

PRELIMINARY 15134 BARNESVILLE
RD

ADJACENT + CONFRONTING OWNERS FOR
15134 | 15130 BARNESVILLE RD, BOYDS

EARLA NICHOLSON
15140 BARNESVILLE RD
BOYDS, MD
20841

ARLENE DRINING
15121 BARNESVILLE
BOYDS, MD
20841

BOYD SCHAFF
15200 BARNESVILLE RD
BOYDS, MD
20841

JOHN BAKER
15115 BARNESVILLE R
BOYDS, MD
20841

TAMARA HILDERBRAND
15131 BARNESVILLE RD
BOYDS, MD
20841

15120 BARNESVILLE RD
BOYDS, MD =
20841

MAILING ADDRESS:

NATIONAL PLASTICS:
PO. BOX 60
BOYDS, MD
20841

ALSO → 

Jimmy Witmer
CAS ENGINEERING
108 W. Ridgeville Rd.
Mt. Airy, MD 21771

Thomas Tultvall

→ should have info in Database

Mr. Dnyak
will be calling w/ his info
& leaving a msg for you
directly

Item *8**Preliminary Plan No. 120050670, Dzyak Property***E. Grayson*

C-1 zone; 1.44 acres; 1 lot requested; 1,950 square feet of retail and 2,871 square feet of office uses; located on the south side of Barnesville Road (MD 117), 1000 feet northwest of Clarksburg Road (MD 121); Boyds; *Staff Recommendation: Approval*

12:00 PM Lunch**Item 19****Closed Session - ADDED***12:00 pm**C. Rubin**60 min*

Pursuant to Maryland Annotated Code 10-508 (a)(14) to discuss negotiating strategy before the contract is awarded regarding the Silver Spring Transit Center Replacement of Easements

1:00 PM**Planning Board Meeting Continues (MRO Auditorium)****Item 9****Mandatory Referral No. 04106-DPWT-1- Paul S. Sarbanes Silver Spring Transit Center***T. Autrey/ L. Komes*

Multi-Modal Transit Center located in area bounded by Colesville Road, Wayne Avenue, and Ramsey Street. Project consists of three levels with bus bays on first two levels. This site is adjacent to the entrance to the WMATA Red Line Metrorail Station in Silver Spring. The Transit Center is part of public/private joint development partnership. This Mandatory Referral will address the Transit Center portion of the project *Staff Recommendation: Approval to transmit comments*

Item *10**Preliminary Plan No. 120020560, Burdoff Property Extension Request***R. Weaver*

C-1 zone; 0.55 acres; 1 lot previously approved for 10,192 square feet of commercial office/retail use; request for second extension of the preliminary plan validity period; located on the southeast side of Randolph Road approximately 500 feet west of its intersection with New Hampshire Avenue (MD 650); Fairland; *Staff Recommendation: Grant extension*

Item *11**Project Plan Review No. 920070010, (Formerly 9-07001), Studio Plaza Extension Request***E. Hisel-McCoy*

CBD-1 zone; 3.098 acres; 255 multi-family dwelling units, including 39 Moderately Priced Dwelling Units (MPDUs); located on Thayer Avenue, approximately 175 feet east of Georgia Avenue; Silver Spring *Staff Recommendation: Grant extension*

Item *12**Preliminary Forest Conservation Plan, Galway Elementary School***M. Clark*

Preliminary Forest Conservation Plan for Mandatory Referral No. 07063-MCPS-1: Galway Elementary School Modernization – 12612 Galway Drive, R-90 Zone, Fairland Master Plan *Staff Recommendation: Approval with Conditions*

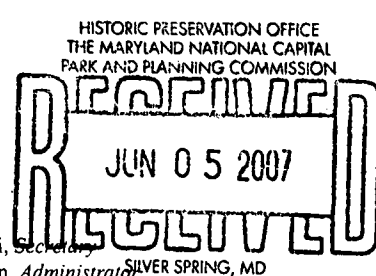
Item 13**Mandatory Referral No. 07603-MCPS-1, Galway Elementary School***P. Weiss*

Mandatory Referral No. 07603-MCPS-1: Galway Elementary School Modernization – 12612 Galway Drive, R-90 Zone, Fairland Master Plan *Staff Recommendation: Approval to Transmit Comments*



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

John D. Porcari, Secretary
Neil J. Pedersen, Administrator



Maryland Department of Transportation

May 25, 2007

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

Re: Montgomery County
Dzyak Property
MD 117
Mile Post: 4.80

Dear Ms. Conlon:

The State Highway Administration (SHA) appreciates your patience concerning the complex issues associated with the Dzyak property development. We are pleased to provide a decision concerning the SHA recommendation on this development.

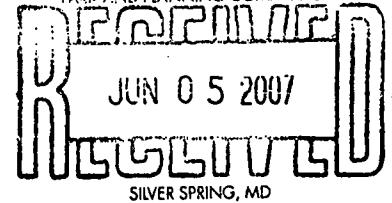
This response is intended to outline our position on the proposed 2,200 square foot office building and 1,950 square foot retail building with access from Barnesville Road (MD 117) in the Village of Boyds. As you know, there has been significant discussion regarding the proposed sidewalk has taken place since SHA's March 7, 2007 letter. We have no objection to inclusion of the Dzyak Property development on the next available M-NCPPC Planning Board agenda.

The following comments and chronology are offered for background purposes:

- SHA approved the developer's Traffic Impact Statement in a September 15, 2006 letter with the condition that the developer constructs partial acceleration and deceleration lanes to support the proposed MD 117 entrance.
- The Montgomery County Historic Preservation Commission (HPC) raised objections to the required acceleration and deceleration lanes, as well as the proposed sidewalk, in a November 16, 2006 letter. This appeal was based primarily on HPC's finding that MD 117 is within the Boyds Historic District.
- SHA considered the HPC appeal, completed the necessary design variance forms and notified HPC in a December 18, 2006 letter that SHA would agree to HPC's request and waive the otherwise warranted auxiliary lanes. The sidewalk was requirement that was upheld because M-NCPPC initially recommended sidewalk and because it was very unclear why sidewalk would adversely affect the Historic District.

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

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

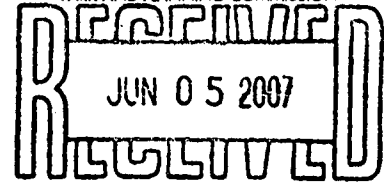


Ms. Catherine Conlon
Page Two

- SHA conditionally approved the proposed MD 117 entrance location in a March 7, 2007 letter to CAS Engineering. The entrance location received final approval by email on March 18, 2007 to CAS Engineering because the entrance location was shifted far enough west to achieve minimally acceptable sight distance.
- The M-NCPPC Transportation Planning Office recommended that the developer extend the required sidewalk along a paper street to the existing Boyds MARC train station in an April 24, 2007 memorandum to HPC. This extension would provide better pedestrian mobility, and function for the sidewalk.
- It is our understanding that the HPC conditionally approved the proposed office/retail development. One condition requires the developer to construct a 3-foot wide meandering and paved footpath, instead of conventional sidewalk. SHA's American with Disabilities Act (ADA) coordinator reviewed this proposal. The 3-foot wide sidewalk is substandard by SHA's normal practices, primarily because a 5 foot width is typically required except where a situation may require special treatment for a limited distance.
- Since that approval of the 3-foot wide sidewalk path, SHA was notified that the Maryland Historic Trust (MHT) would consider this sidewalk an adverse impact.
- The developer is required to dedicate 7,190 square feet of right-of-way along the development MD 117 frontage to SHA to satisfy the County's Master Plan requirements. Right-of-way dedication typically facilitates future roadway improvements either by the developer or by SHA.
- The SHA conducted a review of the development and sidewalk requirement through our Project Planning Division Historic and Cultural Resources Section. They are in agreement with the conclusions reached by HPC and MHT. This includes the auxiliary lanes and sidewalk within the MD 117 right-of-way, which would also be within the historic district and, therefore be considered an adverse impact.

The SHA has looked at this development and the complex safety and development issues objectively and continued to advocate the MD 117 improvements because of the proposed development activity. SHA routinely requires access related roadway improvements including pedestrian and cyclist accommodation within the right of way as part of the development and access permit process. These efforts generally support SHA's primary goal to provide a safe highway system for all roadway facility users.

In conclusion, the issues for this development are quite complex with conflicting needs that must be balanced. To this end, the SHA agrees that the proposed sidewalk can be deleted from the current plans. Given the proposed uses on this development and from a safety



SILVER SPRING, MD

Ms. Catherine Conlon
Page Three

perspective, a four-foot wide shoulder would be appropriate along the property frontage due to the increased traffic volume to the site. The SHA understands that this shoulder may potentially be considered an adverse impact to the historic district. The SHA recommends that the development be allowed to proceed forward with approval based upon the addition of the four foot wide shoulder with a stipulation that for HPC and MHT concurrence. Roadside safety and historic resources are both very important elements. Therefore, the existing shoulder may remain with appropriate entrance treatments in the event that HPC or MHT determines this shoulder is considered an adverse impact.

If you have any questions, please feel contact me at 410-545-5601, toll free at 800-876-4742 or via email at sfoster1@sha.state.md.us.

Sincerely,

Steven D. Foster, Chief
Engineering Access Permits Division

SDF/rbb

cc: CAS Engineering , 108 West Ridgeville Boulevard, Mt. Airy, Maryland. 21771
Mr. Shahriar Etemadi, M-NCPPC
Ms. Michele Oaks, Historic Preservation Commission
8787 Georgia Ave, Silver Spring, Maryland 20910
Dr. Julie Schablitsky
Mr. Jeffrey Wentz
Ms. Kate Mazzara
Mr. Augustine Rebish



Street Traffic Studies, Ltd.

TRAFFIC STATEMENT

May 12, 2006

Subject: Preliminary Plan Application for Dzyak Property located on Barnesville Road (MD 117) in the Poolesville (Rural) Policy Area of Montgomery County, Maryland

Prepared by: Stephen G. Petersen, P.E. 

The purpose of this Memorandum is to provide information relative to the anticipated effect on traffic in the vicinity of the subject site as a result of developing a mixed use development consisting of a professional office, a medical office and 2,000 square feet of retail space in the Poolesville (Rural) Policy Area. In accordance with the guidelines established by the County Council and Maryland-National Capital Park & Planning Commission (M-NCPPC) in the *Annual Growth Policy (AGP)* the test for transportation adequacy is described in the *Local Area Transportation Review (LATR) Guidelines*, the latest version of which was published in July 2004. The transportation test for this project is described below.

Local Area Transportation Review

The basic parameter for this test is the number of trips that a proposed project will generate during the peak one hour of traffic flow on the adjacent streets during the weekday morning and evening peak periods of traffic flow. The threshold value for this test is a total of 30 trips. The 30 trips can be derived from any combination of traffic movements into and out of the site. Thus, if 15 vehicles enter the site in one hour and then leave in the same hour, the development would be at the 30 trip threshold that requires a traffic study covering a specific geographic area that would be established in conjunction with the staff at M-NCPPC. For projects that generate less than 30 peak hour trips, a traffic statement demonstrating the trip generation methodology is sufficient.

Based on the above discussion, Street Traffic Studies, Ltd. has been retained to prepare a trip generation analysis for the mixed use development that is proposed for the subject site. Of the three uses proposed two are land uses for which the *Local Area Transportation Review Guidelines* provides trip generation rates. The third is not a use included in these guidelines and the projected trips are based, therefore, on information in *TRIP GENERATION, 7th Edition* published by the Institute of Transportation Engineers. Specifically, the trip data for the retail and office uses are based on the *LATR Guidelines*; the source for the medical office trips is ITE (Land Use 720 - Medical-Dental Building). The application of this data to the proposed development, as shown in the table on the following page, produces projected **totals of 12 and 26 trips in the morning and evening peak hours**, respectively, when fractional trips are rounded up to the next whole number.

TRAFFIC STATEMENT

Preliminary Plan Application for the Dzyak Property

May 12, 2006

Page 2

TRIPS GENERATED BY PROPOSED DEVELOPMENT

Land Use	GFA/GLA	Morning Peak Hour		Evening Peak Hour	
		Rate/Unit	Trips	Rate/Unit	Trips
Retail	2.0 Msf	0.25 x AM	4	12.36 x (1-P)	14
Office	1.342 Msf	1.38	2	2.24	3
Medical Office	2.2 Msf	2.48	6	3.72	9
All Uses Combined	5.542 Msf	-----	12	-----	26

Note: 1) $(1-P) = 0.05 + (0.002 \times (200 - GLA)) = 0.554$ for this site

2) GFA = Gross Floor Area; GLA = Gross Leasable Area; Msf = 1,000s of square feet

The office space will be in an existing building that has been renovated and converted from residential use to the proposed office use. The retail and medical office uses will be housed in a new building.

Site Access

The site fronts on the south side of Barnesville Road and will have a single point of access to serve both buildings.

Conclusion

Given the results of the above analysis, the subject site can meet the Local Area Transportation Review requirement on the basis of this statement and there is no need to prepare a full Local Area Transportation Review report for purposes of this application.

Oaks, Michele

From: Raymond Burns (SHA) [RBurns1@sha.state.md.us]
Sent: Wednesday, April 25, 2007 4:06 PM
To: Oaks, Michele
Subject: RE: Dzyak Property

Importance: High

*9 passengers
aday -
Larry Cole!*

Michele,

The normal procedure is for M-NCPPC Transportation Planning to determine whether or not applicants must construct sidewalks or shared-use paths (including along state road frontage), according to the Master Plan and other factors. Along state roads, SHA usually supports these recommendations, but reserves the right to modify Transportation Planning's recommendations. Ultimately, sidewalk and other amenities within state road right-of-way are constructed under either an access permit from SHA/EAPD or a SHA/District #3 permit.

I will send you a separate e-mail regarding my office's supplemental comments to our 3/7/07 letter.

Thanks, Ray

-----Original Message-----

From: Oaks, Michele [mailto:Michele.Oaks@mncppc-mc.org]
Sent: Tuesday, April 24, 2007 3:54 PM
To: Raymond Burns (SHA)
Subject: Dzyak Property

Ray,

Attached is a letter from MNCPPC Transportation Planning I just received and I am confused as ever. I had understood from your previous e-mail that ultimately anything within a state road right-of-way is your office's final decision to make and Transportation Planning should defer to your office.

I have to give the Commission some direction on who they are supposed to be working with to find solutions when it comes to this case. I need some help and guidance.

Michele

Michele Oaks, Planner Coordinator
Historic Preservation Section
Montgomery County Department of Planning Maryland-National Capital Park
and Planning Commission
1109 Spring Street, Suite 801
Silver Spring, MD 20910
(301) 563-3400 (phone)
(301) 563-3412 (fax)
michele.oaks@mncppc-mc.org
www.montgomeryplanning.org

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Oaks, Michele

From: Raymond Burns (SHA) [RBurns1@sha.state.md.us]
Sent: Wednesday, April 25, 2007 4:47 PM
To: Oaks, Michele
Cc: Conlon, Catherine; Etemadi, Shahriar
Subject: MD 117 Dzyak Property

Michele,

Considering this evening's HPC meeting, I am e-mailing SHA's supplemental comments to you. After our numerous e-mails, few discussions and M-NCPPC Transportation Planning's 4/24/07 memorandum, my office offers the following revisions to our attached 3/7/07 letter to CAS Engineering:

- 1) Comment #2 regarding the further shifting of the MD 117 entrance is no longer valid and is hereby deleted.
- 2) Comment #1 waived the warranted acceleration and deceleration lanes, as requested in HPC's 11/16/06 letter. SHA did retain the recommendation for a 5' wide sidewalk across the development frontage with MD 117.
- 3) M-NCPPC's 4/24/07 memorandum to HPC explains that the Boyds MARC station will remain open. This memorandum also claims that sidewalks will help improve access to the Boyds MARC station and recommended that sidewalk be required across the Dzyak Property frontage, across the adjacent property to the east and down a paper street to the MARC station. SHA originally recommend sidewalk across the Dzyak Property to ultimately provide pedestrian accomodation between the Boyds commercial district and residential communities to the west. The proposal to extend the sidewalk to the Boyds MARC station is supported by SHA providing that sufficient MD 117 rights-of-way exist.

Sidewalk should provide connectivity and/or logical termini wherever possible. The Boyds MARC station is beneficial termini for this sidewalk.

Thanks, Ray
 Raymond Burns
 Regional Supervising Engineer
 Engineering Access Permit Division
 State Highway Administration 410-545-5592

7-2 Duffy Rotender

- MINIMIZE ~
 REDUCE
 IMPACT ~
- 3' WIDE - NOT ADA
 - GREEN PUFFER
 - ASPHALT
 - CONNECTED
 - COLORED ASPHALT
 - MEANDERING
 - ALTERNATIVE MATERIALS IN COLOR OF EARTH -

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4/25/2007

MCP-Chairman

RECEIVED
0460
APR 25 2007

From: JanieNicholson1@aol.com

Sent: April 24, 2007 12:12 AM

To: MCP-Chairman

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Subject: Please Read Argument Against Request for changes to Dzyak property - Boyds, MD

Dear Chairman,

My property adjoins the Dzyak investment property on Barnesville Road in Boyds, MD. For more than three (3) years, we've been living a nightmare due to that investment property in a residential area. Without the proper permits, Dr. Dzyak authorized the removal of trees from his investment property. This clearing process began on a Friday afternoon and continued all day on Saturday and Sunday. Very early on Monday morning, Montgomery County officials and Park and Planning officials gave orders and posted signs on my trees for the bulldozer work to cease and desist. As my driveway is so close to the property line and the inspectors considered it to be part of the construction site, I was ordered to get a load of gravel spread and told what size it had to be (I believe it's #2). I immediately ordered the gravel and paid \$350. for it. It's impossible to walk on and I've had it for three (3) years. Real fun taking the trash cans out to the road for trash pickup. Friends and family without 4-wheel drive vehicles have a tough time getting in my driveway. The Dyzak's aren't hampered by these conditions at their home - because they don't live here!! Surprise Surprise! Their residence is what looks to be a lovely home overlooking the lake in Boyds. I'm happy for them. My home of choice also overlooks the lake in Boyds and has been my home for 56 years. My father built my house and we moved in when I was two (2) years old. It's special to me. I've raised my daughter here and will welcome my first grandchild home before Christmas - we hope!

Dr. Dzyak had originally told me that he wanted to open a doctor's office in the old house beside my home. I explained to him that I have a 30 foot hand dug well about 30 feet from his property line. I have great concern for septic tank fields that would have to come very close to my property because his property is so small. And we're talking medical waste in addition to normal bathrooms. Dr. Dzyak assured me that he would protect my well and my property and that he would plant a line of trees - "anything I wanted" - either on my property, the property line, or his property, "wherever I wanted them" to preserve my privacy once the huge old trees were cut down. Been through Boyds lately? His lot is a disaster. The old tree that was half out of the ground when the cease and desist order was given is still - three (3) years later half out of the ground with a big hole around the base. There are several big holes where trees used to be, that for months on end remain filled with water - more than three (3) feet deep. When we have small children visiting, we're constantly on our guard because of the 'pools.' The only new trees that have been planted are ones that I have planted. Am I supposed to believe that this person is someone who cares about my well? What happened to making the old house an office - he would have torn that old building down if Park and Planning would have let him. What stories he tells - and then I get the paperwork in the mail from Park and Planning showing his request for very different requested 'improvements' to his investment property.

Now for my personal favorite - storm water runoff. When was the last time it rained? My driveway is flooded right now and it's been many days since it rained. During a moderate rain, the water looks like a creek running into my yard from his field and it pools in my yard and my driveway. God help me if it's a hard rain or continues to rain for awhile, you can't get in my driveway without 4-wheel drive, and not only my side yard is flooded but also my front yard. If Dr. Dzyak has his way and gets his medical/dentist office building will that be medical waste in my yard? After selling builder's new homes in the county, for many years, I have personally seen the steps they take to control storm water runoff. I'm totally confused. Why do I have to put up with this situation? Why do I continue to get notices in the mail that the Dzyak's are applying to do this and that to the property next to mine - when are the very real existing problems going to be addressed? Now this time - it's for sidewalks?? Please. Stop the insanity.

Sir, I realize changes will come to Boyds and the Dzyak property is zoned commercial, as is mine. But, we are in the historic district of Boyds in Montgomery County where we are all on wells and septic tanks with drain fields. In my mind, this makes us very vulnerable to big changes from neighboring property of these small lots. If my only interest in the property was an investment and not my primary residence, maybe I wouldn't care so much what happens on Barnesville Road in the historical district either, as long as I could make money from the property. Please, carefully consider any request made by the Dzyak's for changes to their property. The County and Park and Planning inspectors can certainly testify that without being given an inch - he took a mile, and we've been living with that group of 'pools and lakes' for three (3) years.

04/25/2007

I'm sure if he looked he could find a wonderful building to buy in Germantown, where there is water and sewer. I strongly believe any size medical/dentist office on these small lots with no public water and sewer is a recipe for disaster.

I appreciate the time you've spent reading this email and your attention to this matter. I've tried to keep it short - if you would like more detail - please do not hesitate to contact me.

Janie Nicholson
15140 Barnesville Road
Boys, MD 20841
h- 301-972-0397
cell - 240-793-3029

See what's free at AOL.com.




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

II-A

April 24, 2007

MEMORANDUM

TO: Montgomery County Historic Preservation Commission

VIA: Shahriar Etemadi, Supervisor
Transportation Planning 

FROM: Larry Cole: 301-495-4528, for the Park and Planning Department LC

RE: Dyzak Property Historic Area Work Permit

Transportation Planning staff recommends that the Historic Preservation Commission approve the construction of a sidewalk as part of a Historic Area Work Permit (HAWP) for the Dyzak property in Boyds. The Maryland State Highway Administration has recommended construction of a sidewalk as a condition of approval of the proposed development.

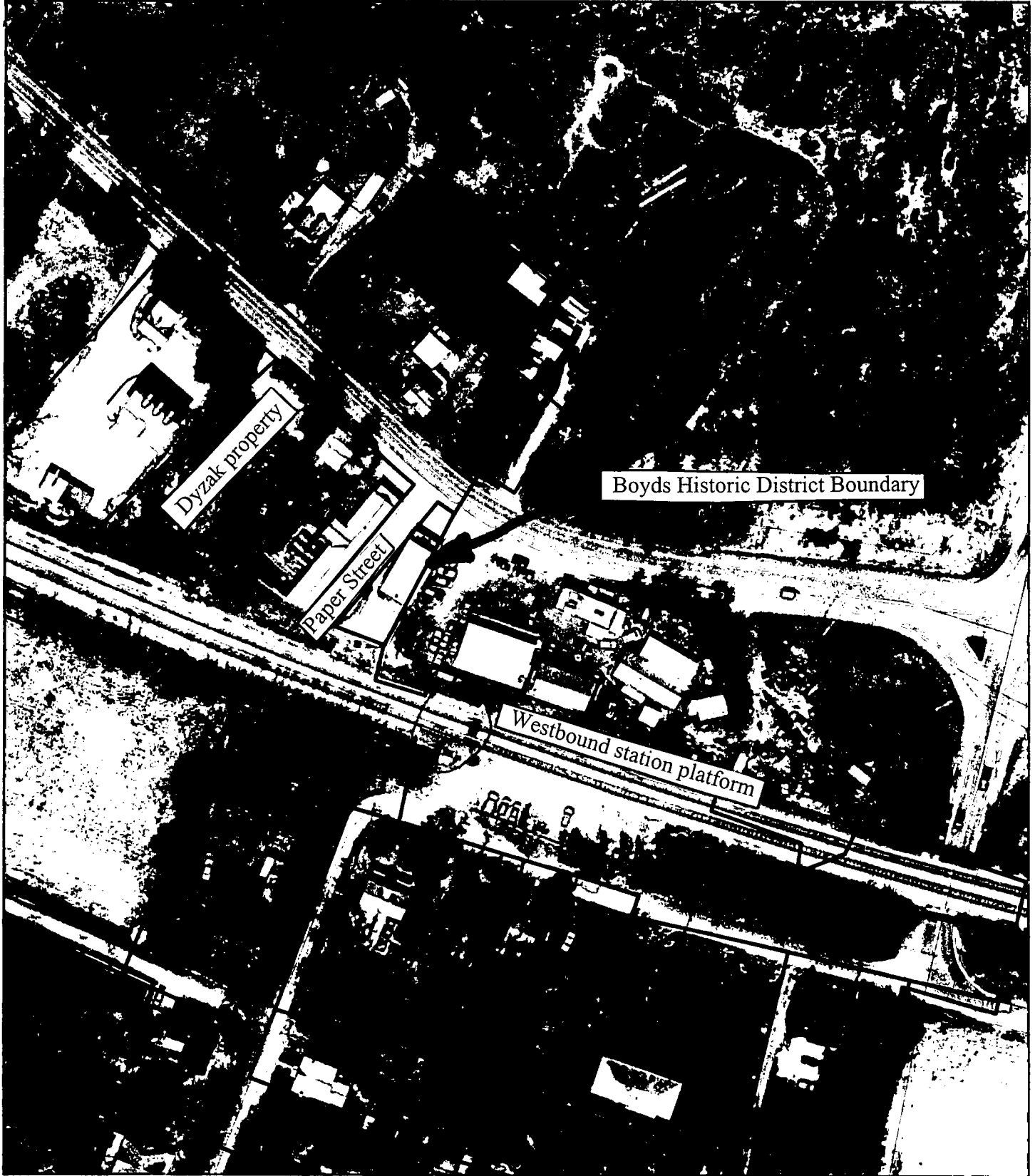
In March 2006, the Maryland Department of Transportation announced the closure of four MARC stations, including the Boyds station, which had a 2005 average ridership of nine passengers per day. In response to a public outcry and the likely imminent passage of a State bill requiring that the stations remain open, the Secretary of Transportation rescinded that order. Montgomery County Commuter Services and the Maryland Transit Administration subsequently offered new commuters a free week of MARC transportation at the Boyds station to increase ridership that was seen as essential for the station to remain open in the future.

Historic Preservation staff's reading of the current law is that because sidewalks were not part of the period of interest for the historic district, they should not be installed. But sidewalks would improve access to the station and help increase ridership so that the Boyds station, which was the genesis of the village, remains open. Rather than detract from the historic district's character, the sidewalk would help retain the historic focus of the community.

Improving pedestrian access within ¼-mile of rail stations was a central goal of the State's Access 2000 legislation passed several years ago. We believe that a sidewalk along Barnesville Road (MD117) would promote pedestrian safety along the State highway and pedestrian accessibility to the Boyds MARC Station. The northeastern corner of the Dyzak property is only a 400-foot walking distance from the westbound MARC platform using an accessible existing public right-of-way (a paper street) to the CSX property.

Historic Preservation staff has also expressed a concern that a sidewalk on this property would be a "sidewalk to nowhere" because HAWPs would also be needed to connect the sidewalk to the CSX bridge over MD117. But if a pedestrian connection were made through the paper street, only an additional 100 feet of sidewalk would be needed to connect to the station. While we disagree that the proposed segment of sidewalk would have no utility, we will recommend to the Planning Board that the applicant be required to build this additional sidewalk to the east of their property. We respectfully request that you approve both segments of sidewalk as part of the HAWP for this project.

Dyzak

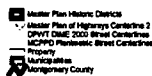


Map Compiled On 04-23-2007 at 11:17 AM
 Map Scale: 1 inch = 120 feet or 1:1440

0 120 Feet



The Maryland-National Capital Park and Planning Commission
 Montgomery County Department of Park and Planning
 Transportation Planning Unit
 8787 Georgia Avenue | Silver Spring, Maryland 20910
 301.495.4525 voice | 301.495.1302 fax | <http://www.mc-mncppc.org>



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Oaks, Michele

From: Raymond Burns (SHA) [RBurns1@sha.state.md.us]
Sent: Wednesday, April 11, 2007 11:58 AM
To: Conlon, Catherine
Cc: Oaks, Michele
Subject: RE: MD 117 Dzyak Property
Sensitivity: Confidential

Michele and Cathy,

Nothing personal about what I stated. You probably think I'm insensitive to historic preservation. I've had experience with historic properties and have been very accomodating to compromising our requirements as much as possible. Roop Mill (circa 1762) and the Rinehart House along MD 140 is one good example of that.

I live in a historic district and my house was built in 1880. However, I'm also serious about requiring developers to build safe and efficient access, as well as meeting pedestrian and cyclist requirements. Basically, I need to do my job. I know you have your job to do and when our interests intersect, I'm willing to be flexible.

Thanks, Ray

From: Raymond Burns (SHA)
Sent: Wednesday, April 11, 2007 9:53 AM
To: Conlon, Catherine
Cc: 'Oaks, Michele'
Subject: MD 117 Dzyak Property
Sensitivity: Confidential

At some point, I need to speak with speak with you Cathy. This is yet another case of M-NCPPC or other DRC staff disrespecting my role/authority regarding access and associated roadway improvements. I'm really getting weary of this. I never encroach upon the authority of the various DRC committee members.

In this case, you asked me to consider an asphalt, winding sidewalk across their MD 117 frontage. I was about to take this request to SHA/OPPE's bike/ped coordinator. Now someone went behind my back and to PPD/Historic Cultural Resources office regarding this sidewalk matter. Just had an un-neccessary 45 minute discussion with our Division Chief. I've already made significant compromises by waiving accel/decel lanes. So far, no compromises on the HPC side.

Thanks, Ray

PS I will not attend the 4/16 DRC meeting.

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4/11/2007

Oaks, Michele

From: Raymond Burns (SHA) [RBurns1@sha.state.md.us]
Sent: Monday, March 19, 2007 11:10 AM
To: Oaks, Michele; James Ochs
Cc: Conlon, Catherine; Grayson, Erin
Subject: RE: Site Meeting @ Dzyak Property

Michele,

My office has already waived the **warranted** acceleration and deceleration lanes. A left-turn lane was recommended, but not required because the applicant's relocated entrance meets sight distance requirements. Not exactly a success story for traffic operations/safety.

Several months ago I consulted with SHA's bicycle/pedestrian coordinator and sidewalk is recommended in this case. Recent direction from management here in EAPD mandates developer construction of sidewalk along state road frontage and often beyond, even in relatively rural areas. Any appeals must go through a rather lengthy process and get SHA management concurrence before any variances can be possibly granted.

*There needs to be some compromise here. I will **not** concede everything that's warranted from a pedestrian/cyclist/motorist standpoint. If zoning allows this traffic generating, modern commercial development to happen, you shouldn't expect SHA to revert back to circa 1900 roadway planning and design guidelines. We've learned a few things since the State Roads Commission was formed in 1908. I'll get off my soap box now.*

Thanks, Ray

From: Oaks, Michele [mailto:Michele.Oaks@mncppc-mc.org]
Sent: Monday, March 19, 2007 9:48 AM
To: Raymond Burns (SHA); James Ochs
Cc: Conlon, Catherine; Grayson, Erin
Subject: RE: Site Meeting @ Dzyak Property

① Greg Cooke

James and Ray,

I think that a site meeting is still necessary, as the HPC has stated that they won't support the sidewalk and SHA to date has stated that they are not supporting the sidewalk being eliminated from the plan. A resolution to this issue needs to be reached before it goes to the Board.

Michele

→ Waiver - ① Waiver
 ② covenant DPWT ~~EST~~ Bond
 meandering ③ Preliminary
 asphalt path ~
 planted ~
 landscaped -
 designed &
 approved by
 HPC
 → covenant

Michele Oaks, Senior Planner
 Historic Preservation Section
 Montgomery County Department of Planning
 Maryland-National Capital Park and Planning Commission
 1109 Spring Street, Suite 801
 Silver Spring, MD 20910
 (301) 563-3400 (phone)

(301) 563-3412 (fax)
michele.oaks@mncppc-mc.org
www.mc-mncppc.org

-----Original Message-----

From: Raymond Burns (SHA) [mailto:RBurns1@sha.state.md.us]
Sent: Sunday, March 18, 2007 11:57 AM
To: James Ochs
Cc: Oaks, Michele
Subject: RE: Site Meeting @ Dzyak Property

James,

I've got some good news for you. The Westbound MD 117 posted speed limit is 30 mph, not 40 mph. SHA's Highway Reference Location Book lists westbound MD 117 as 40 mph. That's what I based our 3/7/07 letter on. However, we finally have SHA's Visidata (videolog of state roads) working again. The videolog conclusively shows the westbound MD 117 approach to Boyds with a **30 mph** posted speed limit sign.

In conclusion, the proposed MD 117 entrance location shown on the plans we received on 1/24/07 is acceptable. Accordingly, I noted this correction on my copy of our 3/7/07 letter. The remaining comments in our 3/7/07 letter are still valid. Therefore, a site meeting should not be necessary.

Thanks, Ray

From: James Ochs [mailto:jim@casengineering.com]
Sent: Thursday, March 15, 2007 9:06 AM
To: Raymond Burns (SHA)
Subject: Site Meeting @ Dzyak Property

Ray,

I'd like to arrange a site meeting at the Dzyak Property in Boyds to discuss the project and other options we might have? If possible, let me know your availability for the week of March 26th and the day & time you'd prefer.

Ideally, you, me, Michele Oaks, Dr. Dzyak, and Curt Schreffler should attend. I believe Tom Taltavull, the architect, and Steven Petersen, who did the traffic study, would like to attend as well.

Thanks.

Jim

James M. Ochs
Senior Design Technician

CAS ENGINEERING
108 W. Ridgeville Blvd., Suite 101
Mount Airy, Maryland 21771
(P) 301.607.8031 x16
(F) 301.607.8045

3/23/2007



Martin O'Malley, *Governor*
Anthony Brown, *Lt. Governor*

John D. Porcari, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

March 7, 2007

Mr. James M. Ochs
CAS Engineering
108 West Ridgeville Blvd.
Suite 101
Mt. Airy, Maryland 21771

Re: Montgomery County
Dzyak Property
MD 117
Mile Post: 4.80

Dear Mr. Ochs:

The State Highway Administration (SHA) received four (4) copies of your revised Preliminary Plan for the above referenced commercial development. We offer the following comments:

- At the request of the Montgomery County Historic Preservation Commission (HPC), SHA waived the previous requirement for acceleration and deceleration lanes to support the proposed MD 117 commercial entrance in our December 18, 2006 letter to HPC.
- Our December 18, 2006 letter also required that the proposed commercial entrance be shifted 100' further west to achieve minimum sight distance to the right/east and/or provide a left-turn lane for westbound MD 117 into the site. Your revised plans shifted the proposed entrance 50' further west and is claiming the minimum required sight distance is only 445' based on a 30 mph posted road. Although eastbound MD 117 is posted 30 mph prior to Boyds, the closest westbound speed limit sign is located 0.6 miles to the east of the development site and is a 40 mph posted speed limit. The operating speeds along westbound MD 117 through Boyds are likely well above 30 mph because of the moderately steep downgrade profile of westbound MD 117 before and after the development frontage. Please revise the Preliminary Plan to either shift the proposed commercial entrance another 50' or more to the west or provide a left-turn lane. *The proposed infiltration trench could be shifted eastward to the other side of the proposed access road with a pipe extension under the access road.*
- The proposed MD 117 entrance is only 20' wide with 10' turning radii. SHA's minimum commercial entrance geometry calls for a 25' width with 30' turning radii. In this case, we are willing to accept 20' turning radii considering the historic character of the Boyds Village.

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

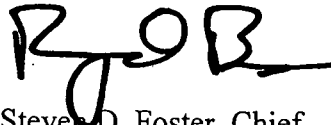
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0900 • www.marylandroads.com

Mr. James Ochs
Page Two

- The proposed MD 117 entrance and development frontage is shown as open section. Normally, SHA requires that commercial developments channelize the entire state road frontage with type 'A' curb & gutter. This requirement can be reduced to the entrance and 25' tangent sections in rural areas and/or along scenic byways. This location is neither. However, considering the historic rural village designation, SHA is willing to accept type 'A' curb & gutter of the entrance radii and 25' tangent sections on MD 117, at a minimum. Please include the appropriate SHA standard sidewalk ramps.
- Please submit any supporting hydrologic & hydraulic computations.
- Right-of-way dedications need to be in accordance with the Master Plan of Highways. SHA will require that right-of-way dedications be platted using SHA standards. These plats must be submitted in hard copy format for review and final issuance. Please contact Dan Andrews of the Plats and Surveys Division at 410-545-8975 or dandrews@sha.state.md.us for additional information.
- All the proposed and required work within MD 117 rights-of-way is subject to the terms and conditions of an access permit, which must be received from this office.

If you require assistance, please contact Raymond Burns at 410-545-5592 or our toll free number in Maryland only 1-800-876-4742.

Very truly yours,



for Steven D. Foster, Chief
Engineering Access Permits Division

SDF/rbb

cc: Ms. Michele Oaks / HPC, 8787 Georgia Avenue, Silver Spring, Maryland 20910
Ms. Catherine Conlon / M-NCPPC
Mr. Richard Weaver / M-NCPPC
Mr. Shahriar Etemadi / M-NCPPC
Mr. Sam Farhadi / M-NCPPC
Mr. Jeff Wentz *sent via e-mail*
Ms. Kate Mazzara *sent via e-mail*
Mr. Augustine Rebish *sent via e-mail*



ENGINEERING

A Division of CAS Enterprises, Inc.

civil engineering • surveying • land planning

103 West Ridgville Boulevard, Suite 101 • Mount Airy, Maryland 21771
phone 301/607-8031 • fax 301/607-8045 • www.casengineering.com

January 23, 2007

Mr. Raymond Burns
State Highway Administration
707 North Calvert Street (mail stop C-302)
Baltimore, Maryland 21202

Re: MNCPPC File No. 1-05067
Dzyak Property
15130 & 15134 Barnesville Road

Dear Mr. Burns,

Please find included in this package four copies of our revised Preliminary Plan for the above referenced project.

As directed by S.H.A. comments dated December 18, 2006 we have moved the proposed entrance to the west as much as the site allows. By moving the entrance 50 feet we have now achieved 445 feet of sight distance to the right/east (395 feet per S.H.A. + 50 feet).

We hope you will find the following information provides sufficient support for a waiver from a westbound left-turn lane on Barnesville Road.

- We now meet the minimum Intersection Sight Distance required for a 30 MFH posted highway with one lane crossing (445 feet).
- A traffic study showing less than 2% of westbound traffic turning into the site during the evening peak hour (4:30 to 5:30 pm).
- There has been no dedication by those properties on the north side of Barnesville Road, therefore the ultimate 80 foot right-of-way does not yet exist.
- The benefits of a dedicated left turn lane on Barnesville Road may be outweighed by potentially awkward lane geometry.

Please feel free to call with any questions or concerns.

Sincerely,



James M. Ochs
Senior Designer

Cc: Dr. William Dzyak (1)
Erin Grayson, MNCPPC (8)
Michele Oaks, MNCPPC, Historic Preservation (1)
Shelley Janashek, MCDEP (1)
Bill Campbell/Dave Kuykendall, MCEPS (1)
Amy Hart, MCDPS (1)
Capt. John Feissner, Fire/Rescue (1)
Sam Farhadi, MCDPW&T (1)
Bob Thompson, Verizon (1)
Jose Washington, PEPCO (1)
Tom Gingrich/Ross Beschner, WSSC (1)
File 04-091



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

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

Maryland Department of Transportation

December 18, 2006

Ms. Julia O'Malley, Chair
Historic Preservation Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Montgomery County
Dzyak Property
MD 117
Mile Post: 4.80

Dear Ms. O'Malley:

The State Highway Administration (SHA) received your November 16, 2006 letter. It is clear from your letter that your commission does not support the requirements outlined in our September 15, 2006 letter. These requirements were based on SHA's review of the May 12, 2006 Traffic Impact Statement letter prepared by Street Traffic Studies, Ltd.

As you may know, SHA has no land use approval authority. That authority rests with M-NCPPC's Planning Board. SHA's Engineering Access Permits Division (EAPD) determines the appropriate location and geometry of entrances on state roads, as well as the mitigating roadway improvements needed. SHA works with M-NCPPC and various County offices to determine pedestrian needs along state roads. Other factors such as environmental, historic and scenic byway impacts are given serious consideration before the developer access and roadway improvements are finalized. Any reduction of the state road improvements to accommodate environmental, historic, scenic byway and other recommendations must be reviewed internally at SHA and granted design variance approval. We reviewed your November 16th letter/appeal, made field observations and offer the following comments:

- EAPD will grant your request and waive the previous acceleration and deceleration lane requirements. The Historic District designation of Boyds as a rural railroad village is a significant factor in our decision. Two other factors were major contributing factors. MD 117 through Boyds experiences a moderate average daily traffic of only 5,275 vehicles. The available sight distance to the left/west is approximately 800 feet, which exceeds minimum requirements. *Please note that MD 117 is not listed as a scenic byway.*
- Sight distance to the right/east from the proposed entrance is only 395 feet, well short of state and federal guidelines which call for 560 feet or more. In other words, motorists westbound on MD 117 may not have enough distance to stop when vehicles are waiting to turn left into the proposed office building site. The proposed entrance must be relocated about 100 feet further west and the applicant must demonstrate SHA's minimum sight distance and stopping sight distance requirements will be met. Otherwise, the applicant must widen MD 117 to provide a left-turn lane and transitions to offset the substandard sight distance.

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

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

Ms. Julia O'Malley
Page Two

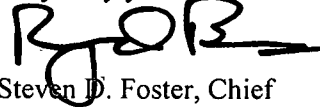
- EAPD recommends that you discuss your appeal of the sidewalk requirement with M-NCPPC's Transportation Planning Office. In general, EAPD defers to M-NCPPC for pedestrian accommodations, even when sidewalks and/or shared-use paths will be located in state road rights-of-way. In this particular case, adjacent residential communities exist to the west and a small commercial district exists to the east of the Dzyak property. The Dzyak property development and future developments are likely to generate additional pedestrian traffic. EAPD is concerned about pedestrians walking in the travel lanes of MD 117. *Your November 16th letter refers to sidewalks and acceleration/deceleration lanes as conjectural modern development patterns. I'm not sure that EAPD concurs with that because sidewalks existed in many historic towns and villages, even before most of the roadways were paved, according to pictorial history books.*

The applicant should revise the preliminary plans to address the above comments. The applicant should also provide pavement marking plans and hydrologic/hydraulic computations as stated in our September 15th letter.

Your November 16th letter makes no mention of the positive aspects of auxiliary lanes and sidewalks. Your letter only offers rather subjective claims of the adverse impacts to historic districts. Please understand that EAPD must balance your "desire to preserve the character of our historic district" with our responsibility to ensure that developers provide safe and efficient access and roadway improvements. Motorist, cyclist and pedestrian safety is paramount and not subordinate to other worthy factors.

If you have any questions, please contact Raymond Burns at 410-545-5592 or our toll free number in Maryland only 1-800-876-4742.

Very truly yours,



for Steven D. Foster, Chief
Engineering Access Permits Division

SDF/rbb
Attachment

cc: CAS Engineering / 108 W. Ridgeville Blvd., Suite 101, Mt. Airy, Maryland 21771
Ms. Michele Oaks / Montgomery County Historic Preservation Committee
Ms. Catherine Conlon / M-NCPPC
Mr. Richard Weaver / M-NCPPC
Mr. Shahriar Etemadi / M-NCPPC
Mr. Sam Farhadi / MCDPWT
Mr. Jeff Wentz *sent via e-mail*
Ms. Kate Mazzara *sent via e-mail*
Mr. Augustine Rebish *sent via e-mail*

**ENGINEERING ACCESS PERMITS DIVISION
VARIANCE DOCUMENTATION AND APPROVAL FORM**

Project/ Property Name: MD 117 Dayck Property

Type/ Size of Development: Ofc/Retail 4,200 sq ft

TRAFFIC INFORMATION (Provide as applicable to justify the variance):

Estimated Trip Generation: < 50 50 - 500 > 500 Peak Hour Daily

County: Montgomery Route No(s): MD 117 Milepost: 4.80 ADT: 5,275

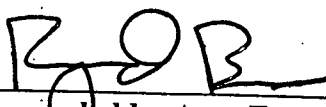
Other Data (describe) 11/16/06 appeal letter from Historic Preservation Committee

SCOPE AND/ OR DESIGN VARIANCES (Identify all variances):

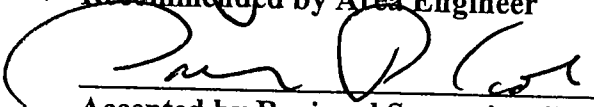
1. Partial length acceleration lane
2. Partial length deceleration lane
3. _____
4. _____
5. _____
6. _____

JUSTIFICATION (Attach pertinent information if necessary):

1. Only about 10-peak hour vehicles estimated to turn-right out of site. Sight distance to left/west is ample ~ 800'. ADT = 5275 is relatively low and MD 117 is a collector road. Located in Boyds which is a rural railroad village designated on the County Masterplan for historic preservation.
2. " " " " " " turn right into the site. " " " " " "
3. " " " " " " " "
4. " " " " " " " "


Recommended by Area Engineer

12/1/06
Date


Accepted by Regional Supervisor Engineer (*)

12-4-06
Date

*Note: Variances that would have a substantial bearing on the scope, cost, safety, or operational aspects of the improvements *must* be approved by the Division Chief or ADC *prior to indicating any commitment to variance approval*. Variances are subject to re-evaluation as changing traffic and/ or development conditions dictate.



HISTORIC PRESERVATION COMMISSION

Douglas M. Duncan
County Executive

Julia O'Malley
Chairperson

November 16, 2006

Steven Foster, Director Division Chief
Maryland State Highway Administration
Engineering Access Permits Division
707 North Calvert Street, Rm C-302
Baltimore, MD 21202

Re: Dzyak Property, Boyds, Maryland; Preliminary Plan #1-05067

Mr. Foster,

The Historic Preservation Commission supported the abovementioned revised subdivision plan (5/17/06 revision) at its public hearing on October 11, 2006.

The subject of this letter is to voice the Historic Preservation Commission's concern for the construction of acceleration/deceleration lanes and sidewalks within the boundaries of the historic district. The Boyds Historic District was designated on the County's Master Plan for Historic Preservation in 1985, for its well preserved and cohesive rural railroad village. Some of the landscape features that define this rural village are the relationship of buildings to the historic road and the absence of sidewalks. Adding conjectural modern development patterns such as sidewalks and acceleration/deceleration lanes are incompatible and would radically change the existing historic landscape destroy the character of this district's setting.

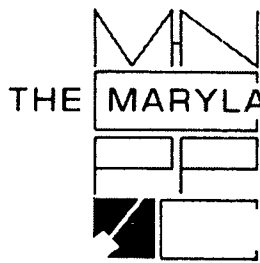
We strongly object to any configuration that would alter the original and established development pattern in this historic district. Historic development patterns are important character-defining features of historic districts and thus the retainment of these features are crucial in maintaining the integrity of the historic district. The Commission is appealing to your agency to support our desire to preserve the character of our historic district by allowing Mr. Dzyak to delete the sidewalks and acceleration/deceleration lanes from his preliminary plan.

If you have any questions, please do not hesitate to contact, Michele Oaks, on my staff at 301-563-3400.

Sincerely,

Julia O'Malley, Chair
Historic Preservation Commission





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

February 28, 2005

MEMORANDUM

TO: Cathy Conlon
Development Review Division

FROM: Michele Oaks
Historic Preservation Section

SUBJECT: **DRC Meeting February 28, 2005**
Comments for 7-05067 Dzyak Property

The subject property is contained within the *Master Plan* Historic District of Boyds, Site # 18/08.

Staff is very concerned with the proposed development plan as it is inconsistent with the current building pattern within the historic district. Staff's concerns are as follows:

- The proposed one-story office building is significantly too large for the site.
- The proposed location of the stormwater management facility adjacent to the street is not sympathetic to the historic streetscape.
- The proposed concrete parking lot is inconsistent with the existing historic landscape. A small, gravel parking lot, behind buildings would be a more compatible treatment.

Staff encourages the applicant to set-up a meeting to develop a plan that is consistent with the historic district.

Oaks, Michele

From: Hart, Amy [Amy.Hart@montgomerycountymd.gov]
Sent: Thursday, August 24, 2006 11:59 AM
To: Oaks, Michele
Subject: RE: Dzyak Property

Michele,

There is no specific setback off a railroad track, but we want to keep wells up-hill of sources of contamination. The railroad tracks would be considered a source of contamination and they are up-hill of a well site in the back. The reason for this is - runoff from the tracks will go directly around the well which could contaminate the well itself. We may consider something behind the building, but it would need to be pretty far off the back property line, say 100 feet. I would have to have a field inspector check any proposed well site in the back. I guess what we need to do is figure out how big the final building is going to be. Once we know that, we can decide if there is an acceptable well site in the back.

The setback off the building should be 30 feet, but we had agreed to a reduction to 20 feet.

For someone who does not know anything about HPC requirements – how close do you want the building to the road?

Amy

-----Original Message-----

From: Oaks, Michele [mailto:Michele.Oaks@mncppc-mc.org]
Sent: Thursday, August 24, 2006 10:43 AM
To: Hart, Amy
Subject: RE: Dzyak Property

Amy,

Please explain something to this non-well/septic knowledgeable person. Since this proposed well is giving us all these problems, can we just have the well dug behind the building? The HPC is not going to approve a building of this footprint anyways. The end size building is going to be much smaller. I know the well needs to be a certain # of feet from the Railroad tracks. What is that #. Also how far does it need to be away from the foundation of the building?

Thanks for any help you can provide.

Michele

Michele Oaks, Senior Planner
Historic Preservation Section
Montgomery County Department of Planning
Maryland-National Capital Park and Planning Commission
1109 Spring Street, Suite 801
Silver Spring, MD 20910
(301) 563-3400 (phone)

8/24/2006

(301) 563-3412 (fax)
michele.oaks@mncppc-mc.org
www.mc-mncppc.org

-----Original Message-----

From: jwitmer@casengineering.com [mailto:jwitmer@casengineering.com]
Sent: Tuesday, August 22, 2006 5:04 PM
To: 'Hart, Amy'
Cc: Oaks, Michele
Subject: RE: Dzyak Property

Amy:

Is there any way to get around one of the offsets mentioned below. Our proposed building is currently 25-feet off of the property line so we would have to move it back an additional 5-feet to get these separations. I believe this may cause a problem with Historic as they would like to see the building as close to the road as possible.

Michele, any thoughts on this?

Thanks.....

Jimmy

-----Original Message-----

From: Hart, Amy [mailto:Amy.Hart@montgomerycountymd.gov]
Sent: Tuesday, August 22, 2006 1:04 PM
To: jwitmer@casengineering.com
Subject: Dzyak Property

Jimmy,

I think there may have been a misunderstanding with my last comments. I had requested that the well be 10 feet from the PUE – what I failed to mention was that the well still needed to be 20 feet from the building.

I apologize for not clearly stating the request.

I e-mailed Shelly Janashek at DEP about the GPD the plan will be approved for – hopefully that will clear things up for DEP.

Amy

Oaks, Michele

From: Oaks, Michele
Sent: Wednesday, May 03, 2006 11:05 AM
To: 'jwitmer@casengineering.com'
Subject: RE: Dzyak Property, Barnesville Road

Jimmy,

Yes, this site plan is more in line with what the HPC's goals are with infill development for the historic district. When they review this, however, they will not be approving the size of the building (stories or footprint). The building that ultimately gets approved might be considerably smaller than what is shown. This will be determined later when the Commission reviews the architectural drawings for the new building. If Mr. Dzyak wants a more concrete answer, then he should hire his architect and begin the design process before completing the site plan process. This is what was discussed with him yesterday at our meeting, and why I suggested he start to interview architects.

Thanks for your help and quick response with this new plan.

Michele

Michele Oaks, Senior Planner
Historic Preservation Office
Montgomery County Department of Park and Planning
1109 Spring Street, Suite 801
Silver Spring, MD 20910
(301) 563-3400 (phone)
(301) 563-3412 (fax)
michele.oaks@mncppc-mc.org
www.mncppc.org

-----Original Message-----

From: jwitmer@casengineering.com [mailto:jwitmer@casengineering.com]
Sent: Wednesday, May 03, 2006 10:42 AM
To: Oaks, Michele
Cc: Dzyak
Subject: Dzyak Property, Barnesville Road

Michele:

As discussed on the phone, please find the attached PDF of the revised sketch for the Dzyak Property. As requested, we have moved the location of the building footprint closer to Barnesville Road. We have moved the parking area behind the buildings.

We are unsure if this layout will be feasible for final design and/or if other agencies will approve, but we would like your opinion on this layout and any additional suggestions you may have.

Thanks for your help.....

Jimmy Witmer 
Environmental Planner

5/3/2006



HISTORIC PRESERVATION COMMISSION

Ike Leggett
County Executive

Jef Fuller
Chairman

May 10, 2007

Royce Hanson, Chair
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Mr. Hanson:

On Wednesday, October 11, 2006, the Montgomery County Historic Preservation Commission (HPC) reviewed a preliminary plan (#1-05067) for the creation of Lot 1 from Parcels 107 and 55 located at 15130/15134 Barnesville Road within the Boyds *Master Plan* Historic District. The property currently contains a c1890 dwelling being utilized as an office, which has been completely rehabilitated by the applicant. The house is a three-bay, cross-gable, frame farmhouse with Victorian detailing. The first story is decorated with a wrap-around front porch with a cut-out picket balustrade, while the second fashions bargeboard in the gable end, and a box cornice. A two-story gable ell projects from the building's east elevation.

The Boyds Historic District is a significant resource within Montgomery County because of its cohesive grouping of residential, religious, and commercial structures that are characteristic of a 19th century agricultural town. Founded by Col. James A. Boyd, the town was conveniently located for farmers along the B & O railroad who were transporting produce for shipment. As a result, railroad workers constructed many of the first dwellings in Boyds.

The design, setting, and building materials of the existing buildings in the district have not changed significantly since their original construction. The Boyds Historic District, from its originally mill era buildings to eventually B & O railroad era buildings, recalls a sense of place, circa 1900, as a rural Maryland agricultural community.

The HPC is recommending that the Planning Board support this proposed plan with the following Historic Preservation related condition:

Any proposed construction, alterations of existing structures, or grading within the boundary of the Boyd's Historic District will require review and approval through the Historic Preservation Commission's Historic Area Work Permit process.

If you have any questions, please feel free to contact Michele Oaks in the Historic Preservation Office.

Sincerely,

Jef Fuller, Chairman
Historic Preservation Commission



Oaks, Michele

From: Oaks, Michele
Sent: Wednesday, August 29, 2007 1:11 PM
To: 'Thomas Taltavull'
Cc: Silver, Joshua
Subject: Dyzak Boyds

Tom,

Some final thoughts about design for the Dzyak property.

These are the things that Josh and I will be discussing with Mr. Dzyak tomorrow in our "closing" meeting. As we have been discussing and working on all along, we have envisioned the front retail building to be a historic "store" form. I think utilizing details from stores in the area such as the Darby Store, Clarksburg Store and even the Poole Store are a good model. I would stay away from turned posts and balustrades on the front porch however. Keep it simple with square posts, and keep the building low to the ground, possibly only one step up so a balustrade is not needed. In terms of materials, I think horizontal lap siding is the way to go...I would really like to see wood siding, but as you know Hardi-siding can be a possibility in your proposal if it is trimmed out in wood. The windows and doors must be painted, wood however. The Commission does not approved clad windows any longer.

The rear office building was envisioned as a barn form. I think we saw this as an opportunity to make this building larger if it utilized the form and feeling of a barn.
In terms of materials, maybe vertical stained T&G wood siding? with a standing seam metal roof?

In terms of the site, the walkways need to be brick or stone. The driveway needs to be stone...I would recommend pea gravel.....or possibly an exposed aggregate concrete - but the Commission might not approve this.

Let me know if I have forgotten anything.

Michele

Michele Oaks, Planner Coordinator
Historic Preservation Section
Montgomery County Department of Planning
Maryland-National Capital Park and Planning Commission
1109 Spring Street, Suite 801
Silver Spring, MD 20910
(301) 563-3400 (phone)
(301) 563-3412 (fax)
michele.oaks@mncppc-mc.org
www.montgomeryplanning.org

8/29/2007

Oaks, Michele

From: Smith, Stephen
Sent: Friday, August 31, 2007 8:06 AM
To: Oaks, Michele
Cc: Silver, Joshua
Subject: RE: Dzyak Property

Michele,

Condition #3 (in my original email) gives us the grounds to add a note, which can alert potential purchasers or anyone planning a renovation/expansion that HAWP review will be necessary. I have no issue at all with a note on the plat that indicates so:

Note: The property shown hereon lies within the boundary of the Boyd's Historic District, any proposed construction, alterations, or modifications to this site are subject to review by the Historic Preservation Commission.

Edit as necessary

Question though: What exactly is an environmental setting (and how do I show it on a record plat) Thanks,

Stephen J. Smith
Subdivision Review Section
Montgomery County Planning Department
(301) 495 - 4522

From: Oaks, Michele
Sent: Wednesday, August 29, 2007 1:50 PM
To: Smith, Stephen
Cc: Silver, Joshua
Subject: RE: Dzyak Property

Stephen,

I have reviewed the Record Plat for the Dzyak Property and everything checks out with my files. My only question is....there is no documentation on the record plat that this property is located within the Boyds Historic District. We were trying to on Site Plans and Record Plats too (I thought) to have these notes added when pertinent. Could you double check if this is the case for Record Plats too?

Michele Oaks, Planner Coordinator
Historic Preservation Section
Montgomery County Department of Planning
Maryland-National Capital Park and Planning Commission
1109 Spring Street, Suite 801
Silver Spring, MD 20910
(301) 563-3400 (phone)
(301) 563-3412 (fax)
michele.oaks@mncppc-mc.org
www.montgomeryplanning.org

-----Original Message-----

From: Smith, Stephen

Sent: Thursday, August 23, 2007 5:10 PM
To: Oaks, Michele
Subject: Dzyak Property

Michele,

I know you are kind of transitioning from HPC to DRD, so if this shouldn't be directed your way let me know (or pass it on) (FYI I'm also sending your office a copy of the plat via inter-office mail)

Preliminary Plan 1-05067 has two HPC conditions discussed in the staff recommendation, therefore I'd like to have your departments comments with regard to the record plat for this project:

In the staff report, condition 3) Record Plat to reflect the environmental setting designated by the Historic Preservation Commission (HPC) and any other requirements of the HPC.

The other condition isn't relevant to the plat and will be handled via HAWP review. Thanks for taking a few minutes to look at this or direct me otherwise.

Steve

Stephen J. Smith
Subdivision Review Section
Montgomery County Planning Department
(301) 495 - 4522

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address:	15130 & 15134 Barnesville Rd, Boyds	Meeting Date:	10/11/2006
Resource:	Contributing Resource Boys Master Plan Historic District #18/8	Report Date:	10/04/2006
Applicant:	Bill Dzyak (Jimmy Witmer, Agent) (Tom Tultavull, Architect)	Public Notice:	9/28/2006
Review:	Subdivision	Tax Credit:	N/A
Case Number:	1-05067	Staff:	Michele Oaks
PROPOSAL:	Preliminary Plan Application		

RECOMMENDATION: Forward a letter of support to the Planning Board to approve with conditions

STAFF RECOMMENDATION:

Staff is recommending that the Commission forward a letter of support to the Planning Board recommending approval of this Preliminary Plan application with the following conditions:

1. The 5' wide sidewalks within the ROW are not installed.
2. The parking lot is installed with pea gravel or exposed aggregate concrete.

HISTORIC CONTEXT

Boys, a well-preserved and cohesive rural village in western Montgomery County, is representative of post-Civil War development and growth generated by the coming of the railroad to the area in the last quarter of the 19th century. It illustrates the impact of social and technical change on the area's agricultural community over the past century. It also reflects the early role of black citizens in rural parts of the County.

There are three general areas within the historic district of Boys: the commercial area north of the railroad along Barnesville Road, the Victorian village streetscape along Clopper and upper White Ground Road, and the folk architecture of the freed black community farther south along White Ground Road.

Boys was originally settled in 1753 on a tract of land named *Resurvey of Gum Spring*. The area was primarily farmed as a tobacco plantation, and the first residents were brought as slaves to the area. Following the abolition of slavery in 1864, some of the freedmen purchased property adjacent to the plantation. They built several of the houses and community buildings that stand along the southern section of White Ground Road.

Colonel James A. Boyd, a well-traveled Scottish contractor and stone mason who participated in the building of the Metropolitan Branch of the B&O Railroad, established the village of Boys. In 1873, Boyd purchased 1100 acres of land on both sides of the newly-laid railroad track and built some of the first

dwellings in Boyds to house railroad workmen. He then built his own residence as a progressive farming operation called *Bonnie Brae*, with several tenant houses and a dairy. His innovative dairy barn was a model of efficiency. An engine on the clean concrete floor shelled corn, cut hay, sawed wood, and pumped water to feed the cows and cool the milk before shipment on the railroad.

In a broad sense, the railroad had a major impact on Montgomery County's agricultural industry. Fertilizers brought in by rail, for example, was said to triple farm yields. New and revolutionary farming ideas soon caught on, and Montgomery County entered a golden age of agriculture in the last quarter of the 19th century. Hoyles Mill, at 15100 Barnesville Road, is one of only a handful of frame grist mills surviving in the County.

Boyds thrived because of its agricultural activities and its proximity to the railroad. By 1879, the village had a population of 100. In addition, the railroad brought summer residents to the Boyds area to enjoy the rural setting away from the heat and congestion of the city.

PROPOSAL:

The applicants are proposing to develop the existing site, which is currently identified as Parcel 55 (34,303 sf) and Parcel 107 (28,352 sf). The site currently contains a two-story frame house, located on Parcel 107, which is currently zoned commercial. The existing house is sited approx 29' from the existing paving edge of Barnesville Road. The proposed development will include:

Both Parcels

- The dedication of a 40' right-of-way along the front property line.
- The installation of a 5' wide sidewalk along Barnesville Road.

Parcel 107

- A new, two-story, 2,000 sf, retail space sited at the 10' BRL.
- A new, single-story, 2,200 sf, office building, sited approx. 70' from the property line and behind the new, two-story, retail space.
- A new, asphalt driveway/parking lot for the new development.
- The drilling of a new well in the front of the property.
- The removal of at least two, trees on the subject property.

Parcel 55

- Two new septic fields, (7,320 sf and 3,950 sf)
- A new, storm water management system, which will include an infiltration trench.

APPLICABLE GUIDELINES:

When reviewing alterations and new construction within the Boyds Master Plan Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the *Montgomery County Code Chapter 24A (Chapter 24A)*, and the *Secretary of the Interior's Standards for Rehabilitation (Standards)*. The pertinent information in these documents is outlined below.

Montgomery County Code; Chapter 24A

- A HAWP permit should be issued if the Commission finds that:

1. The proposal will not substantially alter the exterior features of a historic site or historic resource within a historic district.
2. The proposal is compatible in character and nature with the historical archaeological, architectural or cultural features of the historic site or the historic district in which a historic resource is located and would not be detrimental thereto of to the achievement of the purposes of this chapter.

Secretary of the Interior's Standards for Rehabilitation:

- A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
- New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportions, and massing to protect the integrity of the property and its environment.
- New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

STAFF DISCUSSION

The HPC sits in an advisory capacity to the Planning Board in terms of subdivisions.

This preliminary plan proposes to develop the existing lots with additional commercial/retail space. The proposed retail space will be sited facing Barnesville Road in the northeast corner of the site, along the established 10' BRL, to maintain the existing streetscape pattern. The building will be two-stories in height and is comparable in footprint to the existing, historic building on the site and other buildings, which front Barnesville Road within the district (see attached aerial photos circles 12-14).

The proposed office building is to be 1-1/2 stories in height and sited behind the proposed retail building. This building's footprint is larger in size, however, by placing the building to the rear of the lot, the applicants are breaking up the massing and following an established building pattern found in the commercial section of the district.

The installation of a sidewalk at the front of the property is not consistent with the established historic landscape of the district. This conjectural landscape feature is historically inappropriate within this district. Boyds Historic District was designated on the County's Master Plan for Historic Preservation for its cohesive example of a rural village. The relationship of buildings to the historic road is an important character-defining feature of a rural village. Sidewalks are not character defining features of rural villages and the installation of this landscape feature would be incompatible and would destroy the historic character of this district's setting.

Additionally, staff would encourage the use of pea gravel or if a hard surface is required, exposed aggregate concrete, for the proposed parking lot. This alternative material would be less visually obtrusive to the site.

Finally, HPC does have review and approval authority over construction activities within the boundaries of the Boyds Master Plan Historic District, which includes both of these parcels of land. Support from the Commission, at the subdivision phase, does not bind them to building sizes or specific parking lot sizes and configurations and therefore should not be construed as such at this time. These details are to be approved at the Historic Area Work Permit review of the building designs.

Staff is looking forward to seeing the massing studies shown in the 3-D renderings provided develop. We feel that the applicant and his team are going in the right direction in terms of massing and height. We continue to encourage the team to explore massings for the front building that are similar to a historic storefront. Additionally, staff likes the 1 to 1-1/2 story massing for the rear building. This building should be substantially lower in height than the front buildings, as the footprint of this building will be much greater.

Finally, the use of frame construction with wood, siding and wood windows and doors seems to be the typical historic building material within the district. Staff would encourage the use of these materials on the new structures.



ENGINEERING

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108 West Ridgeville Boulevard, Suite 101 • Mount Airy, Maryland 21771
phone 301/607-8031 • fax 301/607-8045 • www.casengineering.com

September 18, 2006

M-NCP&PC
Historic Preservation Section
Attn: Michele Oaks
1109 Spring Street, Suite 801
Silver Spring, Maryland 20910

Re: **Revised Preliminary Plan**
Preliminary Plan No. 1-05067
15130 & 15134 Barnesville Road

Dear Michele,

Please find enclosed, two (2) copies of the revised Preliminary Plan for the above referenced project. We have revised this plan to address your most recent comments regarding the proposed building size and location on the above referenced lot. As illustrated, we have proposed placing a two-story 2,000 s.f. retail building along the front building restriction line. This proposed building will be designed as to support /enhance the historic setting within Boyd's. Additionally, we have reduced the proposed size of the rear building to 2,000 s.f., which will be used for an oral surgeon's office. This building will also be designed to support/enhance the historic setting.

As always, if you should have any questions or concerns, please feel free to call.

Sincerely,

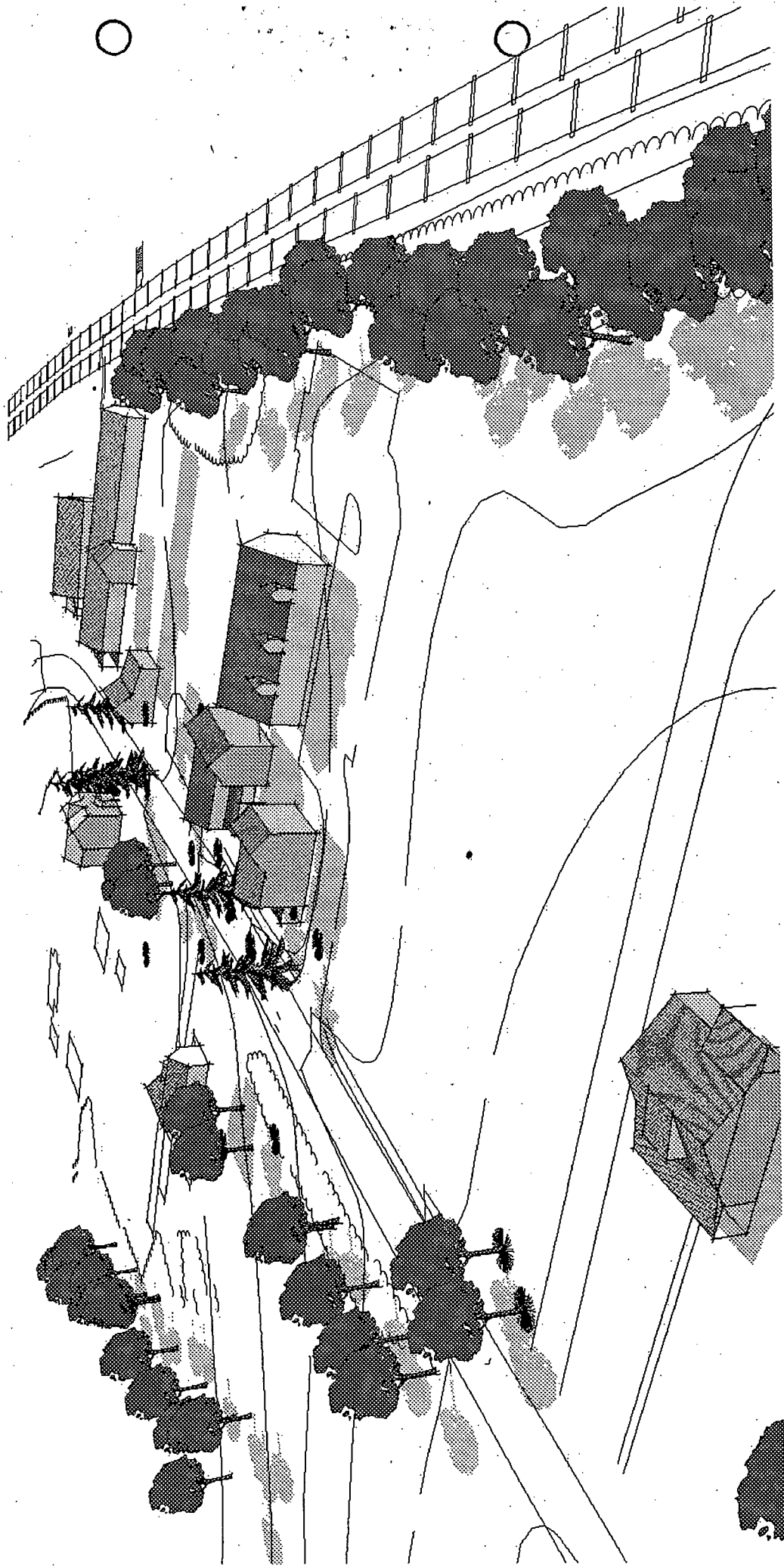
Jimmy Witmer
Environmental Planner

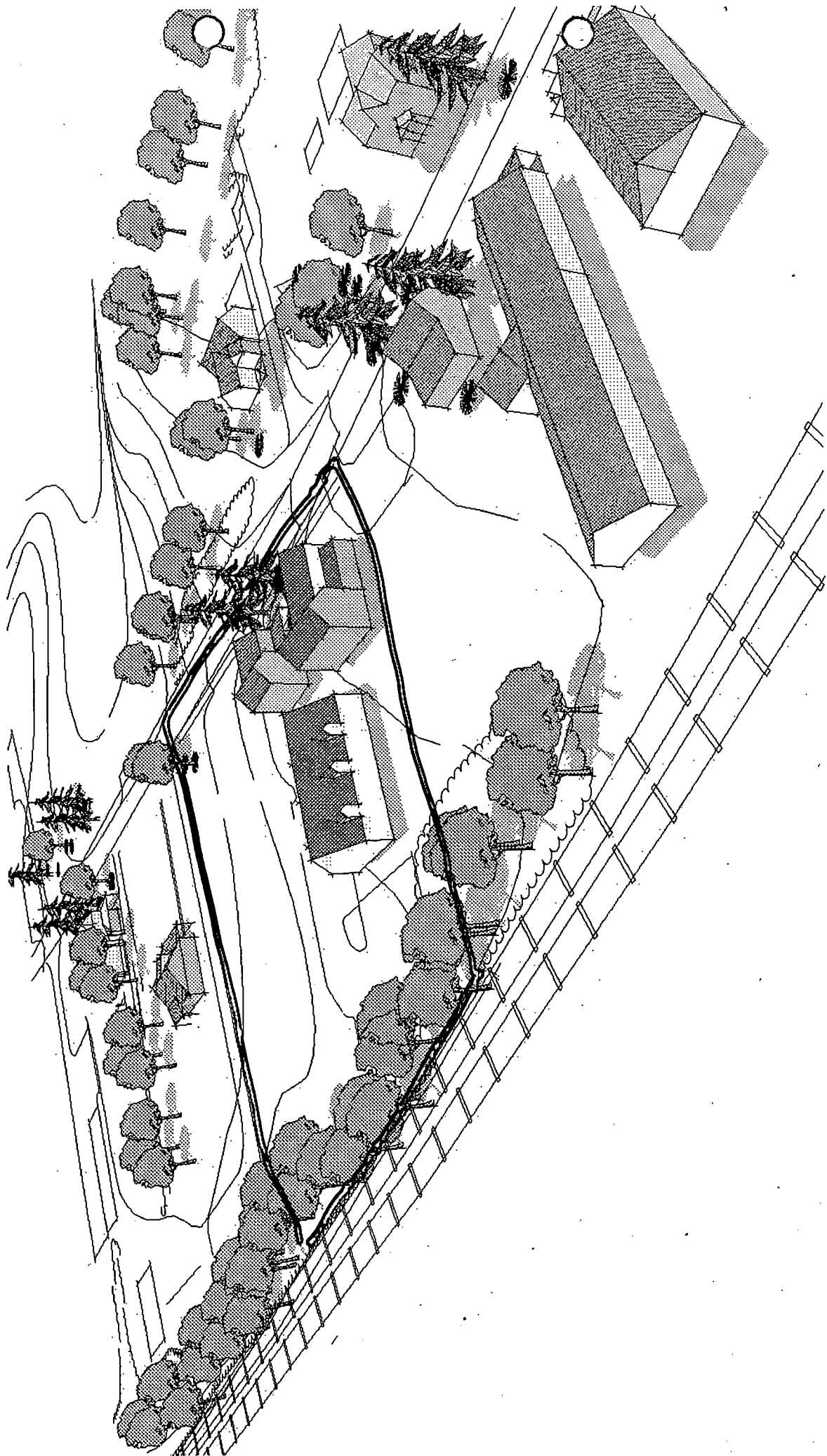
Cc: Bill Dzyak
Tom Taltavull

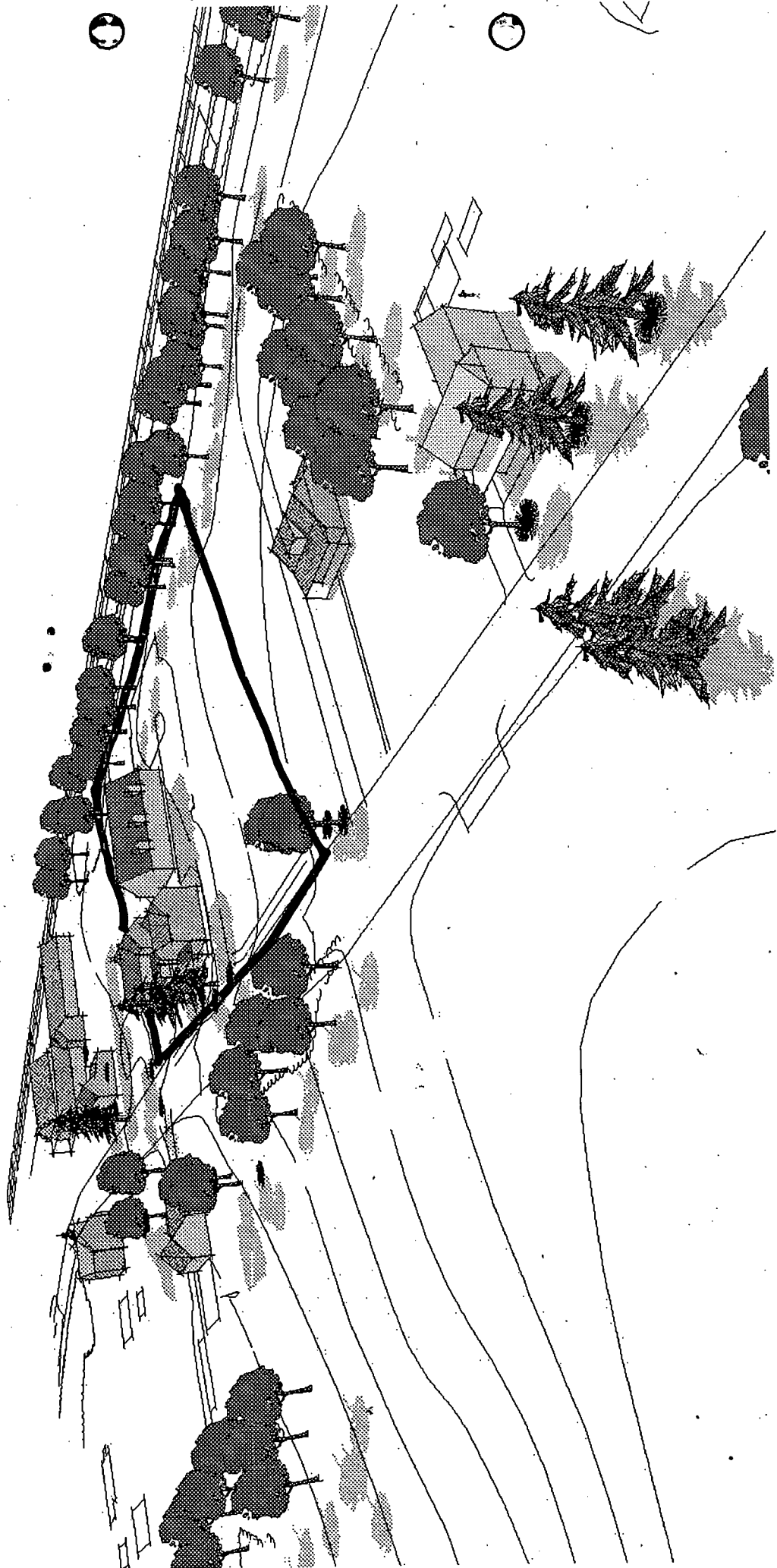
04091.091806.Historic.doc

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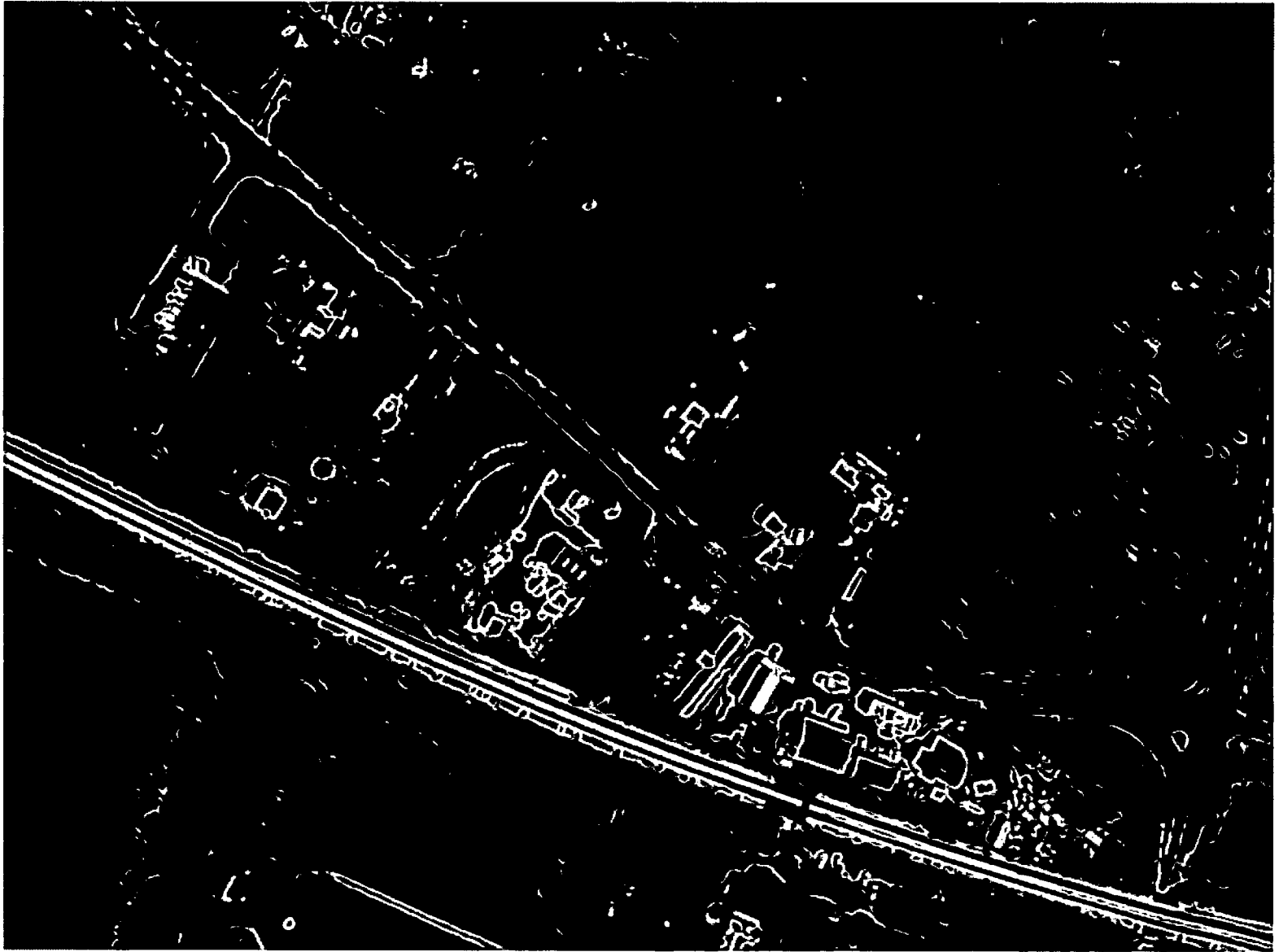




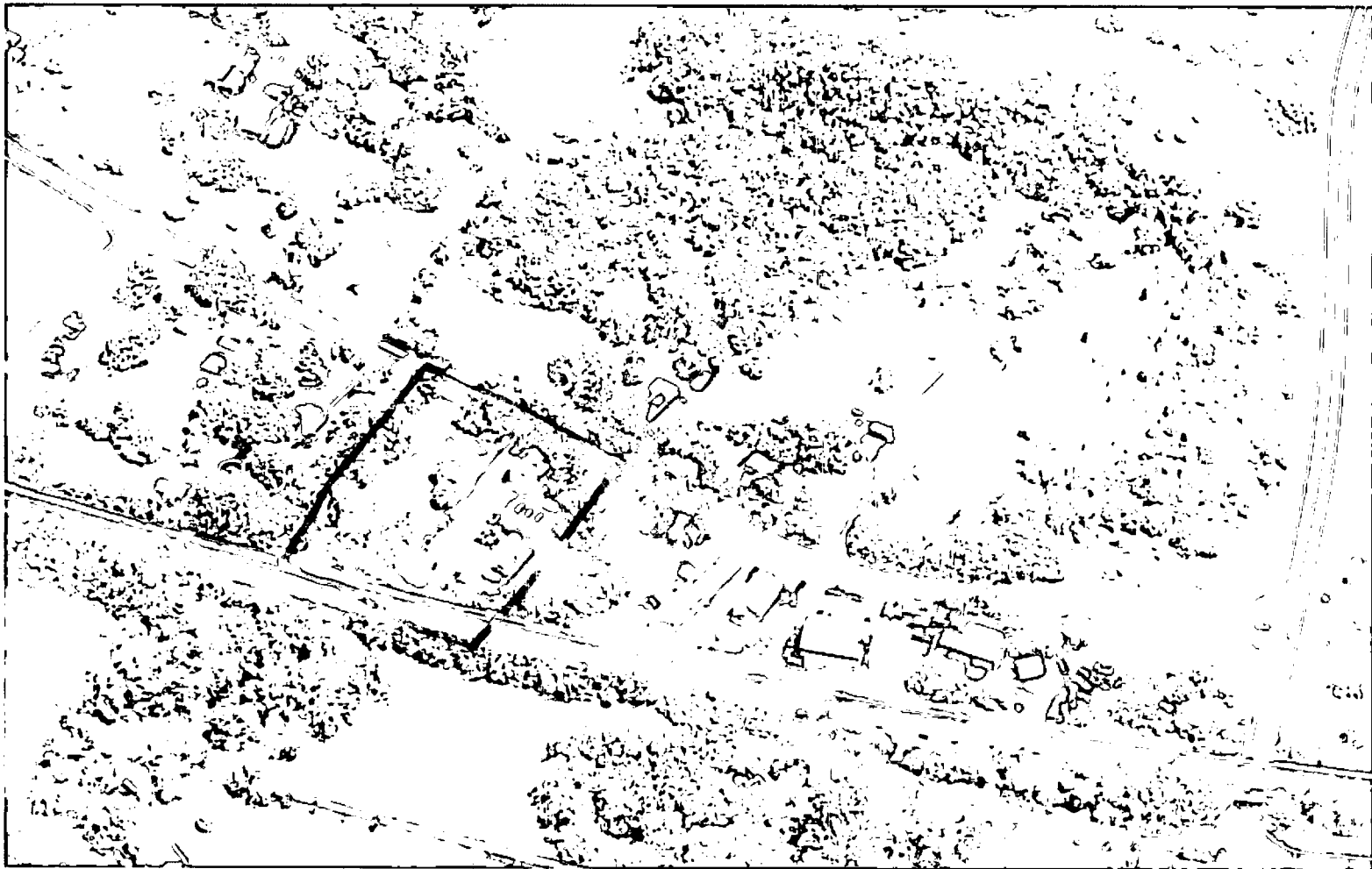












GENERAL NOTES

1. WATER CATEGORY - 6 SEWER CATEGORY - 6
2. BOUNDARY INFORMATION BASED ON A BOUNDARY SURVEY PERFORMED BY CAS ENGINEERING DATED JUNE, 2004.
3. TWO-FOOT CONTOUR DATA BASED ON A SURVEY PERFORMED BY CAS ENGINEERING, DATED JUNE, 2004.
4. TOTAL LOT AREA: PROPOSED LOT 1 = 62,655 S.F. (1.436 ACRES) PARCEL 107 = 28,352 S.F. (PER PLAT). PARCEL 55 = 34,303 S.F. (PER PLAT).
5. PROPERTY SHOWN ON TAX MAP DU 62, PARCELS 107 & 55, BOYDS.
6. PROPERTY SHOWN ON WSSC 200' SHEET 227 NW 15.
7. PROPERTY SHOWN ON MONTGOMERY COUNTY SOILS SURVEY MAP No. 12. SOIL TYPE(S): 16C & 16B.
8. FLOOD ZONE 'C' PER H.U.D. FIRM MAPS, COMMUNITY PANEL No. 240049 0050B C.
9. SITE IS LOCATED IN THE LITTLE SENECA CREEK WATERSHED.
10. LOCAL UTILITIES INCLUDE: WATER & SEWER - PRIVATE ELECTRIC - PERCO TELEPHONE - VERIZON GAS - N/A
11. ALL VISIBLE WELLS AND SEPTIC SYSTEMS WITHIN 100 FEET OF THE PROPERTY HAVE BEEN SHOWN HEREON.
12. THE EXISTING SEPTIC SHALL BE UNCOVERED, PUMPED BY A LICENSED SCAVENGER, AND BACKFILLED.

LEGEND

- EXISTING CONTOUR - 102
- PROPOSED CONTOUR - 02
- EXISTING SPOT ELEVATION - 05.5
- PROPOSED SPOT ELEVATION - 02.7
- LIMITS OF DISTURBANCE (L.O.D.) - Dotted line
- EXISTING STEEP SLOPES (> 25%) - Hatched pattern
- EX. TREE - Tree symbol
- EX. SPECIMEN TREE - Tree symbol with asterisk
- PROPOSED R/W DEDICATION (40' FROM CENTERLINE OF ROAD) - Hatched pattern
- SOIL BOUNDARY - Dotted line with '16C' or '16B'
- PROPOSED ASPHALT PARKING - Solid black area
- WATER TABLE AND/OR PERC TEST LOCATION - Circle with 'W.T.' or 'PERC. TEST #1'

PARKING SPACE CALCULATIONS

- PROPOSED USE:**
 RETAIL (2,000 S.F.)
 DENTAL OFFICE (2,200 S.F.)
 PROFESSIONAL OFFICE (1,342 S.F.)
- PARKING REQUIRED:**
 5 SPACES / 1,000 S.F. (RETAIL)
 5 SPACES / 1,000 S.F. (DENTAL OFFICE)
 2.5 SPACES / 1,000 S.F. (PROFESSIONAL OFFICE)
- CALCULATED PARKING:**
 (2,000 / 1,000) x 5 = 10 SPACES (RETAIL)
 (2,200 / 1,000) x 5 = 11 SPACES (DENTAL OFFICE)
 (1,342 / 1,000) x 2.5 = 4 SPACES (PROFESSIONAL OFFICE)
- HANDICAP PARKING:**
 1 SPACE/25 SPACES = 1 SPACE REQUIRED
- SPACES PROVIDED:**
 28 TOTAL SPACES PROVIDED
 24 (8.5' x 18') PARKING SPACES, INCLUDING 2 HANDICAP SPACES
 4 (7' x 21') PARALLEL PARKING SPACES

PERC. TESTING RESULTS

TEST SITE	RATE (MIN/IN)	TEST DEPTH (FT)	COMMENT
#PERC. 'A'	20	4' & 15'	
#PERC. 'B'	14	3.5' & 12.5'	
PERC. 'C'	6	12.5'	NT @ 3' & 3.5', 4' & 4.5'
#PERC. 'D'	21	5' & 13'	
PERC. 'E'	FAIL	12'	NT @ 2.5', ROCK 0.5-11.75'
#PERC. 'F'	8	3.5' & 14'	
PERC. 'G'	FAIL	11' & 14.5'	NT @ 3' & 4.5', ROCK 11.5-14.5'
PERC. 'H'	14	15.5'	NT @ 3' & 6'
PERC. 'I'	NT	2.5' & 8'	
#PERC. 'J'	7	4.5' & 15'	
#PERC. 'K'	24	15.5'	NT @ 4.5' & 5.5'
	15	7'	

* INDICATES PASSING PERC. TESTS

MISS UTILITY

FOR LOCATION OF UTILITIES, CALL "MISS UTILITY" AT 1-800-257-7777, OR LOG ON TO WWW.MISSUTILITY.NET/TICS 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 COMPLIANCE WITH REQUIREMENTS OF CHAPTER 36A OF THE MONTGOMERY COUNTY CODE.

SEPTIC DESIGN CHART

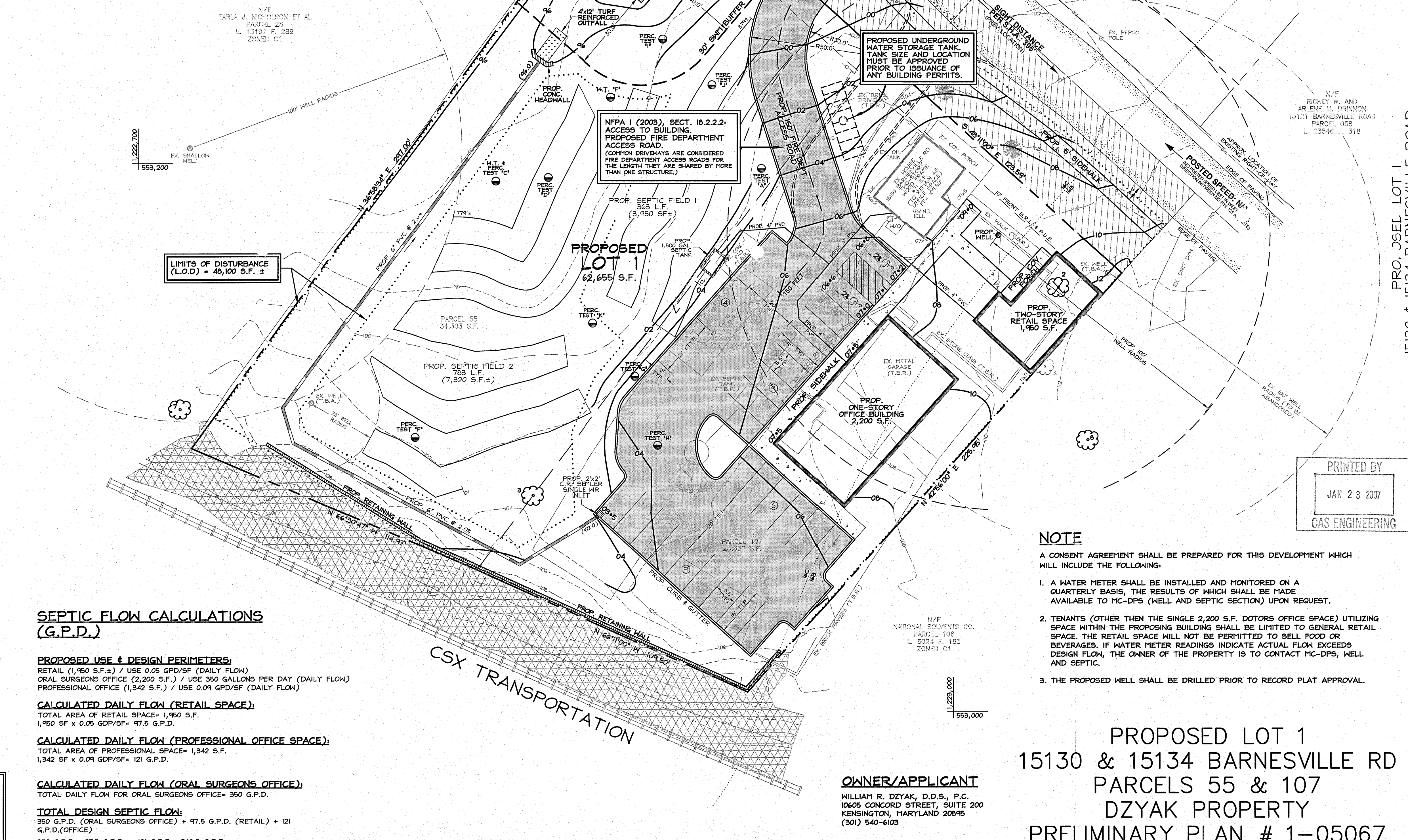
Test Site	Avg. Time (min.)	Depth of Test	Test Site	Avg. Time (min.)	Depth of Test	Test Site	Avg. Time (min.)	Depth of Test	Lowest Plumbing Elevation	Ground Over Tank Elevation	Septic Tank Inv. In	Septic Tank Inv. Out	Initial Trench	Total Trench	Depth of Stone	S.F. of Retail Space	Inv. of Initial Trench	Trench Spacing
D	21	5' & 13'	B	14	3.5' & 12.5'	A	20	4' & 15'	102'	106.0'	103.1'	102.8'	286.5'	1,146'	4	SEE CALC.	99.2'	10'
F	8	3.5' & 14'	J	7	4.5' & 15'	K	24	7' & 15.5'										

TREE DATA

Tree No.	Species	D.B.H. (Inches)	Condition	Comments
#1	WEeping WILLOW Salix babylonica L.	30	POOR	DEAD OFF PROPERTY
#2	PITCH PINE Pinus rigida	30	FAIR	SOME DEADWOOD
#3	SILVER MAPLE Acer saccharinum	MULTI 49"	POOR	HAZARD, V-CROTCH, SEAM DECAY, POOR STRUCTURE
#4	NORWAY SPRUCE Picea abies	27	FAIR	SOME HAZARD LIMBS
#5	NORWAY SPRUCE Picea abies	25	FAIR	SOME HAZARD LIMBS
#6	BLACK LOCUST Robinia pseudoacacia	28	POOR	HAZARD, DYING, SPLIT DECAY, POOR STRUCTURE
#7	CUCUMBER TREE Magnolia acuminata L.	35	FAIR	OFF PROPERTY DECAY, DEAD LIMBS
#8	AMERICAN ELM Ulmus americana L.	32	FAIR	OFF PROPERTY SOME DIEBACK

* INDICATES SPECIMEN TREES

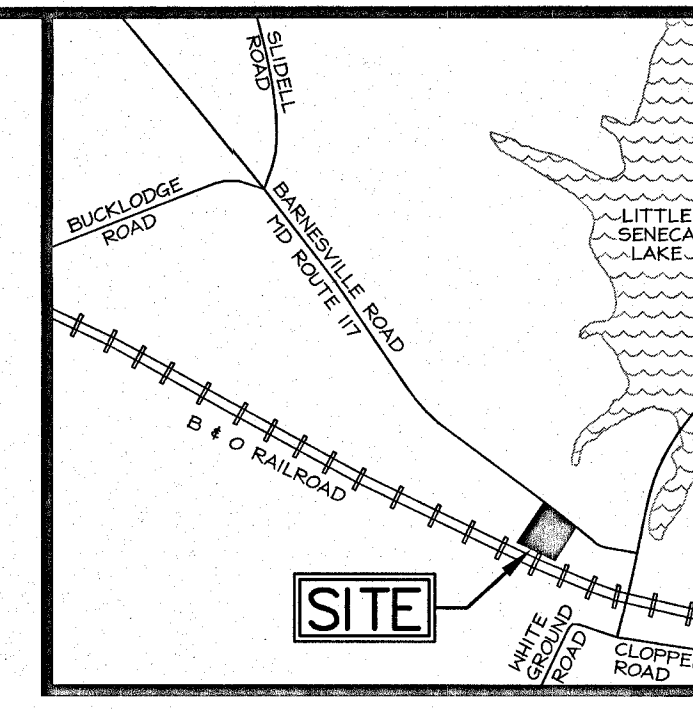
N/F EARLA J. NICHOLSON ET AL
 PARCEL 28
 L. 13197 F. 289
 ZONED C1



ZONING STANDARDS

GROSS SITE AREA: 62,655 +/- S.F. (1.436 ACRES)
 PROPOSED DEDICATION: 7,190 S.F. (0.165 AC.)
 NET TRACT AREA AFTER DEDICATION: 55,465 S.F. (1.27 AC.)

ZONING: C-1	REQUIRED	PROVIDED
MAXIMUM LOT AREA	15.0 ACRES	LOT 1 1.27 AC.
MINIMUM LOT WIDTH AT B.R.L.	N/A	242'
MIN. LOT WIDTH AT R/W	NONE PRESCRIBED	242'
MAX. BUILDING COVERAGE	NONE PRESCRIBED	12%
MAXIMUM BUILDING HEIGHT	30'	< 30'
SETBACK FROM STREET R-O-W	10'	10.5'
SETBACK FROM OTHER LOT LINES	SIDE: NONE PRESCRIBED REAR: NONE PRESCRIBED	SIDE: 0.50' REAR: 75.0'
GREEN AREA	10%	60%



VICINITY MAP
 ADC MAP PAGE 17, GRID H-1

N/F TAMARA JO HILDERBRAND
 15131 BARNESVILLE ROAD
 PARCEL P003
 L. 12427 F. 359

N/F RICKIE W. AND ARLENE M. DRINNON
 15121 BARNESVILLE ROAD
 PARCEL 088
 L. 23546 F. 318

PROPOSED UNDERGROUND WATER STORAGE TANK. TANK SIZE AND LOCATION MUST BE APPROVED PRIOR TO ISSUANCE OF ANY BUILDING PERMITS.

NFPA I (2003), SECT. 18.2.2.2: ACCESS TO BUILDING. PROPOSED FIRE DEPARTMENT ACCESS ROAD. (COMMON DRIVEWAYS ARE CONSIDERED FIRE DEPARTMENT ACCESS ROADS FOR THE LENGTH THEY ARE SHARED BY MORE THAN ONE STRUCTURE.)

LIMITS OF DISTURBANCE (L.O.D.) = 48,100 S.F. ±

NOTE

- A CONSENT AGREEMENT SHALL BE PREPARED FOR THIS DEVELOPMENT WHICH WILL INCLUDE THE FOLLOWING:
1. A WATER METER SHALL BE INSTALLED AND MONITORED ON A QUARTERLY BASIS, THE RESULTS OF WHICH SHALL BE MADE AVAILABLE TO MC-DPS (WELL AND SEPTIC SECTION) UPON REQUEST.
 2. TENANTS (OTHER THAN THE SINGLE 2,200 S.F. DOTORS OFFICE SPACE) UTILIZING SPACE WITHIN THE PROPOSING BUILDING SHALL BE LIMITED TO GENERAL RETAIL SPACE. THE RETAIL SPACE WILL NOT BE PERMITTED TO SELL FOOD OR BEVERAGES. IF WATER METER READINGS INDICATE ACTUAL FLOW EXCEEDS DESIGN FLOW, THE OWNER OF THE PROPERTY IS TO CONTACT MC-DPS, WELL AND SEPTIC.
 3. THE PROPOSED WELL SHALL BE DRILLED PRIOR TO RECORD PLAT APPROVAL.

PRINTED BY
 JAN 23 2007
 CAS ENGINEERING

OWNER/APPLICANT
 WILLIAM R. DZYAK, D.D.S., P.C.
 10605 CONCORD STREET, SUITE 200
 KENSINGTON, MARYLAND 20895
 (301) 540-6103

PROPOSED LOT 1
 15130 & 15134 BARNESVILLE RD
 PARCELS 55 & 107
 DZYAK PROPERTY
 PRELIMINARY PLAN # 1-05067

DATE	BY	REVISION
01/20/05 <td>JWW <td>ENGINEERING </td></td>	JWW <td>ENGINEERING </td>	ENGINEERING
04-091 <td>JWW <td>ILLUSTRATION </td></td>	JWW <td>ILLUSTRATION </td>	ILLUSTRATION
	JWW <td>SCALE</td>	SCALE
	JWW <td>APPROVAL</td>	APPROVAL

DATE	BY	REVISION
09/02/04	SSS	EXPOSED EX SEPTIC & LOCATED
01/24/05	JWW	SUBMIT TO M-NP&PC
02/23/05	JWW	REVISED PER DRC COMMENTS
05/17/05	JWW	DRC REVISIONS COMPLETE
10/23/05	JWW	FINAL REVISION AND SENT TO DRD
01/22/07	JMO	RELOCATE PROPOSED ENTRANCE, RESUBMIT FOR REVIEW

PRO JSEF LOT 1
 15130 & 15134 BARNESVILLE ROAD
 L. 6259 F. 233
DZYAK PROPERTY
 BARNESVILLE (11TH) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND
PRELIMINARY PLAN # 1-05067

CAS ENGINEERING
 CIVIL • SURVEYING • LAND PLANNING
 A DIVISION OF CAS ENTERPRISES, INC.
 108 West Ridgeville Blvd., Suite 101 Mount Airy, MD. 21771
 DC Metro (301) 607-8031 FAX (301) 607-8045

GENERAL NOTES

- 1) WATER CATEGORY - 6 SEWER CATEGORY - 6
- 2) BOUNDARY INFORMATION BASED ON A BOUNDARY SURVEY CONDUCTED BY CAS ENGINEERING DATED JUNE, 2004.
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- 9) SITE IS LOCATED IN THE LITTLE SENECA CREEK WATERSHED.
- 10) LOCAL UTILITIES INCLUDE:
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ELECTRIC - PEPCO
TELEPHONE - VERIZON
GAS - N/A
- 11) ALL VISIBLE WELLS AND SEPTICS WITHIN 100 FEET OF THE PROPERTY HAVE BEEN SHOWN HEREON.
- 12) THE EXISTING SEPTIC SHALL BE UNCOVERED, PUMPED BY A LICENSED SCAVENGER, AND BACKFILLED.

SEPTIC DESIGN CHART

Test Site	Avg. Time (min.)	Depth of Test	Test Site	Avg. Time (min.)	Depth of Test	Test Site	Avg. Time (min.)	Depth of Test	Lowest Plumbing Elevation	Ground Over Tank Elevation	Septic Tank Inv. in	Septic Tank Inv. out	Initial Trench	Total Trench	Depth of Stone	S.F. of Retail Space	Inv. of Initial Trench	Trench Spacing
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TREE DATA

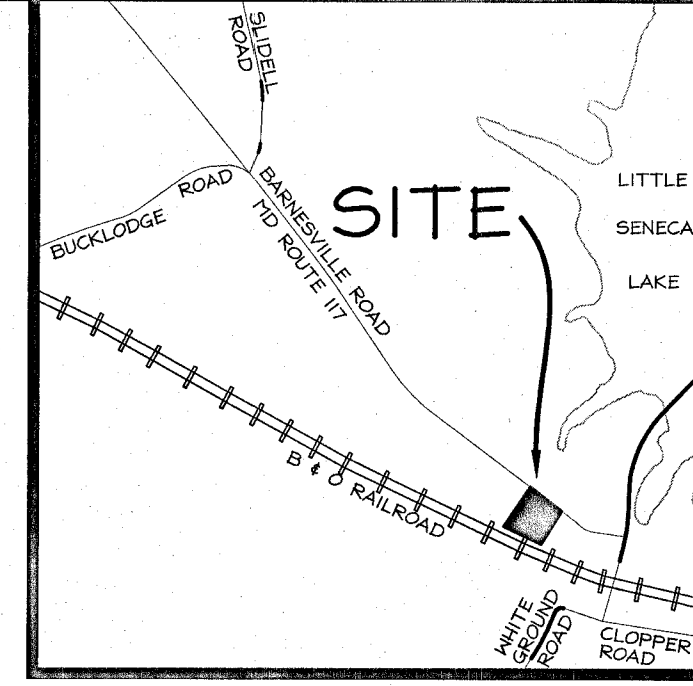
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MIN. LOT WIDTH AT R/W	NONE PRESCRIBED	242'
MAX. BUILDING COVERAGE	NONE PRESCRIBED	12%
MAXIMUM BUILDING HEIGHT	30'	< 30'
SETBACK FROM STREET R-O-W	10'	35'
SETBACK FROM OTHER LOT LINES	SIDE: NONE PRESCRIBED REAR: NONE PRESCRIBED	SIDE: 10.2'
GREEN AREA	10%	60%



VICINITY MAP
ADC MAP PAGE 17, GRID H-1

LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING SPOT ELEVATION
- PROPOSED SPOT ELEVATION
- L.O.D. = 29,700 SF
- EXISTING STEEP SLOPES (> 25%)
- EX. TREE
- EX. SPECIMEN TREE
- PROPOSED R/W DEDICATION
- SOIL BOUNDARY
- PROPOSED ASPHALT PARKING LOT
- WATER TABLE AND/OR PERC TEST LOCATION

PARKING SPACE CALCULATIONS

- PROPOSED USE:**
RETAIL (2,000 S.F.)
DENTAL OFFICE (2,200 S.F.)
PROFESSIONAL OFFICE (1,342 S.F.)
- PARKING REQUIRED:**
5 SPACES / 1,000 S.F. (RETAIL)
5 SPACES / 1,000 S.F. (DENTAL OFFICE)
2.5 SPACES / 1,000 S.F. (PROFESSIONAL OFFICE)
- CALCULATED PARKING:**
(2,000 / 1,000) x 5 = 10 SPACES (RETAIL)
(2,200 / 1,000) x 5 = 11 SPACES (DENTAL OFFICE)
(1,342 / 1,000) x 2.5 = 4 SPACES (PROFESSIONAL OFFICE)
- HANDICAP PARKING:** 1 SPACE/25 SPACES = 1 SPACE REQUIRED
- SPACES PROVIDED:**
28 TOTAL SPACES PROVIDED
24 (8.5' x 18') PARKING SPACES, INCLUDING 2 HANDICAP SPACES
4 (7' x 21') PARALLEL PARKING SPACES

PERC. TESTING RESULTS

TEST SITE	RATE (MIN/IN)	TEST DEPTH (FT)	COMMENT
#PERC. "A"	20	4' & 15'	
#PERC. "B"	14	3.5' & 12.5'	
#PERC. "C"	6	12.5'	NT @ 3' & 3.5', 4' & 4.5'
#PERC. "D"	21	5' & 13'	
PERC. "E"	FAIL	12'	NT @ 2.5', ROCK 0.5-11.75'
#PERC. "F"	8	3.5' & 14'	
PERC. "G"	FAIL	11' & 14.5'	NT @ 3' & 4.5', ROCK 11.5-14.5'
PERC. "H"	14	15.5'	NT @ 3' & 6'
PERC. "I"	NT	2.5' & 8'	
#PERC. "J"	7	4.5' & 15'	
#PERC. "K"	24	15.5'	NT @ 4.5' & 5.5'
	15	7'	

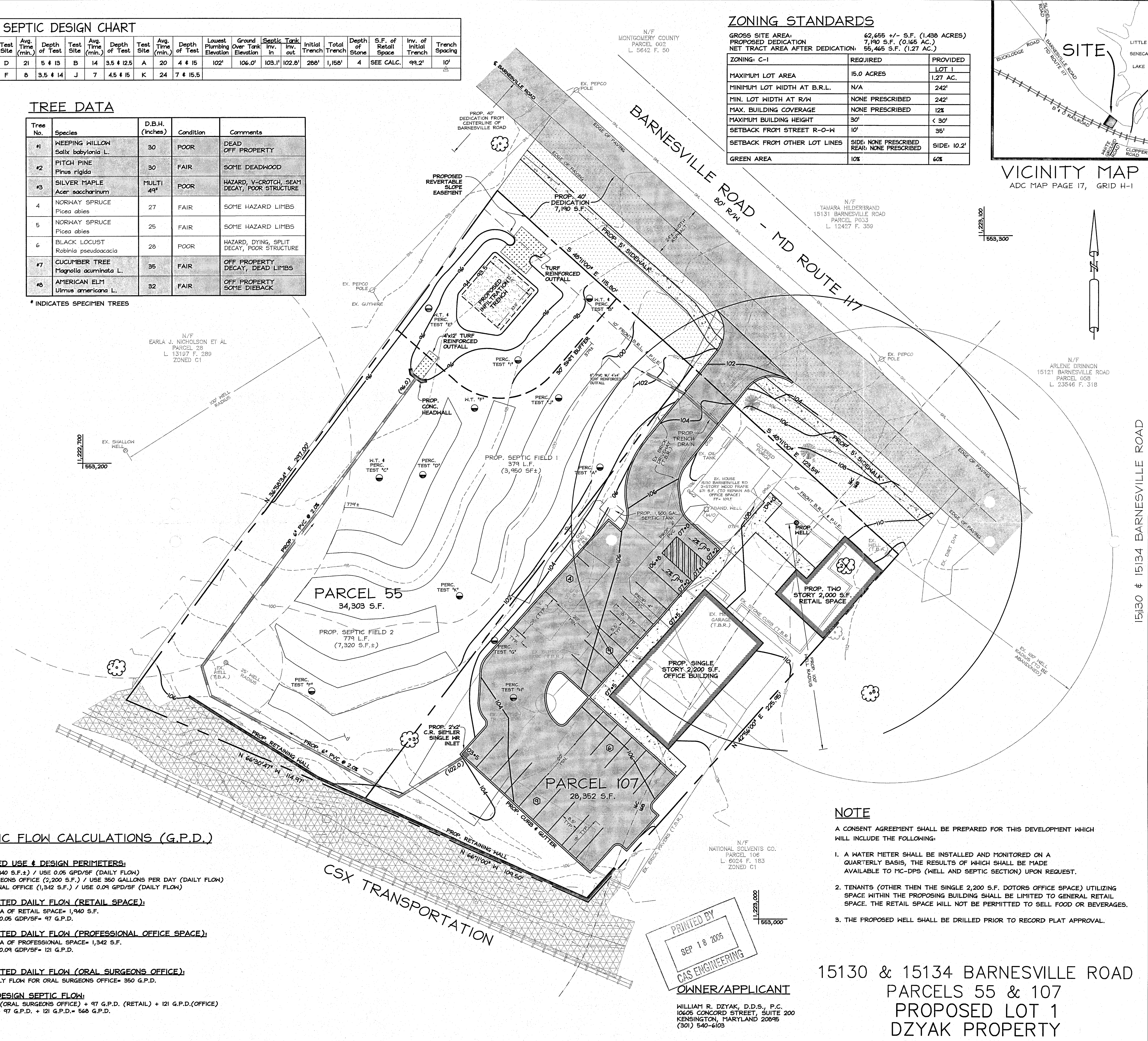
* INDICATES PASSING PERC. TESTS

SEPTIC FLOW CALCULATIONS (G.P.D.)

- PROPOSED USE & DESIGN PERIMETERS:**
RETAIL (1,940 S.F.) / USE 0.05 GPD/SF (DAILY FLOW)
ORAL SURGEONS OFFICE (2,200 S.F.) / USE 350 GALLONS PER DAY (DAILY FLOW)
PROFESSIONAL OFFICE (1,342 S.F.) / USE 0.09 GPD/SF (DAILY FLOW)
- CALCULATED DAILY FLOW (RETAIL SPACE):**
TOTAL AREA OF RETAIL SPACE= 1,940 S.F.
1,940 SF x 0.05 GPD/SF= 97 G.P.D.
- CALCULATED DAILY FLOW (PROFESSIONAL OFFICE SPACE):**
TOTAL AREA OF PROFESSIONAL SPACE= 1,342 S.F.
1,342 SF x 0.09 GPD/SF= 121 G.P.D.
- CALCULATED DAILY FLOW (ORAL SURGEONS OFFICE):**
TOTAL DAILY FLOW FOR ORAL SURGEONS OFFICE= 350 G.P.D.
- TOTAL DESIGN SEPTIC FLOW:**
350 G.P.D. (ORAL SURGEONS OFFICE) + 97 G.P.D. (RETAIL) + 121 G.P.D. (OFFICE)
350 G.P.D. + 97 G.P.D. + 121 G.P.D.= 568 G.P.D.

MISS UTILITY

CALL "MISS UTILITY" AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF WORK. 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 COMPLIANCE WITH REQUIREMENTS OF CHAPTER 36A OF THE MONTGOMERY COUNTY CODE.



PRINTED BY
SEP 18 2005
CAS ENGINEERING

OWNER/APPLICANT
WILLIAM R. DZYAK, D.D.S., P.C.
10605 CONCORD STREET, SUITE 200
KENSINGTON, MARYLAND 20895
(301) 540-6103

- NOTE**
A CONSENT AGREEMENT SHALL BE PREPARED FOR THIS DEVELOPMENT WHICH WILL INCLUDE THE FOLLOWING:
1. A WATER METER SHALL BE INSTALLED AND MONITORED ON A QUARTERLY BASIS, THE RESULTS OF WHICH SHALL BE MADE AVAILABLE TO MC-DPS (WELL AND SEPTIC SECTION) UPON REQUEST.
 2. TENANTS (OTHER THAN THE SINGLE 2,200 S.F. DENTISTS OFFICE SPACE) UTILIZING SPACE WITHIN THE PROPOSING BUILDING SHALL BE LIMITED TO GENERAL RETAIL SPACE. THE RETAIL SPACE WILL NOT BE PERMITTED TO SELL FOOD OR BEVERAGES.
 3. THE PROPOSED WELL SHALL BE DRILLED PRIOR TO RECORD PLAT APPROVAL.

15130 & 15134 BARNESVILLE ROAD
PARCELS 55 & 107
PROPOSED LOT 1
DZYAK PROPERTY

15130 & 15134 BARNESVILLE ROAD
L. 6259 F. 233
DZYAK PROPERTY
BARNESVILLE (II TH) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
PROPOSED LOT 1

DATE: 01/2005
PROJECT: 04.091
REVISION: EXPOSED EX SEPTIC & LOCATED
BY: JWW
DATE: 01/24/05
SUBMIT TO M-NRPPC
BY: JWW
DATE: 02/22/06
REVISED PER IRC COMMENTS
BY: JWW
DATE: 05/17/06
IRC REVISIONS COMPLETED
BY: JWW

SCALE: 1"=20'
APPROVAL: CAS

ENGINEERING
CIVIL • SURVEYING • LAND PLANNING
A DIVISION OF CAS ENTERPRISES, INC.
108 West Ridgeville Blvd., Suite 101, Mount Airy, MD. 21771
DC Metro (301) 607-6031 FAX (301) 607-6045

GENERAL NOTES

- 1) WATER CATEGORY - 6 SEWER CATEGORY - 6
- 2) BOUNDARY INFORMATION BASED ON A BOUNDARY SURVEY CONDUCTED BY CAS ENGINEERING DATED JUNE, 2004.
- 3) 2-FOOT CONTOUR DATA BASED ON A SURVEY PERFORMED BY CAS ENGINEERING, DATED JUNE, 2004.
- 4) TOTAL LOT AREA: PARCEL 107 = 28,352 SF (PER PLAT). PARCEL 55 = 34,303 SF (PER PLAT).
- 5) PROPERTY SHOWN ON TAX MAP DU 62, PARCELS 107 & 55, BOYDS.
- 6) PROPERTY SHOWN ON WSC 200' SHEET 227 NW 15.
- 7) PROPERTY SHOWN ON MONTGOMERY COUNTY SOILS SURVEY MAP No. 12. SOIL TYPE(S): 16C & 16B.
- 8) FLOOD ZONE "C" PER H.U.D. FIRM MAPS, COMMUNITY PANEL No. 240049 0505B C.
- 9) SITE IS LOCATED IN THE LITTLE SENECA CREEK WATERSHED.
- 10) LOCAL UTILITIES INCLUDE: WATER & SEWER - N/A ELECTRIC - PERCO TELEPHONE - VERIZON GAS - N/A
- 11) ALL VISIBLE WELLS AND SEPTICS WITHIN 100 FEET OF THE PROPERTY HAVE BEEN SHOWN HEREON.
- 12) THE EXISTING SEPTIC SHALL BE UNCOVERED, PUMPED BY A LICENSED SCAVENGER, AND BACKFILLED.

SEPTIC DESIGN CHART

Test Site	Avg. Time (min.)	Depth of Test	Test Site	Avg. Time (min.)	Depth of Test	Test Site	Avg. Time (min.)	Depth of Test	Lowest Plumbing Elevation	Ground Over Tank Elevation	Septic Inv. in	Tank Inv. out	Initial Trench	Total Trench	Depth of Stone	S.F. of Retail Space	Inv. of Initial Trench	Trench Spacing
D	21	5' & 13'	B	14	3.5' & 12.5'	A	20	4' & 15'	102'	106.0'	103.1'	102.8'	288'	1,188'	4	SEE CALC.	99.2'	10'
F	8	3.5' & 14'	J	7	4.5' & 15'	K	24	7' & 15.5'										

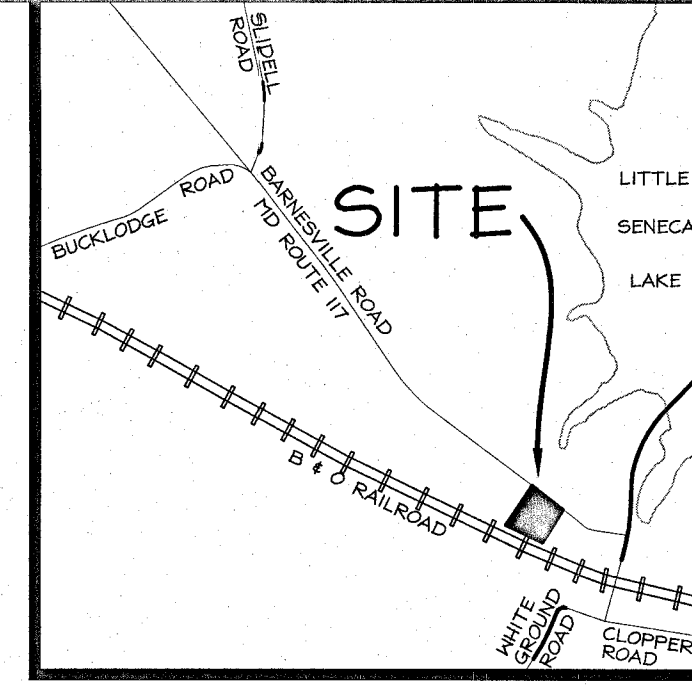
TREE DATA

Tree No.	Species	D.B.H. (Inches)	Condition	Comments
#1	KEEPING WILLOW Salix babylonica L.	30	POOR	DEAD OFF PROPERTY
#2	PITCH PINE Pinus rigida	30	FAIR	SOME DEADWOOD
#3	SILVER MAPLE Acer saccharinum	MULTI 49'	POOR	HAZARD, V-CROTCH, SEAM DECAY, POOR STRUCTURE
4	NORWAY SPRUCE Picea abies	27	FAIR	SOME HAZARD LIMBS
5	NORWAY SPRUCE Picea abies	25	FAIR	SOME HAZARD LIMBS
6	BLACK LOCUST Robinia pseudoacacia	28	POOR	HAZARD, DYING, SPLIT DECAY, POOR STRUCTURE
#7	CUCUMBER TREE Magnolia acuminata L.	35	FAIR	OFF PROPERTY DECAY, DEAD LIMBS
#8	AMERICAN ELM Ulmus americana L.	32	FAIR	OFF PROPERTY SOME DIEBACK

* INDICATES SPECIMEN TREES

ZONING STANDARDS

ZONING: C-1	REQUIRED	PROVIDED
GROSS SITE AREA:	62,655 +/- S.F. (1.438 ACRES)	
PROPOSED DEDICATION:	7,190 S.F. (0.165 AC.)	LOT 1
NET TRACT AREA AFTER DEDICATION:	55,465 S.F. (1.27 AC.)	1.27 AC.
MAXIMUM LOT AREA	15.0 ACRES	242'
MINIMUM LOT WIDTH AT B.R.L.	N/A	242'
MIN. LOT WIDTH AT R/W	NONE PRESCRIBED	242'
MAX. BUILDING COVERAGE	NONE PRESCRIBED	12%
MAXIMUM BUILDING HEIGHT	30'	< 30'
SETBACK FROM STREET R-O-W	10'	35'
SETBACK FROM OTHER LOT LINES	SIDE: NONE PRESCRIBED REAR: NONE PRESCRIBED	SIDE: 10.2'
GREEN AREA	10%	60%



LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING SPOT ELEVATION
- PROPOSED SPOT ELEVATION
- L.O.D. = 24,700 SF
- EXISTING STEEP SLOPES (> 25%)
- EX. TREE
- EX. SPECIMEN TREE
- PROPOSED R/W DEDICATION
- SOIL BOUNDARY
- PROPOSED ASPHALT PARKING LOT
- WATER TABLE AND/OR PERC TEST LOCATION

PARKING SPACE CALCULATIONS

- PROPOSED USE:**
 RETAIL (2,000 S.F.)
 DENTAL OFFICE (2,200 S.F.)
 PROFESSIONAL OFFICE (1,342 S.F.)
- PARKING REQUIRED:**
 5 SPACES / 1,000 S.F. (RETAIL)
 5 SPACES / 1,000 S.F. (DENTAL OFFICE)
 2.5 SPACES / 1,000 S.F. (PROFESSIONAL OFFICE)
- CALCULATED PARKING:**
 (2,000 / 1,000) x 5 = 10 SPACES (RETAIL)
 (2,200 / 1,000) x 5 = 11 SPACES (DENTAL OFFICE)
 (1,342 / 1,000) x 2.5 = 4 SPACES (PROFESSIONAL OFFICE)
- HANDICAP PARKING:** 1 SPACE/25 SPACES = 1 SPACE REQUIRED
- SPACES PROVIDED:**
 26 TOTAL SPACES PROVIDED
 24 (8.5' x 18') PARKING SPACES, INCLUDING 2 HANDICAP SPACES
 4 (7' x 21') PARALLEL PARKING SPACES

PERC. TESTING RESULTS

TEST SITE	RATE (MIN/IN)	TEST DEPTH (FT)	COMMENT
#PERC. "A"	20	4' & 15'	
#PERC. "B"	14	3.5' & 12.5'	
PERC. "C"	6	12.5'	NT @ 3' & 3.5', 4' & 4.5'
#PERC. "D"	21	5' & 13'	
PERC. "E"	FAIL	12'	NT @ 2.5', ROCK 0.5-11.75'
#PERC. "F"	8	3.5' & 14'	
PERC. "G"	FAIL	11' & 14.5'	NT @ 3' & 4.5', ROCK 11.5-14.5'
PERC. "H"	FAIL	15.5'	NT @ 3' & 6'
PERC. "I"	NT	2.5' & 8'	
#PERC. "J"	7	4.5' & 15'	
#PERC. "K"	24	15.5'	NT @ 4.5' & 5.5'
	15	7'	

* INDICATES PASSING PERC. TESTS

SEPTIC FLOW CALCULATIONS (G.P.D.)

- PROPOSED USE & DESIGN PERIMETERS:**
 RETAIL (2,000 S.F.) / USE 0.05 GPD/SF (DAILY FLOW)
 ORAL SURGEONS OFFICE (2,200 S.F.) / USE 350 GALLONS PER DAY (DAILY FLOW)
 PROFESSIONAL OFFICE (1,342 S.F.) / USE 0.09 GPD/SF (DAILY FLOW)
- CALCULATED DAILY FLOW (RETAIL SPACE):**
 TOTAL AREA OF RETAIL SPACE= 2,000 S.F.
 2,000 SF x 0.05 GPD/SF= 100 G.P.D.
- CALCULATED DAILY FLOW (PROFESSIONAL OFFICE SPACE):**
 TOTAL AREA OF PROFESSIONAL SPACE= 1,342 S.F.
 1,342 SF x 0.09 GPD/SF= 121 G.P.D.
- CALCULATED DAILY FLOW (ORAL SURGEONS OFFICE):**
 TOTAL DAILY FLOW FOR ORAL SURGEONS OFFICE= 350 G.P.D.
- TOTAL DESIGN SEPTIC FLOW:**
 350 G.P.D. (ORAL SURGEONS OFFICE) + 100 G.P.D. (RETAIL) + 121 G.P.D. (OFFICE)
 350 G.P.D. + 100 G.P.D. + 121 G.P.D.= 571 G.P.D.

MISS UTILITY

CALL "MISS UTILITY" AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF WORK. 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 COMPLIANCE WITH REQUIREMENTS OF CHAPTER 36A OF THE MONTGOMERY COUNTY CODE.

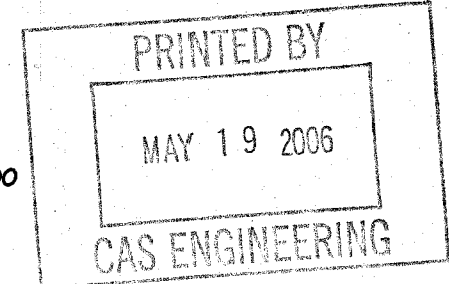


NOTE

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1. A WATER METER SHALL BE INSTALLED AND MONITORED ON A QUARTERLY BASIS, THE RESULTS OF WHICH SHALL BE MADE AVAILABLE TO MC-DPS (WELL AND SEPTIC SECTION) UPON REQUEST.
 2. TENANTS (OTHER THAN THE SINGLE 2,200 S.F. DOCTORS OFFICE) UTILIZING SPACE WITHIN THE PROPOSING BUILDING SHALL BE LIMITED TO GENERAL RETAIL SPACE. THE RETAIL SPACE WILL NOT BE PERMITTED TO SELL FOOD OR BEVERAGES.
 3. THE PROPOSED WELL SHALL BE DRILLED PRIOR TO RECORD PLAT APPROVAL.

OWNER/APPLICANT

WILLIAM R. DZYAK, D.D.S., P.C.
 10605 CONCORD STREET, SUITE 200
 KENSINGTON, MARYLAND 20895
 (301) 540-6103



15130 & 15134 BARNESVILLE ROAD
 PARCELS 55 & 107
 PROPOSED LOT 1
 DZYAK PROPERTY
 PRELIMINARY PLAN

DATE	REVISION	BY	DATE
01/20/05 <td>DATE <td></td> <td></td> </td>	DATE <td></td> <td></td>		
04/09/05 <td>PROJECT</td> <td>JWW <td></td> </td>	PROJECT	JWW <td></td>	
	ILLUSTRATION	JWW <td></td>	
	SCALE		1" = 20'
	APPROVAL		
	CAS		

15130 & 15134 BARNESVILLE ROAD
 L. 6259 F. 233
DZYAK PROPERTY
 BARNESVILLE (II TH) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND
PRELIMINARY PLAN

ENGINEERING
 CIVIL • SURVEYING • LAND PLANNING
 A DIVISION OF CAS ENTERPRISES, INC.
 108 West Ridgeville Blvd., Suite 101, Mount Airy, MD. 21771
 DC Metro (301) 607-8031 FAX (301) 607-8045

GENERAL NOTES

1. WATER CATEGORY - 6 SEWER CATEGORY - 6
2. BOUNDARY INFORMATION BASED ON A BOUNDARY SURVEY PERFORMED BY CAS ENGINEERING DATED JUNE, 2004.
3. TWO-FOOT CONTOUR DATA BASED ON A SURVEY PERFORMED BY CAS ENGINEERING, DATED JUNE, 2004.
4. TOTAL LOT AREA: PROPOSED LOT 1 = 62,655 S.F. (1.438 ACRES)
PARCEL 107 = 28,352 S.F. (PER PLAT).
PARCEL 55 = 34,303 S.F. (PER PLAT).
5. PROPERTY SHOWN ON TAX MAP DU 62, PARCELS 107 & 55, BOYDS.
6. PROPERTY SHOWN ON WSSC 200' SHEET 227 NW 15.
7. PROPERTY SHOWN ON MONTGOMERY COUNTY SOILS SURVEY MAP No. 12. SOIL TYPE(S): 16C & 16B.
8. FLOOD ZONE 'C' PER H.U.D. FIRM MAPS, COMMUNITY PANEL No. 240049 0050B C.
9. SITE IS LOCATED IN THE LITTLE SENECA CREEK WATERSHED.
10. LOCAL UTILITIES INCLUDE:
WATER & SEWER - PRIVATE
ELECTRIC - PEPCO
TELEPHONE - VERIZON
GAS - N/A
11. ALL VISIBLE WELLS AND SEPTIC SYSTEMS WITHIN 100 FEET OF THE PROPERTY HAVE BEEN SHOWN HEREON.
12. THE EXISTING SEPTIC SHALL BE UNCOVERED, PUMPED BY A LICENSED SCAVENGER, AND BACKFILLED.

LEGEND

- EXISTING CONTOUR - 102
- PROPOSED CONTOUR - 02
- EXISTING SPOT ELEVATION - 03x5
- PROPOSED SPOT ELEVATION - 02+7
- LIMITS OF DISTURBANCE (L.O.D.) - Dotted line
- EXISTING STEEP SLOPES (> 25%) - Hatched area
- EX. TREE - Tree symbol
- EX. SPECIMEN TREE - Tree symbol with asterisk
- PROPOSED R/W DEDICATION (40' FROM CENTERLINE OF ROAD) - Hatched area
- SOIL BOUNDARY - Dashed line
- PROPOSED ASPHALT PARKING 1 - Hatched area
- WATER TABLE AND/OR PERC TEST LOCATION - Circle with 'N.T.' or 'PERC TEST #'

PARKING SPACE CALCULATIONS

- PROPOSED USE:**
RETAIL (2,000 S.F.)
DENTAL OFFICE (2,200 S.F.)
PROFESSIONAL OFFICE (1,342 S.F.)
- PARKING REQUIRED:**
5 SPACES / 1,000 S.F. (RETAIL)
5 SPACES / 1,000 S.F. (DENTAL OFFICE)
2.5 SPACES / 1,000 S.F. (PROFESSIONAL OFFICE)
- CALCULATED PARKING:**
(2,000 / 1,000) x 5 = 10 SPACES (RETAIL)
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(1,342 / 1,000) x 2.5 = 4 SPACES (PROFESSIONAL OFFICE)
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1 SPACE/25 SPACES = 1 SPACE REQUIRED
- SPACES PROVIDED:**
28 TOTAL SPACES PROVIDED
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PERC. TESTING RESULTS

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#PERC. 'B'	14	3.5' & 12.5'	
PERC. 'C'	6	12.5'	NT @ 3' & 3.5', 4 & 4.5'
#PERC. 'D'	21	5' & 13'	
PERC. 'E'	FAIL	12'	NT @ 2.5', ROCK 0.5-11.75'
#PERC. 'F'	8	3.5' & 14'	
PERC. 'G'	FAIL	11' & 14.5'	NT @ 3' & 4.5', ROCK 11.5-14.5'
PERC. 'H'	14	15.5'	NT @ 3 & 6'
PERC. 'I'	NT	2.5' & 8'	
#PERC. 'J'	7	4.5' & 15'	
#PERC. 'K'	24	15.5'	NT @ 4.5' & 5.5'
	15	7'	

* INDICATES PASSING PERC. TESTS

MISS UTILITY

FOR LOCATION OF UTILITIES, CALL "MISS UTILITY" AT 1-800-257-7777, OR LOG ON TO WWW.MISSUTILITY.NET/ITICS 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 COMPLIANCE WITH REQUIREMENTS OF CHAPTER 36A OF THE MONTGOMERY COUNTY CODE.

SEPTIC DESIGN CHART

Test Site	Avg. Time (min.)	Depth of Test	Test Site	Avg. Time (min.)	Depth of Test	Test Site	Avg. Time (min.)	Depth of Test	Lowest Plumbing Elevation	Ground Over Tank Elevation	Septic Tank Inv. In	Septic Tank Inv. Out	Initial Trench	Total Trench	Depth of Stone	S.F. of Retail Space	Inv. of Initial Trench	Trench Spacing
D	21	5' & 13'	B	14	3.5' & 12.5'	A	20	4' & 15'	102'	106.0'	103.1'	102.8'	286.5'	1,146'	4	SEE CALC.	99.2'	10'
F	8	3.5' & 14'	J	7	4.5' & 15'	K	24	7' & 15.5'										

TREE DATA

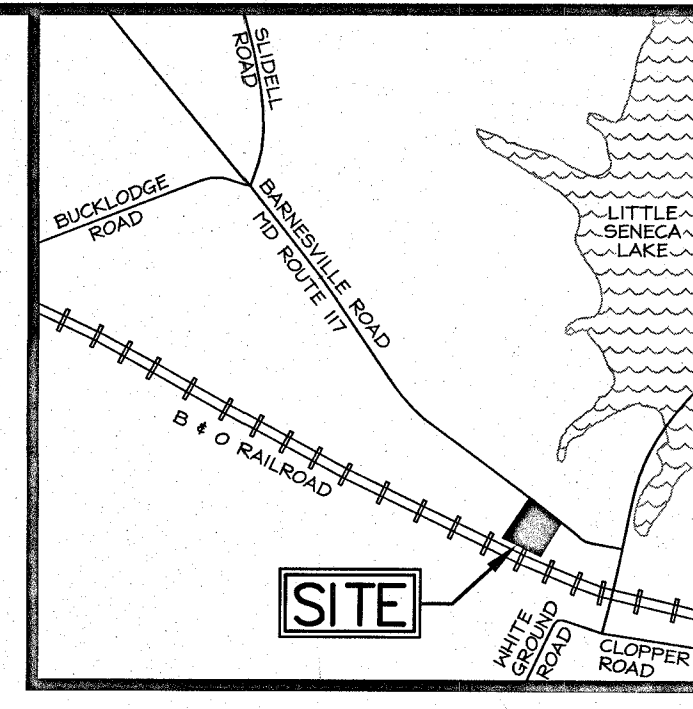
Tree No.	Species	D.B.H. (Inches)	Condition	Comments
#1	weeping willow Salix babingtonia L.	30	POOR	DEAD OFF PROPERTY
#2	PITCH PINE Pinus rigida	30	FAIR	SOME DEADWOOD
#3	SILVER MAPLE Acer saccharinum	MULTI 49"	POOR	HAZARD, V-CROTCH, SEAM DECAY, POOR STRUCTURE
4	NORWAY SPRUCE Picea abies	27	FAIR	SOME HAZARD LIMBS
5	NORWAY SPRUCE Picea abies	25	FAIR	SOME HAZARD LIMBS
6	BLACK LOCUST Robinia pseudoacacia	28	POOR	HAZARD, DYING, SPLIT DECAY, POOR STRUCTURE
#7	CUCUMBER TREE Magnolia acuminata L.	35	FAIR	OFF PROPERTY DECAY, DEAD LIMBS
#8	AMERICAN ELM Ulmus americana L.	32	FAIR	OFF PROPERTY SOME DIEBACK

* INDICATES SPECIMEN TREES

ZONING STANDARDS

GROSS SITE AREA: 62,655 +/- S.F. (1.438 ACRES)
PROPOSED DEDICATION: 7,190 S.F. (0.165 AC.)
NET TRACT AREA AFTER DEDICATION: 55,465 S.F. (1.27 AC.)

ZONING: C-1	REQUIRED	PROVIDED
MAXIMUM LOT AREA	15.0 ACRES	LOT 1 1.27 AC.
MINIMUM LOT WIDTH AT B.R.L.	N/A	242'
MIN. LOT WIDTH AT R/W	NONE PRESCRIBED	242'
MAX. BUILDING COVERAGE	NONE PRESCRIBED	12%
MAXIMUM BUILDING HEIGHT	30'	< 30'
SETBACK FROM STREET R-O-W	10'	10.5'
SETBACK FROM OTHER LOT LINES	SIDE: NONE PRESCRIBED REAR: NONE PRESCRIBED	SIDE: 0.50' REAR: 75.0'
GREEN AREA	10%	60%



VICINITY MAP
ADC MAP PAGE 17, GRID H-1



SEPTIC FLOW CALCULATIONS (G.P.D.)

- PROPOSED USE & DESIGN PERIMETERS:**
RETAIL (1,950 S.F.) / USE 0.05 GPD/SF (DAILY FLOW)
ORAL SURGEONS OFFICE (2,200 S.F.) / USE 350 GALLONS PER DAY (DAILY FLOW)
PROFESSIONAL OFFICE (1,342 S.F.) / USE 0.09 GPD/SF (DAILY FLOW)
- CALCULATED DAILY FLOW (RETAIL SPACE):**
TOTAL AREA OF RETAIL SPACE = 1,950 S.F.
1,950 SF x 0.05 GPD/SF = 97.5 G.P.D.
- CALCULATED DAILY FLOW (PROFESSIONAL OFFICE SPACE):**
TOTAL AREA OF PROFESSIONAL SPACE = 1,342 S.F.
1,342 SF x 0.09 GPD/SF = 121 G.P.D.
- CALCULATED DAILY FLOW (ORAL SURGEONS OFFICE):**
TOTAL DAILY FLOW FOR ORAL SURGEONS OFFICE = 350 G.P.D.
- TOTAL DESIGN SEPTIC FLOW:**
350 G.P.D. (ORAL SURGEONS OFFICE) + 97.5 G.P.D. (RETAIL) + 121 G.P.D. (OFFICE)
350 G.P.D. + 97.5 G.P.D. + 121 G.P.D. = 568.5 G.P.D.

NOTE

- A CONSENT AGREEMENT SHALL BE PREPARED FOR THIS DEVELOPMENT WHICH WILL INCLUDE THE FOLLOWING:
1. A WATER METER SHALL BE INSTALLED AND MONITORED ON A QUARTERLY BASIS, THE RESULTS OF WHICH SHALL BE MADE AVAILABLE TO MC-DPS (WELL AND SEPTIC SECTION) UPON REQUEST.
 2. TENANTS (OTHER THAN THE SINGLE 2,200 S.F. DOCTORS OFFICE SPACE) UTILIZING SPACE WITHIN THE PROPOSING BUILDING SHALL BE LIMITED TO GENERAL RETAIL SPACE. THE RETAIL SPACE WILL NOT BE PERMITTED TO SELL FOOD OR BEVERAGES. IF WATER METER READINGS INDICATE ACTUAL FLOW EXCEEDS DESIGN FLOW, THE OWNER OF THE PROPERTY IS TO CONTACT MC-DPS, WELL AND SEPTIC.
 3. THE PROPOSED WELL SHALL BE DRILLED PRIOR TO RECORD PLAT APPROVAL.

OWNER/APPLICANT
WILLIAM R. DZYAK, D.D.S., P.C.
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KENSINGTON, MARYLAND 20895
(301) 540-6103

PROPOSED LOT 1
15130 & 15134 BARNESVILLE RD
PARCELS 55 & 107
DZYAK PROPERTY
PRELIMINARY PLAN # 1-05067

DATE	01/2005	REVISION	01/2005
PROJECT	04-091	BY	JWW
ILLUSTRATION	JWW	DATE	01/2005
SCALE	1" = 20'	REVISION	04-091
APPROVAL	CAS	DATE	04/23/2007

REVISIONS:
01/22/05 SSS EXPOSED EX SEPTIC & LOCATED
01/24/05 JWW SUBMIT TO H-102/80C
02/23/06 JWW REVISED PER D.C.C. COMMENTS
05/17/06 JWW D.R.C. REVISIONS COMPLETE
10/23/06 JWW FINAL REVISION AND SENT TO DRD
07/22/07 JMD RELOCATE PROPOSED ENTRANCE, RESUBMIT FOR REVIEW
04/17/07 JMD REVISED TO SHOW TRENCH DRAIN AT DRIVEWAY ENTRANCE

DZYAK PROPERTY
BARNESVILLE (11TH) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
PRELIMINARY PLAN # 1-05067

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A DIVISION OF CAS ENTERPRISES, INC.
108 West Ridgelyville Blvd., Suite 101 Mount Airy, MD. 21771
DC Metro (301) 607-8031 FAX (301) 607-8046

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NOTES

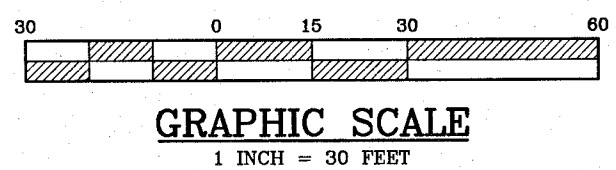
1. WATER CATEGORY: 6 SEWER CATEGORY: 6
2. THE PROPERTY THAT IS THE SUBJECT OF THIS RECORD PLAT IS IN THE C-1 ZONE AS OF THE DATE OF PLAT RECORDATION.
3. RCF = REBAR WITH CAP FOUND
IPS = IRON PIN WITH CAP SET
4. THIS PROPERTY IS SHOWN ON TAX MAP DU 62.
5. THIS PROPERTY IS SHOWN ON W.S.S.C. 200-FOOT SHEET 227 NW 15.
6. SEPTIC BUILDING RESTRICTION LINES (S.B.R.L.) ARE SUBJECT TO CHANGE WITH MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES APPROVAL.
7. SEPTIC EASEMENTS ARE SHOWN THUS SEPTIC BUILDING RESTRICTION LINES ARE SHOWN THUS .
8. ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, PROJECT PLAN, OR OTHER PLAN ALLOWING DEVELOPMENT OF THIS PROPERTY AS APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD ARE INTENDED TO SURVIVE UNLESS MODIFIED BY FURTHER ACTION BY THE BOARD. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND ARE AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
9. THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE, NOR EVERY MATTER RESTRICTING THE OWNERSHIP AND USE, OF THIS PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPICT OR NOTE ALL MATTERS AFFECTING TITLE.
10. THE PROPERTY SHOWN HEREON IS LIMITED TO THE USES AND CONDITIONS AS REQUIRED BY PRELIMINARY PLAN 1-050670.
11. THE PROPERTY SHOWN HEREON IS EXEMPT FROM THE REQUIREMENTS OF CHAPTER 22A, MONTGOMERY COUNTY FOREST CONSERVATION LAW, F.C.E.# 4-05045E.

OWNER'S CERTIFICATE

WE, SOARING EAGLE, LLC, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION.
 WE FURTHER GRANT A VARIABLE-WIDTH PUBLIC UTILITY EASEMENT, SHOWN HEREON AS "VARIABLE-WIDTH P.U.E." TO THOSE PARTIES NAMED IN THE DOCUMENT ENTITLED "DECLARATION OF TERMS AND PROVISIONS OF PUBLIC UTILITY EASEMENTS", AS RECORDED IN LIBER 3834 AT FOLIO 457 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.
 WE FURTHER DEDICATE TO PUBLIC USE THE AREA SHOWN THUS AND DESCRIBED HEREON, HAVING 9,661.43 SQUARE FEET OF LAND, AND ALSO GRANT A REVERTIBLE SLOPE EASEMENT SHOWN THUS AND DESCRIBED HEREON, HAVING 2,157.15 SQUARE FEET OF LAND, SAID SLOPE EASEMENT SHALL BE EXTINGUISHED AUTOMATICALLY AT SUCH TIME AS THE PUBLIC IMPROVEMENTS ON THE ADJUTING RIGHT-OF-WAY (BARNESVILLE ROAD) HAVE BEEN LAWFULLY COMPLETED AND ACCEPTED FOR MAINTENANCE BY THE MARYLAND STATE HIGHWAY ADMINISTRATION.
 THERE ARE NO SUITS, ACTIONS AT LAW, LEASES, LIENS, MORTGAGES, OR TRUSTS AFFECTING THE PROPERTY SHOWN HEREON.

DATE _____ WILLIAM R. DZYAK _____ WITNESS
 SOARING EAGLE, LLC

DATE _____ KATHY O. DZYAK _____ WITNESS
 SOARING EAGLE, LLC



PLAT TABULATION

NUMBER OF LOTS	1
NUMBER OF PARCELS	0
AREA OF LOT(S)	54,702 S.F.
AREA OF PARCEL(S)	54,702 S.F.
AREA OF STREET DEDICATION	9,661.43 S.F.
TOTAL AREA	64,363.43 SQ. FT. (1.4776 ACRES)

Department of Permitting Services
 Montgomery County, Maryland

Date: _____

Approved: _____ Director

The Maryland National Capital Park and Planning Commission
 Montgomery County Planning Board

Approved: _____ Chairman _____ Asst. Secretary - Treasurer

M.N.C.P. & P.C. Record File No. _____

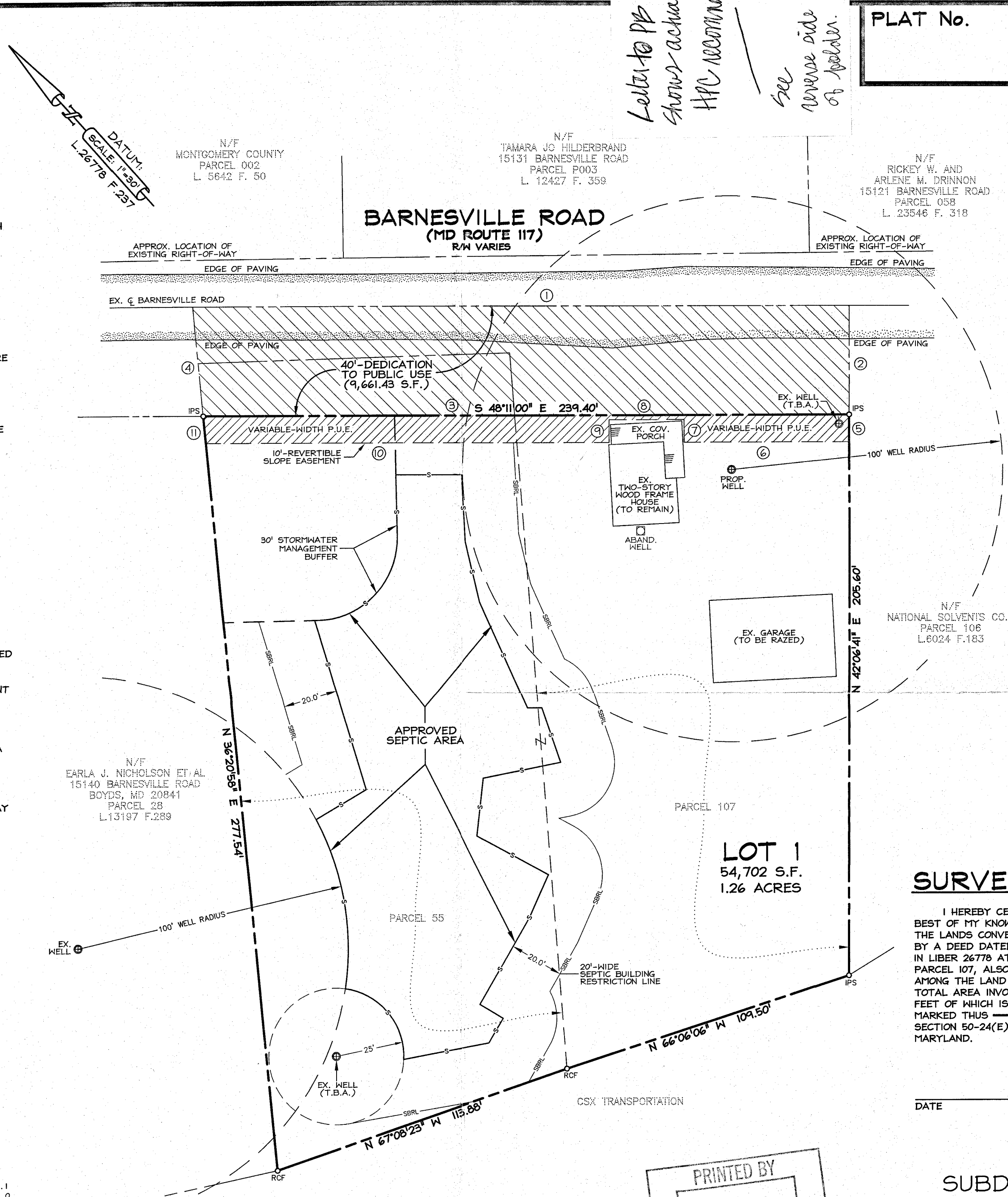
The Maryland National Capital Park and Planning Commission
 Montgomery County Planning Board

Approved: _____ Chairman _____ Asst. Secretary - Treasurer

M.N.C.P. & P.C. Record File No. _____

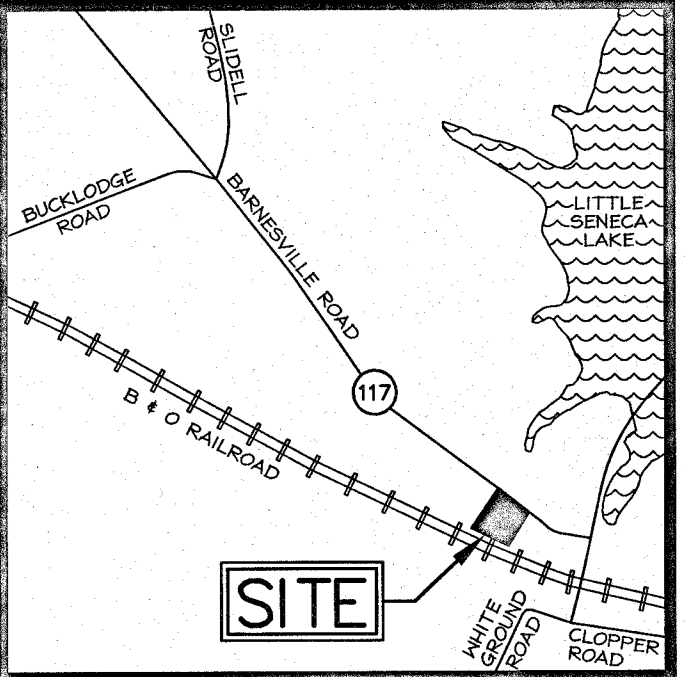
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*Letter to PB
 Show actual
 HPC requirements
 see reverse side
 of holder.*

PLAT No. _____



VICINITY MAP
 SCALE: 1" = 2000'

AREA CONVEYED TO THE MARYLAND STATE HIGHWAY ADMINISTRATION (SHA)

1	S 48°10'42" E	243.43'
2	S 42°06'41" W	40.01'
3	N 48°11'00" W	239.40'
4	N 36°20'58" E	40.21'

FEE SIMPLE AREA
 9,661.43 SQ. FT. OR 0.2218 ACRES

SHOWN THUS:

AREA OF REVERTIBLE SLOPE EASEMENT

3	S 48°11'00" E	239.40'
5	S 42°06'41" W	10.00'
6	N 48°11'00" E	60.89'
7	N 41°49'00" E	8.36'
8	N 48°11'00" W	27.73'
9	S 41°49'00" W	8.36'
10	N 48°11'00" W	149.76'
11	N 36°20'58" E	10.05'

EASEMENT AREA
 2,157.15 SQ. FT. OR 0.0495 ACRES

SHOWN THUS:

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT IT IS A RESUBDIVISION OF ALL OF THE LANDS CONVEYED BY TENNYSON PROPERTIES, LLC UNTO SOARING EAGLE, LLC, BY A DEED DATED FEBRUARY 17, 2004, AND RECORDED FEBRUARY 26, 2004, IN LIBER 26778 AT FOLIO 237; ALSO BEING A RESUBDIVISION OF PARCELS 55 AND PARCEL 107, ALSO KNOWN AS 15130 AND 15134 BARNESVILLE ROAD, AS RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, AND THAT THE TOTAL AREA INVOLVED IN THIS PLAT IS 64,363.43 SQUARE FEET, 9,661.43 SQUARE FEET OF WHICH IS DEDICATED TO PUBLIC USE, AND THAT ALL PROPERTY CORNERS MARKED THUS ARE IN PLACE AS SHOWN HEREON IN ACCORDANCE WITH SECTION 50-24(E) OF THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, MARYLAND.

DATE _____ DAVID JOHN RITCHIE
 PROFESSIONAL LAND SURVEYOR
 MD REG. NO. 21172

SUBDIVISION RECORD PLAT
 LOT 1
DZYAK PROPERTY
 A SUBDIVISION OF PARCELS 55 AND 107
 ALSO KNOWN AS 15130 & 15134 BARNESVILLE ROAD
 BARNESVILLE (11TH) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND
 SCALE: 1" = 30' JULY, 2007

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 JUL 9 2007
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202006

202006

HPC