

Item #_5_ **MCPB** 1/30/03

MEMORANDUM

DATE:

January 30, 2003

TO:

Montgomery County Planning Board

VIA:

Joe R. Davis, Chief ルグ と

Michael Ma, Supervisor

FROM:

Development Review Division Wynn E. Witthans, RLA, AICP/1/1/

Planning Department Staff

(301) 495-4584

REVIEW TYPE:

Site Plan Review and Reconfirmation of Final Water Quality Plan

APPLYING FOR:

Approval of 24 Single family dwelling units and 3 MPDU's (to be located

in future phases of Clarksburg Village)

PROJECT NAME: Timber Creek at Clarksburg Village

CASE #:

8-03010

REVIEW BASIS:

Sec. 59-D-3, M. C. Zoning Ordinance

ZONE:

R-200/MPDU with TDR's

LOCATION:

Northwest of the Quadrant of MD Route 355 and Newcut Road

MASTER PLAN:

Clarksburg Master Plan and Hyattstown Special Study Area, June 1994

APPLICANT:

Clarksburg Village Partnership, c/o David Flanagan

FILING DATE:

December 11, 2002

HEARING DATE: January 30, 2003

STAFF RECOMMENDATION FINAL WATER QUALITY PLAN:

Staff recommends the Planning Board reconfirm the Final Water Quality Plan consistent with their earlier approval and as confirmed in the DPS letter of January 23, 2002.

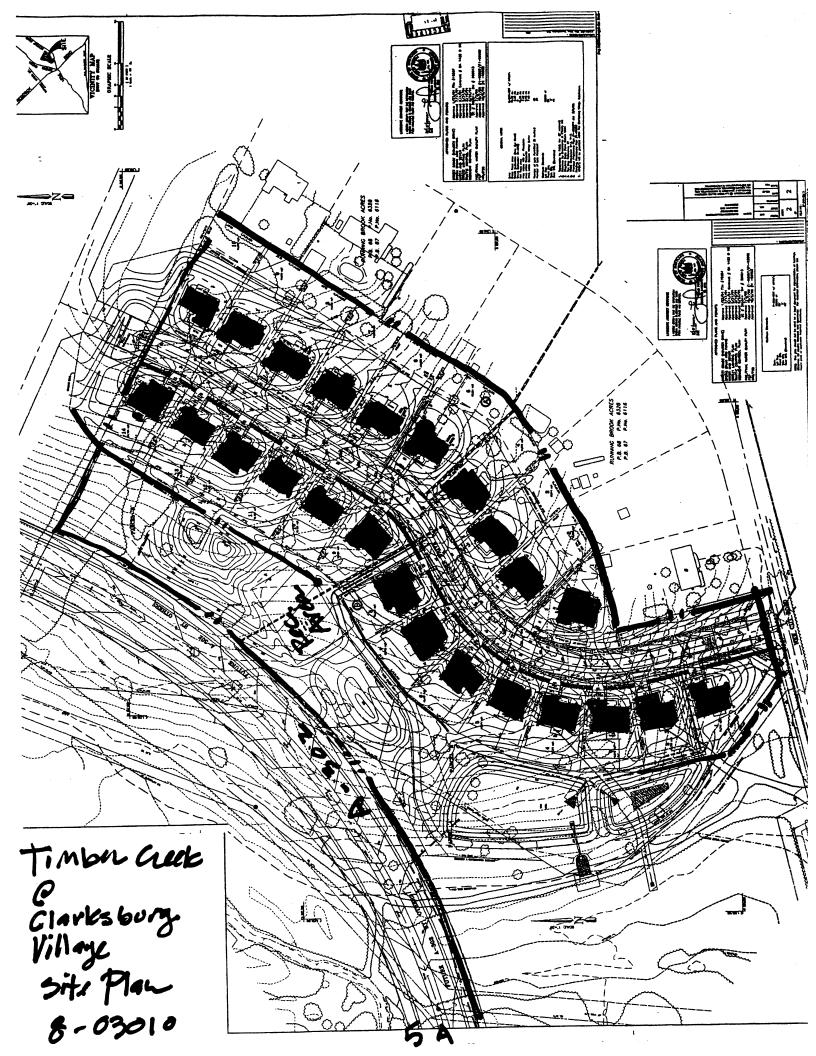
STAFF RECOMMENDATION: Approval of 24 Single-family dwelling units and 3 MPDU's (to be located in future phases of Clarksburg Village) with the following conditions:

MPDU Phasing

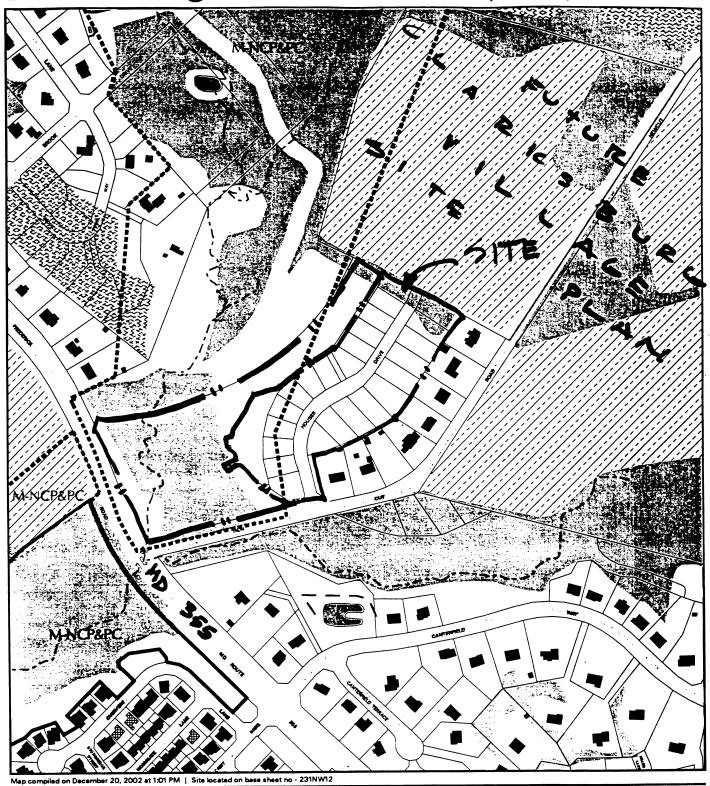
1. The 3 MPDUs generated by this project shall be located in the first phase of construction within the first approved site plan of the adjacent Clarksburg Village Site Plan.

Signature Set and Supporting Documents:

- 2. Submit a Site Plan Enforcement Agreement, Development Review Program and Homeowner Association Documents for review and approval prior to approval of the signature set as follows:
 - a. Development Program to include a phasing schedule as follows:
 - 1) Streets tree planting must progress, as street construction is completed, but no later than six months after completion of the units adjacent to those streets.
 - 2) Community-wide pedestrian pathways and recreation facilities must be completed prior to seventy percent occupancy of each phase of the development.
 - 3) Landscaping associated with each parking lot and building shall be completed as construction of each facility is completed.
 - 4) Pedestrian pathways and seating areas associated with each facility shall be completed as construction of each facility is completed.
 - 5) Clearing and grading to correspond to the construction phasing, to minimize soil erosion.
 - 6) Coordination of each section of the development and roads.
 - b. Site Plan Enforcement Agreement to provide for the future Site Plans within Clarksburg Village to include the designation of three MPDU's units as required by this site plan.
- 3. Signature set of site, landscape/lighting, forest conservation and sediment and erosion Control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
 - a. Limits of disturbance.
 - b. Methods and locations of tree protection.



TIMBER CREEK @ CLARKSBURG VILLAGE (8-03019)



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

orgia Avenna - Silver Spring, Maryland 2001 0-3760

PROJECT DESCRIPTION:

Surrounding Vicinity

The site is east of the intersection of Newcut Road and MD Route 355. Immediately adjacent to the eastern boundary of the site is a row of existing single-family detached housing. West of the site is a stream valley, currently, that will later become the right-of-way for A-302.

PROJECT DESCRIPTION:

Site Description

Until recently, the site has been an open field. It is now under construction for the units that are proposed with this site plan. The lots to the east of the central road, Houser Drive, will retain existing trees in the rear yards, further to the east. The remainder of the site will developed with grading for the proposed and existing units and the storm water management needs.

PROJECT DESCRIPTION:

Proposal

The proposed project consists of 24 units evenly located on a central drive. A 10,000 square foot open space play area is located to the west of the houses on the west side of the street. Extensive mixed landscaping surrounds the play area, which adjoins the future right-of-way for A-302. Evergreen landscaped buffers, berms, storm water management facilities and a Forest Conservation 1 area will be provided between the units and A-302. The storm water management facilities include landscaped areas adjacent to the rear lot lines of the western-most houses. Street trees are evenly spaced along the internal street – Houser Drive. An evergreen buffer is placed between the first unit to the east and the existing units further to the east.

- Forest Conservation areas. c.
- Conditions of DPS Stormwater Management Concept approval letter dated d. January 22, 2003.
- Note stating the M-NCPPC staff must inspect tree-save areas and e. protection devices prior to clearing and grading.
- f. The development program inspection schedule.
- Conservation easement boundary. g. h.
- Streets trees 50 feet on center along all public streets.
- Forest Conservation Plan shall satisfy all conditions of approval prior to recording 4. of plat and DPS issuance of sediment and erosion control permit.
- No clearing or grading prior to M-NCPPC approval of signature set of plans. 5.

PROJECT DESCRIPTION:

Prior Approvals

The project was originally approved as the Nanna Property (1-93007) on July 14, 1994. The approval was revised on July 6, 2000. Once construction began, it became apparent that the units under construction were not sited to conform to the standards R-200 development standards in regards to setbacks, etc. The property was then attached to the adjacent Clarksburg Village Preliminary Plan #1- 01030 and was reviewed and approved by the Planning Board on January 9, 2003 for development in the R-200 zone with MPDU development standards. The MPDU development standards conform to the proposed footprint of the units under construction as demonstrated ahead. The opinion for that approval is attached.

ANALYSIS: Conformance to Master Plan

The proposed units conform to the policies and objectives of the Clarksburg Master Plan in regards to unit orientation to the streets and the proposed density.

ANALYSIS: Conformance to Development Standards R-200 MPDU Development Standards

PROJECT DATA TABLE

Development Standard	Required/ Permitted	Proposed
Min. Lot Area (ac.):	6,000 sf min.	10,000 sf.
Gross tract area	-	19.70 acres
Density of development	2.44 du/ac. or 48 units	24
Dwelling Units: One-family detached	-	100 % SFD
Building Height (ft.):	3 stories or 40 feet	24 Units 3 stories or 40
Setbacks (ft.):		feet
Front yard Side yard Rear yard	25 feet n/a 40 feet (where adjacent R-200)	25 feet 5 feet 40 feet

MPDU DISCUSSION

During the subdivision review it was determined that these units would require the provision of 3 MPDUs (due to layout and stake out errors). The earlier Preliminary Plan (developed as standard method R-200 development) would have yielded no MPDUs. To correct the problems with the Preliminary Plan, the applicant has proposed a site plan to utilize the MPDU development standards. The required 3 MPDUs (24 du x 12.5% MPDU = 3 MPDU) be provided in the adjacent Clarksburg Village site plan. The site plan is currently under review by Development Review staff and anticipated to be presented to the Planning Board in early Spring 2003. Staff recommends that the 3 MPDUs be located in the first phase of construction within the first approved site plan.

TRANSFERABLE DEVELOPMENT RIGHTS

The proposed plan follows section 59-C-1.332 (b) which allows standard method TDR zoned projects to utilize MPDU development standards. The density of the project is lower than standard method and requires no TDR purchase.

FINDINGS: For Site Plan Review

- 1. The Site Plan is consistent with an approved development plan or a project plan for the optional method of development if required.
- 2. The Site Plan meets all of the requirements of the zone in which it is located. See project Data Table above.
- 3. The location of the building and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.

a. Buildings

The houses are arranged with orientation to the streets to provide compatible patterns with adjacent neighborhoods and to provide ideal orientation to each unit from the street.

b. Open Spaces

The project has a reconfirmed approval of the Final Water Quality Plan because the site is within a Special Protection Area.

c. Landscaping and Lighting

Landscaping for the site will include street trees at 50 feet on center. Buffer and screen planting is proposed for the areas next to A-302 and the adjacent subdivision to the east.

d. Recreation

Recreation elements are not required as this site plan is under 24 units. However the entire site plan is now part of a proposed 2,500 +/- unit subdivision and extensive recreational facilities will be planned with the future phases. Nonetheless, with this site plan the applicant is proposing an open surface play area of 10,000 sf, providing play areas on site. The recreation areas are adequate for this site.

e. Vehicular and Pedestrian Circulation

The street connections to the site are in accordance with the approved Preliminary Plan, and the layout provides clear connections to adjacent streets and to each unit. The streets will eventually connect to the internal street network within Clarksburg Village.

Public sidewalks are provided along only one side of the street to conform to environmental interests. The sidewalk within open section streets is placed on private property but within an easement in order to accommodate the swale sections. The waiver of the sidewalk on one side was addressed with the Preliminary Plan.

4. Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development.

The proposed housing creates no negative affects on adjacent housing.

Buffers developed to the west and preserved to the east will reduce the views of the proposed housing and define the rear yards for the homeowners. The planted buffers will contain the activities of the play field and screen views to adjacent homes to the east.

The activity associated with the proposed housing will not cause any negative effect on adjacent housing and roadways.

5. The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation.

The Forest Conservation Plan was approved with the earlier Preliminary Plan on October 7, 2000.

APPENDIX

- 1. DPS memo reconfirming the approval of the FWQ Plan 1/22/03
- 2. Preliminary Plan Approval 1-01030 1/23/03
- 3. Community Based Planning Memo 1/23/03



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

July 3, 2000

Re:

Robert C. Hubbard

Director

Mr. Jeff Strulic Charles P. Johnson & Associates, Inc. 1751 Elton Road, Suite 300 Silver Spring, Maryland 20903

THE TOTAL PLANT OF TERVICES

Preliminary/Final Water Quality Plan for

Nanna Property

Preliminary Plan #: 1-93007(R)

SM File #: 200513

Tract.Size/Zone: . 12.16 acres/R-200C...

Total Concept Area: 12.16 acres

Tax Plate: EV

Lots: 1-24

Liber/Folio 7012/133 Montg. Co. Grid: 9G6.

Watershed: Little Seneca Creek

200513 1-93007(R)

SPECIAL PROTECTION AREA

Dear Mr. Strulic:

Based on a review by the Department of Permitting Services Review Staff, the Preliminary/ Final Water Quality Plan for the above mentioned site is conditionally approved.

<u>Site Description:</u> The site consists of 12.2 acres located on the north side of New Cut Road. The property is zoned R-200 and is proposing to develop using the cluster option. This development will include 24 single-family lots and the associated infrastructure. This site is located in the Clarksburg Special Protection Area of the Little Seneca Creek Watershed.

<u>Stormwater Management:</u> Water quantity control will be provided via a dry pond that will provide control for the one-year storm event with a predeveloped release rate. Quality control will be provided via a treatment train, which consists of vegetated conveyance swales and modified dry swales (infiltration swales) that outfall to a surface sand filter. The surface sand filter will be sized to treat one-inch of runoff over the proposed impervious area.

<u>Sediment Control</u>: Forebays are to be used along with sediment traps to provide a redundant trapping device. The earth dikes that feed the traps are to be constructed using trapezoidal channels to reduce flow velocities. The site is to be graded in two phases, allowing for rough grading and overall stabilization prior to house construction. Small areas that do not drain to a sediment trap must use super silt fence for sediment control. Silt fence alone will not be allowed as a perimeter control.

<u>Performance Goals</u>: The following is the list of performance goals, which were established at the pre-application meeting and how these goals will be met:

1. Maintain base flow and provide groundwater recharge by minimizing impervious area, using modified dry swales and providing a recharge area below the surface sand filter.

Jeff Strulic July 3, 2000 Page 3

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

Sincerely, Lichard R. Brush by Enm

Richard R. Brush, Manager Water Resources Section

Division of Land Development Services

RRB:enm:LMG

cc:M. Shaneman

S. Federline

C. Conlon

L. Galanko

SM File # 200513

QN –On-site; Acres: 12.03acres QL –On-site; Acres: 12.16acres

Date Mailed: January 23, 2003

Action: Approved Staff Recommendation
Motion of Comm. Bryant, seconded by
Comm. Wellington with a vote of 4-0;
Comms. Bryant, Perdue, Robinson and
Wellington voting in favor

Comm. Berlage temporarily absent

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-01030

NAME OF PLAN: CLARKSBURG VILLAGE

On 11/29/00, CLARKSBURG VILLAGE, L.L.C. submitted an application for an amendment of two a preliminary plans of subdivision (1-01030 Clarksburg Village and 1-93007 Nanna Property) of property in the R-200/TDR3 and 4, R-200 and P-D 4 zones. The application proposed to create 2,590 lots, 20,000 Square Feet Retail/Office and 5,000 Square Feet Day Care Facility on 741.4 acres of land. The applications were redesignated Preliminary Plan 1-01030. On 01/09/03, Preliminary Plan 1-01030, Clarksburg Village was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-01030 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-01030.

Approval to Revise the Previous Conditions of Approval to Combine Preliminary Plan No. 1-01030 – Clarksburg Village with 1-93007 – Nanna Property

- (1) Approval under this preliminary plan is limited to a maximum of 2,590 Residential Dwelling Units, 20,000 Square Feet Office/Retail Use and 5,000 Square Feet Daycare Facility
- (2) At least sixty (60) days prior to the submission of a complete Site Plan application the applicant shall submit an "Infrastructure Plan" for Planning Board review. The plan shall include the following:
 - a) Location and types of stormwater management facilities for quality and quantity controls that comply with the conditions of MCDPS' preliminary water quality plan
 - b) Delineate bike and pedestrian access pathways including all at grade and below grade crossings along all road rights of way and at stream crossings
 - c) All roadway networks including both private and public connections. Streetscape, lighting, sidewalks and paving materials
 - d) Delineation of "Greenway" and other open space areas including all environmental buffers
 - e) School sites and Park areas
 - f) Recreation guideline concept plan
 - g) Proposed schedule for clearing and grading of site
- (3) To satisfy Policy Area Transportation Review:

- a) The applicant shall participate in widening MD 27 to six through travel lanes from Observation Drive in Germantown through the A-305 intersection; transitioning to two travel lanes through the Skylark Road intersection, including dedication along the site frontage. This improvement along MD 27 is consistent with the master plan recommendation. If, after master plan dedication along the west side of MD 27, sufficient right-of-way is not available for the proposed widening, the applicant has to either acquire additional right-of-way on the east side of MD 27 or dedicate additional right-of-way and widen MD 27 on their development side
- b) The applicant shall dedicate on-site portions and participate in constructing Relocated Newcut Road (A-302) as a two lane divided arterial roadway between MD 27 and the A-305 intersection and as a four lane divided roadway between A-305 and MD 355
- c) The applicant shall dedicate and participate in constructing A-305 as a four lane divided arterial roadway between MD 27 and Stringtown Road
- d) The applicant shall dedicate and participate in constructing Foreman Boulevard as a two lane arterial roadway from its current terminus at Timber Creek Lane to A-305
- e) The applicant shall dedicate and participate in widening Stringtown Road as a four lane arterial along their frontage. This roadway improvement can be implemented by either the Department of Public Works and Transportation's CIP project, as a developer participation project or as the Clarksburg Town Center Development District.
- To satisfy Local Area Transportation Review; (4)
 - a) The applicant shall participate in constructing a second left-turn lane from northbound MD 355 to westbound MD 27
 - b) The applicant shall participate in constructing additional turn/approach lanes on MD 27 and Brink Road at the intersection of MD 27/Brink Road
 - c) The applicant shall participate in providing a separate left-turn lane from southbound MD 355 to eastbound Brink Road and a separate left-turn lane from westbound Brink Road to southbound MD 355.
- The applicant shall agree that the roadway improvements listed as conditions of approval (5) are under construction in accordance with the phasing of road improvements for Clarksburg/DiMaio development as described in Mr. Rafferty's letter dated August 5, 2002 and confirmed in Transportation Planning Division memorandum dated August 22, 2002
- The applicant shall construct the following roads as standard closed section primary (6) residential streets:
 - Street "C" between A-305 and Street "I'
 - Street "M" between A-305 and Street "E"
 - Street "E" between A-305 and Street "M"
 - Street "T" between A-305 and Street "W"
 - Street "Y" between Streets "T" and "Z"
 - Street "GG" between its intersections with A-305
 - Street "R" approximately 400' from A-305 (or correspond to first intersection)
 - Street "Z" next to School
- The applicant shall construct two roundabouts on A-305 as shown on the preliminary (7) plan to define the boundaries of the business district portion of this roadway.
- The applicant shall construct A-305 as a business district street between the two (8) roundabouts in accordance with DPWT Standard No. MC-219.03

- (9) All roads rights of way shown on the approved preliminary plan shall be dedicated by the applicant, to the full width mandated by the Clarksburg Master Plan, unless other wise designated on the preliminary plan
- (10) All roads shown on the approved preliminary plan shall be constructed by the applicant to the full width mandated by the approved and adopted Master Plan, and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan "To be Constructed by_____" are excluded from this condition
- (11) Additional forest save areas to be created adjacent to the environmental buffer at the northwestern portion of the property. This will require reconfiguration of the layout for that portion of the property at site plan
- At site plan, the following stormwater management facilities to be reconfigured to maintain at least half of the environmental buffer widths as undisturbed areas: Ponds B, C, L, N, and V. Reconfigure Pond Q and adjacent sewer line to maintain most of the environmental buffer as undisturbed area. Eliminate, if possible, or minimize the footprint of Pond J by providing stormwater management quantity and quality controls at alternative locations. For remaining stormwater management facilities, any environmental buffer encroachments to be no more than that shown on the concept study, dated 4/12/01
- (13) Compliance with the conditions of approval for the preliminary forest conservation plan dated July 25, 2001. The applicant must meet all conditions prior to MCDPS issuance of sediment and erosion control permits, as appropriate. Conditions include, but are not limited to, the following:
 - a) Prior to the submission of the first site plan, submit a plan identifying specific areas proposed for natural regeneration and justifying its use in these specific areas. The plan should include measures to enhance the success of natural regeneration. At this time, areas proposed for natural regeneration must be identified in the field so that M-NCPPC may evaluate these areas as to the feasibility of natural regeneration
 - b) Environmental buffers, forest conservation and planting areas, and any natural regeneration areas to be within park dedication areas or in Category I conservation easements. Conservation easements to be shown on record plats
- Conformance to the conditions as stated in DPS preliminary water—quality plan approval letter, dated 7-25-01
- (15) Measures to mitigate traffic noise impacts on residential uses to be shown at site plan. Mitigation measures to be shown along Ridge Road. Mitigation measures may also be needed along Stringtown Rd., A-302, and A-305
- (16) At site plan, provide permanent signage along conservation easement areas to make identify environmentally sensitive areas that are to remain protected Applicant to construct an 8 foot wide paved hiker/biker trail in the Clarksburg Greenway on the property applicant currently owns. The alignment will follow the approximate route as design and construction considerations to be worked out by the time of the Infrastructure Plan
- (17) Applicant will construct the portions of the hiker/biker trail from Stringtown Road east to Newcut Road and north to the DiMaio Property that are not on applicant's property, provided that M-NCPPC acquires the ownership or easement rights across the needed

- property along the trail alignment and funds the proportionate cost to Applicant for construction of these additional sections of trail
- Applicant will construct Foreman Boulevard and Midcounty Highway to allow for grade (18)separated crossing for the hiker/biker Greenway Trail. The trail crossings should be constructed to accommodate the trail under the roads without changing the natural location, configuration or composition of the stream channel, and should be located to minimize flooding of the trail and minimize surface water runoff from the paved trail directly into the stream
- The property within the delineated Clarksburg Greenway along Little Seneca Creek and (19)Little Seneca Tributary will be dedicated to M-NCPPC and the hiker/biker trail constructed or clearly delineated and marked prior to construction of the residences that (20)
- The park area marked as Jeane Onufry Local Park will be graded, surfaced with topsoil, fine graded to a maximum of +/- 6" over 100', and seeded as appropriate for ball field cover. Grading plans will be submitted to park staff for review and approval. The park area will be dedicated to M-NCPPC (21)
- The school/park site off of Midcounty Highway will be graded, surfaced with topsoil, fine graded to a maximum of +/- 6" over 100', and seeded as appropriate for ball field cover. Grading plans will be submitted to park staff for review and approval. The parking and ball field area at the north end of the site will be separately delineated and dedicated to M-NCPPC (22)
- Phasing of the dedication of the school/parks sites shall be incorporated as part of the phasing schedule included with site plan approval (23)
- At site plan address specifically the following:
 - a) Dwelling unit type and layout within the mixed use center
 - b) Coordinate with adjoining property owner to achieve a well integrated and designed commercial center that locates parking to the rear and provides special treatment for paving, seating, landscaping, lighting ant other pedestrian amenities
 - c) Provide adequate "windows" into open space areas
 - d) Dwelling unit orientation along all road rights of way
- Provide a minimum of 600 TDR's pursuant to the objectives of the Clarksburg Master (24)
- Final number and location of units to be determined at site plan (25)(26)
- Final number of MPDU's to be determined at site plan dependent on Condition #23
- No clearing, grading, unless designated on "Infrastructure Plan" and recording of lots (27)prior to site plan approval (28)
- All prior applicable conditions of Preliminary Plan No. 1-93007, Nanna Property remain
- The validity of the Preliminary Plan will remain valid until July 30, 2013 and shall be (29) phased for recordation of lots as follows: Phase One:

300 lots by July 30, 2004

Phase Two:

1,000 lots by July 30, 2007

Phase Three: 1,700 Lots by July 30, 2010

Phase Four:

All lots by July 30 2013

Prior to the expiration of the validity periods, a final record plat for all the property delineated in each phase must be recorded or a request for an extension must be filed



MEMORANDUM

TO:

Wynn Witthans, Site Plan Reviewer

Development Review Division

VIA:

Sue Edwards, I-270 Corridor Team Leader

FROM:

Nellie Shields Maskal, Community Planner

Community-Based Planning Division

SUBJECT:

Timber Creek at Clarksburg Village (Site Plan No. 8-03019)

Relationship to the Clarksburg Master Plan

Timber Creek at Clarksburg Village is located in the Transit Corridor District of the 1994 Clarksburg Master Plan Area near MD 355. It is adjacent to Clarkebrooke Estates Subdivision. The Transit Corridor District includes properties fronting MD 355 which have developed over many decades in accord with traditional patterns found elsewhere in the "Up-County": single-family detached lots fronting the road. The most significant planning challenge here is to maintain and continue this residential character while addressing the need for increased traffic capacity along MD 355.

The proposed site plan for 24 single-family detached units complies with the Master Plan objectives as follows:

- Continue the present residential character along MD 355. To help reinforce the existing residential character along MD 355, the Master Plan recommends densities ranging from two to four units per acre.
- Establish strong pedestrian and bicycle linkage to the greenway.

Conclusion

Staff recommends approval of the proposed site plan since it complies with the policies and objectives of the Clarksburg Master Plan.

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