SPECIAL REPORT

to the

Carroll County Planning and Zoning Commission December 16, 2025

Prepared by David Becraft, Development Review Division

SUBJECT: FX-22-0002 – Braddock Estates, Resubdivision of Section Three

LOCATION: 5139 Perry Road, Mount Airy, MD 21771; C.D. 4

OWNER: Hugh & Janet Collins, 5139 Perry Road, Mount Airy, MD 21771

DEVELOPER: Same as owner

ZONING: R-40,000

ACREAGE: 19.053 acres

NO. OF LOTS: 3 existing lots

MASTER PLAN: Low Density Residential - 2014 Carroll County Master Plan

FIRE DISTRICT: Winfield Community Volunteer Fire Department

DESIGNATED

GROWTH AREA: Outside

Action Required:

Braddock Estates, a reviewed and approved subdivision, is before the Planning and Zoning Commission per Chapter 155.039(N) at the request of the owner/developer. The request is for the review and determination of modification to the requirements regarding the surface material of a use-in-common driveway. **Action is required.**

❖ Plan Review:

This section of the Braddock Estates subdivision created Lots 82-84 and was recorded in Plat Book 57, page 117 on June 25, 2025 (plat attached). Prior to this subdivision, the original parcel accommodated a single-family dwelling, outbuildings, and a private driveway with direct access to Perry Road. The Braddock Estates, Resubdivision of Section Three plan placed the existing improvements on Lot 82, with the access for Lots 83 and 84 via Munchie Drive, a new paved use-in-common (UIC) driveway that merged with the existing driveway at the apron (approved construction plan attached).

This residential subdivision was processed through the County and met all applicable codes and regulations. As a result, the proposal was presented to the Planning and Zoning Commission on May 3, 2023 and was granted final approval.

Regulations applicable to UIC driveways include the requirement that a UIC driveway surface be paved. A paved surface enables optimal access for the Department of Fire and EMS (DFEMS) under variable weather conditions and over the course of time; maintenance is minimized, and access is more predictable. The request for modification to the UIC driveway is specific to the surface material (request attached). The request does not include modifications to the approved width, pullover, or vehicle turnaround requirements.

Determination of a modification to requirements for a UIC driveway lies with the Planning and Zoning Commission, per Section 155.039 of the Code:

📙 § 155.039 USE-IN-COMMON DRIVEWAY STANDARDS AND CRITERIA.

(N) Modifications. Where the Planning and Zoning Commission finds that because of unusual circumstances of shape and topography or other physical features or conditions of the proposed subdivision, or because of the nature of adjacent developments, extraordinary hardship may result from strict compliance with the UIC design requirements of § 155.039 and current County Standards, there may be granted a modification when requested by the developer/owner. However, no such modification shall be granted which will have the effect of nullifying the intent and purpose of the Master Plan, the zoning regulations, this chapter or any other pertinent rules, regulations or laws of the county. Prior to considering such requests, the Planning and Zoning Commission shall refer the matter for technical agency review, which may include the Department of Public Safety or the Department of Fire & EMS. In granting modifications, the Planning and Zoning Commission will consider the comments from the technical review agencies and may require such conditions as will, in its judgment, secure substantially the objectives of the standards of the requirements so waived or Chapter 155, Development and Subdivision of Land modified. The applicant shall submit a written request for a modification to the county. The request shall include the specific conditions necessitating a modification and include supporting documentation. Any modification for a particular subdivision or development shall be noted on the final plat and appear in the records of the Division.

The modification request was forwarded to the Department of Fire and EMS, the Resource Management Division, and Engineering Review for review and comment.

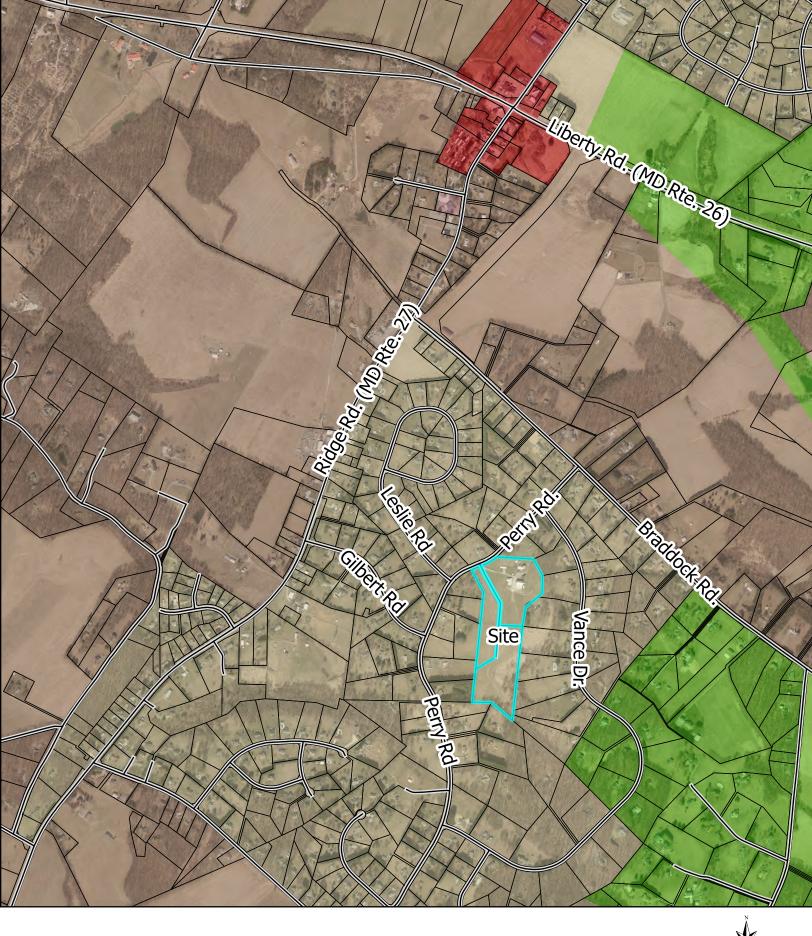
The Department of Fire and EMS stated they have no issue with the modification as long as the engineer can demonstrate that the driveway can support heavy vehicles and is maintained properly.

The Resource Management Division stated they have no issue with the proposal to change the driveway surface material.

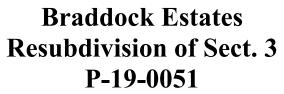
Engineering Review stated the Department of Public Works requires a paved apron be provided where the driveway meets the County roadway. The proposal does not include a change of surface material to the existing paved apron.

In accordance with the above-referenced Code, "Where the Planning and Zoning Commission finds that because of unusual circumstances of shape and topography or other physical features or conditions of the proposed subdivision, or because of the nature of adjacent developments, extraordinary hardship may result from strict compliance with the UIC design requirements of § 155.039 and current County Standards, there may be granted a modification when requested by the developer/owner." The property owner requests a determination from the Commission regarding the request for modification to the approved UIC driveway from paving to gravel.

If the request is granted by the Commission, the proposal will be subject to a plan review process to address the change to the UIC driveway.

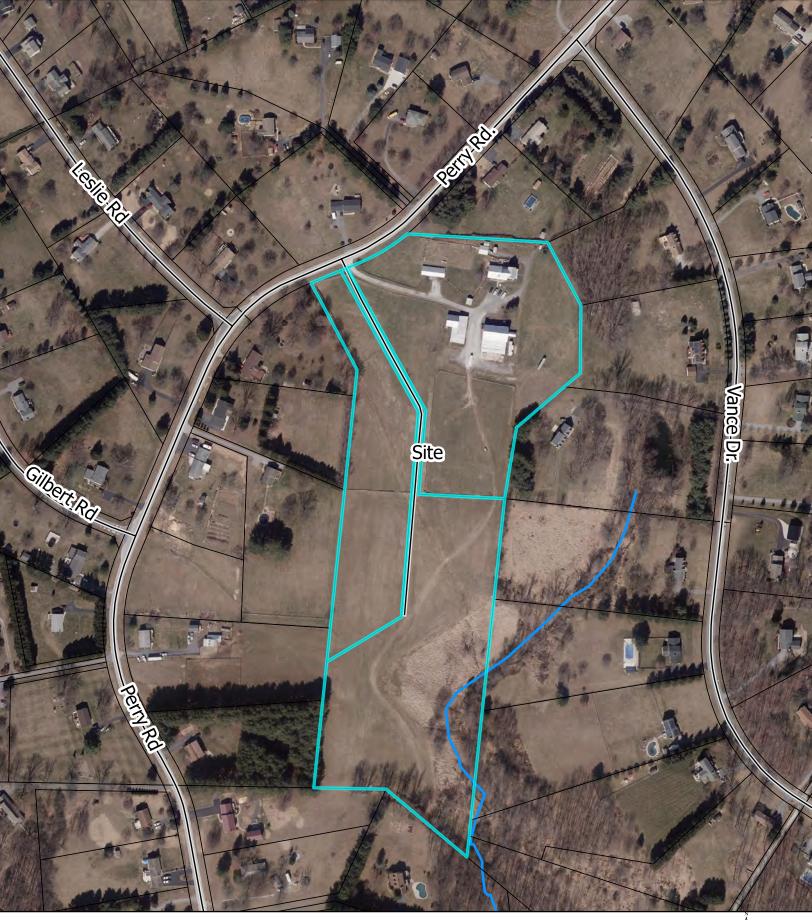


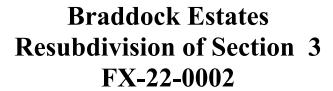




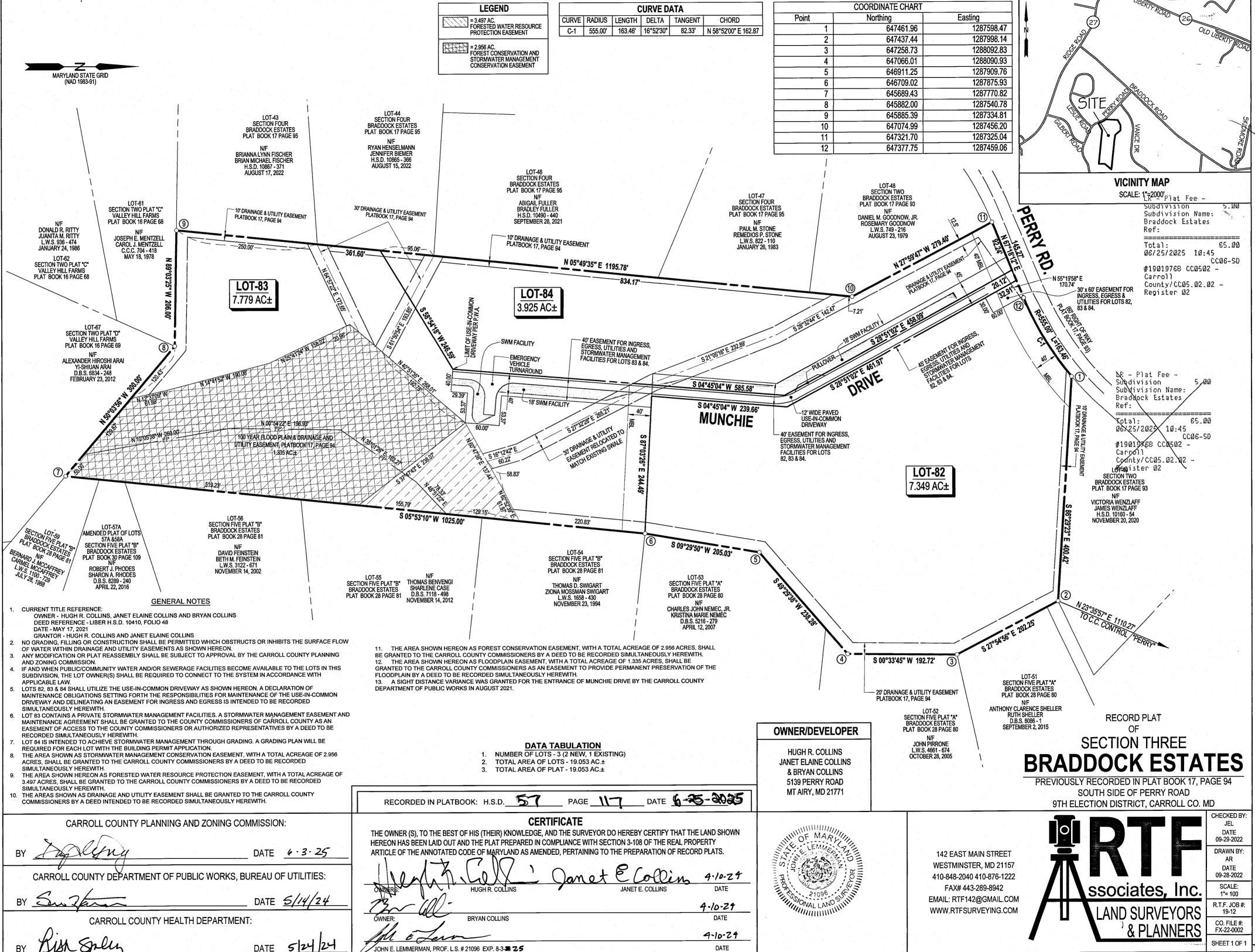


Property line shown hereon are from tax maps and therefore are approximate and are shown for illustrative reference only. Photograph date: Spring 2020

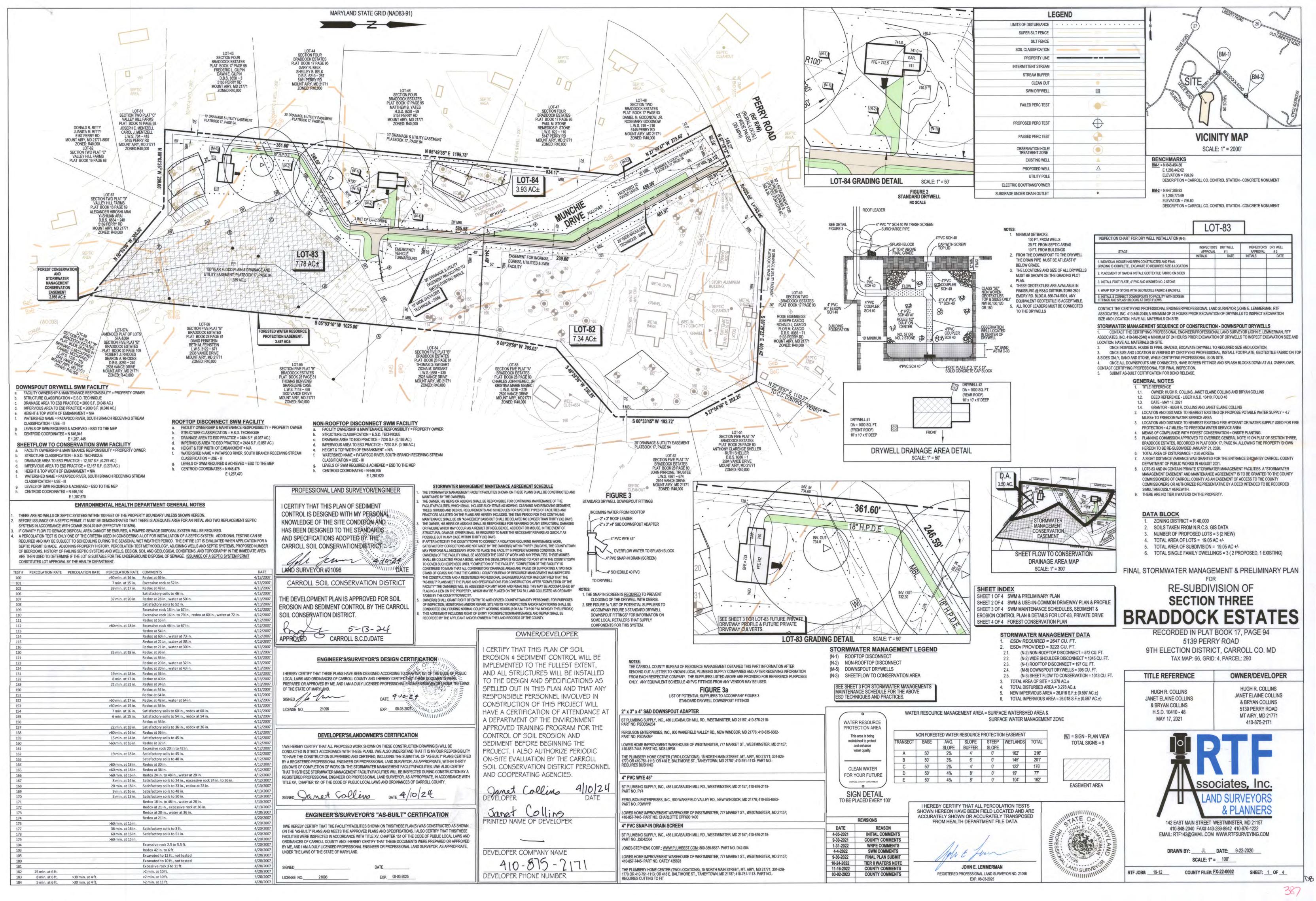


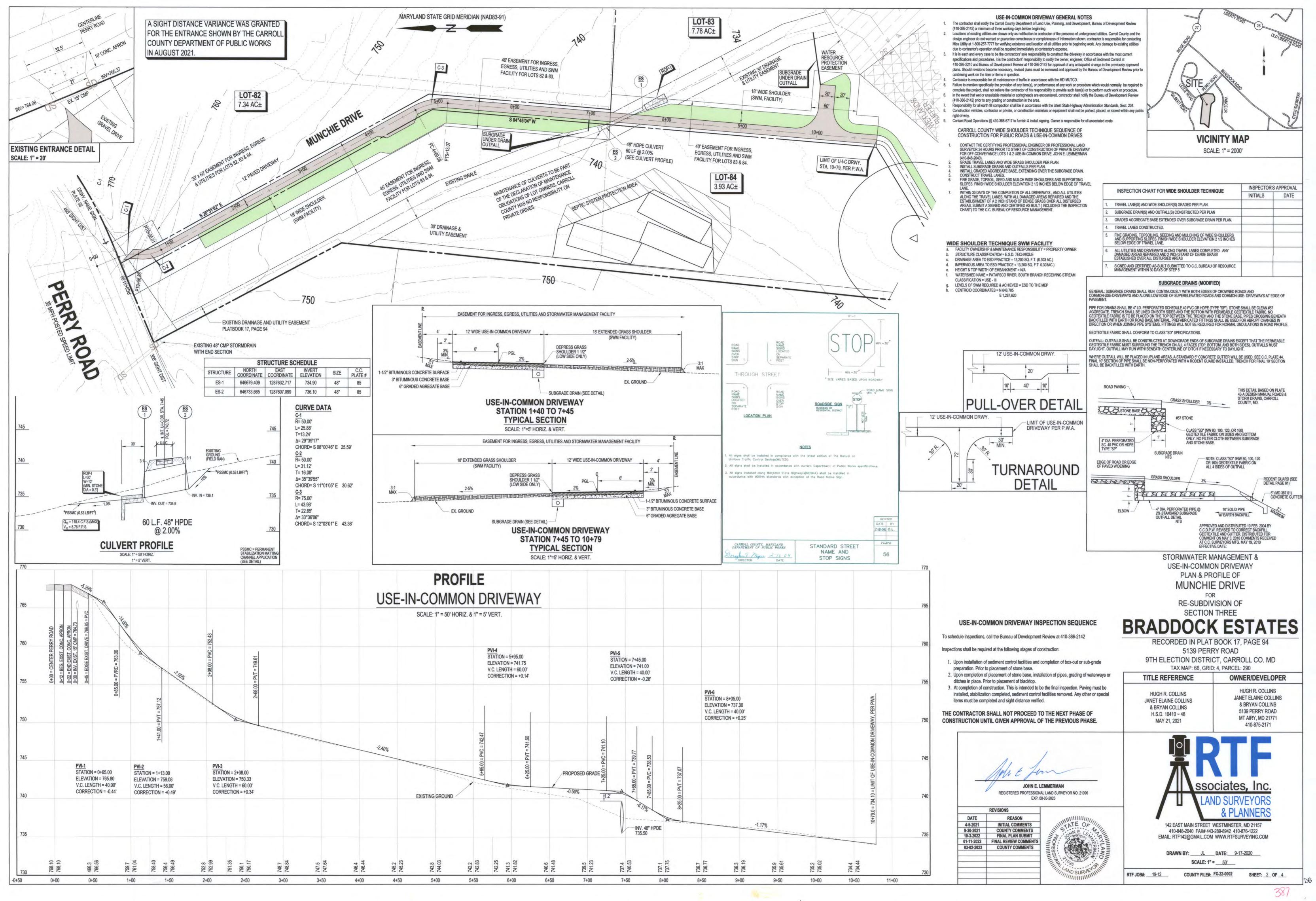


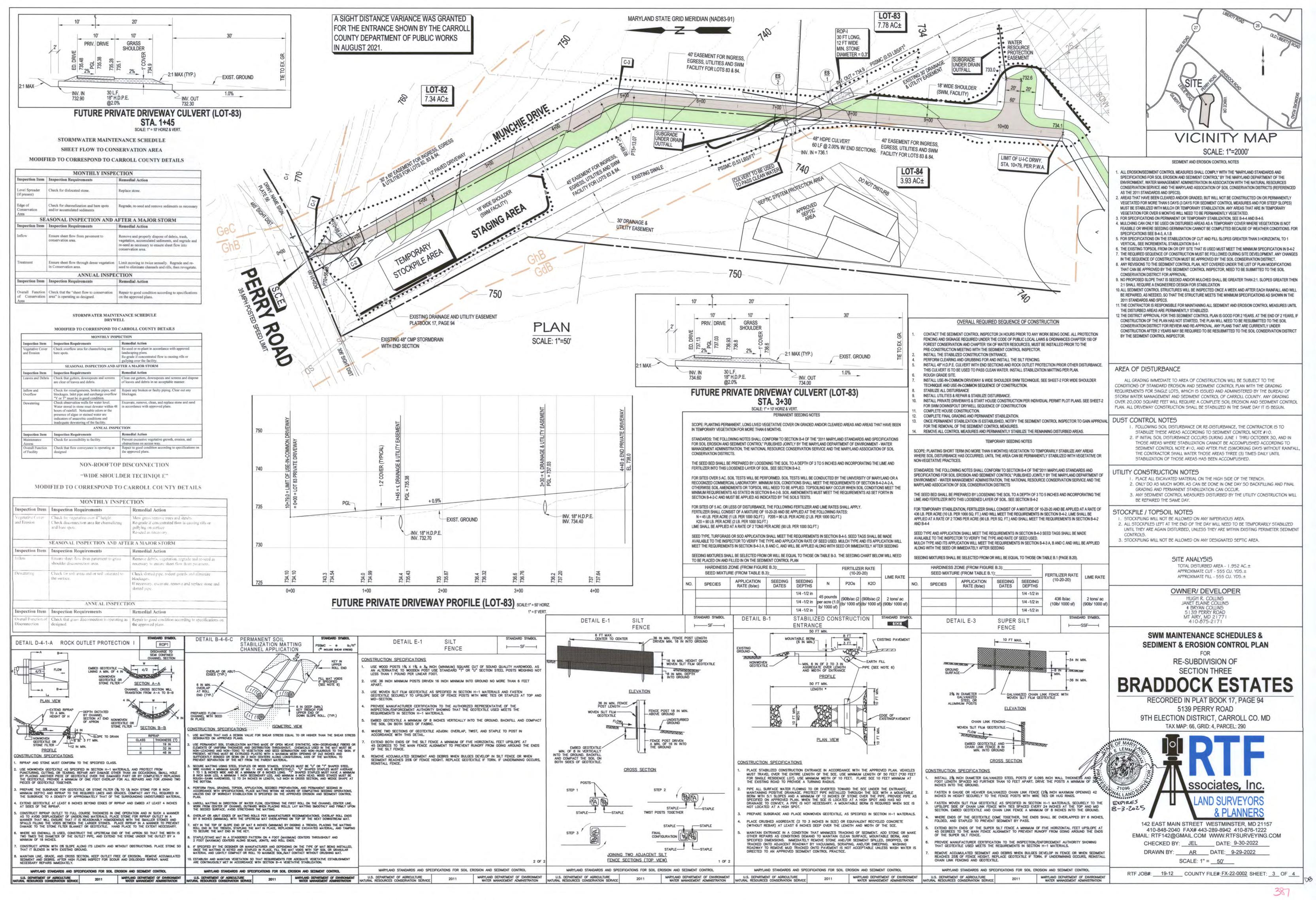


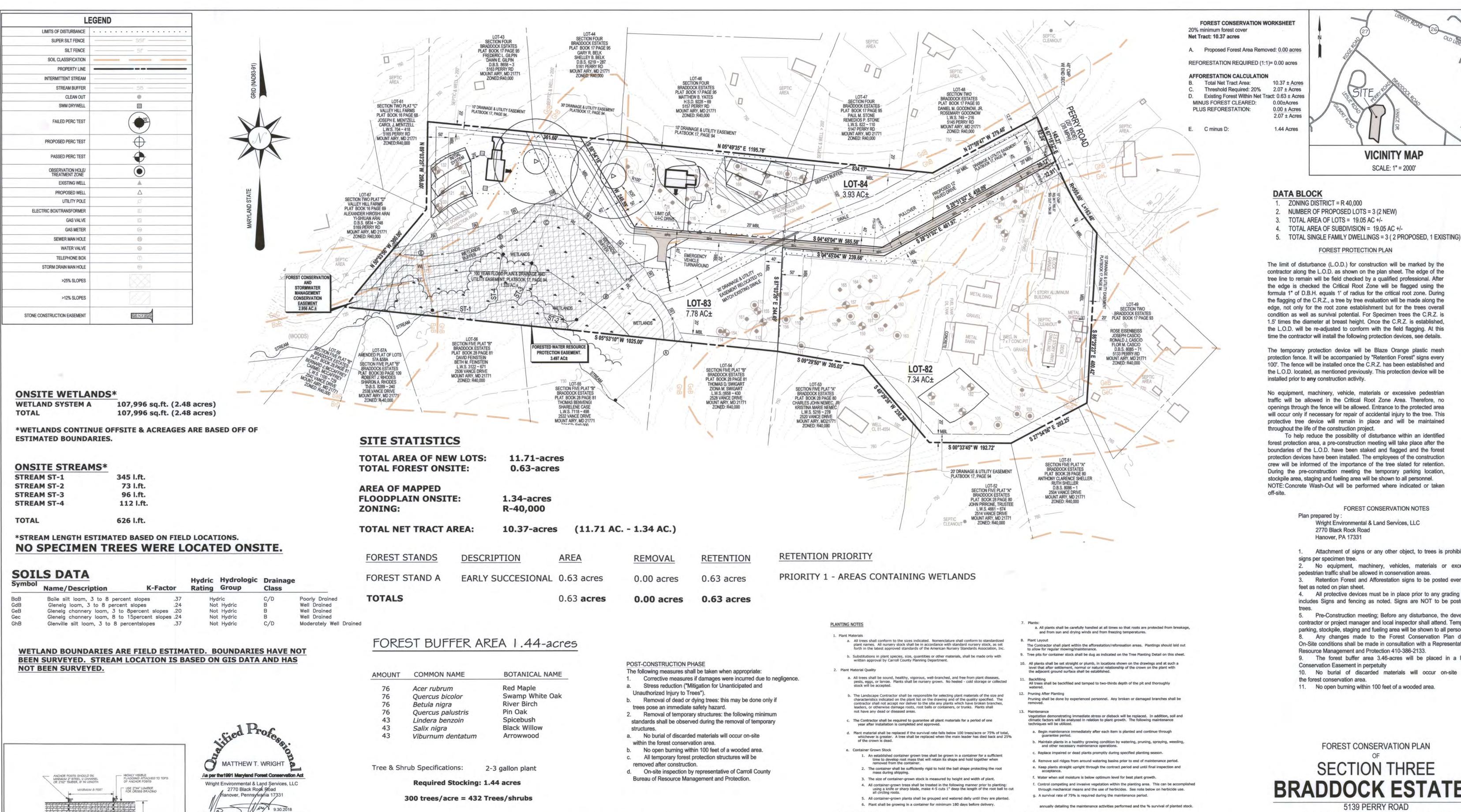


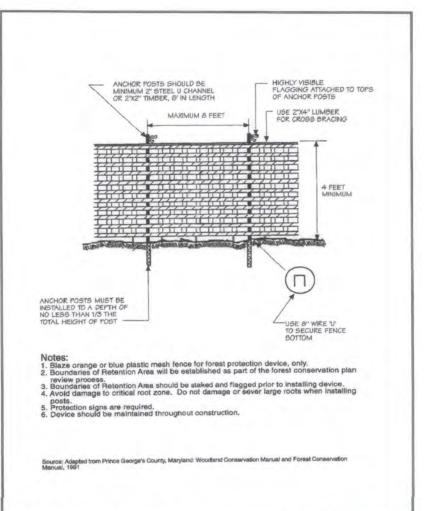
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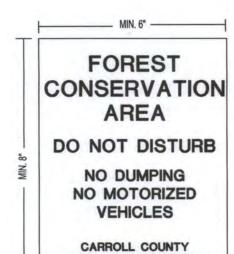






Plastic Mesh Tree Protection Fence





SIGN DETAIL

FOREST CONSERVATION PROTECTION FENCE & SIGNAGE **BUREAU OF RESOURCE** MANAGEMENT 410-386-2321 TOTAL NUMBER OF SIGNS = 9 (SAME LOCATION AS WATER RESOURCE

PROTECTION AREA SIGNS.)

OR FURTHER APART.

TOTAL FOREST RETENTION AREA FENCING = NONE (SUPER SILT FENCE TO PROVIDE PROTECTION DURING CONSTRUCTION. FOREST CONSERVATION SIGNS PLACED 100 FEET APART ALONG FENCING = 9

BOTTOM OF SIGNS TO BE HIGHER THAN TOP OF TREE PROTECTION

SIGNS TO BE PLACED APPROXIMATELY 100 FEET APART. CONDITIONS

SIGNS MAY BE REMOVED FROM RESIDENTIAL LOTS UPON ISSUANCE

OF USE AND OCCUPANCY FOR RETENTION FOREST ONLY. ALL SIGNAGE MUST REMAIN DURING THE MAINTENANCE PERIOD.

ATTACHMENT OF SIGNS TO TREES IS PROHIBITED.

ON SITE AFFECTING VISIBILITY MAY WARRANT PLACING SIGNS CLOSER

Not to Scale -5' MESH Tree Protection _5' Ventilated Tree TUBE _1'x1'X5' Wooden Stake _1'x1'X6' Wooden Stake -Backfill -Backfill

Container Planting and Tree Protection Detail

· Scarify sides of root ball and planting site.

Planting hole is twice the diameter of the root ball.
Root ball to be planted at the same depth as grown in the nursery.
In wet areas, plant with 1/4 of root ball above the ground.
S'x 1.5" diameter mesh cylinder or 5' ventilated tree tube will be utilized.

3. Clean-Up After Planting a. At the completion of the job, the Contractor shall remove all excess materials from the job site and clean up all areas affected by this work or storage of materials. The Contractor shall replace or repair, at no cost to the Owners, all site areas or surrounding items damaged by work of his contract. All paved areas and walkways shall be left broom-clean.

4. Planting soil for all plant materials shall consist of 100% soil excavated from the planting 5. The Contractor shall make the necessary arrangements to obtain clean freshwater for use during planting operations and the subsequent maintenance period 6. Plant List

REVISIONS

REASON

FINAL PLAN SUBMIT

WRPE COMMENTS

DATE

1-31-2022

10-3-2022

2770 Black Rock Road Hanover, Pennsylvania, 17331 Phone (717)698-1937 www.wrightenvironmental.net 14. Herbicide Use

The use of herbicide will be required to control competing vegetation and invasive plants.

A glyphosate based product is to be utilized for the control of vegetation within planted areas.

The glyphosate based product utilized within wetlands and wetland buffers must be approved for aquatic use. Herbicide application must be completed by a Certified Pesticide Applicator licensed by the Maryland Department of Agriculture.

OWNER / DEVELOPER

HUGH R. COLLINS

JANET ELAINE COLLINS

& BRYAN COLLINS

5139 PERRY ROAD

MT AIRY, MD 2177

410-875-2171

the L.O.D. located, as mentioned previously. This protection device will be installed prior to any construction activity.

No equipment, machinery, vehicle, materials or excessive pedestrian traffic will be allowed in the Critical Root Zone Area. Therefore, no openings through the fence will be allowed. Entrance to the protected area will occur only if necessary for repair of accidental injury to the tree. This protective tree device will remain in place and will be maintained throughout the life of the construction project.

VICINITY MAP

SCALE: 1" = 2000'

To help reduce the possibility of disturbance within an identified forest protection area, a pre-construction meeting will take place after the boundaries of the L.O.D. have been staked and flagged and the forest protection devices have been installed. The employees of the construction crew will be informed of the importance of the tree slated for retention. During the pre-construction meeting the temporary parking location, stockpile area, staging and fueling area will be shown to all personnel. NOTE: Concrete Wash-Out will be performed where indicated or taken

FOREST CONSERVATION NOTES

Wright Environmental & Land Services, LLC 2770 Black Rock Road Hanover, PA 17331

Attachment of signs or any other object, to trees is prohibited, 2 signs per specimen tree. 2. No equipment, machinery, vehicles, materials or excessive

pedestrian traffic shall be allowed in conservation areas. Retention Forest and Afforestation signs to be posted every 100

feet as noted on plan sheet.

4. All protective devices must be in place prior to any grading which includes Signs and fencing as noted. Signs are NOT to be posted on

5. Pre-Construction meeting; Before any disturbance, the developer,

contractor or project manager and local inspector shall attend. Temporary parking, stockpile, staging and fueling area will be shown to all personnel. 8. Any changes made to the Forest Conservation Plan due to On-Site conditions shall be made in consultation with a Representative of

Resource Management and Protection 410-386-2133. 9. The forest buffer area 3.46-acres will be placed in a Forest Conservation Easement in perpetuity

10. No burial of discarded materials will occur on-site within

the forest conservation area.

No open burning within 100 feet of a wooded area.

FOREST CONSERVATION PLAN

SECTION THREE **BRADDOCK ESTATES**

5139 PERRY ROAD

9TH ELECTION DISTRICT, CARROLL CO. MD TAX MAP: 66, GRID: 4, PART OF PARCEL: 290

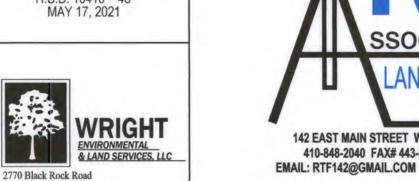


Hanover, Pennsylvania, 17331

www.wrightenvironmental.net

Phone (717)698-1937

TITLE REFERENCE



ssociates, Inc. 142 EAST MAIN STREET WESTMINSTER, MD 21157 410-848-2040 FAX# 443-289-8942 410-876-1222

EMAIL: RTF142@GMAIL.COM WWW.RTFSURVEYING.COM SCALE: 1" = 100' RTF JOB#: 19-12

COUNTY FILE # FX-22-0002 SHEET 4 OF 4



WHAT IS BEING REQUESTED:

We are requesting a modification to the driveway surface requirement per Chapter 155.039(N). Currently it is scheduled to be paved, and we are requesting that it be changed to a gravel driveway.

WHY WE ARE REQUESTING IT:

- 1) As environmentalists, we are making a serious effort to make the subdivision on this property environmentally friendly we spent a fair amount of time and money planting trees and creating an extensive water recourse protection area. After all that effort, a paved road does not coordinate with this effort.
- 2) Paved roads can release harmful chemicals into the air and runoff into water sources, contributing to pollution and degradation of aquatic life which is what we are trying to prevent with the water resource protection area.
- 3) The production of asphalt for paved roads involves significant energy consumption and greenhouse emissions, while gravel roads require less resource intensive maintenance
- 4) A gravel road is a lot more environmentally friendly due to its permeability, and its ability to filter water and replenish groundwater.
- A gravel road typically consists of layers of crushed stone, gravel aggregates, and sometimes clay for binding, allowing for water drainage and surface porosity.
- 5) Heat island issues- Paved roads absorb heat from the sun leading to excessive heat especially during the summer months.
- 6) Gravel roads create a more casual aesthetic which is appropriate for this location and rural lifestyle. We feel it is critical to preserve this country charm.
- 7) The road goes to only two houses which does not require a high traffic surface
- 8)) Paved roads require more frequent maintenance to prevent erosion portholes and other damage which can be costly.
- 9) The current list price of the two properties does not justify the additional expense of the paved road. The cost is prohibitive.

Thank you for your consideration, Jan Collins