

# MONTGOMERY COUNTY PLANNING DEPARTMENT THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB Item No.: 9 Date: 9-28-17

## Administrative Subdivision Plan No. 620170030, Beallmount Grove, Parcel 3

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Completed: 9/15/17

## Description

Administrative Subdivision Plan No. 620170030, Beallmount Grove, Parcel 3: Request to create three lots from one platted parcel; located at 12951 Three Sisters Road; 9.866 acres; RE-2 zone; Potomac Subregion Master Plan.

Recommendation – Approval with conditions

Applicant: Barry T. Covington Submittal Date: March 30, 2017 Review Basis: Chapter 50



## Summary

- Staff recommends Approval with conditions.
- Although this application is an Administrative Subdivision Plan, the County Code does not currently allow the Planning Director to administratively approve forest conservation plans, therefore, this Administrative Subdivision Plan was referred to the Planning Board.
- Meets the applicability requirements for Administrative Subdivision Plan to create up to three (3) lots for detached houses.
- Meets requirements of Chapter 22A, Forest Conservation Law.
- Substantially conforms to the 2002 Potomac Subregion Master Plan.
- The application requires minor road widening and cul-de-sac improvements on Three Sisters Road per MCDOT Road Code Standards for fire and rescue access purposes.

## ADMINISTRATIVE SUBDIVISION PLANS

Chapter 50, Section 6.1 of the County Code permits subdivision of land by filing an Administrative Subdivision Plan instead of a Preliminary Plan in limited circumstances. The necessary technical requirements of these applications must be reviewed under Section 50.4.3.

Under Section 50.6.3.B, the Planning Director must act upon the application, in writing, or may require that the application be acted upon by the Planning Board. Because County Code does not currently allow the Planning Director to administratively approve forest conservation plans, this Administrative Subdivision Plan was referred to the Planning Board.

A Pre-submittal Community Meeting with the community/public/parties of record is not required. However, as required, the Applicant posted signs on the development site and provide public notice that the application was filed under Section 50.00.01 of the Administrative Procedures for Development Review.

On March 30, 2017, Barry T. Covington ("Applicant") filed an administrative subdivision plan application designated Administrative Subdivision Plan No. 620170030 ("Administrative Plan" or "Application"). The application was filed for approval of an administrative subdivision of property that would create three lots on 9.866 acres of land in the RE-2 zone, located in 12951 Three Sisters Road ("Subject Property"), in the Rural West Policy Area and 2002 Potomac Subregion Master Plan ("Master Plan") area.

A notice of the subject administrative subdivision plan was sent to all required parties by the Applicant on April 3, 2017. The notice gave the interested parties 15 days to review and comment on the contents of the plan. Staff did not receive any correspondence regarding the application.

**RECOMMENDATION:** Approval subject to the following conditions:

- 1. This Administrative Subdivision Plan is limited to three lots for three one-family detached dwelling units.
- 2. The Applicant must comply with the conditions of approval for the Preliminary/Final Forest Conservation Plan No. 620170030, approved as part of this Administrative Subdivision Plan, with the following conditions:
  - a. Prior to the start of any demolition, clearing, grading or construction on the Subject Property, the Applicant must record a Category I Conservation Easement over the 2.80 acres as specified on the approved Preliminary/Final Forest Conservation Plan (FFCP). The Category I Conservation Easement approved by the M-NCPPC Office of the General Counsel must be recorded in the Montgomery County Land Records by deed and the Liber Folio for the easement must be referenced on the record plat.
  - b. Prior to the start of any demolition, clearing, grading or construction on the Subject Property, the Applicant must submit a two-year Maintenance and Management Agreement approved by the M-NCPPC Office of General Counsel. The maintenance and management agreement is required for all forest planting areas credited toward meeting the requirements of the FFCP, including the reforestation/afforestation of environmental buffers.

- c. Prior to the start of any demolition, clearing, grading or construction on the Subject Property, the Applicant must provide financial surety to the M-NCPPC Planning Department for the 2.80 acres of new afforestation/reforestation planting.
- d. The Applicant must install the 2.80 acres of afforestation/reforestation plantings specified on the FFCP within the Category I Conservation Easement during the first planting season following the issuance of the first sediment and erosion control permit for this project unless otherwise modified by the M-NCPPC Forest Conservation Inspector.
- e. Prior to Certified FFCP, the FFCP must show the installation of Tree Protection Fencing (TPF) along the LOD adjacent to and within the Critical Root Zone (CRZ) of Tree #8.
- f. Prior to Certified FFCP, a note must be added to the FFCP stating that the removal of the equestrian facilities is to be accomplished by hand only with no construction equipment allowed in this portion of the LOD.
- g. Prior to the release of the first building permit, the Applicant must remove the existing equestrian facilities within the environmental buffer by hand, implemented under the M-NCPPC Forest Conservation Inspector's approval and guidance.
- h. Following the removal of the equestrian facilities and prior to the installation of the required afforestation/reforestation, the Applicant must remediate this disturbed area by tilling and composting the soil to a minimum depth of 6" with the oversight of the M-NCPPC Forest Conservation Inspector.
- i. The Applicant must install permanent forest conservation easement signage along the perimeter of the conservation easements in all areas, as determined by the FFCP and the M-NCPPC Forest Conservation Inspector.
- j. Mitigation for the removal of six variance trees must be provided in the form of planting eighteen (18) native canopy trees with a minimum planting stock size of three caliper inches. The trees must be planted outside of any rights-of-way, or utility easements, including stormwater management easements. The planting locations of these trees and any substitution of species from what is shown on the approved FFCP are subject to the approval of the M-NCPPC Forest Conservation Inspector.
- k. The Applicant must comply with all tree protection and tree save measures shown on the approved FFCP. Tree save measures not specified on the FFCP may be required by the M-NCPPC Forest Conservation Inspector.
- I. The Applicant must have all required site inspections performed by M-NCPPC staff per Section 22A.00.01.10 of the Forest Conservation Regulation.
- m. The limits of disturbance (LOD) on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved FFCP.
- 3. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated May 11, 2017, and hereby incorporates them as conditions of the Administrative Subdivision Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Administrative Subdivision Plan approval.
- 4. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements as required by MCDOT.
- 5. The Applicant must widen Three Sisters Road from approximately 18 feet in width to 20 feet in accordance with MCDOT Road Code Standard 211.02 from the Subject Property to Glen Road.

- 6. The Applicant must construct the cul-de-sac at the end of Three Sisters Road in accordance with MCDOT Road Code Standard 222.02.
- 7. Prior to submittal of a record plat, the Applicant must revise their traffic statement to conform with the 2016-2020 Subdivision Staging Policy including its person trips generation standards subject to MNCPPC Staff approval.
- 8. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated May 9, 2017, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Administrative Subdivision Plan approval.
- 9. The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Service ("MCDPS") – Water Resources Section in its stormwater management concept letter dated May 17, 2017, and hereby incorporates them as conditions of the Administrative Subdivision Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Administrative Subdivision Plan approval.
- 10. The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Service ("MCDPS") – Well and Septic Section in its letter dated May 31, 2017, and hereby incorporates them as conditions of the Administrative Subdivision Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Well and Septic Section provided that the amendments do not conflict with other conditions of the Administrative Subdivision Plan approval.
- 11. The record plat must show necessary easements.
- 12. The record plat must reflect common ingress/egress and utility easements over all shared driveways.
- 13. The Adequate Public Facility ("APF") review for the Administrative Subdivision Plan will remain valid for sixty-one (61) months from the date of mailing of this Memorandum.
- 14. The Certified Administrative Subdivision Plan must contain the following note: "Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Administrative Subdivision Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of building permit(s). Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval."

## **PROPERTY and VICINITY DESCRIPTION (Figures 1 and 2)**

Administrative Subdivision Plan No. 620170030 ("Application" or "Administrative Subdivision Plan") is a request to subdivide a property identified as Parcel 3 in Plat Book 71, Plat 6716 in a deed at Liber 28314, Folio 95; located at 12951 Three Sisters Road and consisting of 9.61 acres, zoned RE-2 ("Property" or "Subject Property") into three lots. The Property is within the *2002 Potomac Subregion Master Plan* ("Master Plan"). As depicted in the figures below, the Property has one existing single family home with a barn on it. The surrounding properties are all single family residential dwellings in the RE-2 zone.



Figure 1 – Vicinity



Figure 2 - Topography

## **PROJECT DESCRIPTION (Figures 3 and 4)**

The Application proposes three lots to accommodate three detached one-family homes using a shared driveway. Water wells and sand mounds for on-site septic service will be utilized. The Application will preserve existing forest and stream buffer on the Property.





Figure 4 - Close Up of Administrative Subdivision Plan

## ANALYSIS AND FINDINGS FOR CHAPTER 50, SECTION 6.1.C - Applicability

- 1. The lots are approved for standard method development. The lots were submitted and are approved for standard method development in the RE-2 zone.
- Written approval for any proposed well and septic area is received from the Department of Permitting Services (DPS), Well and Septic Section before approval of the plat. The Application has received approval from DPS, Well and Septic Section in their approval letter dated May 31, 2017 (Attachment 8) for the use of sand mound systems and water wells.
- 3. Any required road dedications and associated public utility easements are shown on the plat and the applicant provides any required improvements. The Application requires no additional right-of-way dedication because the previously recorded Plat No. 6716 granted all the necessary right-of-way in 1962 in accordance with the Master Plan. The Application shows all necessary public utility easements. Furthermore, the Application improves Three Sisters Road by improving the cul-de-sac to MCDOT Road Code Standard 222.02. Finally, the Applicant must improve Three Sisters Road by adding 2 additional feet of paving width using MCDOT Road Code Standard 211.02 to the intersection with Glen Road. Both road improvements are necessary to meet fire access requirements.
- The requirements for adequate public facilities under Section 4.3.J are satisfied before approval of the plat.
   As conditioned and discussed below, the requirements for adequate public facilities have been

As conditioned and discussed below, the requirements for adequate public facilities have been met.

- 5. Forest conservation, stormwater management, and environmental protection requirements are satisfied before approval of the plat.
  - a. As conditioned and discussed below, the Forest Conservation requirements of Chapter 22A have been met.
  - b. As discussed below, the Application has received approval from DPS, Water Resources Section in their approval letter dated April 12, 2017 (Attachment 7).
  - c. There no additional environmental protection requirements to be met.

## ANALYSIS AND FINDINGS FOR CHAPTER 50, SECTION 4.3 – Technical Review

1. The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59, Sections 50.4.3.B, 50.4.3.C, and 50.4.3.E.

The Administrative Subdivision Plan meets all applicable sections of the Subdivision Regulations. The proposed lot sizes, widths, shapes and orientations are appropriate for the location of the subdivision, taking into account the design recommendations included in the Master Plan, and for the building type (single family homes) contemplated for the Subject Property.

The lots were reviewed for compliance with the dimensional requirements for the RE-2 zone as specified in the Zoning Ordinance. The lots as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in Table 1. The Administrative Subdivision Plan has been reviewed by other applicable county agencies, all of whom have recommended approval.

RE-2	Required by the Zone	Proposed for Approval
		Lot 36 = 2.134 acres
Minimum Lot Area	87,120 sq. ft or 2 acres	Lot 37 = 4.187 acres
		Lot 38 = 3.660 acres
		Lot 36 = 120.82 feet
Minimum Lot Frontage	25 feet	Lot 37 = 26.92 feet
		Lot 38 = 32.46 feet
Minimum Lat Width at	150 feet	Lot 36 = 168.7 feet
		Lot 37 = 150 feet
B.K.L.		Lot 38 = 150 feet
	25%	Lot 36 = 3.7% +/-
Maximum Lot Coverage		Lot 37 = 1.9% +/-
		Lot 38 = 2.1% +/-
Setbacks (for all lots)		
Front	50 feet	50 feet or greater
	17 feet min./ 35 feet total	17 feet min./ 35 feet total or
Side, abutting Residential		greater
Rear, abutting Residential	35 feet	35 feet or greater
Building Height**	50 feet max.	50 feet or lower
Site Plan Required	No	No

 Table 1 – Development Review Table

## 2. The Administrative Subdivision Plan substantially conforms to the master plan

Planning staff ("Staff") finds that the Application substantially complies with the 2002 Potomac Subregion Master Plan because the purpose of the Master Plan is to protect the Subregion's natural environment and unique ecosystems, strengthen communities, maintain the transportation network, expand community facilities, and utilize historic preservation to contribute to the Subregion's unique sense of community. The Subject Property is located in the Travilah planning area of the Master Plan. The Master Plan provides no specific recommendations for the Subject Property other than to recommend the RE-2 zoning which would continue the large lot residential appearance of the planning area and preserving environmental features.

## Planning, Land Use and Buildings

The Master Plan reconfirms the zoning applied to the Subject Property. The Travilah planning area is a low-density area which acts as a transition from the higher densities of the Potomac and North Potomac planning areas to lower densities in Darnestown and the natural environment of the Potomac River.

Travilah is a more rural portion of the Subregion. The lack of community sewer systems has ensured low-density residential neighborhoods. The Application conforms to the general guidance of the Master Plan by providing a low-density residential development served by septic systems.

## **Transportation**

The Master Plan's Transportation Section does not identify Three Sisters Road as a master planned road; however, the road is a publicly dedicated and maintained roadway. Three Sister's Road connects to Glen Road, which is a rustic road. The Master Plan's Transportation Section seeks to preserve the Subregion's existing character via the two-lane road policy and the rustic roads program. The Application is consistent with the guidance of the Master Plan. While the width of Three Sister's Road will be increased from 18 to 20 feet to meet fire department code requirements, the 20-foot-wide section is the minimum accepted pavement width for a two-way road in the Road Code.

## Environment

The environmental recommendations in the Master Plan focus on water quality protection for the watersheds in the Subregion and protecting forests as well as wetlands. The Subject Property is located in the Sandy Branch tributary to the greater Watts Branch watershed. The Administrative Subdivision Plan provides the required stormwater and water quality features to protect the watershed and preserve existing forest under Montgomery County Code. Low density residential uses in the RE-2 Zone can help maintain good water quality standards.

## 3. Public facilities will be adequate to support and service the area of the subdivision

## **Roads and Transportation Facilities**

The transportation Adequate Public Facilities (APF) test is satisfied under the current 2016 Subdivision Staging Policy. The Property is located in the Rural West Policy Area.

A traffic study is not required to satisfy the APF's Local Area Transportation Review (LATR) test because the three new single-family detached units do not generate 50 or more person trips during the weekday morning (6:30 to 9:30 a.m.) and evening (4:00 to 7:00 p.m.) peak periods. As conditioned, prior to submittal of a record plat, the Applicant must revise their traffic statement to conform with the 2016-2020 Subdivision Staging Policy including its person trips generation standards.

Three Sisters Road is a secondary residential street with 60 feet of right-of-way. The right-of-way granted with the recording of Plat No. 6716 was 60 feet in width, therefore, no additional right-of-way dedication is necessary as part of this Application.

## Other Public Facilities and Services

Other public facilities and services are available and adequate to serve the proposed lots. The Subject Property has W-6 and S-6 water and sewer service categories, respectively, and will utilize on-site septic systems and water wells. There is no planned access to public sewer or water service in this area; therefore, wells and sand mounds for septic service will be utilized on-site. The MCDPS – Well and Septic Section reviewed the Application and issued a letter of approval on May 31, 2017 (Attachment 8).

The Application was reviewed by the Montgomery County Department of Permitting Services, Fire Department Access and Water Supply office. A Fire Access Plan was approved on May 9, 2017 (Attachment 6). During the review, access to the Subject Property was determined to be inadequate by MCFRS in terms of the width of Three Sisters Road and the existing pavement of the cul-de-sac at the end of Three Sisters Road. The Applicant submitted plans to widen Three Sister Road and upgrade the cul-de-sac to MCDOT standards to ensure adequate fire truck turn around. This alternative has been approved by MCFRS, MCDOT and is supported by Staff. All of the private infrastructure encroachments in the public right-of-way will have to be removed in order to construct the required improvements.

Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses and health services are currently operating within the standards set by the Subdivision Staging Policy Resolution currently in effect. The Application is located in the Winston Churchill High School, Hoover Middle School, and Potomac Elementary School areas. None of these school levels are identified as a school in moratorium. Therefore, adequate school capacity exists to address all students generated by this Application.

4. All Forest Conservation Law, Chapter 22A requirements are satisfied

## Natural Resource Inventory/Forest Stand Delineation

The Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) #420160460 for the Subject Property was approved on March 31, 2015. The NRI/FSD identifies the environmental features and forest resources on the Subject Property. The Subject Property contains a treed area at the rear of the lot, but does not contain any forest as defined in the Forest Conservation Law. The Sandy Branch stream is a perennial Use I-P stream located on the Subject Property along the northern property line. In conjunction with the stream there is an environmental buffer totaling 2.71 acres comprised of the stream, associated wetlands, a 100-year floodplain and steep slopes. There are a number of specimen and significant trees located within the environmental buffer, but due to a lack of understory species this area is not classified as forest. There are 29 trees equal to or greater than 24" DBH that were identified on or within 100-feet of the property lines. Of those 29 trees, 16 trees are 30" DBH or greater (specimen).

## Forest Conservation Plan

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law. As required by Chapter 22A, a combined Preliminary/Final Forest Conservation Plan (FCP) for the project was submitted with the Administrative Subdivision Plan application. The total net tract area for forest conservation purposes is 10.18 acres which includes 9.86 acres for Parcel 3 and 0.32 acres of off-site work for the widening of Three Sisters Road. The Subject Property is zoned RE-2 and is considered Medium Density Residential under the Trees Technical Manual. This results in an afforestation requirement of 2.04 acres. The Applicant is meeting and exceeding this requirement by installing afforestation plantings of 2.80 acres at the rear of the Subject Property within the stream buffer and proposed Category I Conservation Easement.

## Forest Conservation Variance

Section 22A-12(b)(3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees and other vegetation as high priority for retention and protection. The law requires that there be no impact to: trees that measure 30 inches or greater DBH; are

part of an historic site or designated with an historic structure; are designated as a national, State, or County champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species. Any impact to high priority vegetation, including disturbance to the critical root zone (CRZ) requires a variance. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. Development of the Subject Property requires impact to trees identified as high priority for retention and protection, therefore, the Applicant has submitted a variance request for these impacts.

## Variance Request

The Applicant submitted a variance request in a letter dated August 3, 2017 (Attachment 3). There are 16 specimen sized trees within the Subject Property boundary and two specimen trees within the public right-of-way on Three Sisters Road. The Applicant proposes to remove six specimen trees and impact four additional specimen trees that are 30 inches or greater DBH.

Three of the six trees proposed to be removed are within the limits of disturbance (LOD) (Table 2). Two trees, Trees #2 and #20, are just outside of the LOD, but are in such a poor condition that the proximity of the construction activity may set these trees up to become hazard trees in the future. One tree, Tree #41 is located within the right-of-way of Three Sisters Road and lies just outside the LOD for the road widening work. The Applicant will make every reasonable effort to save Tree #41, but is requesting permission to remove this tree in the event all attempts fail. In addition to these six trees there are four trees, Trees #1, #3, #8 and #21, that will have each have between approximately 20% to 30% of their respective critical root zones (CRZ) impacted by construction activity (Table 3).

Tree Number	Tree Species	DBH Inches	Percent Impact to CRZ	Tree Status
2	Northern Catalpa	36	0%	To be removed. Poor condition, potential hazard
	(Catalpa speciosa)			tree.
20	Northern Catalpa	3/	6%	To be removed. Poor condition, potential hazard
	(Catalpa speciosa)	54		tree.
22	Northern Catalpa	20	45%	To be removed.
	(Catalpa speciosa)	- 39		
25	White Pine	27	88%	To be removed.
	(Pinus strobus)	52		
26	White Pine	22	100%	To be removed.
	(Pinus strobus)	- 55		
41	Black Oak	20 E	23%	To be removed. Good condition, attempt to save.
	(Quercus velutina)	59.5		

## Table 2: Variance Trees to be removed

**Table 3: Variance Trees to be impacted** 

Tree Number	Tree Species	DBH Inches	Percent Impact to CRZ	Tree Status
1	Black Oak	35	30%	To be impacted.
	(Quercus velutina)	22		
3	Northern Catalpa	11	31%	To be impacted.
	(Catalpa speciosa)	41		
8	Silver Maple	20	20%	To be impacted.
	(Acer saccharinum)	58		
21	Northern Catalpa	16	30%	To be impacted.
	(Catalpa speciosa)	40		

## Unwarranted Hardship Basis

Per Section 22A-21(a), an applicant may request a variance from Chapter 22A if the applicant can demonstrate that enforcement of Chapter 22A would result in an unwarranted hardship. In this case, the Applicant is faced with having to remove six specimen trees and impact four others. Five of these trees are located on the site and one is located off-site within the adjoining right-of-way. These trees are spread over the active construction area of the Subject Property (Figure 5).

Staff has determined that the impacts to these trees for the construction of both the homes and septic systems on these lots are unavoidable. The location of the proposed homes has been pushed as close to Three Sisters Road as possible to limit overall disturbance to the site to retain environmental resources consistent with the master plan recommendations. The location of the septic systems are restricted by site conditions and have been located for optimum performance.

Trees #2, #20, #22, #25, #26 and #41 are proposed to be removed. Trees #2 and #20 are outside of the limits of disturbance (LOD), but are in such poor condition that they are suggested to be removed to prevent these trees from becoming hazard trees in the future. Trees #22, #25 and #26 are located within the grading and septic area for Lot 38 and will need to be removed to construct this Lot. Tree #41 is within the right-of-way of Three Sisters Road and although marked for removal, the Applicant will take all reasonable measures to preserve this tree.

Trees #1, #3, #8 and #21 will have approximately between 20% to 30% of their CRZ impacted with this construction activity. The arboriculture industry standard for construction impacts to trees is to limit those impacts to no more than approximately 30 percent of the CRZ. More than 30 percent impact to the CRZ and the overall healthy viability of the tree comes into question. Staff believes that Trees #1, #3, #8 and #21 will recover from these impacts.

As a result, not being able to request a variance to remove these six trees and impact four others would constitute an unwarranted hardship on this Applicant to develop this site

consistent with the master plan recommendations. Therefore, Staff concurs that the Applicant has a sufficient unwarranted hardship to justify a variance request.

Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, for a variance to be granted.



Figure 5 – Variance Trees and Site Constraints

Staff has made the following determinations based upon the required findings in the review of the variance request and the Forest Conservation Plan:

## Variance Findings

1. Will not confer on the applicant a special privilege that would be denied to other applicants.

Granting the variance will not confer a special privilege on the Applicant as the removal of the six trees and impacts to four others is due to the location of the trees and necessary site design requirements imposed by governmental agencies and master plan recommendations. Therefore, Staff believes that the granting of this variance is not a special privilege that would be denied to other applicants.

2. Is not based on conditions or circumstances which are the result of the actions by the applicant.

The requested variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon the existing site

conditions, current health conditions of the trees and necessary requirements of this Administrative Subdivision application. Three of the specimen trees proposed to be removed (Trees #22, #25 and #26) are located within the primary and reserve sand mound septic fields for Lot 38. The necessary slope grading and design criteria for the sand mounds greatly restricts the area on which they can be located. In this case, the best area on Lot 38 for the sand mounds also coincides with the location of two specimen trees. Two other specimen trees (Trees #2 and #20) are proposed to be removed due to their overall poor health. It is felt that the construction impacts to these two trees has the potential of creating hazard trees in the future and is advisable to remove them now. The last tree proposed to be remove (Tree #41) is within the right-of-way of Three Sisters Road and will be severely impacted due to required roadway improvement to Three Sisters Road. The Applicant will pursue all practical methods available to save Tree #41, but would like the ability to remove if the need warrants. The four specimen trees being impacted are as a result of necessary roadwork on Three Sisters Road, installation of the sand mound septic systems on Lots 37 and 38, and the required removal of the existing stable structure at the rear of the Subject Property within the stream buffer.

3. Is not based on a condition relating to land or building use, either permitted or nonconforming, on a neighboring property.

The requested variance is a result of the existing conditions and not as a result of land or building use on a neighboring property.

4. Will not violate State water quality standards or cause measurable degradation in water quality.

The variance will not violate State water quality standards or cause measurable degradation in water quality. The specimen trees being removed are not located within a stream buffer. The Application proposes mitigation for the removal of these trees by planting eighteen (18) larger caliper trees on-site. The 18 mitigation trees will eventually provide more shade and more groundwater uptake than what the existing trees currently provide. Therefore, Staff concurs that the project will not violate State water quality standards or cause measurable degradation in water quality.

## Mitigation for Trees Subject to the Variance Provision

There are six (6) trees proposed for removal in this variance request resulting in a total of 213.5 inches of DBH being removed. For removal of specimen trees associated with a variance request, Staff recommends mitigation for the tree loss by replacing the total number of DBH removed with ¼ of the amount of inches replanted. This results in a total mitigation of 53 inches of replanted trees. In this case, the Applicant proposes to plant eighteen-3" caliper overstory trees native to the Piedmont Region of Maryland on the Property outside of any rights-of-way and outside of any utility easements.

#### County Arborist's Recommendation on the Variance

In accordance with Montgomery County Code Section 22A-21(c), the Planning Department is required to refer a copy of the variance request to the County Arborist in the Montgomery County Department of Environmental Protection for a recommendation prior to acting on the request. The request was forwarded to the County Arborist on August 4, 2017. The County

Arborist responded with a recommendation to approve the Applicant's tree variance request on August 28, 2017. (Attachment 4).

*Variance Recommendation* Staff recommends approval of the variance request.

5. All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.

Stormwater management requirements are met as provided in Chapter 19 of the County Code. The Administrative Subdivision Plan received an approved stormwater concept plan from the Montgomery County Department of Permitting Services, Water Resources Section on May 17, 2017 (Attachment 7). The Application will meet stormwater management goals for each new lot via microbiorention and permeable pavement.

## CONCLUSION

The Administrative Subdivision meets the technical requirements of Section 50.4.3 of the Subdivision Regulations, and the applicable requirements of Section 50.6.1.C. The lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conform to the recommendations of the 2002 Potomac Subregion Master Plan. Access and public facilities will be adequate to serve the proposed lots, and the Application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

This Administrative Subdivision Plan will remain valid for 36-months from its initiation date (as defined under Section 50.4.2.G of the Subdivision Regulations), by which time a plat must be recorded in the Montgomery County Land Records, or a request for extension must be filed under Section 50.4.2.H.

## ATTACHMENTS

- Attachment 1 Statement of Justification
- Attachment 2 Administrative Subdivision Plan with Forest Conservation Plan
- Attachment 3 Applicant Tree Variance Request Letter
- Attachment 4 County Arborist Tree Variance Letter
- Attachment 5 MCDOT Approval Letter
- Attachment 6 DPS Fire Access and Water Supply Approval
- Attachment 7 DPS Stormwater Concept Approval
- Attachment 8 DPS Well and Septic Approval

# Attachment 1

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civil • surveying • land planning

## STATEMENT OF JUSTIFICATION PROPOSED LOTS 36-38 BEALLMOUNT GROVE, PARCEL 3

March 28, 2017

Nontgomery Count MAR 2 8 2017

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Planning Department

## ADMINISTRATIVE SUBDIVISION PLAN APPLICATION M-NCPPC FILE No. 620170030

## I. INTRODUCTION

Applicant, Barry Covington ("Applicant"), hereby submits this preliminary plan application for approval of a three-lot subdivision of the existing Parcel 3 ("Application").

The property that is the subject of the Application consists of approximately 9.61 acres, located 2,000 feet North of Glen Road, and is more particularly known as Parcel 3 ("Property"), as recorded in deed L. 28314 / F. 95 and in Plat Book 71, Plat 6717. The Property is currently zoned RE-2.

## II. EXISTING CONDITIONS AND SURROUNDING AREA

The Property is currently developed with a single family home, a swimming pool, and equestrian facilities. Toward the rear of the property there is 2.71 acres of a stream buffer which extends offsite. The Property is surrounded by similar single-family residential lots. The public street, Three Sisters Road ends in a cul-de-sac, which bounds the South-Western corner of the Property.

## III. PROPOSED PRELIMINARY PLAN

The Application proposes the removal of the existing single family home and all of its appurtenances and the construction of three detached single family homes ("Residences") on the Property. Three new driveways will serve the future Lots 36-38, while Lots 37 & 38 will share one driveway entrance. Access to the property will be via a new cul-de-sac in Three Sisters Road. In total, the Application is projected to generate only three trips during the AM peak and four trips during the PM peak.



Experience you can build on.

## IV. COMPLIANCE WITH ADMINISTRATIVE SUBDIVISION REGULATIONS

#### • §50.6.1.C Subdivision for creation of certain residential lots

Up to 3 lots for detached houses are permitted in any residential zone under these procedures if:

1) The lots are approved for standard method development;

Future Lots 36-38 are located in the RE-2 Zone. There is not an optional method of development in the RE-2 Zone. Therefore, Lots 36-38, have been designed under the standard method of development.

2) Written approval for any proposed well and septic area is received from the Department of Permitting Services, Well and Septic Section before approval of the plat;

A plan has been submitted to the MCDPS Well and Septic Section requesting an approval memo for the proposed septic and well locations. The approval memo will be forwarded to the MNCPPC plan reviewer once received.

3) Any required road dedications and associated public utility easements are shown on the plat and the applicant provides any required improvements;

A proposed public utility easement has been proposed across Future Lots 36-38. Additionally, the existing cul-de-sac located within the Three Sisters Road right-of-way will be improved to current county standards as a part of this Application. Finally, Three Sisters Road is a secondary residential street with 60 feet of right-of-way. The right-ofway granted with the recording of Plat No. 6716 was 60 feet in width, therefore, no additional right-of-way dedication is necessary as part of this Application.

4) The requirements for adequate public facilities under Section 4.3.J are satisfied before approval of the plat; and

This Application satisfies the transportation Adequate Public Facilities (APF) test under the current 2016-2020 Subdivision Staging Policy. Additionally, the Property is located in the Rural West Policy Area which is exempt from the APF's Transportation Policy Area Review (TPAR) test. Furthermore, a traffic study is not required to satisfy the APF's Local Area Transportation Review (LATR) test because two new single-family homes will not generate more than 30 peak-hour trips within the weekday morning (6:30 to 9:30 am) and evening (4:00 to 7:00 pm) peak periods. Other public facilities and services will be provided by on-site septic systems, wells, and underground electric house connections.

5) Forest conservation, stormwater management, and environmental protection requirements are satisfied before approval of the plat.

Forest conservation and environmental protection requirements have been satisfied via an on-site Category 1 Forest Conservation Easement. Stormwater Management has been satisfied under the current Water Resources Technical Policy (WRTP-5). A Stormwater Management Concept Plan has been submitted to MCDPS to further confirm this.

## V. CONCLUSION

Based on the foregoing, the Applicant respectfully requests that the Director and the Development Review Committee recommend and grant approval of this Administrative Subdivision Plan. As explained in more detail above and in the plans submitted with the Application, the Application satisfies the findings that the Director must make in approving an Administrative Subdivision Plan application under Montgomery County Code Section 50.6 and the Manual of Development Review Procedures for Montgomery County, MD.

# **ADMINISTRATIVE SUBDIVISION PLAN BEALLMOUNT GROVE, PARCEL 3 12951 THREE SISTERS ROAD M-NCPPC No. 620170030**

# GENERAL NOTES

- I) BOUNDARY INFORMATION AND TWO-FOOT CONTOUR DATA ARE BASED UPON SURVEYS PERFORMED BY CAS ENGINEERING, DATED MARCH, 2015.
- 2) TOTAL LOT AREA (PER PLAT): PARCEL 3 = 429,763.0 SQ. FT. (9.866 ACRES) TOTAL LOT AREA (PER SURVEY): PARCEL 3 = 434,772.4 SQ. FT. (9.981 ACRES)
- 3) PROPERTY IS LOCATED ON TAX MAP ER 561, PARCEL 3, BEALLMOUNT GROVE.
- 4) PROPERTY IS LOCATED ON WSSC 200' SHEET 217 NW 12.
- 5) PROPERTY IS LOCATED IN SOIL TYPES IB, IC, 5B, 6A, 116D \$ 54A.
- 6) PROPERTY IS LOCATED IN HYDROLOGIC SOIL GROUP "B", "C" & "D"
- 7) FLOOD ZONES "X" & "AE" PER F.E.M.A. FIRM MAPS, COMMUNITY PANEL NUMBER 2403IC0328D. 8) PROPERTY IS LOCATED IN THE SANDY BRANCH WATERSHED.
- 9) WATER CATEGORY 6 SEWER CATEGORY 6
- IO) LOCAL UTILITIES INCLUDE: WATER & SEWER PRIVATE ELECTRIC PEPCO TELEPHONE COMCAST GAS - PRIVATE
- II) THIS PLAN CREATED WITHOUT THE BENEFIT OF A TITLE REPORT.

# SOILS TABLE

- IB GAILA SILT LOAM, 3 TO 8 PERCENT SLOPES (HSG "B") THIS MEDIUM-TEXTURED SOIL IS VERY DEEP, WELL DRAINED AND MODERATELY PERMEABLE. AVAILABLE WATER CAPACITY IS MODERATE. PRODUCTIVITY IS MODERATE. EROSION HAZARD IS SLIGHT. CAPABILITY SUBCLASS IS LIE.
- IC GAILA SILT LOAM, 8 TO 15 PERCENT SLOPES (HSG "B") THIS MEDIUM-TEXTURED SOIL IS VERY DEEP, WELL DRAINED AND MODERATELY PERMEABLE. AVAILABLE WATER CAPACITY IS MODERATE. PRODUCTIVITY IS MODERATE. EROSION HAZARD IS MODERATE. CAPABILITY SUBCLASS IS IIIE.
- GLENVILLE SILT LOAM, 3 TO 8 PERCENT SLOPES (HSG "C") THIS MODERATELY FINE-TEXTURED SOIL IS VERY DEEP, MODERATELY WELL TO SOMEWHAT POORLY DRAINED AND SLOWLY PERMEABLE. AVAILABLE WATER CAPACITY IS MODERATE. PRODUCTIVITY IS MODERATE. EROSION HAZARD IS SLIGHT. CAPABILITY SUBCLASS IS LIE.
- 6A BAILE SILT LOAM, O TO 3 PERCENT SLOPES (HSG "D") THIS MODERATELY FINE-TEXTURED SOIL IS VERY DEEP, POORLY DRAINED AND SLOWLY PERMEABLE. AVAILABLE WATER CAPACITY IS HIGH. PRODUCTIVITY IS HIGH. EROSION HAZARD IS SLIGHT. CAPABILITY SUBCLASS IS VW.
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- 54A HATBORO SILT LOAM, 0 TO 3 PERCENT SLOPES (HSG "D") THIS MODERATELY FINE-TEXTURED SOIL IS VERY DEEP, POORLY DRAINED AND MODERATELY FINE-TEXTURED SOIL IS VERY DEEP, POORLY DRAINED AND MODERATELY PERMEABLE. AVAILABLE CAPACITY IS HIGH. PRODUCTIVITY IS HIGH. EROSION HAZARD IS SLIGHT. CAPABILITY SUBCLASS IS IIIW.

# SITE / ZONING DATA

GROSS SITE AREA: \_\_\_\_ - 434,772.3 SQ. FT. ± (PER SURVEY) DEDICATION: \_ \_ 0.0 S.F. NET TRACT AREA: \_ . 434,772.3 SQ. FT. ±

ZONING: RE-2	REQUIRED		PROVIDED	PROVIDED
	NIMUM LOT AREA 87,120 S.F.		LOT 37	LOT 38
MINIMOM LOT AREA			182,385.7 S.F.	159,429.6 S.F.
MINIMUM LOT FRONTAGE	25'	120.82'	26.92'	32.46'
MINIMUM LOT WIDTH AT B.R.L.	150'	168.7' 150'		150'
MAXIMUM LOT COVERAGE	25%*	PROV: 3.7% ±	PROV: 1.9% ±	PROV: 2.1% ±
MINIMUM SETBACK FROM PUBLIC RIGHT-OF-WAY	THREE SISTERS ROAD: 50.0'	THREE SISTERS ROAD 50.0'	THREE SISTERS ROAD 187.7'	THREE SISTERS ROAD 59.9'
MINIMUM SETBACK FROM	SIDES: 17' MIN./35' TOTAL	17' / 35'	17' / 35'	17' / 35'
SIDE AND REAR LOT LINES	REAR: 35'	35'	35'	35'
USE	SINGLE FAMILY RESIDENTIAL	SINGLE FAMILY RESIDENTIAL	SINGLE FAMILY RESIDENTIAL	SINGLE FAMILY RESIDENTIAL

\* IN ACCORDANCE WITH THE MONTGOMERY COUNTY ZONING ORDINANCE, ACTUAL LOT COVERAGE TO BE VERIFIED AT BUILDING PERMIT SUBMITTAL. NOTE: SITE / ZONING DATA PROVIDED HEREON IS SUBJECT TO CHANGE BASED ON FINAL ARCHITECTURAL AND SITE DESIGNS.

## UTILITY INFORMATION

EXISTING UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE AND MUST BE FIELD VERIFIED. UTILITY LOCATIONS ARE BASED UPON AVAILABLE RECORDS AND ARE SHOWN TO THE BEST OF OUR ABILITY.								
UTILITY CO.	REQUEST DATE	BY	INFO. RECEIVED	PLAN REVISED	BY			
AT&T	11/15/2013	JSC	12/13/2013	NO FACILITIES	JSC			
COMCAST	11/15/2013	JSC	12/16/2013	OVERHEAD LINES	BCB			
MCI	11/15/2013	JSC	-	-	-			
PEPCO	11/15/2013	JSC	07/03/2014	OVERHEAD LINES	JSC			
VERIZON	11/15/2013	JSC	11/25/2013	NO FACILITIES	JSC			
WASH. GAS	11/15/2013	JSC	11/18/2013	NO FACILITIES	BCB			
W.S.S.C.								
SEWER CONTR	ACT DRAWING		ON SITE	ON SITE	BCB			
WATER CONTR	ACT DRAWING		ON SITE	ON SITE	BCB			
HOUSE-CONNECTION PLUMBING CARDS N/A N/A BCB								
MISS UTILITY								

FOR LOCATION OF UTILITIES, CALL "MISS UTILITY" AT 1-800-257-7777, OR LOG ON TO WWW.MISSUTILITY.NET/ITIC 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY. THE EXCAVATOR MUST NOTIFY ALL PUBLIC UTILITY COMPANIES WITH UNDER GROUND FACILITIES IN THE AREA OF PROPOSED EXCAVATION AND HAVE THOSE FACILITIES LOCATED BY THE UTILITY COMPANIES PRIOR TO COMMENCING EXCAVATION. THE EXCAVATOR IS RESPONSIBLE FOR OMPLIANCE WITH REQUIREMENTS OF CHAPTER 36A OF THE MONTGOMERY COUNTY CODE



INDEX OF DRAWINGS	CENTURION			
NO.       SHEET TITLE         ASP-1       ADMINISTRATION SUBDIVISION PLAN - COVER SHEET         ASP-2       ADMINISTRATION SUBDIVISION PLAN - APPROVALS         ASP-3       ADMINISTRATION SUBDIVISION PLAN		⊤ ∕2016		PROVAL
FCP-1       PRELIMINARY/FINAL FOREST CONSERVATION PLAN         FCP-2       PRELIMINARY/FINAL FOREST CONSERVATION PLAN         FCP-3       PRELIMINARY/FINAL FOREST CONSERVATION PLAN				APF
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I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PRE THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER MARYLAND, LICENSE NO. 19568, EXPIRATION DATE 3/8/1	PARED OR APPROVED BY ME, AND UNDER THE LAWS OF THE STATE OF 2018.	z Street yland 217	fax leering.co leering.co	EYING •
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PROPOSED LOTS 36-38 (PARCEL 3) <b>BEALLMOUNT GROVE</b> DARNESTOWN (6TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND ADMINISTRATIVE SUBDIVISION PLAN									
	10 South Bentz Street Frederick, Marvland 21701	201 607 8021 office	2011-000-100-100	301-607-8045 fax	www.casengineering.com	IIIIO @ caseligiileeIIIig.cuili		CIVIL • SURVEYING • LAND PLANNING	
								Experience vou can build on	

12951 THREE SISTERS ROAD, POTOMAC, MD 208 PLAT BOOK 71, PLAT 6717, CIRCA 1962

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ASP-2

OWNER BARRY T. COVINGTON 12912 THREE SISTERS ROAD POTOMAC, MD 20854 (301) 948-1131 PHONE bcov@comcast.net

12951 THREE SISTERS ROAD PROPOSED LOTS 36-38 BEALLMOUNT GROVE, PARCEL 3 ADMINISTRATIVE SUBDIVISION PLAN MNCPPC NO. 620170030

PROFESSIONAL ENGINEER CERTIFICATION

CURT A. SCHREFFLER, PE

07/31/2017

DATE

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19568, EXPIRATION DATE 3/8/2018.

7. Schrettken



# **PRELIMINARY/FINAL FOREST CONSERVAT BEALLMOUNT GROVE, PARCEL 3 12951 THREE SISTERS ROAD M-NCPPC No. 620170030**

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- II) THIS PLAN CREATED WITHOUT THE BENEFIT OF A TITLE REPORT.

# ZONING DATA

ZONING: RE-2 MIN. LOT AREA = 2 ACRES MIN. LOT WIDTH AT R/W = 150 FT MIN. LOT WIDTH AT B.R.L. = 25 FT

FRONT B.R.L. = 50 FT REAR B.R.L. = 35 FT SIDE B.R.L. = 17 FT MIN., 35 FT TOTAL

# SOILS TABLE

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![](_page_21_Figure_23.jpeg)

					(TREES 24" AND GREATER ONLY,
TREE NO.	COMMON NAME	SPECIES NAME	DBH (IN)	COND.	COMMENTS
1	Black Oak	Quercus velutina	35	good	Not tagged, Offsite, R/W Tree
2	Northern Catalpa	Catalpa Speciosa	36	poor	Twin (36" & 33"), Co. Dom., Split, Significant decay, Hollowing, Structural failure, Removal recommended, Not tagged, TBR
3	Northern Catalpa	Catalpa Speciosa	41	good/fair	Many deadwood limbs, Dieback, Not tagged
4	Boxelder	Acer negundo	30	good	Poor form, Slight Dieback, Approx. Location, Not tagged
5	Sycamore	Platanum occidentalis	35	good	Not tagged
6	Silver Maple	Acer saccharinum	38	fair	Twin, Co. Dom w/ Included bark, Decay, Not tagged
7	Silver Maple	Acer saccharinum	27	fair/poor	Multi., Decay, Co. Dom w/ Included bark, Dieback, Not tagged
8	Silver Maple	Acer saccharinum	38	fair/poor	Cavity, Hollowing, Decay, Not tagged
9	Green Ash	Fraxinus pennsylvanica	26	good	Not tagged
10	Sycamore	Platanum occidentalis	32	good/fair	Co. Dom. w/ Included bark, Roots undercut, Leaning, Not tagged
11	Silver Maple	Acer saccharinum	35	poor	Twin (35" & 18"), Decay, Hollowing, Co. Dom. w/ Included bark,
					High probability of failure, Not tagged
12	Boxelder	Acer negundo	26	good	Co. Dom., Not tagged
13	Sycamore	Platanum occidentalis	27	good	Ivy, Not tagged
14	Silver Maple	Acer saccharinum	31	good/fair	Roots undercut, Not tagged
15	Tulip Poplar	Lirodendron tulipifera	28	fair	Weak structure, Roots undercut, Not tagged
16	Silver Maple	Acer saccharinum	37	fair/poor	Cavity w/ Decay, Not tagged
17	Silver Maple	Acer saccharinum	24	good	Not tagged
18	Sycamore	Platanum occidentalis	28	good/fair	Roots undercut @ Stream, Not tagged
19	Northern Catalpa	Catalpa Speciosa	24	good	Not tagged, Offsite
20	Northern Catalpa	Catalpa Speciosa	34	poor	Twin (34" & 27"), Co. Dom. w/ Split, Structural failure, Removal recommended, Not tagged, TBR
21	Northern Catalpa	Catalpa Speciosa	46	good	Hollowing, Not tagged
22	Northern Catalpa	Catalpa Speciosa	39	good/fair	Cavity, Decay, Not tagged, TBR
23	Northern Catalpa	Catalpa Speciosa	24	good	Not tagged, TBR
24	White Pine	Pinus strobus	26	good	Not tagged, TBR
25	White Pine	Pinus strobus	32	fair	Hollowing, Not tagged, TBR
26	White Pine	Pinus strobus	33	good	Not tagged, TBR
27	American Larch	Larix laricina	24	good	Multi. Stem, Not tagged, TBR
28	Black Cherry	Prunus serotina	26	good/fair	Co. Dom. w/ IB, Slight dieback, Weak structure, Not tagged, TBR
29	White Pine	Pinus strobus	24	good	Not tagged, Offsite
30	Black Oak	Quercus velutina	29.5	good	Roadside Tree, Not tagged, Offsite, R/W Tree
31	Sycamore	Platanum occidentalis	24	good	Offsite, Approx. Location, Not tagged
32	Silver Maple	Acer saccharinum	26	good	Offsite, Approx. Size & Location, Not tagged
33	Red Maple	Acer Rubrum	30	good	Offsite, Approx. Size & Location, Multi., Not tagged
34	Sycamore	Platanum occidentalis	24	good	Offsite, Approx. Size & Location, Not tagged
35	Sycamore	Platanum occidentalis	27	good	Offsite, Not tagged
36	Tulip Poplar	Lirodendron tulipifera	24	good	Offsite, Approx. Size & Location, Not tagged
37	Tulip Poplar	Lirodendron tulipifera	24	good	Offsite, Approx. Size & Location, Not tagged
38	Tulip Poplar	Lirodendron tulipifera	41	good	Not tagged
39	Sycamore	Platanum occidentalis	24	good	Offsite, Approx. Size, Not tagged
40	Sycamore	Platanum occidentalis	36	good	Offiste, Approx. Size, Not tagged
41	Black Oak	Quercus velutina	39.5	good	Not tagged, Offsite, R/W Tree, TBR

![](_page_21_Figure_25.jpeg)

SPECIMEN TREES ARE INDICATED WITH BOLD TYPE. SIZES OF OFFSITE TREES HAVE BEEN ESTIMATED.

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	PLAN SITE OF OTHER OF THE OWNER	DATE 11/2016	ENGINEERING	APPROVAL <b>JAR</b>
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LOT 17	MD 20854	a C L	UNTY, MARYLAND	ATION PLAN
LOT 16	<b>ROAD, POTOMAC,</b> PLAT 6717, CIRCA 1962	TS 36-38 (PARCEL	STRICT, MONTGOMERY CC	OREST CONSERV
4 HILL COURT	CERTIFICATION OF QUALIFIED PROFESSIONAL		MN (6TH) ELECTION DIS	NARY/FINAL FO
	I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON HAS BEEN PREPARED       Image: Conservation laws, and state and montgomery county forest conservation laws, and m-ncp&pc guidelines.         07/31/2017       Image: Conservation laws, and m-ncp&pc guidelines.         07/31/2017       Image: Conservation laws, and m-ncp&pc guidelines.         07/31/2017       Image: Conservation laws, and m-ncp&pc guidelines.         Date       Image: Conservation laws, and m-ncp&pc guidelines.         Date       Image: Conservation laws, and m-ncp&pc guidelines.         Date       Image: Conservation laws, and m-ncp&pc guidelines.         Disclaimer: tees are living things whose livability and structural integrity are subject to a wide area of natural	(	DARNESTC	PRELIMI
LOT II	ACTORS AND IMPACTS AMONG THOSE IMPACTS ARE GENETICS, CLIMATE, WATHER, WATER REGME, SOILS, ISSECTS AND USEASE. AS SUCH, TREES ARE SUBJECT TO CHANGES IN HEALTH OR CONDITION VERY SLOWLY OVER TIME OR VERY ABRUPTLY. I DO NOT TAKE USEDILTY FOR THESE ACTORS OR OTHER FACTORS UPON THE HEALTH OR STRUCTURE OR VERY ABRUPTLY. I DO NOT TAKE NOT PERFORMED ON OR UPON THESE TREES. CONDITIONS AND WEAKNESSES MAY EXIST OUT OF SIGHT FROM THE HUMAN EYE. DEVELOPER CERTIFICATION SAND WEAKNESSES MAY EXIST OUT OF SIGHT FROM THE HUMAN EYE. THE UNDERSIGNED AGREES TO EXECUTE ALL THE FEATURES OF THE APPROVED FINAL FOREST CONSERVATION PLAN No. 620170030 INCLUDING, FINANCIAL BONDING, FOREST PLANTING, MAINTENANCE, AND ALL OTHER APPLICABLE AGREEMENTS. DEVELOPER NAME: <u>BARRY T. COVINGTON</u>	outh Bentz Street vick_Marvland 21701	307-8031 office 307-8045 fax casengineering.com	°casengineering.com .● SURVEYING ● LAND PLANNIN(
LOT 9	CONTACT PERSON OR OWNER:       BARRY T. COVINGTON         ADDRESS:       12912 THREE SISTERS ROAD, POTOMAC, MD         PHONE:       (301) 948-1131         SIGNATURE:	10 So	301-6 301-6	AEERING Into@
	PERMIT PROCESS AND WILL CONFORM TO THE STANDARDS OF THE ZONE INCLUDING LOT COVERAGE, HEIGHT, SETBACKS, ETC. 12951 THREE SISTERS ROAD PROPOSED LOTS 36–38 BEALLMOUNT GROVE PARCEL 3		うり	Experience you o
NARY/FINA	L FOREST CONSERVATION PLAN MNCPPC NO. 620170030	F	4 OF	7 <b>-1</b>

![](_page_22_Figure_0.jpeg)

# SEQUENCE OF EVENTS

## PRE-CONSTRUCTION

- AN ON-SITE PRE-CONSTRUCTION MEETING IS REQUIRED AFTER THE LIMITS OF DISTURBANCE HAVE BEEN STAKED AND FLAGGED, BUT BEFORE ANY CLEARING OR GRADING BEGINS. THE PROPERTY OWNER SHOULD CONTACT THE MONTGOMERY COUNTY PLANNING DEPARTMENT INSPECTION STAFF BEFORE CONSTRUCTION TO VERIFY THE LIMITS OF DISTURBANCE AND DISCUSS TREE PROTECTION AND TREE CARE MEASURES. THE DEVELOPER'S REPRESENTATIVE, CONSTRUCTION SUPERINTENDENT, ISA CERTIFIED ARBORIST OR MARYLAND-LICENSED TREE EXPERT THAT WILL IMPLEMENT THE TREE PROTECTION MEASURES, FOREST CONSERVATION INSPECTOR, AND DEPARTMENT OF PERMITTING SERVICES (DPS) SEDIMENT CONTROL INSPECTOR SHOULD ATTEND THIS PRE-CONSTRUCTION MEETING.
- NO CLEARING OR GRADING SHALL BEGIN BEFORE STRESS-REDUCTION MEASURES HAVE BEEN IMPLEMENTED. APPROPRIATE MEASURES MAY INCLUDE, BUT ARE NOT LIMITED TO:
  - A. ROOT PRUNING B. CROWN REDUCTION OR PRUNING
  - . WATERING
  - D. FERTILIZING VERTICAL MULCHING
  - F. ROOT AERATION MATTING

MEASURES NOT SPECIFIED ON THE FOREST CONSERVATION PLAN MAY BE REQUIRED AS DETERMINED BY THE FOREST CONSERVATION INSPECTOR IN COORDINATION WITH THE ARBORIST.

- A MARYLAND-LICENSED TREE EXPERT OR AN INTERNATIONAL SOCIETY OF ARBORICULTURE- CERTIFIED ARBORIST MUST PERFORM ALL STRESS REDUCTION MEASURES. DOCUMENTATION OF STRESS REDUCTION MEASURES MUST BE EITHER OBSERVED BY THE FOREST CONSERVATION INSPECTOR OR SENT TO THE INSPECTOR AT 8787 GEORGIA AVENUE, SILVER SPRING, MD 20910. THE FOREST CONSERVATION INSPECTOR WILL DETERMINE THE EXACT METHOD TO CONVEY THE STRESS REDUCTIONS MEASURES DURING THE PRE-CONSTRUCTION MEETING.
- TEMPORARY TREE PROTECTION DEVICES SHALL BE INSTALLED PER THE FOREST CONSERVATION PLAN/TREE SAVE PLAN AND PRIOR TO ANY CONSTRUCTION ACTIVITIES. TREE PROTECTION FENCING LOCATIONS SHOULD BE STAKED PRIOR TO THE PRE-CONSTRUCTION MEETING. THE FOREST CONSERVATION INSPECTOR, IN COORDINATION WITH THE DPS SEDIMENT CONTROL INSPECTOR, MAY MAKE FIELD ADJUSTMENTS TO INCREASE THE SURVIVABILITY OF TREES AND FOREST SHOWN AS SAVED ON THE APPROVED PLAN. TEMPORARY TREE PROTECT DEVICES MAY INCLUDE:
  - A. CHAIN LINK FENCE (FOUR FEET HIGH)
  - B. SUPER SILT FENCE WITH WIRE STRUNG BETWEEN SUPPORT POLES (MINIMUM 4 FEET HIGH) WITH HIGH VISIBILITY FLAGGING. C. 14 GAUGE 2 INCH X 4 INCH WELDED WIRE FENCING SUPPORTED BY STEEL T-BAR POSTS (MINIMUM 4 FEET HIGH) WITH HIGH
- VISIBILITY FLAGGING. TEMPORARY PROTECTION DEVICES SHALL BE MAINTAINED AND INSTALLED BY THE CONTRACTOR FOR THE DURATION OF CONSTRUCTION
- PROJECT AND MUST NOT BE ALTERED WITHOUT PRIOR APPROVAL FROM THE FOREST CONSERVATION INSPECTOR. NO EQUIPMENT, TRUCKS, MATERIALS, OR DEBRIS MAY BE STORED WITHIN THE TREE PROTECTIO FENCE AREAS DURING THE ENTIRE CONSTRUCTION PROJECT. NO VEHICLE OR EQUIPMENT ACCESS TO THE FENCED AREA WILL BE PERMITTED. TREE PROTECTION SHALL NOT BE REMOVED WITHOUT PRIOR APPROVAL OF FOREST CONSERVATION INSPECTOR.
- FOREST RETENTION AREA SIGNS SHALL BE INSTALLED AS REQUIRED BY THE FOREST CONSERVATION INSPECTOR, OR AS SHOWN ON THE APPROVED PLAN.
- LONG-TERM PROTECTION DEVICES WILL BE INSTALLED PER THE FOREST CONSERVATION PLAN/TREE SAVE PLAN AND ATTACHED DETAILS. INSTALLATION WILL OCCUR AT THE APPROPRIATE TIME DURING THE CONSTRUCTION PROJECT. REFER TO THE PLAN DRAWING FOR LONG-TERM PROTECTION MEASURES TO BE INSTALLED.

## DURING CONSTRUCTION

PERIODIC INSPECTIONS BY THE FOREST CONSERVATION INSPECTOR WILL OCCUR DURING THE CONSTRUCTION PROJECT, CORRECTIONS AND REPAIRS TO ALL TREE PROTECTION DEVICES, AS DETERMINED BY THE FOREST CONSERVATION INSPECTOR, MUST BE MADE WITHIN THE TIMEFRAME ESTABLISHED BY THE INSPECTOR.

## POST-CONSTRUCTION

- AFTER CONSTRUCTION IS COMPLETED, AN INSPECTION SHALL BE REQUESTED. CORRECTIVE MEASURES MAY INCLUDE:
- A. REMOVAL AND REPLACEMENT OF DEAD AND DYING TREES B. PRUNING OF DEAD OR DECLINING LIMBS C. SOIL AERATION
- . FERTILIZATION
- E. WATERING F. WOUND REPAIR

CONSERVATION.

- G. CLEAN UP OF RETENTION AREAS
- 10. AFTER INSPECTION AND COMPLETION OF CORRECTIVE MEASURES HAVE BEEN UNDERTAKEN, ALL TEMPORARY PROTECTION DEVICES SHALL BE REMOVED FROM THE SITE. REMOVAL OF TREE PROTECTION DEVICES THAT ALSO OPERATE FOR EROSION AND SEDIMENT CONTROL MUST BE COORDINATED WITH BOTH THE DEPARTMENT OF PERMITTING SERVICES AND THE FOREST CONSERVATION INSPECTOR. NO ADDITIONAL GRADING, SODDING, OR BURIAL MAY TAKE PLACE AFTER THE TREE PROTECTION FENCING IS REMOVED.

## REQUIRED INSPECTIONS

ALL FIELD INSPECTIONS MUST BE REQUESTED BY THE APPLICANT. INSPECTIONS MUST BE CONDUCTED AS FOLLOWS:

TREE SAVE PLANS AND FOREST CONSERVATION PLANS WITHOUT PLANTING REQUIREMENTS

- AFTER THE LIMITS OF DISTURBANCE HAVE BEEN STAKED AND FLAGGED, BUT BEFORE ANY CLEARING OR GRADING BEGINS
- 2. AFTER NECESSARY STRESS REDUCTION MEASURES HAVE BEEN COMPLETED AND PROTECTION MEASURES HAVE BEEN INSTALLED.
- BUT BEFORE ANY CLEARING AND GRADING BEGIN. AFTER COMPLETION OF ALL CONSTRUCTION ACTIVITIES, BUT BEFORE REMOVAL OF TREE PROTECTION FENCING, TO DETERMINE THE LEVEL OF COMPLIANCE WITH THE PROVISION OF THE FOREST
- ADDITIONAL REQUIREMENTS FOR PLANS WITH PLANTING REQUIREMENTS
- 4. BEFORE THE START OF ANY REQUIRED REFORESTATION AND AFFORESTATION PLANTING
- AFTER THE REQUIRED REFORESTATION AND AFFORESTATION PLANTING HAS BEEN COMPLETED TO VERIFY THAT THE PLANTING IS ACCEPTABLE AND PRIOR TO THE START THE MAINTENANCE PERIOD.
- 6 AT THE END OF THE MAINTENANCE PERIOD TO DETERMINE THE LEVEL OF COMPLIANCE WITH THE PROVISIONS OF THE PLANTING
- PLAN, AND IF APPROPRIATE, RELEASE OF THE PERFORMANCE BOND.

# LONG TERM MAINTENANCE SPECIFICATIONS

- THIS PROPERTY IS SUBJECT TO A MAINTENANCE AND MANAGEMENT AGREEMENT TO BE RECORDED IN THE LAND RECORDS OF MONTGOMERY COUNTY; AGREEMENT WILL ALSO AVAILABLE IN THE M-NCP&PC FILES.
- 2. THE OWNER SHALL MAINTAIN AND MANAGE THE FOREST PLANTINGS IN ACCORDANCE WITH THE PLAN. THIS SHALL INCLUDE BUT IS NOT LIMITED TO:
  - A. PLANTING NATIVE PLANT SPECIES COMPATIBLE WITH THE EXISTING HABITAT
  - B. WATERING, FERTILIZING, CONTROLLING COMPETING VEGETATION AND PROTECTING PLANTS FROM DISEASE, PESTS AND MECHANICAL INJURY DURING THE INITIAL PLANTING AND THROUGH THE TWO-YEAR (5 YEARS IF IN AN SPA) MAINTENANCE PERIOD AS NECESSARY
  - C. PROVIDING PROTECTION DEVICES SUCH AS FENCING, RETAINER WALLS, RAISED SIDEWALKS AND INTERPRETIVE SIGNS AS NECESSARY TO PREVENT THE DESTRUCTION OR DEGRADATION OF THE PLANTING SITE.
- 3. THE OWNER SHALL MONITOR THE FORESTATION SITE OF THE PROPERTY FOR TWO YEARS AND THE OWNER SHALL REPLACE ANY PLANTINGS THAT DIE WITHIN THAT TWO YEAR PERIOD TO A MINIMUM STANDARD OF 100 TREES PER ACRE OR AT LEAST 75% OF THE TOTAL TREES PLANTED PER ACRE (WHICHEVER IS GREATER). SO AS TO ENSURE COMPLIANCE WITH SURVIVAL REQUIREMENTS STATED IN THE FOREST CONSERVATION REGULATIONS
- 4. INVASIVE SPECIES (MILE A MINUTE, ENGLISH IVY, AND JAPANESE HONEYSUCKLE SPECIFICALLY) TO BE MONITORED AND ERADICATED ACCORDING TO NOTES AND SPECIFICATIONS SHOWN HEREON. ADDITIONAL MEASURES MAY BE REQUIRED BY MNCPPC INSPECTOR.
- 5. THE OWNER IS REQUIRED TO PROVIDE, ON A SEMIANNUAL BASIS, EVIDENCE OF PLAN COMPLIANCE AND THAT THE FINANCIAL SECURITY IS IN FULL FORCE AND EFFECT. 6. THE OWNER MUST NOTIFY THE BOARD'S INSPECTOR AT THE END OF THE TWO-YEAR
- MAINTENANCE PERIOD TO SCHEDULE A FINAL INSPECTION. AFTER VERIFYING PLAN COMPLIANCE, THE INSPECTOR SHALL ISSUE TO THE OWNER A WRITTEN NOTICE OF COMPLETION

## SITE PREPARATION AND PLANTING SPECIFICATIONS

- 1. PRE-PLANTING CONSIDERATIONS
- A. IN AREAS WITH SUBSTANTIAL GROWTH OF INVASIVE UNDERCOVER SPECIES, MEASURES WILL BE TAKEN TO REMOVE AND CONTROL INVASIVE WEEDS AND PLANTS. THE INFESTED AREAS SHOULD BE MOWN PRIOR TO COMMENCEMENT OF PLANTING. NECESSARY WEED CONTROL MEASURES SHOULD BE DETERMINED DURING THE PRE-PLANTING INSPECTION, INCLUDING BUT NOT LIMITED TO, MULCHING, PERIODIC MOWING AROUND THE REFORESTATION PLANTS AND FABRIC COVERINGS THE USE OF CHEMICAL WEED CONTROLS WILL BE LIMITED TO EXTREME CASES AND ONLY WITH PRIOR WRITTEN APPROVAL BY M-NCP&PC STAFF. IF SYSTEMIC HERBICIDES ARE USED ONLY USE THE SYSTEMIC HERBICIDE "RODEO" BY MONSANTO. "RODEO" IS SAFE TO USED AROUND WATER AND IT WILL NOT HARM THE AQUATIC PLANT OR ANIMAL LIFE. WHERE PERIODIC MOWING WILL OCCUR AS A WEED CONTROL MEASURE THE TYPICAL TREE PLANTING DISTRIBUTION PATTERN SHOULD BE MODIFIED SO AS TO ALLOW ACCESS BY MOWING EQUIPMENT WITHOUT DAMAGE TO PLANTING.
- A. A SOILS ANALYSIS WILL BE CONDUCTED PRIOR TO COMMENCEMENT OF AFFORESTATION. ON LAND WHERE EXTENSIVE AGRICULTURE USE HAS OCCURRED IN THE PAST, TEST PITS WILL BE DUG IN AREAS OF UNDISTURBED SOIL TO DETERMINE IF A FRAGPAN LAYER IS PRESENT IF FRAGPAN IS PRESENT. IT SHOULD BE PIFRCED BY AUGURING AND PLANTING HOLES SHOULD BE DUG TO TWICE THE NORMAL DIAMETER FOR THE MATERIAL PLANTED
- SOLIDS SHOULD BE TREATED BY INCORPORATING NATURAL MULCH WITHIN THE TOP 12 INCHES, OR AMENDMENTS AS DETERMINED BY THE SOIL ANALYSIS. NATURAL AMENDMENTS, SUCH AS ORGANIC MULCH OR LEAF MOLD COMPOST ARE PREFERRED.
- C. IF FILL MATERIAL IS USED AT THE PLANTING SITE IT SHOULD BE CLEAN FILL WITH 12 INCHES OF NATIVE SOIL. STOCKPILING OF NATIVE TOP SOILS MUST BE DONE IN SUCH A WAY THAT THE HEIGHT OF THE PILE DOES NOT DAMAGE THE SEED BANK. 2. PLANT MATERIAL STORAGE
- IT IS RECOMMENDED THAT THE PLANTING OCCUR WITHIN 24 HOURS OF DELIVERY TO THE SITE. PLANT MATERIALS WHICH ARE LEFT UNPLANTED FOR MORE THAN 24 HOURS SHOULD BE PROTECTED FROM DIRECT SUNLIGHT AND WEATHER AND KEPT MOIST. NURSERY STOCK SHOULD NOT BE LEFT UNPLANTED FOR MORE THAN TWO (2) WEEKS.
- 3. ON-SITE INSPECTION PRIOR TO PLANTING PLANTING STOCK SHOULD BE INSPECTED. PLANTS NOT CONFORMING TO STANDARD NURSERYMAN SPECIFICATIONS FOR SIZE, FORM, VIGOR, ROOTS, TRUNK WOUNDS, INSECTS, AND DISEASE SHOULD BE REPLACED.
- 4. PLANTING SPECIFICATIONS
- A. CONTAINER GROWN STOCK: SUCCESSFUL PLANTING OF CONTAINER GROWN STOCK REQUIRES CAREFUL SITE PREPARATION AND INSPECTION OF THE PLANT MATERIAL ROOT SYSTEM. CAUTION IS RECOMMENDED WHEN SELECTING PLANTS GROWN IN A SOILS MEDIUM DIFFERING FROM THAT OF THE PLANTING SITE. THE PLANT SHOULD BE REMOVED FROM THE CONTAINER AND THE ROOTS GENTLY LOOSENED FROM THE SOILS IF THE ROOTS ENCIRCLE THE ROOT BALL SUBSTITUTION IS STRONGLY RECOMMENDED S-SHAPED OR KINKED ROOT SYSTEMS SHOULD ALSO BE NOTED, AND SUBSTITUTED II NECESSARY. ROOTS MAY NOT BE TRIMMED ON-SITE DUE TO THE INCREASED CHANCES OF SOIL BORNE DISEASES. THE PLANTING FIELD SHOULD BE PREPARED AS SPECIFIED. NATIVE STOCKPILED SOILS SHOULD BE USED TO BACKFILL PLANTING FIELD. RAKE SOILS EVENLY OVER THE PLANTING FIELD AND COVER WITH 2 TO 4 INCHES OF MULCH.
- B. BALLED AND BURLAPPED TREES: BALLED AND BURLAPPED TREES MUST BE HANDLED WITH CARE WHILE PLANTING. TREES SHOULD NOT BE PICKED UP BY THE TRUNK OR DROPPED, AS BOTH PRACTICES WILL TEND TO SEPARATE THE TRUNK FROM THE ROOT BALL. PRIOR TO PLANTING, ROOTS BALLS SHOULD BE KEPT MOIST.
- C. PLANTING FIELDS SHOULD BE CREATED EQUAL TO 2.6 TIMES THE DIAMETER OF THE ROOT BALL USE WATER TO SETTLE SOIL BACKFILLED AROUND TREES. STOCKPILED NATIVE TOP SOILS, IF AVAILABLE, SHOULD BE USED TO BACKFILL THE PLANTING FIELD AMENDMENTS ARE NOT RECOMMENDED, AS STUDIES HAVE SHOWN THAT THE ROOTS WILL BE ENCOURAGE TO STAY WITHIN THE AMENDED SOILS. SOILS SHOULD BE RAKED EVENLY OVER THE PLANTING FIELD AND COVERED WITH 2 TO 4 INCHES OF MULCH.
- D. STAKING OF TREES IS NOT RECOMMENDED EXCEPT IN AREAS OF HIGH WINDS. MOVEMENT IS NECESSARY TO STRENGTHEN THE TRUNK OF THE PLANTED TREE. IF STAKES ARE USED, THEY SHOULD BE REMOVED AFTER THE FIRST GROWING SEASON. WRAPPING IS ALSO NOT RECOMMENDED DUE TO THE INCREASED OPPORTUNITIES FOR INSECT INFESTATION AND DISEASE.
- E. DEER PROTECTION MEASURES MAY BE NECESSARY AND WILL BE DETERMINED BY THE M-NCPPC INSPECTOR AT THE TIME OF THE PRE-PLANTING MEETING.
- F. ALL SHRUBS AND TREES SHALL BE MULCHED WITH A 3" THICK LAYER OF SHREDDED HARDWOOD MULCH 18" IN DIAMETER AROUND EACH PLANT OR INSTALL GEOTEXTILE WEED MATS 2' SQUARE BY WEED PRO, VISPORE TREE MATS BY TREESSENTIALS OR APPROVED FOUAL
- G. ALL DISTURBED AREAS ADJACENT TO AND WITHIN THE AFFORESTATION PLANTING AREAS SHALL BE STABILIZED WITH A NON INVASIVE SEED MIX COMPOSED OF 50% ANNUAL RYEGRASS, 30% ALSIKE CLOVER AND 20% RED TOP. SEED RATE AT I POUND PER 1,000 SQUARE FEET 5. POST-PLANTING CONSIDERATIONS
- A. SOIL STABILIZATION: FOR AREAS OF LARGE SCALE DISTURBANCE, SOILS MUST BE STABILIZED USING A NON-TURE-BUILDING GROUND COVER OR ENGINEERING FABRIC COORDINATE WITH THE DPS SEDIMENT CONTROL INSPECTOR AND THE MNCPPC FOREST CONSERVATION INSPECTOR ON APPROVAL AND METHODS.

![](_page_23_Figure_65.jpeg)

ACREAGE OF TRACT	10.18 ACRES
ACREAGE OF TRACT REMAINING IN AGRICULTURAL USE	0.00 ACRES
ACREAGE OF ROAD AND UTILITY ROW'S WHICH WILL NOT BE IMPROVED AS PART OF THE DEVELOPMENT APPLICATION	0.00 ACRES
ACREAGE OF TOTAL EXISTING FOREST	0.00 ACRES
ACREAGE OF TOTAL FOREST RETENTION	0.00 ACRES
ACREAGE OF TOTAL FOREST CLEARED	0.00 ACRES
LAND USE CATEGORY AND CONSERVATION AND AFFORESTATION THRESHOLDS FROM THE SECTION 22A-12(a) OF THE FOREST CONSERVATION LAW	MEDIUM DENSITY RESIDENTIAL 2.04 ACRES; AFFORES. THRESHOLD 2.55 ACRES; CONSERV. THRESHOLD
	AREA RETAINED AREA CLEARED AREA PLANTED
ACREAGE OF FOREST RETAINED, CLEARED AND PLANTED WITHIN WETLANDS	0.00 ACRES 0.00 ACRES 1.79 ACRES
ACREAGE OF FOREST RETAINED, CLEARED, AND PLANTED WITHIN 100-YEAR FLOODPLAIN	0.00 ACRES 0.00 ACRES 1.99 ACRES
ACREAGE OF FOREST RETAINED, CLEARED, AND PLANTED WITHIN IN STREAM BUFFERS	0.00 ACRES 0.00 ACRES 2.71 ACRES
TOTAL ACREAGE OF FOREST RETAINED, CLEARED, AND PLANTED WITHIN PRIORITY AREAS	0.00 ACRES 0.00 ACRES 0.00 ACRES
LINEAR FEET AND AVERAGE WIDTH OF STREAM BUFFER PROVIDED	LENGTH - 609' AVERAGE WIDTH - 132'

FEATURE	ACREAGE
AREA OF STEEP SLOPES	0.36 AC.
FORESTED FLOODPLAIN AREA	0 AC.
ENVIRONMENTAL BUFFER AREA	2.71 AC.
TOTAL FORESTED AREA	0 AC.
FORESTED ENVIRONMENTAL BUFFER	0 AC.
100-YEAR FLOODPLAIN	1.99 AC.
WETLANDS	1.79 AC.
FORESTED WETLANDS	0 AC.
AVERAGE WIDTH OF ENVIRONMENTAL BUFFER	132 FT.
LINEAR EXTENT OF STREAM	609 FT.

![](_page_24_Figure_0.jpeg)

![](_page_24_Figure_1.jpeg)

## Attachment 3

corporate office

10 south bentz street frederick, maryland 21701 office 301.607,8031 info@casengineering.com www.casengineering.com

civil . surveying . land planning

![](_page_25_Picture_4.jpeg)

Experience you can build on.

August 3, 2017

M-NCP&PC Development Review Division 8787 Georgia Avenue, 2<sup>nd</sup> Floor Silver Spring, MD 20910

Attn: Planning Area 3 Reviewer

Re: CAS Job No. 13-333 12951 Three Sisters Road, Potomac, MD 20854 Proposed Lots 36-38 (N/F Parcel 3), Beallmount Grove Forest Conservation (Chapter 22A) Variance Request MNCPPC # 620170030

Dear Planning Area 3 Reviewer:

This letter is intended to serve as the Forest Conservation Variance Request pursuant to Section 22A-21 of the Montgomery County Code. The Preliminary / Final Forest Conservation Plan is attached hereto for your review and approval.

## Variance Justification

The applicant, Barry Covington, is requesting a variance for the impact to four (4) specimen trees (1, 3, 8, 21) and the removal of six (6) specimen trees (2, 20, 22, 25, 26, 41) located within the property known as Parcel 3, Beallmount Grove. The subject property is located at 12951 Three Sisters Road, at the end of the cul-de-sac and is comprised of 9.87 acres (429,937.2 sq. ft.) of land. It is improved with a single-family home, a swimming pool, and equestrian facilities. An environmental buffer totaling 2.71 acres is located along the northern portion of the property and comprises of a stream, wetlands, a 100-year flood plain and steep slopes. There are a number of specimen and significant trees located within the environmental buffer, but due to a lack of understory species the area is not classified as forest. A similar area extends offsite to the north within a previously platted Category 1 Forest Conservation Easement. A forested area exists offsite to the northeast and is contained within a previously platted Category 1 Forest Conservation Easement.

The subject property is zoned RE-2 and is bounded by Three Sisters Road to the southwest and residential properties to the north, east, south and west. The entire property slopes towards the northern property line into the Sandy Branch stream. A 100-year flood plain and wetlands have been identified on the property, are located adjacent to the stream, and have been depicted on the Preliminary / Final Forest Conservation Plan. All of these hydrologic features are located within the existing environmental buffer mentioned above. The property does not contain any historic structures nor is it on the Master Plan for Historic Preservation.

The proposed development includes three building lots for single-family homes. An individual driveway for Proposed Lot 36 and a shared driveway apron for Proposed Lots 37 and 38 will provide access from the improved cul-de-sac in Three Sisters Road. Individual stormwater management facilities, specifically micro bioretention devices will be utilized to meet all stormwater management requirements on each lot. Onsite well & septic systems will also be utilized for each new home. Proposed Lot 36 will contain a conventional

![](_page_26_Picture_0.jpeg)

septic system with reserve area, while, Proposed Lots 37 and 38 will contain sand mound systems and sand mound reserves. Land disturbance is minimized by locating the proposed houses and associated improvements within close proximity to the Right-of-Way.

This development is subject to an Administrative Subdivision Plan. Afforestation requirements total 2.04 acres. However, in order to encompass the entire environmental buffer a Category I Forest Conservation Easement of 2.80 acres is proposed. The easement is proposed to be planted and a planting schedule is included on the plans. Additionally, eighteen (18) 3" caliper trees will be planted throughout the remaining portion of the property as mitigation for the removal of six (6) specimen trees.

The property contains sixteen (16) specimen trees within its boundary. Additionally, two (2) specimen trees exist within the public right-of-way, adjacent to the property. Ten (10) specimen trees will be impacted by the proposed development. The following charts include those ten (10) affected trees and their respective amount of root zone disturbance for each tree.

Tree No.	Common Name	Botanical Name	D.B.H.	C.R.Z. Radius	C.R.Z. Area	% C.R.Z. Area Disturbed	Condition
1	Black Oak	Quercus velutina	35 in.	52.5 feet	8,659 s.f.	30%	Good (Save)
2	Northern Catalpa	Catalpa Speciosa	36 in.	54 feet	9,161 s.f.	0%	Poor / Hazard (Remove)
3	Northern Catalpa	Catalpa Speciosa	41 in.	61.5 feet	11,882 s.f.	31%	Good/Fair (Save)
8	Silver Maple	Acer saccharinum	38 in.	57 feet	10,207 s.f.	20%	Fair/Poor (Save)
20	Northern Catalpa	Catalpa Speciosa	34 in.	51.0 feet	8,171 s.f.	6%	Poor / Hazard (Remove)
21	Northern Catalpa	Catalpa Speciosa	46 in.	69.0 feet	14,957 s.f.	30%	Good (Save)
22	Northern Catalpa	Catalpa Speciosa	39 in.	58.5 feet	10,751 s.f.	45%	Good/Fair (Remove)
25	White Pine	Pinus strobus	32 in.	48 feet	7,238 s.f.	88%	Fair (Remove)
26	White Pine	Pinus strobus	33 in.	49.5 feet	7,698 s.f.	100%	Good (Remove)
**41	Black Oak	Quercus velutina	39.5 in.	59.3 feet	11,029 s.f.	23%*	Good (Remove)

## On-Site Specimen Tree Data

\* CRZ Disturbance assumes no disturbance to roots below existing pavement.

\*\* Tree 41 is indicated for removal, however, efforts will be made prior to road improvement work to save this tree. The applicant will retain an arborist to review plans for the proposed improvements to the existing cul-de-sac. If reasonable methods can be performed to protect and save this tree, such methods will be implemented under MNCPPC Forest Conservation Inspector approval & guidance.

In accordance with Section 22A-21(b) of the Forest Conservation Law, the following is a description of the application requirements:

1. Describe the special conditions peculiar to the property which would cause the unwarranted hardship.

The subject property has a total tract area of 9.87 acres and contains a single-family home, pool, driveway, septic system, and other appurtenances associated with equestrian uses. The property consists of primarily

![](_page_27_Picture_0.jpeg)

maintained lawn and pastures along with 2.71 acres of an environmental buffer containing both significant and specimen trees. No forest exists on the property. Residential development of the subject property was predicated upon successful completion of septic testing, lot layouts, locations for proposed houses, private wells and stormwater management facilities. Specific separations between buildings, septic areas, wells and stormwater management facilities must be considered. Well and septic developments where priority trees exist randomly in and around the site, generally result in unavoidable impacts to these trees. To the extent practicable, proposed improvements have been positioned in an effort to protect as many healthy individual significant and specimen trees as possible. More specifically, the following six (6) specimen trees proposed for removal:

## • <u>Trees 2 & 20</u>

These trees are in poor condition with structural failures. Although they are located outside of the limits of disturbance they have been recommended for removal as indicated on the approved NRI/FSD Plan. If retained, the trees will continue to decline in health and may become hazards to life and property. Additionally, tree 2 is located in close proximity to the existing septic area / seepage pits.

## • Trees 22 & 25

These trees are located in close proximity to approved septic sand mound systems and sand mound reserve systems. This property was thoroughly tested for acceptable septic areas but adequate test results were not obtained in other areas of the property.

• <u>Tree 26</u>

This tree is located in close proximity to a proposed micro bioretention facility on Proposed Lot 38. The location of this stormwater management facility was selected based on required separations from buildings, wells and septic areas. This tree is also located in close proximity to the existing house and driveway which will be removed as part of this plan.

## • <u>Tree 41</u>

This tree is located within the Three Sisters Road Right-of-Way and in close proximity to the proposed street improvements for the cul-de-sac. Although the amount of root disturbance is less than 33% the proximity (+/- 10 feet) to the improvements will negatively impact the structural root zone of this tree which could result in failure. However, this tree is in good condition and all attempts will be made to save and protect it. A variance to remove this tree is only requested in the event the tree will ultimately need to be removed. Mitigation will be provided for this tree regardless of its outcome.

Four (4) specimen trees will be impacted by the proposed development, but their removal will not be necessary. The following three specimen trees are proposed to be retained.

## • Trees 1, 3, 8 & 21

On-site Trees 3 and 21 are in fair to good condition. The proposed limits of disturbance has been positioned to minimize impact to these trees. Although they are both in close proximity to septic areas for Proposed Lots 36, 37 & 38, less than 33% of their root zones will be impacted by the installation of initial septic systems. The proposed location of the micro bioretention facility on Proposed Lot 37 has a minor impact on the root zone of Tree 21. Tree 1 is located within the Three Sisters Road Right-of-Way. Although road improvements have been required in order to construct a cul-de-sac with a 45-ft radius, root zone disturbance will also be less than 33%. Tree 8 is located within the proposed Category 1 Forest Conservation Easement and the environmental buffer area. Tree 8 is near the existing equestrian facilities which need to be demolished and removed from the

![](_page_28_Picture_0.jpeg)

environmental buffer and proposed forest conservation areas. In order to demolish these facilities, temporary land disturbance needs to occur over a portion of the critical root zone of Tree 8. In an effort to minimize impacts to the root zone the entire demolition of the stable and other equestrian facilities will be performed by hand and implemented under MNCPPC Forest Conservation Inspector approval & guidance.

2. Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas.

In "rural" areas of Montgomery County where public water and sewerage facilities are not currently available (or planned), the establishment of septic areas suitable for private septic systems along with primary and alternate well sites are required by the County's Well and Septic Section. Carefully planned septic testing locations, while intended to reduce or eliminate impacts to existing priority trees, ultimately depend upon acceptable testing results. Slow or failing initial test results often require larger systems or new testing locations altogether. Septic testing for this property was initially performed in the open field areas away from trees but due to poor soil conditions and shallow bedrock, testing needed to be performed elsewhere onsite. As testing progressed, passing test rates were achieved near two specimen trees and their respective critical root zones (Trees 22 & 25). In order to develop the property for three new single-family homes and to remove the existing improvements, other regulatory requirements such as wells, house connection utilities, site appurtenances, and stormwater management facilities also necessitate consideration. Furthermore, adequate separations between buildings, wells, septic systems and stormwater management facilities also need to be considered. Such considerations necessitate the removal of another specimen tree (26).

Saving these trees would require preserving a substantial amount of their critical root zones and would greatly diminish, if not eliminate the development of the three (3) proposed lots.

The removal of six (6) existing specimen trees is mitigated by the proposed planting of eighteen (18) 3" caliper diameter breast height (DBH) native trees to be planted onsite. The proposed mitigation rate is based on a 4:1 ratio of DBH removed to caliper inches planted. The six (6) trees total 213.5 inches (DBH). The proposed eighteen (18) trees total 54 inches of new caliper. The locations of the mitigation trees are within the disturbed area of the project where currently there is either existing open space or where existing tree canopy will be lost due to development.

3. Verify that State water quality standards will not be avoided or that a measurable degradation in water quality will not occur as a result of the granting of the variance.

A Stormwater Management (SWM) Concept Plan has been submitted to the Montgomery County Department of Permitting Services. The SWM Concept Plan will ensure that water quality standards will be met in accordance with State and County criteria. All applicable stormwater management requirements have been addressed. Disturbance to or the removal of these specimen trees will not create a measurable degradation in water quality. The subject trees impacted or to be removed are not located within the on-site streams, wetlands, floodplains, or associated buffers. The proposed development of this property will minimize runoff leaving the site by means of grading and installation of Best Management Practices that will capture and infiltrate rainwater into the ground. <sup>(1)</sup>

<sup>(1)</sup> Pre-Development runoff to Sandy Branch Creek Watershed is approximately 32.11 CFS; Post-Development runoff to Sandy Branch Creek Watershed is approximately 33.44 CFS. Pre-Development and Post-Development runoff were analyzed using the rational method and results do not incorporate stormwater captured by Best Management Practices.

![](_page_29_Picture_0.jpeg)

## 4. Provide any other information appropriate to support the request.

The forest conservation requirements for the proposed development total 2.04 acres. However, 2.80 acres of a Category I Forest Conservation Easement is proposed to encompass the entirety of the environmental buffer. The planting of new trees and shrubs is proposed within the easement. Furthermore, eighteen (18) native trees are proposed as mitigation (at a rate of every 4" DBH removed: 1" caliper to be planted) for the removal of trees 2, 20, 22, 25, 26 and 41. None of the subject trees either proposed for removal or to be impacted are rare, threatened, or endangered, per the Maryland Nongame and Endangered Species Conservation Act.

Residential developments involving private water and sewer systems generally require more land disturbance than their counter-parts in areas served by public facilities. These on-site facilities also necessitate separation requirements between septic areas, dwellings, private wells, and stormwater management systems. The entire development program should be considered relative to impacts to specimen trees. Minimizing driveway lengths by positioning houses close to public rights-of-way and by incorporating stormwater management facilities as close to their respective drainage areas should also be considered. The impact to or the removal of randomly located specimen trees is unavoidable in this particular instance.

To the extent practicable, the proposed development has been designed to centrally locate all the necessary elements near the public right-of-way. Additionally, the on-site forest conservation area not only meets but also exceeds those minimum required thresholds while providing long-term protection adjacent to existing contiguous forest easements located on neighboring properties. The proposed planting of 2.8 acres of forest to include (280 - 2" caliper trees and 93 – shrubs) provides a considerable environmental benefit.

The property is not part of a historic site nor does it contain any historic structures.

In accordance with Section 22A-21(d) of the Forest Conservation Law, the following is a description of the minimum criteria necessary for granting a variance. A variance may not be granted unless the following conditions are achieved. Granting the variance....

## 1. Will not confer on the applicant a special privilege that would be denied to other applicants;

Granting the variance will not confer a special privilege as the removal and/or disturbance of the specimen trees noted above is the minimum necessary in order to redevelop the property under RE-2 zoning, to meet State and County stormwater management requirements, to provide on-site well and septic systems and to ensure proper surface drainage across the lots. Furthermore, the loss of certain trees and the need for a variance is often necessary and unavoidable in order to develop single-family homes containing private well and septic systems on similar sized residential lots containing randomly located specimen trees. Areas of high priority environmental features, such as streams, floodplains and specimen and significant trees have been protected through a forest conservation easement.

## 2. Is not based on conditions or circumstances which result from the actions by the applicant;

The requested variance is not based on conditions or circumstances which are the result of actions by the applicant. The variance is necessitated by RE-2 zoning requirements, well & septic criteria, site topography, required BMP's for stormwater management, necessary grading and reasonable site appurtenances for the use and enjoyment of the property. The applicant has made efforts to focus development in the central

![](_page_30_Picture_0.jpeg)

portion of the property in close proximity to the public right-of-way while protecting a large portion of the property through the use of a forest conservation easement.

3. Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property;

The requested variance is not a result of land or building use, either permitted or non-confirming on a neighboring property. Uses on neighboring properties have no effect on the requested variance.

4. Will not violate State water quality standards or cause measurable degradation in water quality.

The requested variance will not violate State water quality standards or cause measurable degradation in water quality. The proposed development plans will minimize runoff leaving the site by means of grading and installation of Best Management Practices which capture and infiltrate rainwater into the ground. The specimen trees being removed or impacted are not within a stream buffer or a special protection area. A Stormwater Management (SWM) Concept Plan is approved by the Montgomery County Department of Permitting Services. Furthermore, trees proposed as mitigation will provide shade, water uptake, and water retention. The proposed creation of a forest conservation easement and associated plantings totaling 2.8 acres (280 - 2" caliper trees and 93 – shrubs) will also provide water uptake and shade while protecting and enhancing the existing stream.

Should you have any questions or require any additional information, please do not hesitate to contact me.

Sincerely,

Jeffrey A. Robertson Branch Manager DNR/COMAR 08.19.06.01, Qualified Professional

![](_page_31_Picture_1.jpeg)

# Attachment 4

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett County Executive Lisa Feldt Director

August 28, 2017

Casey Anderson, Chair Montgomery County Planning Board Maryland National Capital Park & Planning Commission 8787 Georgia Avenue Silver Spring, Maryland 20910

RE: Beallsmount Grove, DAIC 620170030, NRI/FSD application accepted on 3/31/2015

## Dear Mr. Anderson:

All applications for a variance from the requirements of Chapter 22A of the County Code submitted after October 1, 2009 are subject to Section 22A-12(b)(3). Accordingly, given that the application for the above referenced request was submitted after that date and must comply with Chapter 22A, and the Montgomery County Planning Department ("Planning Department") has completed all review required under applicable law, I am providing the following recommendation pertaining to this request for a variance.

Section 22A-21(d) of the Forest Conservation Law states that a variance must not be granted if granting the request:

- 1. Will confer on the applicant a special privilege that would be denied to other applicants;
- 2. Is based on conditions or circumstances which are the result of the actions by the applicant;
- 3. Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or
- 4. Will violate State water quality standards or cause measurable degradation in water quality.

Applying the above conditions to the plan submitted by the applicant, I make the following findings as the result of my review:

- 1. The granting of a variance in this case would not confer a special privilege on this applicant that would be denied other applicants as long as the same criteria are applied in each case. Therefore, the variance <u>can be granted</u> under this criterion.
- 2. Based on a discussion on March 19, 2010 between representatives of the County, the Planning Department, and the Maryland Department of Natural Resources Forest Service, the disturbance of trees, or other vegetation, as a result of development activity is not, in and of itself, interpreted as a condition or circumstance that is the result of the actions by the applicant. Therefore, the variance <u>can be granted</u> under this criterion, as long as appropriate mitigation is provided for the resources disturbed.

255 Rockville Pike, Suite 120 • Rockville, Maryland 20850 • 240-777-0311 • 240-777-7715 FAX www.montgomerycountymd.gov/dep

![](_page_31_Picture_20.jpeg)

Casey Anderson August 28, 2017 Page 2

- 3. The disturbance of trees, or other vegetation, by the applicant does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property. Therefore, the variance <u>can be granted</u> under this criterion.
- 4. The disturbance of trees, or other vegetation, by the applicant will not result in a violation of State water quality standards or cause measurable degradation in water quality. Therefore, the variance <u>can be granted</u> under this criterion.

Therefore, I recommend a finding by the Planning Board that this applicant qualifies for a variance conditioned upon meeting 'conditions of approval' pertaining to variance trees recommended by Planning staff, as well as the applicant mitigating for the loss of resources due to removal or disturbance to trees, and other vegetation, subject to the law based on the limits of disturbance (LOD) recommended during the review by the Planning Department. In the case of removal, the entire area of the critical root zone (CRZ) should be included in mitigation calculations regardless of the location of the CRZ (i.e., even that portion of the CRZ located on an adjacent property). When trees are disturbed, any area within the CRZ where the roots are severed, compacted, etc., such that the roots are not functioning as they were before the disturbance must be mitigated. Exceptions should not be allowed for trees in poor or hazardous condition because the loss of CRZ eliminates the future potential of the area to support a tree or provide stormwater management. Tree protection techniques implemented according to industry standards, such as trimming branches or installing temporary mulch mats to limit soil compaction during construction without permanently reducing the critical root zone, are acceptable mitigation to limit disturbance. Techniques such as root pruning should be used to improve survival rates of impacted trees but they should not be considered mitigation for the permanent loss of critical root zone. I recommend requiring mitigation based on the number of square feet of the critical root zone lost or disturbed. The mitigation can be met using any currently acceptable method under Chapter 22A of the Montgomery County Code.

In the event that minor revisions to the impacts to trees subject to variance provisions are approved by the Planning Department, the mitigation requirements outlined above should apply to the removal or disturbance to the CRZ of all trees subject to the law as a result of the revised LOD.

If you have any questions, please do not hesitate to contact me directly.

Sincerely,

\_ Nill

Laura Miller County Arborist

cc: Doug Johnsen, Senior Planner

![](_page_33_Picture_0.jpeg)

# Attachment 5

Al R. Roshdieh Director

May 11, 2017

DEPARTMENT OF TRANSPORTATION

Mr. Ryan Sigworth, Senior Planner Area 3 Planning Division The Maryland-National Capital Park & Planning Commission 8787 Georgia Avenue Silver Spring, Maryland 20910-3760

![](_page_33_Picture_5.jpeg)

RE: Beallmount Grove, Parcel 3 Administrative Subdivision Plan Plan No. 620170030

Dear Mr. Sigworth:

Isiah Leggett

County Executive

We have completed our review of the administrative subdivision plan dated October 2016. This plan was reviewed by the Development Review Committee at its meeting on April 18, 2017. 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 the Department of Permitting Services 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.

- The east side of Three Sisters Road will need to be widened to twenty (20) feet to the limits of the proposed pavement widening shown on the Beallmount Grove, Parcel 2 Preliminary Plan (Plan No. 120160150) for Montgomery County Fire & Rescue Compliance. However, if the Parcel 3 construction proceeds before that of Parcel 2, then Three Sisters Road will need to be widened to twenty (20) feet for its entire length to Glen Road.
- 2. Relocation of utilities along Three Sisters Road to accommodate the required roadway improvements, if necessary, is the responsibility of the applicant.
- 3. The cul-de-sac will need to be built to Standard No. MC-222.02. Relocation of private landscaping, fencing, etc. along Three Sisters Road to accommodate the required cul-de-sac improvements, if necessary, is the responsibility of the applicant.

## **Office of the Director**

101 Monroe St., 10th Floor • Rockville, Maryland 20850 • 240-777-7170 • 240-777-7178 FAX www.montgomerycountymd.gov/dot

![](_page_33_Picture_15.jpeg)

Mr. Ryan Sigworth Administrative Subdivision Plan No. 620170030 May 11, 2017 Page 2

- 4. The proposed common driveway apron needs to be constructed with Fire Departmentcompliant driveway returns and paved a minimum of twenty (20) feet wide within the public right-of-way. Extend the twenty (20) foot wide paved driveway into the site as necessary to satisfy emergency vehicle access requirement.
- 5. The record plat must reflect a reciprocal ingress, egress and public utilities easement for the common driveway.
- 6. The private common driveway 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 the private common driveway, beyond the public right-of-way, shall be approved by the Planning Board during their review of the preliminary plan.
- 7. The sight distance evaluation is acceptable and is included with this letter.
- 8. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
- 9. Wells and septic systems cannot be located within the right of way or the slope and drainage easements.
- 10. The storm drainage study is acceptable. Provide a proper outfall from the cul-de-sac; details to be determined at the permit stage.
- 11. This project is located in the Rural West Policy Area. Therefore, there is no TPAR payment required.
- 12. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
- 13. Relocation of utilities along existing roads to accommodate the required roadway improvements, if necessary, shall be the responsibility of the applicant.
- 14. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:

Mr. Ryan Sigworth Administrative Subdivision Plan No. 620170030 May 11, 2017 Page 3

A. Paving, shoulders, side drainage ditches and appurtenances along Three Sisters Road per comment numbers 1, 3 & 10.

NOTE: The Public Utility Easement is to be graded at a side slope not to exceed 4:1.

- B. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
- 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 Department of Permitting Services (DPS) 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 DPS.
- D. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact William Whelan, our Development Review Area Engineer for this project at <u>william.whelan@montgomerycountymd.gov</u> or (240) 777-2173.

Sincerely,

queld

Gregory M. Leck, Manager Development Review Team

620170030 Beallmount Grove, Parcel 3 - MCDOT final plan review ltr.docx Enclosures (sight distance certification)

- cc: Barry Covington Jared Sims-Carhart CAS Engineering Curt Schreffler CAS Engineering Preliminary Plan folder Preliminary Plan letters notebook
- cc-e: Sam Farhadi MCDPS RWPR Marie LaBaw MCDPS Land Development Willaim Whelan MCDOT OTP

![](_page_36_Picture_0.jpeg)

## MONTGOMERY COUNTY, MARYLAND

DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION DEPARTMENT OF PERMITTING SERVICES

## SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: Beallmount Grove, Parcel #3	ADMINISTATIVE SUSDIVISIEN 6-20170030 Proliminary Plan Number: 17
Street Name: Three Sisters Road	Master Plan Road Classification: Unclassified
Posted Speed Limit: 30 (MC-211.02) mph	
Street/Driveway #1 (Prop. Lot 36 )	Street/Driveway #2 ( Prop. Lots 37 & 38 )
Sight Distance (feet)OK?Right N/A*OKLeft250**OK	Sight Distance (feet)OK?RightN/A*OKLeft650**OK
Comments: *End of Cul-De-Sac **8" Pine tree near PEPCO pole hinders visibility slightly but will be removed or trimmed at time of construction	Comments: *End of Cul-De-Sac **8" Pine tree near PEPCO pole hinders visibility slightly but will be removed or trimmed at time of construction

## **GUIDELINES**

			Required
Classificati	on o	r Posted Speed	Sight Distance
(use hi	ighe	r value)	in Each Direction*
Tertiary	-	25 mph	150'
Secondary	-	30	200'
Business	-	30	200'
Primary	-	35	250'
Arterial	-	40	325'
		(45)	400'
Major	-	50	475'
·		(55)	550'
			*Source: AASHTO

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

## **ENGINEER/ SURVEYOR CERTIFICATE**

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

Curt A. Schree	ARe 03/06/2017 NUMBER OF MAD	By:
Signature	Date	Dat
19568	S S A C	
PLS/P.E. MD Reg. No.	BO P 10 19500 CH	

Montgomery County Review:
Approved
Disapproved:
By: MMJUM
Date: 05/01/17

Form Reformatted: March, 2000

![](_page_37_Picture_1.jpeg)

## Department of Permitting Services Fire Department Access and Water Supply Comments

DATE:	09-May-17
TO:	Curt Schreffler - curt@casengineering CAS Engineering
FROM:	Marie LaBaw
RE:	Beallmount Grove - Lots 36-38, Parcel 3 (12951 Three Sisters Road) 620170030

## PLAN APPROVED

- 1. Review based only upon information contained on the plan submitted 09-May-17. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
- 2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

![](_page_37_Picture_7.jpeg)

![](_page_38_Picture_0.jpeg)

# Attachment 7

DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett County Executive Diane R. Schwartz Jones Director

May 17, 2017

Mr. Jared Carhart CAS Engineering 10 South Bentz Street Frederick, Maryland 21701

Re: COMBINED STORMWATER MANAGEMENT CONCEPT/SITE DEVELOPMENT STORMWATER MANAGEMENT PLAN for 12951 THREE SISTERS RD -POTOMAC Preliminary Plan #: 620170030 SM File #: 282784 Tract Size/Zone: 9.98ac. Total Concept Area: 2.30ac. Lots/Block: 36-38 Parcel(s): 3 Watershed: Watts Branch

Dear Jared:

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 proposes to meet required stormwater management goals via MicroBioretention & Permeable Pavement.

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

 A detailed review of the stormwater management computations will occur at the time of detailed plan review.

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

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.

![](_page_38_Picture_14.jpeg)

255 Rockville Pike, 2<sup>nd</sup> Floor, Rockville, Maryland 20850 | 240-777-0311 www.montgomerycountymd.gov/permittingservices Mr. Jared Carhart May 17, 2017 Page 2 of 2

If you have any questions regarding these actions, please feel free to contact Bill Musico at 240-777-6340.

Sincerely, Mark C. Etheridge, Manager Water Resources Section Division of Land Development Services

MCE: me WJM

cc: C. Conlon SM File # 282784

ESD Acres:	2.3
STRUCTURAL Acres:	0.0
WAIVED Acres:	0.0

![](_page_40_Picture_0.jpeg)

# Attachment 8

DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett County Executive Diane R. Schwartz Jones Director

## MEMORANDUM

May 31, 2017

TO: Cathy Conlon, Development Review, Maryland National Capital Park and Planning Commission

FROM: Gene von Gunten, Manager- Well & Septic Section Department of Permitting Services

65-31-17

SUBJECT: Status of Administrative Subdivision Plan: #62070030

12951 Three Sisters Road, Lots 36-38

This is to notify you that the Well & Septic Section of MCDPS approved the plan received in this office on May 22, 2017

Approved with the following reservations:

- The record plat must be at the same scale as the preliminary plan, or submit an enlargement of the plat to match the preliminary plan.
- These lots to utilize individual water wells; and individual on-site (septic) sewage disposal systems.
- 3. The existing water well and septic system to be abandoned prior to the record plat.
- 4. For the (2) lots served by sand mound systems, the mounds must be fenced off with 4-ft high durable plastic fencing prior to the record plat approval. The mound sites (6) must be protected from vehicle traffic and all physical soil compaction or disruption throughout the home building process and until the final yard seeding is completed.

If you have any questions, contact Gene von Gunten at (240) 777-6319.

CC:

Surveyor File

255 Rockville Pike, 2nd Floor • Rockville, Maryland 20850 • 240-777-6300 • 240-777-6256 TTY www.montgomerycountymd.gov

![](_page_40_Picture_22.jpeg)