A
Parcel(s): P880, P901
Watershed: Northwest Branch

Dear Mr. Roser:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site water quality control via construction of a Montgomery County Sand Filter (MCSF) and nonstructural measures; and onsite recharge via flow disconnection. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. The proposed dry wells are mostly in areas of proposed fill and are unacceptable. However, there appears to be enough opportunity to allow the yards to grade into the forest conservation area to consider water quality for these back of lots to be sheet flow to buffer areas. We would suggest that the swale behind lots 1-3 be eliminated in order to allow more even flow from the back of those lots into the open space area, and to avoid unnecessary concentration of flow. All driveways must drain entirely to the proposed street.
5. The concept plan notes indicate this project is within the Little Seneca Creek watershed, and within the Clarksburg Special Protection Area. This is incorrect, and is addressed here as a point of clarification.
6. This submission is in accordance with the open section roadway requirement.



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7. This approval supercedes all previous stormwater concept approvals for this project.

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

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. 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 stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Mark Etheridge at 240-777-6338.

Sincerely,



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

RRB:dm mce

cc: C. Conlon
S. Federline
SM File # 215656

QN -ON; Acres: 3
QL - ON; Acres: 3
Recharge is provided

07/12/06 WED 16:50 FAX 2407772080

TRAFFIC ENGR

002



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

July 12, 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 # 1-05060
Radwick Lane

Dear Ms. Conlon:

We have completed our review of the revised preliminary plan dated May 12, 2006. We recommend approval of the plan subject to the following comments:

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

1. All comments from our May 12, 2005 letter (on the preliminary plan dated December 22, 2004) and October 9, 2005 letter (on the preliminary plan dated June 16, 2005) remain applicable unless specifically modified below.
2. Clarify disposition of the path/driveway traversing the site between the northwest corner of the plan and Radwick Lane.
3. A Public Improvements Agreement (PIA) will be an acceptable method of ensuring construction of the required public improvements within the County right of way. The PIA details will be determined at the record plat stage. The PIA will include, but not necessarily be limited to, the following improvements:
 - A. Street grading, paving, sod shoulder, sidewalk(s) and handicap ramp(s), side ditch with storm drainage and appurtenances, street lights, and street trees along the proposed internal public street in accordance with DPWT Standard No. MC-210.05.



Division of Operations

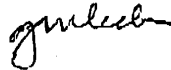
101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878
240/777-6000, TTY 240/777-6013, FAX 240/777-6030

8

Ms. Catherine Conlon
Preliminary Plan No. 1-05060
October 9, 2005
Page 2

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) 777-6000.

Sincerely,



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

m:/subd/gml/docs/pp/1-05060, Radwick Lanc, 071206 2nd-revised plan

cc: Dave Crowe; Macris, Hendricks and Glascock, P.A.
Marlo Construction Company
Shahriar Etemadi; M-NCPPC TPD
Joseph Y. Cheung; DPS RWPPR
Christina Contreras; DPS RWPPR



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

May 12, 2005

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

RE: Preliminary Plan #1-05060
Radwick Lane

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated December 22, 2004. This plan was reviewed by the Development Review Committee at its meeting on January 18, 2005. We recommend approval of the plan subject to the following comments:

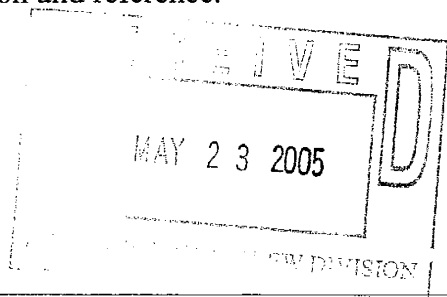
All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to MCDPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

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. Clearly delineate the existing pavement within the existing dedicated right-of-way.
2. Necessary dedication for future widening of Radwick Lane in accordance with the master plan. However, there is a right-of-way issue on Radwick Lane that needs to be clarified: the existing house on Parcel 937 extends into the existing right-of-way.
3. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.



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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4. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
5. Grade establishments for all new public streets and/or pedestrian paths must be approved prior to submission of the record plat.
6. A Public Improvements Easement may be necessary along the Radwick Lane frontage, in order to accommodate the required sidewalk construction. Prior to submission of the record plat, the applicant's consultant will need to determine if there is sufficient right of way to permit this sidewalk construction. If not, the applicant will need to either dedicate additional right of way or execute a Declaration of Public Improvements Easement document. That document is to be recorded in the Land Records of Montgomery County, with the liber and folio referenced on the record plat. Unless otherwise noted, the Public Improvements Easement is to be a minimum width of ten (10) feet with the overlapping Public Utilities Easement being no less than twenty (20) feet wide.
7. This site is located in the Little Seneca Creek (Class IV) watershed. In accordance with Section 49-35(k) of the Montgomery County Code, curb and gutter may not be installed in an environmentally sensitive watershed unless certain waiver criteria have been satisfied. The applicant will need to obtain approval from the Department of Permitting Services and provide additional measures to mitigate the impact of proposed closed section roadway, in order to construct the proposed curb and gutter.
8. Proposed Street 'A' could be dedicated and constructed as a Tertiary roadway with sidewalk.
9. Show the apron for access to the stormwater management pond on the preliminary plan.
10. Prior to approval of the record plat by the Department of Permitting Services, submit a completed, executed and sealed MCDPWT Sight Distances Evaluation certification form, for the existing and proposed driveway(s), for our review and approval.
11. Revise the plan so that Proposed Street 'A' is lined up with the existing right-of-way opposite the site.
12. Record plat to reflect reciprocal access and public utilities easement for the proposed private common driveway.
13. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.

14. This site is located in the vicinity of one of the alignments under consideration for the Inter County Connector project. The applicant is advised to contact the ICC Project Office in Baltimore (1-800-548-5026) to assess the potential impact of that roadway on this site.
15. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
16. 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.
17. Trees in the County rights of way - species and spacing to be in accordance with the applicable MCDPWT standards. A tree planting permit is required from the Maryland Department of Natural Resources, State Forester's Office [(301) 854-6060], to plant trees within the public right of way.
18. 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. Street grading, paving, shoulders, sidewalks and handicap ramps, side drainage ditches and appurtenances, and street trees along proposed Street A.
 - B. Construct seven (7) foot wide sod shoulder, modified side ditch, and four (4) foot wide concrete sidewalk, with street trees and streetlights (as shown on DPWT Standard Number MC-211.03) across the Radwick Lane site frontage.
 - C. 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.
 - D. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the MCDPWT Division of Traffic and Parking Services

* **NOTE: the Public Utilities Easement is to be graded on a side slope not to exceed 4:1.**

Ms. Catherine Conlon
Preliminary Plan No. 1-05060
May 12, 2005
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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, Team Leader
Traffic Safety Investigations
and Planning Team
Traffic Engineering and Operations Section

m:/subd/APS/1-05060 Radwick Lane

Enclosures (1)

cc: Marcello Nucci; Applicant
Dave Crowe; Macris, Hendricks and Glascock
Joseph Y. Cheung; MCDPS Subdivision Development
Christina Contreras; MCDPS Subdivision Development



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

October 9, 2005

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

RE: Preliminary Plan # 1-05060
Radwick Lane

Dear Ms. Conlon:

We have completed our review of the revised preliminary plan dated June 16, 2005. This plan was distributed for review by the Development Review Committee via a M-NCPPC transmittal memorandum dated June 20, 2005. We recommend approval of the plan subject to the following comments:

- All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.
- All comments from our May 12, 2005 on the preliminary plan dated December 22, 2004 remain applicable unless specifically modified below.
- Since the applicant is now proposing to dedicate and construct a modified tertiary street for the internal public roadway, they will need to submit a Site Plan for review by the Development Review Committee and the Planning Board, prior to submitting a record plat for this project.
- A Public Improvements Easement will be necessary along the internal public street in accordance with DPWT Standard No. MC-210.03. The applicant will need to execute a Declaration of Public Improvements Easement document. That document is to be recorded in the Land Records of Montgomery County, with the liber and folio referenced on the record plat. Unless otherwise noted, the Public Improvements Easement is to be a minimum width of ten (10) feet with the overlapping Public Utilities Easement being no less than twenty (20) feet wide.
- In accordance with Section 49-35(e) of the Montgomery County Code, sidewalks are required to serve the proposed subdivision. The applicant will need to obtain a waiver from the Montgomery County Planning Board to delete sidewalk on one side of a tertiary classification street.



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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Ms. Catherine Conlon
Preliminary Plan No. 1-05060
October 9, 2005
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5. This site is located in the Northwest Branch (Class IV) watershed. In accordance with Section 49-35(k) of the Montgomery County Code, curb and gutter may not be installed in an environmentally sensitive watershed unless certain waiver criteria have been satisfied.

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

6. If the Planning Board subsequently approves use of a modified tertiary street for this subdivision (following the review and approval of a Site Plan for that street) and the Department of Permitting Services approves a waiver to allow the use of curb and gutter on that street, a Public Improvements Agreement (PIA) will be an acceptable method of ensuring construction of the required public improvements within the County right of way. The PIA details will be determined at the record plat stage. The PIA will include, but not necessarily be limited to, the following improvements:
- A. Street grading, paving, curbs and gutters, sidewalks and handicap ramps, storm drainage and appurtenances, and street trees along the proposed internal public street in accordance with DPWT Standard No. MC-210.03.

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) 777-6000.

Sincerely,



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

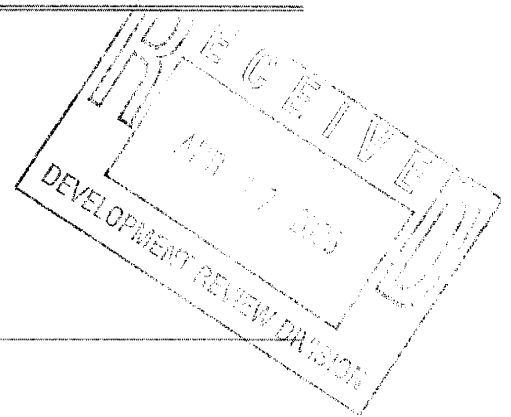
m:/subd/gml/docs/pp/1-05060, Radwick Lane, 062005 revised plan

cc: Dave Crowe; Macris, Hendricks and Glascock, P.A.
Marcello Nucci
Joseph Y. Cheung; DPS RWPPR
Christina Contreras; DPS RWPPR
Sarah Navid; DPS RWPPR



FIRE MARSHAL COMMENTS

DATE: 3-29-06
TO: PLANNING BOARD, MONTGOMERY COUNTY
VIA:
FROM: CAPTAIN JOHN FEISSNER 240 777 2436
RE: APPROVAL OF ~ *RADWICK LANE #1-05069*



1. **PLAN APPROVED.**

- a. Review based only upon information contained on the plan submitted 3-29-06. 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