



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

TELECOPIER TRANSMITTAL

DATE: 10/15/04

TO:

	NAME:	COMPANY:	FAX NUMBER:
1.	<i>Michael Z...</i>		<i>301-495-1303</i>
2.			
3.			
4.			
5.			

FROM: *Leo Galante*
Department of Permitting Services
Division of Land Development Services
255 Rockville Pike, 2nd Floor
Rockville, Maryland 20850
Telecopier Phone Number: 240-777-6339

Operator's Name: _____

Operator's Phone Number: _____

Number of Pages Sent Including Cover Sheet: 8

DESCRIPTION/COMMENTS/SPECIAL INSTRUCTION:

East side PUD approval letter

FAXMEMO.12/00.doc





DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

October 15, 2004

Robert C. Hubbard
Director

Ms. Irene Carrato
Loiederman Soltesz Associates, Inc.
1390 Piccard Drive
Rockville, Maryland 20850

Re: **Preliminary Water Quality Plan for**
Eastside
SM File #: 214128
Tract Size/Zone: 23.8Ac/PD-11 Proposed
Tax Plate: EV 43
Parcels: P600
Montg. Co. Grid: 9D07
Watershed: Little Seneca Creek

SPECIAL PROTECTION AREA

Dear Ms. Carrato:

Based on a review by the Department of Permitting Services, the Preliminary Water Quality Plan (PWQP) for the above mentioned site is conditionally approved. This approval is for the elements of the Preliminary Water Quality Plan of which DPS has lead agency responsibility, and does not include limits on imperviousness or stream buffer encroachments.

Site Description: The site is located at the intersection of Gateway Center Drive and Shawnee Lane. This proposal is for a condominium and townhouse development with a zoning of PD-11. This is located within the Little Seneca Creek watershed of the Clarksburg Special Protection Area.

Stormwater Management: Water quantity control for this site will be provided via an extended detention dry pond. This structure will provide channel protection volume for the one-year storm with a maximum detention time of 12 hours per state standards. Quality control will be provided via a combination of structures that includes recharge structures, biofiltration structures, infiltration structures, surface sand filters in series, and water quality inlets (both filtering and flow through). Since open section roads will not be feasible for with the proposed zoning of the site, additional water quality volume will be provided in the proposed water quality and recharge structures. Areas that are intended for vehicular use are to be pretreated prior to entering any water quality structures. The primary water quality structures must be sized to treat a minimum of one-inch over the proposed impervious area with additional volume provided for open section offset.

Sediment Control: Redundant sediment control structures are to be used throughout the site. These are to include upland sediment traps that drain to secondary traps down grade, or when this is not feasible sediment traps with forebays will be acceptable. The total storage volume is to be 125% of the normally required volume.




Irene Carrato
October 15, 2004
Page 4

14. Infiltration and recharge structures must be a minimum of 20' from house foundations.
15. Verification from the adjacent property owner must be provided that will allow the offsite pond to be converted to a quality control structure. Details of this conversion and the piping of the quantity flows the proposed Cpv need to be included in the Final Water Quality Plan.

Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended Water Quality Plan requirements.

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

Sincerely,



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:dpm:CN214128

Enclosure

cc: C. Conlon (MNCPPC-DR)
M. Pfefferle (MNCPPC-ED)
D. Marshall (MCDEP)
L. Galanko
SM File # 214128

Qn: on-site 23.8 ac
Qt: on-site 23.8 ac.



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Douglas M. Duncan
County Executive

James A. Caldwell
Director

**Attachment to the Preliminary Water Quality Plan for the Eastside Project
Description of BMP Monitoring Requirements**

SM # 214-128

Date: September 24, 2004

The purpose of this attachment is to add specificity to the standard monitoring requirements and procedures contained in Montgomery County BMP monitoring protocols. Some supplemental QA/QC, data analysis, reporting and record keeping tasks will be explained in this attachment. Monitoring efforts and reports must follow report and monitoring methods and requirements contained in the BMP Monitoring Protocols in an attempt to determine effectiveness of BMPs. Monitoring is to be done according to BMP Monitoring Protocols. Prior to initiation of monitoring, consultants must contact DEP to review procedures and requirements. DPS and DEP must be contacted during the design phase of the SWM BMPs so that a representative BMP can be identified early on to be monitored. This will help to avoid the confusion that has resulted in some BMP monitoring as all inputs and outputs of the BMP are to be identified and understood before the monitoring is to commence. The total number of samplers is to be identified at this time. Thorough and careful analysis of data is required. Method(s) of data analysis and required statistical procedures will be provided by DEP before the start of field work. Methods and assumptions should be detailed. BMP Monitoring Protocols are available at <http://www.co.mo.md.us/services/dep/Publications/pdf%20files/bmpprotocols.pdf>

Monitoring Requirements

1. BMP monitoring reports must include a table with dates of all major construction activities which take place on the site. (Groundbreaking, clearing, grading, BMP construction, BMP conversion, pond maintenance, etc.) Information should refer to specific structures and portions of the site.
2. One (1) groundwater monitoring well with a continuous level logger is to be maintained for one year of baseline data, and continue throughout construction. Data on groundwater level must be collected for up to five years after completion of construction. Completion of construction is defined as the release of the sediment and erosion control



Watershed Management Division

bond. Readings should be taken every 30 minutes. Well installation logs should be provided. The groundwater well is to be surveyed to determine exact elevation. Groundwater levels are to be reported as actual elevations (surface elevation - depth to water). Data should be analyzed to determine the effectiveness of site design and stormwater management in maintaining groundwater levels. Data from the pre-construction period should be compared to results obtained in subsequent periods. Effect of site design, including BMPs, on stormwater infiltration should be evaluated. Graphs should be provided to support conclusions. DEP will provide data on local rainfall, recorded on five minute intervals, which will be considered in the analysis.

3. Three (3) cross sections and one (1) longitudinal profile will be surveyed annually on the receiving stream on the southeast side of the property. Surveys will be done during the time period specified in county BMP monitoring protocols. Surveys are to be done for one year of baseline data, and continue throughout construction. Surveys must also be collected for up to five years after completion of construction. Completion of construction is defined as the release of the sediment and erosion control bond. Preconstruction data will be compared to data obtained in subsequent periods to evaluate the effectiveness of BMPs in maintaining channel stability. Cross section and longitudinal profiles are to be done in accordance with the protocols followed by the county and contained in the BMP Monitoring Protocols.
4. Pollutant removal efficiency will be determined for one linked BMP. The collection of automated flow-weighted storm composite samples at the inflow and outflow points of each structure will be required. Samples are to be collected quarterly. Data on BMP efficiency must be collected according to county BMP monitoring protocols for up to five years following approval of the submitted "as-built" for the selected BMP. Analysis will evaluate effects of site design, whether pollutant removal efficiency changes over time, and compare removal efficiencies with published results. Drainage area, percent imperviousness, percent and total area of road surface, amount of open section or closed section roadway, and water quality pre-treatment approaches are to be reported and considered in the analysis.

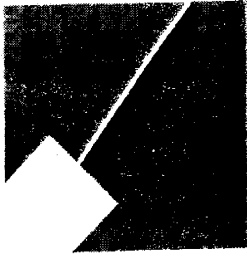
Total Suspended Solids (TSS) will be required quarterly at the sediment control structure during construction if practical. DPS, DEP and engineers designing the structure will collaborate to facilitate monitoring. Additional specificity on during-construction and post-construction monitoring requirements will be provided with the final water quality plan. A report on pre-construction conditions must be deemed acceptable by DEP and DPS prior to the issuance of a sediment control permit. For subsequent periods a draft annual report on BMP monitoring is due to DEP by **October 31st** of each monitoring year. A final report is due by December 1. All reports are to follow the report outline/format prepared by the BMP Monitoring Work Group. County code requires that reports be submitted quarterly. These quarterly reports may be incorporated in the annual report. This should be reflected in the title of the document. BMP monitoring reports are to be delivered with data in an electronic format (excel spreadsheet) to Doug Marshall at Montgomery County DEP and also to Leo Galanko at Montgomery County

DPS. All information submitted to DEP will be public information that DEP may freely copy and distribute. Questions on the monitoring requirements and procedures may be directed to the following personnel.

Doug Marshall
(240) 777-7740
douglas.marshall@montgomerycountymd.gov

Leo Galanko
(240) 777-6242
leo.galanko@montgomerycountymd.gov

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING


THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

MEMORANDUM

Date: September 7, 2004

To: Carlton Gilbert
Development Review Division

From: Taslima Alam 
Development Review Division

Subject: Board of Appeals Petition No. G-824

The proposed development requires subdivision. Prior to the release of any building permits the applicant will be required to submit a Preliminary Plan Application pursuant to Chapter 50 of the Subdivision Regulation and a Site Plan application pursuant to Chapter 59D-3 of the zoning ordinance and record a plat in the land records pursuant to Chapter 50 of the Subdivision Regulation.

WASHINGTON SUBURBAN SANITARY COMMISSION

DEVELOPMENT PROPOSAL REVIEW
FOR A
REZONING APPLICATION

APPLICATION NO.: G-824

DATE: SEPTEMBER 20, 2004

APPLICANT: MILLER & SMITH LAND, INC.

LOCATION: SE OF INTERSECTION OF GATEWAY CENTER DR & SHAWNEE LANE

COUNTY: MONTGOMERY COUNTY

200' SHEET NO.: 231NW13

PRESENT ZONING: R-200

PROPOSED ZONING: PD-11

SIZE OF PARCEL: 23.8211 ACRES

DWELLING UNITS: 290 THS AND APTS OTHER: NA

WATER INFORMATION

-
1. Water pressure zone: 836A
 2. A 12-inch water line abuts the property.
 3. Local service is adequate.
 4. Program-sized water main extensions (16 inches in diameter or greater) are not required to serve the property.
 5. The impact from rezoning this property would be negligible; estimated fire flow requirements would increase.

SEWER INFORMATION

1. Basin: Seneca Creek
2. A 15-inch sewer line traverses the property.
3. Flow from the present zoning: 14,000 GPD
Flow from the requested zoning 47,000 GPD
Flow from the proposed development: 52,000 GPD
4. Program-sized sewer mains are not required to serve the property.
5. Interceptor capacity is deficient. Cumulative future flows from existing authorizations exceed the capacity in portions of the downstream system. Since hookups are granted on a first-come-first-served basis, service for this development could become dependent the Crystal Rock WWPS and Force Main projects (CIP Project Nos. S-84.50, S-84.52 and S-84.53) being in service.
6. Rezoning this property would not significantly impact the sewerage system.

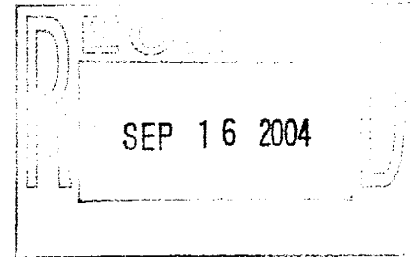
Statements of adequacy/inadequacy are made exclusively for this application at this time. Further analysis of adequacy will be part of the review at the time of application for water/sewer service.

Reviewed by Beth Forbes, 301-206-8819.



850 Hungerford Drive * Rockville, Maryland * 20850-1747
Telephone 279-3333

September 15, 2004



Mr. Carlton Gilbert
Development Review Division
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Dear Mr. Gilbert:

This letter is sent in response to rezoning application G-824, known as "The Eastside." This property is located on the southside of Shawnee Lane, west of Route 355, in Clarksburg, Maryland, and requests rezoning for 290 townhouses. The estimated student generation for these 290 townhouses is 81 elementary, 27 middle, and 31 high school students.

This property is located within the Clarksburg Elementary School, Rocky Hill Middle School, and Damascus High School service areas. Clarksburg Elementary School is projected to remain over capacity for the six year forecast period. A new elementary school, called "Clarksburg/Damascus Elementary School #7", is scheduled to open for the 2006-07 school year. Another elementary school, called "Clarksburg/Damascus Elementary School #8", is scheduled to open for the 2009-10 school year. The opening of these schools is intended to address projected space shortages at Clarksburg Elementary School. However, given the amount of new development approved in the Clarksburg Master Plan area, it is expected that additional new elementary schools will be needed to keep pace with the development of Clarksburg.

At the middle school level, Rocky Hill Middle School is projected to exceed capacity beginning in 2008-09. As development continues in the Clarksburg Master Plan area an additional middle school will be needed on a site identified in the master plan. This additional middle school is not yet scheduled for construction. At the high school level Damascus High School is projected to remain over capacity for the six year forecast period. A new high school, called "Clarksburg Area High School", is scheduled to open for the 2006-07 school year. This school will relieve projected space shortages at Damascus High School.

Please see the enclosed information from the FY2005 Master Plan and FY2005-2010 Capital Improvements Program. The current Annual Growth Policy (AGP) schools test finds capacity adequate in the Clarksburg cluster.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph J. Lavegna".

Joseph J. Lavegna, Director
Department of Planning and Capital Programming

JJL:bc

Enclosure

Copy to: Mr. Bowers, Mr. Crispell, Ms. Turpin

CLUSTER PLANNING ISSUES

Capital Project: Restroom renovations are planned for schools in this cluster that were constructed or modernized before 1985 and do not have planning or construction funds approved in the FY 2005–2010 CIP. Schools that are receiving an addition project will have the improvements completed at the same time. Please see Appendix W for the list of schools that are approved to receive restroom renovations.

Planning Issue: The Clarksburg Master Plan, approved in 1994, provides for the development of a community of up to 15,000 housing units. A large number of housing units are now in development. Build-out of the master plan will result in the formation of a new cluster of schools in the Clarksburg area. New elementary schools, a high school, and a replacement middle school are needed during the six-year CIP planning period. Staff will continue to monitor the growth in this area to determine future facility needs. Although one elementary school is already planned for the new Clarksburg area cluster, enrollment projections indicate that planning for another elementary school will need to begin later in the six-year CIP period.

Planning Issue: In preparation for enrollment growth, the Rocky Hill Middle School facility was designed so that it could be converted into a high school facility when needed. A replacement facility for Rocky Hill Middle School will be constructed prior to the high school opening.

SCHOOLS

Clarksburg Area High School

Capital Project: FY 2005 construction funds are approved to begin the construction of the conversion of Rocky Hill Middle School into the new Clarksburg Area High School. The opening of this school is approved for August 2006. In order for this school to be completed on schedule, two critical funding sources must be provided. First, the County Council must provide local funding at the levels approved in the FY 2005–2010 CIP, and second, the State of Maryland must provide state funding at the levels projected by the County Council for the FY 2005–2010 CIP.

Non-Capital Action: A boundary study will be conducted in the spring of 2005 to review options for the creation of the service area for the new school with Board of Education action scheduled for November 2005.

Damascus High School

Utilization: Large projected high school enrollment increases in the Damascus cluster require a new high school to be opened during the six-year CIP planning period. A new school will address the long-term facility needs for the

cluster, as well as provide relief for projected overutilization at Seneca Valley and Watkins Mill high schools. Relocatable classrooms will be used at Damascus High School as needed until the new high school opens.

Capital Project: Plans are approved for a project to improve congestion in the hallways by connecting existing dead-end corridors on the south wing at Damascus High School and to create an additional science laboratory in the school. FY 2004 construction funds were approved to complete the improvements by August 2004.

Non-Capital Action: A boundary study will be conducted in the spring of 2005 to review options for the creation of the service area for the new school with Board of Education action scheduled for November 2005.

John T. Baker Middle School

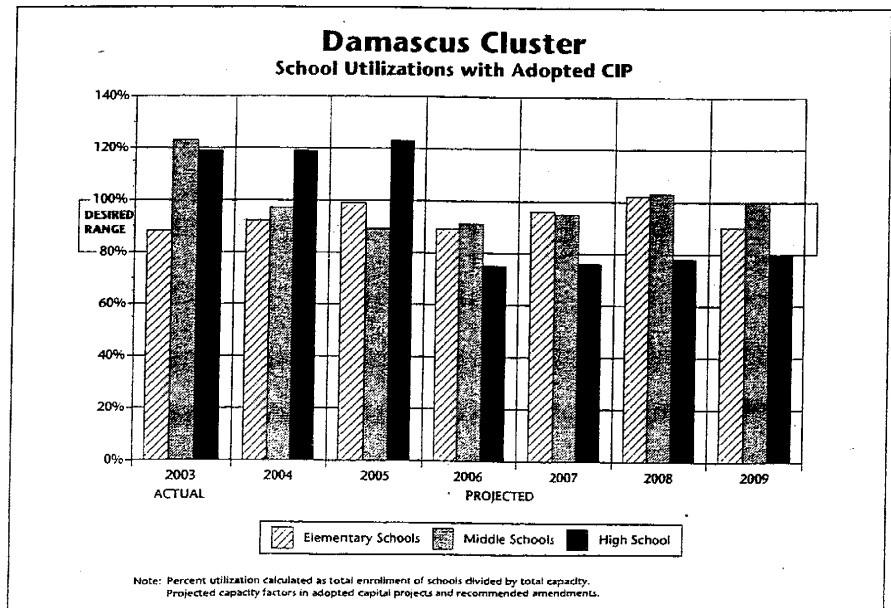
Utilization: Projections indicate that enrollment at John T. Baker Middle School will exceed capacity throughout the six-year CIP period. An addition is needed at the school to accommodate projected enrollment. Relocatable classrooms will be used until the addition is completed.

Capital Project: A six-classroom addition to John T. Baker Middle School is scheduled for August 2005. Planning funds were approved in FY 2001–2006 for the addition. FY 2005 construction funds are approved to build the addition.

Rocky Hill Middle School

Utilization: Projections indicate that enrollment will increase at Rocky Hill Middle School as new development proceeds in the Clarksburg area. A new replacement facility will open prior to the conversion of the Rocky Hill facility into the new high school.

Capital Project: The scheduled date for opening the replacement middle school using a repeat middle school design is August 2004. Fifteen additional classrooms will be constructed



Damascus Cluster

Montgomery County Public Schools
850 Hungerford Drive

Map Compiled by MCPS Department of Planning and Capital Programming Sep 12, 2003
Map base provided by Montgomery County DIST Geographic Information System Division

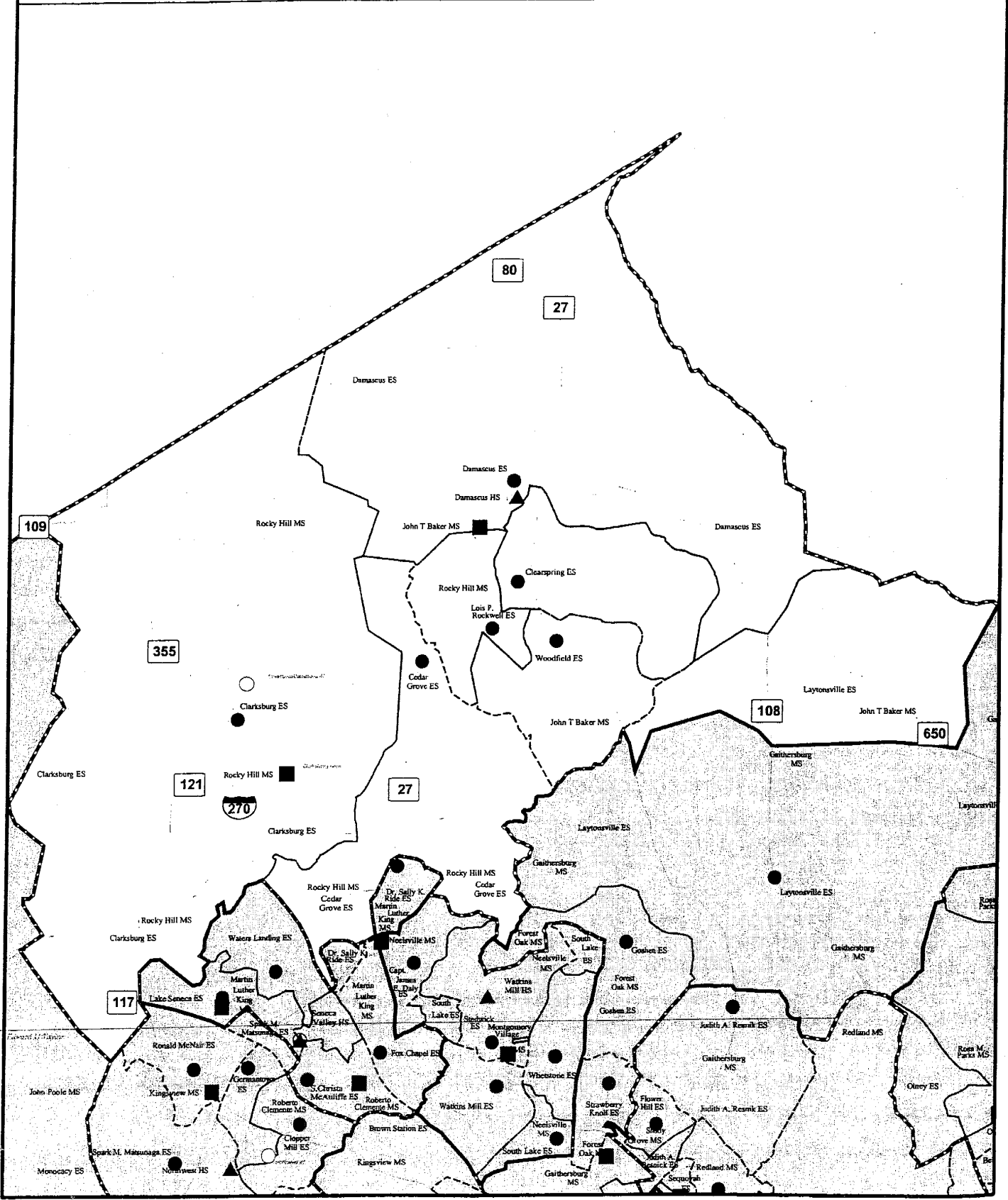


- | | | | |
|--------|-----|---------|-------------------|
| Closed | New | Current | Grades K-2 |
| | | | Grades 3-6 or 3-5 |
| | | | Grades K-5 |
| | | | Middle Schools |
| | | | High Schools |

Vicinity Map



- | | |
|--|-----------------------|
| | Cluster Service Areas |
| | ES Service Areas |
| | Major Roads |



... t M I o u v l e F M e l F N b e o p t h s c D U r o q u t h w i

to increase the capacity to 990 to accommodate projected enrollment. In order for this school to be completed on schedule, two critical funding sources must be provided. First, the County Council must provide local funding at the levels approved in the FY 2005–2010 CIP, and second, the State of Maryland must provide state funding at the levels projected by the County Council for the FY 2005–2010 CIP.

Clarksburg Elementary School

Utilization: Enrollment growth at Clarksburg Elementary School reflects the first phase of the Clarksburg master plan development. Additional capacity is needed to accommodate the growing enrollment in this area. A feasibility study was conducted in spring 2001 to explore the feasibility of an addition to Clarksburg Elementary School. Because of additional subdivision approvals, the enrollment forecast for this school increased dramatically, generating the need for a new elementary school rather than an addition.

Clarksburg/Damascus Elementary School #7

Capital Project: A new elementary school is needed to relieve Cedar Grove and Clarksburg elementary schools. FY 2005 planning and construction funds are approved to complete the architectural design and begin the construction for the new school. The anticipated completion date for the new school is August 2006.

Capital Project: FY 2005 planning funds are approved for a gymnasium. The anticipated completion date for this gymnasium is August 2006.

Non-Capital Action: A boundary study will be conducted in the winter of 2004–05 to review options for the creation of the service area for the new elementary school. Board action is anticipated in March 2005.

Clarksburg/Damascus Elementary School #8

Utilization: Projections indicate that enrollment at the elementary school level will continue to increase dramatically throughout the six-year period requiring another elementary school in the Clarksburg area.

Capital Project: FY 2005 facility planning funds are approved for a feasibility study to determine the scope and cost for a new school. The proposed opening date for the school is August 2009. In order for this gymnasium to be completed on schedule, the County Council must provide local funding at the levels approved in the FY 2005–2010 CIP.

Capital Project: FY 2007 planning funds are approved for a gymnasium. The anticipated completion date for this gymnasium is August 2009. In order for this gymnasium to be completed on schedule, the County Council must provide local funding at the levels approved in the FY 2005–2010 CIP.

Clearspring Elementary School

Planning Issue: A new Highly Gifted Center was approved for placement at Clearspring Elementary School. This center will serve students from the Damascus, Gaithersburg, Col. Zadok Magruder, and Watkins Mill clusters. The program began with 50 students in Grade 4 in the 2002–2003 school year, followed in the 2003–04 school year with full implementation in Grades 4 and 5. An additional class will be added to the fourth grade beginning in the 2004–2005 school year, followed with the fifth grade in the next year (75 students per grade).

Lois P. Rockwell Elementary School

Capital Project: FY 2005 planning funds are approved for a gymnasium. The anticipated completion date for this gymnasium is August 2006. In order for this gymnasium to be completed on schedule, the County Council must provide local funding at the levels approved in the FY 2005–2010 CIP.

CAPITAL PROJECTS

School	Project	Status	Date of Completion
Clarksburg Area HS	Conversion of Rocky Hill facility	Approved	Aug. 2006
Damascus HS	Corridor circulation & science lab improvements	Approved	Aug. 2004
Baker MS	6-classroom addition	Approved	Aug. 2005
Rocky Hill MS	Replacement facility	Approved	Aug. 2004
Clarksburg/Damascus ES #7	New school Gymnasium	Approved	Aug. 2006
Clarksburg/Damascus ES #8	New school Gymnasium	Approved	Aug. 2009
Rockwell ES	Gymnasium	Approved	Aug. 2006

DAMASCUS CLUSTER

Projected Enrollment and Space Availability Effects of Adopted FY 2005-2010 CIP and Non-CIP Actions on Space Available

Schools		Actual	Projections							
		03-04	04-05	05-06	06-07	07-08	08-09	09-10	2015	2020
Damascus HS	Program Capacity	1589	1589	1589	1616	1616	1616	1616	1616	1616
	Enrollment	1887	1874	1949	1984	2011	2062	2117	2600	3000
	Available Space	(298)	(285)	(360)	(368)	(395)	(446)	(501)	(984)	(1384)
	Comments			Circ. & Science Lab Improv.	+2 SLC -2 ED -1 SCB +1 LFI					
Clarksburg Area HS	Program Capacity	0	0	0	1012	1012	1012	1012	1012	1012
	Enrollment	0	0	0	0	0	0	0	0	0
	Available Space	0	0	0	1012	1012	1012	1012	1012	1012
	Comments	Planning For New School			Opens +2 ED, +2 SCB +1 LFI					
John T. Baker MS	Program Capacity	559	559	694	694	694	694	694	694	694
	Enrollment	744	721	678	689	691	689	647	700	700
	Available Space	(185)	(162)	16	5	3	5	47	(6)	(6)
	Comments	+1 LFI		+6 Room Addition						
Rocky Hill MS	Program Capacity	675	990	990	990	990	990	990	990	990
	Enrollment	771	770	827	845	904	995	1082	1200	1500
	Available Space	(96)	220	163	145	86	(6)	(92)	(210)	(510)
	Comments			Replacement Facility Opens						
Cedar Grove ES	Program Capacity	533	533	533	483	483	483	483		
	Enrollment	552	562	582	584	610	634	655		
	Available Space	(19)	(29)	(49)	(101)	(127)	(151)	(172)		
	Comments				-FDK					
Clarksburg ES	Program Capacity	402	402	402	355	355	355	355		
	Enrollment	401	460	680	873	1051	1231	1418		
	Available Space	1	(58)	(278)	(518)	(696)	(876)	(1063)		
	Comments				-FDK					
Clarksburg/ Damascus #7 ES	Program Capacity	0	0	0	738	738	738	738		
	Enrollment	0	0	0	0	0	0	0		
	Available Space	0	0	0	738	738	738	738		
	Comments	Planning For New School			Opens +Gym +FDK					
Clarksburg/ Damascus #8 ES	Program Capacity	0	0	0	0	0	0	738		
	Enrollment	0	0	0	0	0	0	0		
	Available Space	0	0	0	0	0	0	738		
	Comments		Facility Planning		Planning For New School			Opens +Gym		
Clearspring ES	Program Capacity	648	664	664	664	664	664	664		
	Enrollment	542	534	554	549	552	550	556		
	Available Space	106	130	110	115	112	114	108		
	Comments	Int. & Todd. Program Staff	-FDK	-1 Pre-K, +1 HS, +1 LAD						
Damascus ES	Program Capacity	387	387	362	362	362	362	362		
	Enrollment	343	333	332	326	325	325	337		
	Available Space	44	54	30	36	37	37	25		
	Comments	+1 SCB		+FDK						
Lois P. Rockwell ES	Program Capacity	624	624	570	570	570	570	570		
	Enrollment	447	446	449	463	474	468	469		
	Available Space	177	178	121	107	96	102	101		
	Comments	+1 PEP -1 HS Int. & Todd.		+1 PEP +FDK	+Gym					
Woodfield ES	Program Capacity	538	538	538	538	491	491	491		
	Enrollment	456	430	455	449	454	471	476		
	Available Space	82	108	83	89	37	20	15		
	Comments					+FDK				
Cluster Information	HS Utilization	118.7%	117.9%	122.8%	75.5%	76.5%	78.4%	80.5%	98.9%	114.1%
	HS Enrollment	1,887	1,874	1,949	1,984	2,011	2,062	2,117	2,600	3,000
	MS Utilization	122.8%	96.3%	89.4%	91.1%	94.7%	100.0%	102.7%	112.8%	130.7%
	MS Enrollment	1,515	1,491	1,505	1,534	1,595	1,684	1,729	1,900	2,200
	ES Utilization	87.5%	87.5%	99.1%	87.2%	94.3%	100.1%	88.6%	102.0%	115.6%
	ES Enrollment	2,741	2,765	3,052	3,244	3,466	3,679	3,911	4,500	5,100

*Total capacity for Clarksburg High School will be approximately 1,600.

DAMASCUS CLUSTER

Facility Characteristics of Schools 2003-04

Schools	Year Opened	Year Ren./ Mod.	Total Square Feet	Site Size Acres	Park Adjacent	FACT Assess. Score	Child Care				Reloc. Class. 2003-04	Link To Learn. Prgms.	Elem. Gym
							Joint Use	Shared Space	County Owned	Private Mod.			
Damascus HS	1950	1978	226,901	32.7		1496					13		
John T. Baker MS	1971		102,568	22	PK	TBD	Yes				9		
Rocky Hill MS	1995		120,625	62.7							5		
Jedar Grove ES	1960	1987	57,037	10.1			Yes				6		Yes
Clarksburg ES	1952	1993	54,983	10			Yes				3		Yes
Clearspring ES	1988		77,535	10	PK		Yes						Yes
Damascus ES	1934	1980	53,239	9.4		TBD	Yes						Yes
Lois P. Rockwell ES	1992		70,412	10.6			Yes						Yes
Woodfield ES	1962	1985	53,212	10			Yes						Yes

Note: PK denotes that a park is adjacent to the school.

DAMASCUS CLUSTER

Demographic Characteristics of Schools 2003-04

Schools	Total Enrollment	African American %	American Indian %	Asian American %	Hispanic %	White %	FARMS* %	ESOL** %	Mobility Rate*** %
Damascus HS	1,887	7.5%	0.5%	6.4%	5.4%	80.3%	5.3%	0.0%	9.4%
John T Baker MS	744	6.7%	0.9%	3.4%	5.6%	83.3%	10.2%	0.0%	6.3%
Rocky Hill MS	771	12.6%	0.1%	8.8%	6.9%	71.6%	12.1%	0.1%	8.3%
Cedar Grove ES	552	17.4%	0.4%	20.1%	8.3%	53.8%	12.5%	4.9%	14.6%
Clarksburg ES	401	9.2%	0.7%	11.7%	4.2%	74.1%	13.5%	3.7%	8.3%
Clearspring ES	542	14.0%	0.4%	10.3%	7.0%	68.3%	20.7%	3.1%	11.6%
Damascus ES	343	5.8%	0.3%	1.2%	7.3%	85.4%	10.2%	2.0%	6.0%
Lois P. Rockwell ES	447	4.0%	0.0%	2.9%	7.2%	85.9%	7.8%	1.1%	6.2%
Woodfield ES	456	4.8%	0.7%	3.7%	3.7%	87.1%	4.8%	0.7%	5.2%
Elementary Cluster Total	2,741	9.8%	0.4%	9.0%	6.4%	74.4%	11.9%	2.7%	8.7%
Elementary County Total	63,124	22.1%	0.4%	14.5%	20.8%	42.3%	28.5%	10.6%	15.9%

*Percent of students approved for Free and Reduced-priced Meals program in 2003-04

**Percent of English for Speakers of Other Languages in 2003-04. High School Students served at regional ESOL centers.

***Mobility Rate is the number of entries plus withdrawals during the 2002-03 school year compared to total enrollment.

Program Capacity and Room Use Table
(School Year 2003-04)

Schools	Grades Served	Capacity (Sec. @90%)	Total Rooms	Reg. Sec. @25	Reg. Elem. @25	Support Rooms	Class-Size Red Init.—Grades K-2	Pre-K @20	Pre-K @40	HS @20	KINDA @22	KINDH @44	ESOL @15	METS @15	SPECIAL EDUCATION PROGRAMS																											
															SEC LAD @15	ELEM LAD @13	ELC @10	LANG @12	LFI @10	SCB @6	ACC @7	AUT @6	BRIDGE @10	DROH @7	EC @10	ED @10	EXTENSIONS @6	LD/OT @13	MR @8	PD @7	PEP @18	SLC @10	VISION (Elementary) @7	VISION (Secondary) @6	ADMINISTRATIVE USERS							
																																				School Based	Cluster Based	Quad Cluster Based	County & Regional Based			
Damascus HS	9-12	1,589	75	67											3			2	1																							
John T. Baker MS	6-8	559	28	22											3			2	1																							
Rocky Hill MS	6-8	675	32	28											2																											
Cedar Grove ES	K-5	533	24		17	3	N					2																														
Clarksburg ES	K-5	402	19		11	3	N					2			3																											
Clearspring ES	HS-5	648	33		20	3	N	1				2					4																									3
Damascus ES	K-5	387	21		13	4	N					1																														
Lois P. Rockwell ES	HS-5	624	28		20	4	N					2																														2
Woodfield ES	K-5	538	23		18	3	N					2																														

Maskal, Nellie

From: Paul Majewski 301-975-4069
Sent: Friday, October 15, 2004 11:37 AM
To: Maskal, Nellie
Cc: Krisna_Becker@hgsi.com; Krisna Becker; kathie@fentontitle.com
Subject: Re: Oct 15 version - Requesting strict conditions on Eastside's PD-11 proposal (G-284)

October 15, 2004

Ms. Nellie Maskal -

Please include the essence of this e-mail in your staff report to the Planning Board for their October 21 hearing of the Eastside application (G-824). I understand that the report will also be sent to the Hearing Examiner for their October 25 hearing of the application.

The developer showed our Clarksburg Civic Association Planning Committee the plans for Eastside in June. We received a copy of a revised plan since then. After deliberation, on October 4, our Clarksburg Civic Association Executive Committee (CCA-EC) passed the resolution that :

"We are against a PD-11 zoning there.

- Transit should be required to be built before high density is approved.
- There is not enough green space within the development.
- The bus depot neighboring Eastside is a health hazard."

We have concerns that as long as the bus depot and its pollution remain at its current site, and until there is an assurance (a bill or funding) that there will be a transitway, then the maximum zoning should be denied. We believe that the majority (or substantial amount) of the greenspace should be **usable** greenspace. We have not examined the most recent plan, but we make this last statement knowing that much of the open space is devoted to storm water management, which is not usable. The Clarksburg Master Plan (CMP) pages 57 and 58 discuss the open space for public parkland and small, open spaces as a setting for people to meet informally.

I'm told the CMP limits the neighborhood density to 1,000 units, which could be exceeded if the Board of Education bus depot site there is developed to comparable density. Further, the probable addition of "Comsat" property into the residential category will add further density. All of these limits suggest that density not be near maximum at this Eastside site.

But we do appreciate the higher 58% green space, which, unfortunately, might not be continued with a PD-9 zoning.

I suggest it be accepted with the condition that the development plan not be accepted (or furthered) until:

- there is an assurance (a bill or funding) that there will be a transitway, on which all future dense development in this area is relying on;

- a majority or substantial amount of greenspace should be **usable** greenspace for people;
- the other plans in the neighborhood have progressed to assure that the CMP maximum limit of 1,000 units is not surpassed and that together, they provide the diversity in housing required of a PD zoning;
- that the "Comsat" property turning residential is examined at a "master planning" thorough level, considering, for instance, transportation, water quality, mix of residential/commercial;
- that the bus depot neighboring Eastside cease 50% of its current operation.

Much of our community still depends on well water. We experience the importance of water quality. We live in

Clarksburg for the purity of nature and insist on maintaining water quality, even those of us with piped-in water. We do not want such a high density that could endanger that water quality.

The Clarksburg community fought over various issues in the development of the CMP in the early 90's. We view it as an agreement that we strongly desire to uphold. We appreciate your past efforts to uphold the Clarksburg Master Plan and our other community concerns. We trust you will continue in that vein and thank you for doing so.

Please apply to this plan, as we request for all plans, adaptation to the CCA general design concepts and the CCA resolution that the developer needs to pay for infrastructure incurred.

Those are our main concerns. I have four concerns that I believe should be handled separately, so as not to distract from or interfere with the above statements:

1. There is a pertinent clause in the CMP, whose interpretation impacts on the zoning. The CMP calls for the site to have a PD 9-11 zoning and states on page 98 that "Where there is a range in the PD density, the higher density may be achieved only through maximum use of the MPDU provisions." Having a maximum of 11 units/acre in the 23.82 site means an end total of 262 units. To get the maximum MPDUs and stay under the 261 units, then a zoning of PD-9 is dictated. $9 * 23.82 \text{ acres} = 214$ base units, allowing 20% (42) MPDU's for a total of 253 units or 15% (33) for a total of 247. The 262 units are a maximum implied by the CMP sentence and do not have to be realized.

I talked with you, Nellie, and Karen Kumm Morris. You explain that you have a different interpretation of that sentence. As I understand your interpretation, the maximum in the sentence refers to an end state maximum, after any bonuses. But considering that the CMP is written for laymen, I think that my interpretation is highly possibly the intended one, which I would expect to be honored.

2. There should be a PD-10 that is the average of PD-9 and PD-11. I believe that Eastside should be zoned PD-10, which would add one more level of scrutiny (re-zoning), to any future plans to squeeze more units into the development.

3. PD-9 should require 50% greenspace.

4. Zoning should define minimum **usable** greenspace in addition to minimum greenspace.

- Sincerely,

Paul E. Majewski, President, Clarksburg Civic Association

**SHULMAN
ROGERS
GANDAL
PORDY &
ECKER, P.A.**

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Donald R. Rogers
Karl L. Ecker†
David A. Pordy+
David D. Freishtat
Martin P. Schaffer
Christopher C. Roberts
Jeffrey A. Shane
Edward M. Hanson, Jr.
David M. Kochanski
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* Virginia also

* Maryland only

+ D.C. only

+ Retired

Writer's Direct Dial Number:

301-230-6576

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October 14, 2004

Via Overnight Mail

Mr. Paul Majewski
President, Clarksburg Civic Association
12233 Piedmont Road
Clarksburg, MD 20871-9329

Re: Eastside Local Map Amendment G-824, Shawnee Lane, Clarksburg

Dear Mr. Majewski:

Thank you for your recent expression of interest and comments regarding the Eastside Local Map Amendment application. Miller and Smith Land, Inc. (the "Applicant") values citizen and civic association input on its projects. As an example, the Applicant met with the Clarksburg Civic Association's Planning Committee on June 17, 2004 and received a positive response to its Eastside proposal. We look forward to the possibility of meeting with you at your earliest convenience to discuss your most recent comments. In that regard, we will be telephoning you directly to arrange a meeting.

In the meantime, we would like to briefly respond to your comments:

1. Timing of Transit. The provision of transit follows, rather than precedes, development. This is done to create sufficient ridership and fee resources for the State to justify providing transit. Additionally, please note that we have not taken any credit for transit in our Local Area Transportation Review. Rather, our proposed Shawnee Lane improvements project fully addresses the traffic impact of the Eastside community. Thus, the provision of transit will be an additional bonus to the future residents of Eastside and the community.

2. Green Space. Our Development Plan provides green space throughout Eastside, including both active and passive recreation areas. At Staff's request, we have modified our green space to provide a larger and more usable critical mass in the central portion of our units. Eastside meets all applicable recreational requirements and far exceeds the 50% green space requirement applicable to the medium density PD-11 zone. Also, please note that the middle school / future high school property is in the vicinity of Eastside and offers a variety of active recreational facilities.

3. Proximity of School Bus Depot. We have filed two separate noise analyses prepared by Wyle Laboratories with the Hearing Examiner. These studies, dated May 26 and September 16, 2004, confirm that noise from the bus depot does not exceed County standards. The Applicant has also had a consultant prepare a Phase I Environmental Site Assessment for Eastside, including a review of adjacent properties. That study did not indicate any hazards to health that would harm potential Eastside residents. Additionally, an existing mature stand of trees situated between Eastside and the bus depot will be substantially maintained, and residential units closest to the bus depot will be located and designed to minimize intrusion from the depot.

4. MPDUs. We have collectively addressed and balanced numerous competing requirements and interests in designing what we believe is the most appropriate development for Eastside. These include: (i) the appropriate number, mix and layout of residential units; (ii) Master Plan guidelines; (iii) Zoning Ordinance requirements for green area and parking; (iv) the County's MPDU standards and related PD zone provisions; (v) stormwater management requirements, etc. The result is a 290-unit project which includes the provision of 40 MPDUs, all on-site. Forty MPDUs equals 13.6% of our units and satisfies the County Code requirement for projects containing an 11% density bonus such as Eastside. Given the project we have designed, we have maximized our MPDUs and have thus complied with the intent of the Master Plan. Moreover, we exceed the 12.5% minimum MPDU standard and, as noted, also exceed the MPDU provisions of the PD Zone. In addition, we are not proposing any waivers or fee-in-lieu payments from our MPDU proposal. With all due respect, we believe that we have accurately calculated and provided the required number of MPDUs for our project. Finally, it is our understanding that the Staff agrees with our MPDU analysis and calculation.

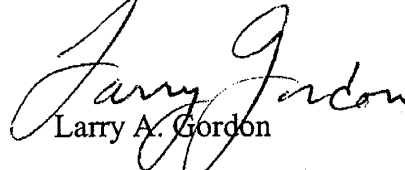
5. Well Water. The County and State have stringent requirements with which all new developments, including Eastside, must comply. We have filed a preliminary water quality plan with the County and our plan includes a water infiltration recharge system. Additionally, Eastside is located in a designated

Special Protection Area for which the County has established stringent water quality standards. Eastside is in WSSC water category W1 and will be served by public water.

In closing, we hope that you will consider the initial responses contained in this letter and afford us an opportunity to meet with you to discuss these issues and review our Development Plan.

Very truly yours,


Timothy Dugan


Larry A. Gordon

cc: Ms. Elsabett Tesfaye
Ms. Nellie Maskal
Mr. Chuck Ellison