

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

Nr100605a

For immediate release:

October 6, 2005

For more information, contact:

Nancy C. Lineman
Chief, Community Outreach and Media Relations
The Maryland National Capital Park and Planning Commission
The Montgomery County Planning Board
301/495-4609

**PLANNING BOARD HEARS PORTIONS OF CLARKSBURG TOWN CENTER
CASE; ISSUES RULINGS ON THREE SPECIFIC ALLEGATIONS**

SILVER SPRING, MD - After hearing more than seven hours of testimony and rebuttal presented by both Clarksburg residents and attorneys representing the developer in Clarksburg Town Center, the Montgomery County Planning board publicly deliberated for two additional hours and issued the following rulings on three alleged violations that were on their agenda today:

Phasing and provision of recreational amenities

In a unanimous vote, the Planning Board ruled the developer in violation of providing community-wide amenities in Phase I of the project in a timely fashion. The Board determined that developers have either not completed - or have not yet begun constructing such amenities as bike trails, swimming and wading pools, ball fields and storm water management ponds.

The developer is providing local facilities in accordance with the phasing schedule, the Planning Board ruled.

Inspections related to the Site Plan Enforcement Agreement

In a unanimous vote, the Planning Board ruled the developer was not in violation of a directive spelled out in the site plan enforcement agreement that required the developer to formally request on-site inspections of the construction sites at a specific time. The Planning Board agreed that the specified time has yet to have happened.

Phasing and clustering issues related to MPDUs

In a 4-1 vote, the Planning Board deferred a decision regarding the phasing and clustering of moderately priced dwelling units (MPDUs) that according to Montgomery County Code, must be built in a similar time frame as all other housing units in a particular development - and not clustered in a particular area of a given development. Commissioner Allison Bryant voted against deferral.

- more -

In the coming weeks, the Planning Board will hold additional public hearings on other alleged violations in Clarksburg Town Center.

Because of their quasi-judicial role, members of the Planning Board are not permitted to comment on cases before them that are still under consideration.

#