ELM STREET
DEVELOPMENT

November 7, 2002

Mr. Malcolm Shaneman
Development Review Division
MNCP&P Commission
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Re: Final Clarksburg Village TDR Requirement

Dear Malcolm,

The Clarksburg Village Preliminary Plan will be going back to the Planning Board to add the 24 lots in Nanna along with three more MPDU's and to modify the traffic conditions to match those recently approved for Greenway Village. If possible, I would like to also settle on the number of TDR's needed for Clarksburg Village.

In my memo of August 2, 2001, I presented four different ways to calculate the number of MPDU's and TDR's for Clarksburg Village. I propose we now agree on Method 4 as revised for the slight different number of acres and units due to the Nanna Property addition. This calculation is attached for your review and it indicates that we should have 337 MPDU's and 521 TDR's.

If you agree, I would like to get these numbers approved with the revised preliminary plan. These revised numbers could then be used in the review and approval of our Section One site plan which should be in front of the Planning Board fairly soon.

I would also request that the size of the approved day care building be increased from 2,500 S.F. to 5,000 S.F. This building size is what the day care companies require today. Thank you for your consideration of my request.

Sincerely,

David D. Flanagan
President

DDF:klc
cc: Nellie Maskal

6820 Elm Street, Suite 200, McLean, Virginia 22101 Telephone: (703) 734-9730 • Facsimile: (703) 734-0322

Method 4

Preliminary Plan Tabulations: Permitted Density = 2,708 units
Proposed Density = 2,590 units
741.4 acres

Based on "Example C" of TDR/MPDU memo

Applicant wishes to minimize number of MPDU's

1. Percent Density Bonus:
   2590 – 1482 (base density) – 500 (250 multi TDR's) – 495 (1 for 1 TDR) = 113 units, minimum density bonus
   113 ÷ (1482 + 995) = 4.6% density bonus

2. Number MPDU's (from table):
   4.6% density bonus requires 13% MPDU
   2590 x .13 = 337 MPDU

3. Number TDR's:
   Since number of MPDU's (337) is greater than density bonus (113), no bonus market rate units are obtained. Number of units from TDR's is, therefore; 2590 – 1482 (base density) – 337 MPDU = 771 units from TDR's

   250 (multi 2 for 1) = 500 units
   271 (1 for 1 TDR) = 271 units
   521 TDR's create 771 units from TDR's

4. Unit Summary:

Base Density	1482
TDR's (1 for 1) units	271
250 TDR's (2 for 1 multi) units	500
MPDU's	337
Total	2,590

Total TDR's	521
Total MPDU's	337

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

July 21, 2003

MEMORANDUM

TO: Wynn E. Witthans, Urban Designer
Development Review Division

VIA: Sue Edwards, I-270 Corridor Team Leader
Community-Based Planning Division

FROM: Nellie Shields Maskal, Community Planner
Community-Based Planning Division

SUBJECT: Clarksburg Village, Phase 1 (Site Plan No. 8-03002)

RELATION TO THE 1994 CLARKSBURG MASTER PLAN

Clarksburg Village is located in the Newcut Road Neighborhood District of the 1994 Clarksburg Master Plan Area and will be traversed by the proposed A-302 (Newcut Road Extended) and proposed A-305 (Midcounty Arterial). It is also located south of Stringtown Road, northeast of Ridge Road, and northeast of MD 355.

This neighborhood includes approximately 1,060 acres, most of which is vacant. It is separated from the Clarksburg Town Center and Transit Corridor Districts by Stringtown Road and Little Seneca Greenway and will be traversed by the proposed Midcounty Arterial (A-305).

As shown in Figure 1, the land use recommendations for the Newcut Road Neighborhood propose a mixed-use center on Newcut Road, approximately midway between A-305 and Skylark Road. This will provide a concentration of activity and density in the middle of the neighborhood while promoting lower densities at the edges. This concept also clusters development near the greenway system and enhances public access to Ovid Hazen Wells Park.

The Clarksburg Master Plan recommends a mixed-use neighborhood with transit-oriented land use patterns for this District. The proposed site plan recommends a significant number of new residential units. In combination with Greenway Village located directly to the east, these two large projects will provide approximately 3,900 residential units and 109,000 square feet of commercial space.

The proposed site plan complies with the Master Plan land use objectives as follows:

1. Range of Units

   The Master Plan emphasizes 45-55 percent single-family detached, 35-45 percent single-family attached, and 10-20 percent multi-family dwelling units. The proposal provides for a mix of units that satisfies the range of residential unit types proposed in the Master Plan.

2. Street Oriented Buildings

   Street oriented buildings are one of the major principles of the Master Plan. The Planning Board at time of Preliminary Plan approval recommended that dwelling unit orientation along all road right-of-ways be addressed at the time of site plan review.

   Conformance to the Master Plan's Policy 7, on street orientation and specific language in the Newcut Road Neighborhood, page 62, is very important if Clarksburg is to be a different, neo-traditional type of community that will make Clarksburg unique and appealing. See Figures 2 and 3.

   To assure that rear yards shall not be seen from adjacent roadways, especially at street intersections, unit orientation should be to major streets. The proposed site plan generally conforms to this Master Plan objective.

3. Windows into the Park

   The "park bordered by a street" relationship opens up views of the Greenway and is a significant design principle of the Master Plan. This important relationship allows the community to visually experience the beauty of Clarksburg's stream valley parks and not have the open space hidden behind a row of residential lots. In general, along the Master Plan roadways (A-305 and A-302), there will be significant vistas of the Little Seneca Creek Greenway.

   The proposed site plan satisfies this Master Plan objective.

4. Bikeway Connection

   The Master Plan emphasizes bikeway access from neighborhoods to shopping and employment areas as well as to key community facilities. The applicant should provide a bikeway connection through the greenway trail to the adjacent Greenway Village community, Ovid Hazen Wells Regional Park, and the proposed elementary school. This will improve access to the neighborhoods, school, and the park.

The Greenway bikeway trail needs to run under A-305 within a structure and continue up to the Greenway Village community. Connections to the Greenway bikeway trail need to be shown from the traffic roundabout.

CONCLUSION

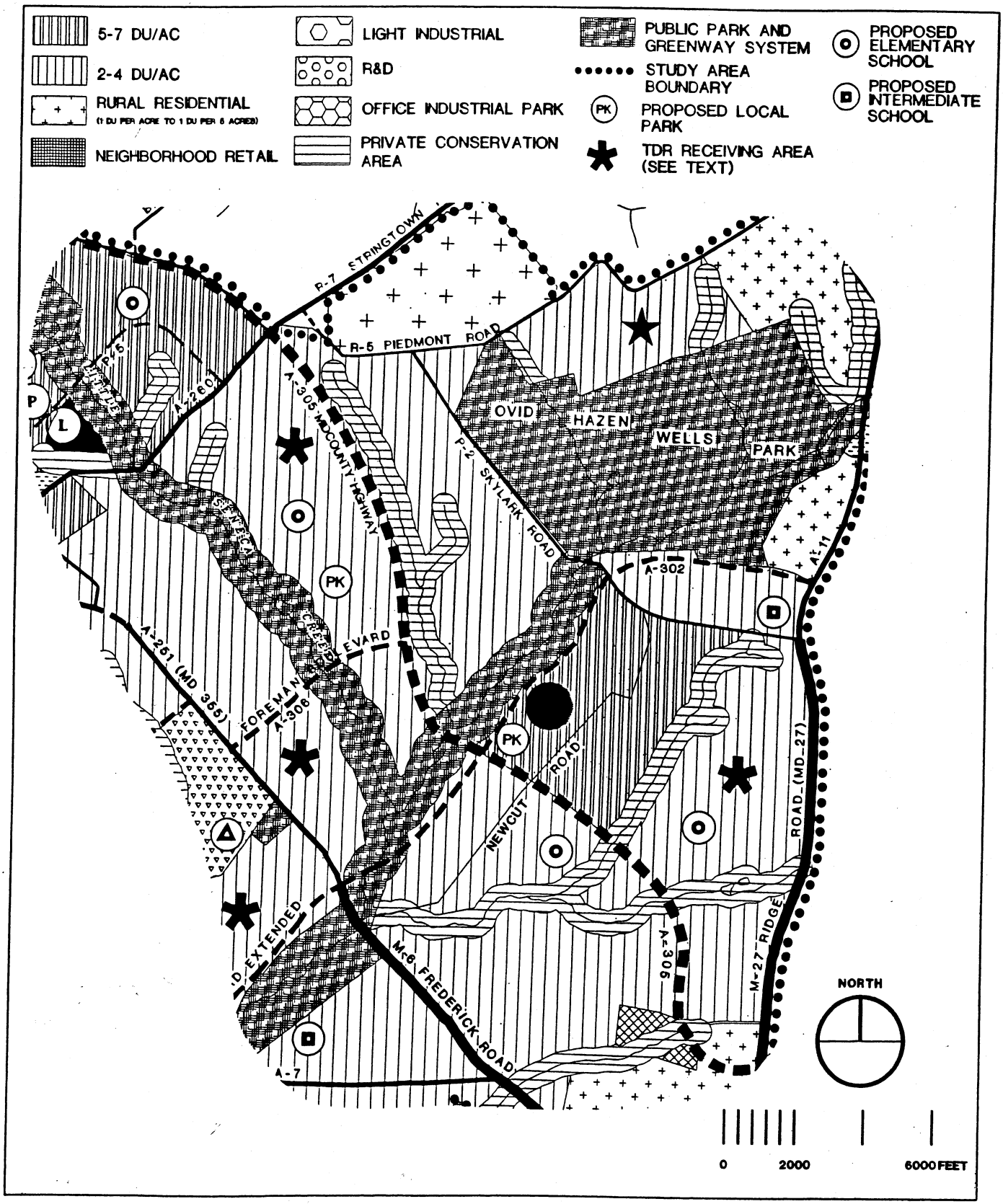
Staff recommends approval of the proposed site plan subject to the conditions mentioned above.

Attachments

NSM:tv: N:/8-03002.doc

Figure 1

Newcut Road Neighborhood Land Use Plan



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

July 18, 2003

Mr. Alan Barney
Charles P. Johnson Associates, Inc.
1751 Elton Road
Silver Spring, Maryland 20903

Re: **Final** Water Quality Plan for Clarksburg Village-Phase I
SM File #: 200006
Preliminary Plan No.: 1-01030
Tract Size, Zone: 333 Ac., R-200/TDR-4, R-200/TDR-3, R-200 and PD-4
Tax Plate: EW, EV, FV 123 and FV 122
Watershed: Little Seneca Creek

SPECIAL PROTECTION AREA

Dear Mr. Barney:

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

Site Description: Phase I of the site consists of 333 acres located on the east side of Stringtown Road across from the intersection with Clarks Crossing Drive. The proposed zoning of the site is R-200/TDR-3 & 4, R-200 and PD-4. The development will consist of mixed residential (single-family detached, townhouses, and multi-family units) along with the associated infrastructure. This site is located in the Clarksburg Special Protection Area (SPA) of the Little Seneca Creek Watershed.

Stormwater Management: Water quantity control for this site will be provided via several dry ponds. These structures 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 treatment train that consists of vegetated conveyance swales, dry swales (vegetated swales underlain with infiltration structures), bioretention structures, surface sand filters, structural sand filters and infiltration/recharge structures. Non-structural measures for the backs of some lots that are draining to the stream valley buffer have also been used. In areas where open section roads are not feasible, additional water quality measures are required to offset the lost benefits that open section roadways provide. These offsetting measures include maximizing the sand surface area in the surface sand filters (sand on the entire footprint), providing structural pretreatment prior to all filtering structures and providing additional recharge volume. Areas that are intended for vehicular use are to be pretreated prior to entering filtration and infiltration structures. The water quality structures must be sized to treat a minimum of one-inch over the proposed impervious area without subtracting the recharge volume.

Sediment Control: Redundant sediment control structures are to be used throughout the site. These are to include upland sediment traps which drain to secondary traps down grade, or when this is not feasible sediment traps with forebays will be acceptable.

All sediment trapping structures are to be equipped with dewatering devices. Also, due to the sensitive nature of the watershed coupled with the large amount of proposed development, the use of flocculants or other measures to increase the effectiveness of sediment control removal will be required in the detailed sediment control plan. The following features are to be incorporated into the detailed sediment control plan:

1. The earth dikes that feed the sediment traps are to be constructed using trapezoidal channels to reduce flow rates.

2. The site grading shall be phased whenever possible to limit disturbance and immediate stabilization is to be emphasized.

3. Silt fence alone will not be allowed as a perimeter control. The use of super silt fence will be acceptable for small areas of disturbance.

Performance Goals: The performance goals that were established at the pre-application meeting are to be met as specified in the Preliminary Water Quality Plan and further refined in the Final Water Quality Plan. They are as follows:

1. Protect the streams and aquatic habitat.

2. Maintain the natural on-site stream channels.

3. Minimize storm flow run off increases.

4. Identify and protect stream banks prone to erosion and slumping.

5. Minimize increases to ambient water temperatures.

6. Minimize sediment loading.

7. Maintain stream base flows.

8. Protect springs, seeps, and wetlands.

9. Minimize pollutant loading (nutrient and toxic substances).

Monitoring: The monitoring must be in accordance with the BMP monitoring protocols which have been established by the Department of Permitting Services (DPS) and Department of Environmental Protection (DEP). Prior to the start of any monitoring activity, a meeting is to be held on site with DEP, DPS and those responsible for conducting the monitoring to establish the monitoring parameters. **The pre-construction monitoring must be completed prior to the issuance of a sediment control permit.** See the attachment to this approval letter for Phase I titled "Description of Monitoring Requirements" for during construction and post construction detailed monitoring requirements.

The "during construction" monitoring requirements are to last through the construction phase of the development, and the "post construction" monitoring will last for five years after construction is complete.

Conditions of Approval: The following conditions must be addressed in the initial submission of the detailed sediment control/stormwater management plan. This list may not be all inclusive and may change based on available information at the time of the review:

1. The stream channels on-site are to be walked to determine if channel restoration is necessary.

2. The proposed roadway dry swales are to have under drains that tie into the proposed storm drain structures. This will require approval from the Department of Public Works and Transportation.

3. Percolation tests must be performed to determine the feasibility of providing infiltration structures for water quality and ground water recharge.

4. Provide clear access to all stormwater management structures from a public right-of-way.

5. Water quality structures that are to be used for sediment control must have a minimum undisturbed buffer of two feet from the bottom of the sediment trap to the bottom of the stormwater structure.

6. The channel protection volume compensation for surface sand filter "S" must be provided in Pond "C".

7. Move the dry wells on lots 105-114, block T off of the lots and down slope of the PUE. Also, move the dry well for lots 47-50, block R off of lot 47 and down slope of the sanitary sewer line.

8. Structural pretreatment devices are to be sized for their entire contributing drainage area.

9. Additional pretreatment (other than road side swales), such as water quality inlets, will be required for surface sand filters that are treating large drainage areas (greater that 5 acres).

10. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.

11. Provide level spreaders and/or plunge pools at all of the quantity pond outfalls and at the storm drain outfall at surface sand filter "S".

12. Channel protection volume is to be provided separately from water quality volume.

13. Provide four inches of pea gravel on top of all of the proposed surface sand filters.

14. All of the proposed stream crossings are to be constructed using environmentally sensitive design criteria. Bottomless arch culverts as proposed in the preliminary Water Quality Plan will be acceptable.

15. At a minimum one foot of stone (dead storage) is to be provided below the outlet pipe of the surface sand filters to allow for groundwater recharge.

16. Minimize the use of insecticides and fertilizers via a residential Integrated Pest Management Plan as part of the Homeowners Association (HOA) documents. A draft of this plan/document is to be submitted at the detailed sediment control plan stage, and the final document is to be submitted prior to bond release.

17. MCDPS reserves the right to require the developer to provide full time, third-party, on-site, sediment control inspection if the Department decides the goals of the Water Quality Plan are not being met.

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:CN200006

cc: W. Witthans
S. Federline
M. Pfefferle
L. Galanko
D. Marshall
SM File # 200006

Qn on-site 333 ac.
Ql on-site 333 ac.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Douglas M. Duncan
County Executive

James A. Caldwell
Director

Attachment to the Final Water Quality Plan for Clarksburg Village Phase I
Description of BMP Monitoring Requirements

SM # 200006 (Phase I)
Date: July 16, 2003

The purpose of this attachment is to add specificity to the standard monitoring requirements and procedures contained in the BMP monitoring protocols. Some supplemental QA/QC, data analysis, reporting and record keeping tasks will be explained in this attachment.

This BMP monitoring is being done to address whether the site performance goals are met. The purpose of the data analysis and reporting is to describe quantitatively how performance goals are met. Monitoring efforts and reports must employ scientific methods in an attempt to determine effectiveness of BMPs. Monitoring is to be done according to BMP Monitoring Protocols. However, these monitoring protocols are intended to provide a framework only. Some supplemental requirements are provided in this attachment. Prior to initiation of monitoring, consultants must contact DEP to review procedures and requirements. Thorough and careful analysis of data is required. Method(s) of data analysis and required statistical procedures may vary depending on the results obtained. 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. Provide a record of continuous stream flow at two locations (Little Seneca Creek mainstem and downstream of the confluence of tributaries 109 and 110). The purpose of this monitoring is to document how development changes stream hydrology. Installation, maintenance, rating curve and data analysis must meet USGS standards. Pre-development conditions are to be compared with post-development conditions examining

any relevant parameters including average flows, peak flows, hydrograph shape, lag time, etc. Conclusions regarding hydrologic impacts must be provided with graphs of supporting data.

3. A rain gage will be installed and maintained. Data will be collected on 15 minute intervals. Data collected will be used in the analysis of flow and groundwater data. Instruments are to be calibrated according to manufacturer's recommendations.

4. Stream water temperature will be monitored at seven (7) locations. This monitoring will occur from June 1 through September 30 each year. Accuracy of the temperature logger is to be checked prior to use in spring. An accuracy check after retrieval in fall may be necessary depending on results obtained. Consult with equipment manufacturer or DEP for appropriate procedures. All accuracy checks are to be submitted with data analysis and reports. Temperature loggers should be set to take readings at 24 minute intervals. Consult with DEP if readings will be taken at different intervals. Water temperature data is to be compared to air temperatures and precipitation during the period of June 1 through September 30 to evaluate development impacts. An on-site temperature logger will be required to obtain temperature data. Pre-construction results should be compared with data from subsequent periods. Results should also be compared among stations to evaluate temperature patterns over stream distance.

5. Ten (10) cross sections specified in the Greenway Village Trail PWQP will be monitored annually to evaluate the impact of the Clarksburg Village on stream geomorphology. Results should be plotted and compared to pre-construction conditions. DEP will be consulted before locating the cross sections. Cross sections surveys may need to be extended to the nearest reliable benchmark to allow accurate mapping of locations.

6. Stream channel embeddedness is to be monitored at the six (6) discrete flow stations. Photos of the stream bottom are to be taken concurrently with embeddedness readings. Frequency of embeddedness readings is one (1) per quarter year. Pre-construction results are to be compared with during and post-construction results to determine effectiveness of sediment control on the site. Graphs should be presented along with conclusions.

7. Photographs of the stream bed and channels are to be taken annually at temperature, discrete flow and continuous flow stations. The photographs are to be compared over time to evaluate development impacts.

8. Eighteen (18) groundwater monitoring wells are to be maintained. Well installation logs should be provided. Each groundwater well is to be surveyed to determine exact elevation. Groundwater levels are to be reported as actual elevations (surface elevation - depth to water). Frequency of readings is to be one per month at each well. 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. Graphs should be provided to

support conclusions. Groundwater level data will be compared to stream flow data and rainfall data.

9. Water chemistry sampling is required at nine of the groundwater wells. The wells to be monitored will be numbers 2, 4, 5, 6, 7, 9, 14, 15 and 16. Parameters include: nitrate, nitrite, TKN, total nitrogen, ortho-phosphorus, total phosphorus, lead, zinc, copper, cadmium. See Table 1 for relevant methods and detection limits. Sampling is to be done quarterly along with groundwater elevation readings. This monitoring is intended to evaluate the effect of construction impacts, BMPs that promote infiltration and residential land use impacts. Results will be compared among wells and also over time to evaluate how groundwater nutrient levels are impacted by development. Results will also be compared to stream nutrient data to evaluate the impact of groundwater nutrients on streams.

10. Discrete stream flow readings will be taken at six locations. The purpose of this monitoring is to compare baseflow stream discharge with groundwater elevation. Therefore, flow readings are to be done concurrently with the monthly groundwater well readings. Instruments are to be calibrated annually for low flow conditions.

11. Stream nutrients are to be monitored in the vicinity of temperature monitoring site number 1. One base flow grab and one automated flow-weighted composite storm flow sample is to be collected each quarter and analyzed for the parameters in Table 1. Storm sampling is to be done during rain events of at least 0.6 inches over a 24 hour period. Required laboratory methods and detection limits are also listed in table 1.

Table 1. Pollutant parameters, lab methods and detection limits

Parameter	Method	Detection Limit
Nitrate	EPA 353.2	0.05 mg/L as N
Nitrite	EPA 354.1	0.02 mg/L as N
TKN	EPA 351.3	0.2 mg/L as N
Orthophosphorus	EPA 365.3	0.01 mg/L
Total Phosphorus	EPA 365.3	0.05 mg/L
Total Suspended Solids	EPA 160.2	1.0 mg/L
Total Cadmium	EPA 213.2	0.6 µg/L
Total Copper	EPA 220.2	1.2 µg/L
Total Lead	EPA 239.2	0.4 µg/L
Total Zinc	EPA 289.2	3.4 µg/L

Concentrations and storm event loadings will be calculated. The storms during which the samples are collected should be characterized for duration and total rainfall.

Reports are to include analysis comparing pre-construction with post-construction results and draw conclusions on whether or not pollutant concentrations or loadings have changed in any significant way.

12. TSS grab sample locations will be established at the two (2) largest sediment ponds on the site during construction. Exact sampling locations will be determined by DEP in the field to allow evaluation of the effectiveness of redundant sediment traps. Sampling is to be done quarterly during storm events throughout the construction phase. Storms should have at least one half inch of rainfall in a 24 hour period to be counted towards this requirement. Samples should be collected within 24 hours after the storm. The storms during which the data was collected should also be characterized for duration and total rainfall. Storm frequency (return interval) should be reported as described in Technical Paper #40 of USDOC Weather Bureau. Results should be examined to determine the efficiency of the structure and percent removal of pollutants. Data should be compared to past periods and published results for similar structures. Graphs should be provided to support conclusions.

13. Pollutant removal efficiency will be determined for three (3) individual BMP structures. The water quality structures above ponds F, S and T will be monitored to evaluate BMP effectiveness under different site designs. Pollutants to be analyzed are listed in table 1. This monitoring will require the collection of automated flow-weighted storm composite samples at the inflow and outflow points of each structure. Qualifying storm events will be between one half (0.5) inch and one and one half (1.5) inches of rain in a twenty-four hour period. All three structures are to be monitored quarterly. Analysis will evaluate effects of differing site designs, 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 roadways, and water quality pre-treatment approaches are to be reported and considered in the analysis.

One year of baseline data on items 2 (continuous flow), 4 (water temperatures), 6 (embeddedness), 7 (photos), 8 (groundwater levels) and 10 (discrete discharge measurements) must be collected as specified above before construction begins. Collection of data on items 3 (rainfall), 5 (cross sections), 9 (groundwater chemistry) and 11 (stream nutrients) should commence as soon as possible and continue for up to one year prior to construction. These items (3, 5, 9 and 11) do not need to be included in the pre-construction monitoring report. All items above with the exception of numbers 12 (sediment pond TSS) and 13 (water quality structure efficiency) should continue throughout the construction period and for five years post-construction. Item 12 (sediment pond TSS) is required only during construction. Item 13 (water quality structure efficiency) is only required during the post-construction period. A report on pre-construction conditions must be deemed acceptable by DEP 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 31** each year. A final report is due annually by December 1. 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 to Mark Sommerfield 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.

Mark Sommerfield	Doug Marshall	Leo Galanko
(240) 777-7737	(240) 777-7740	(240) 777-6242
mark.sommerfield@co.mo.md.us	douglas.marshall@co.mo.md.us	leo.galanko@co.mo.md.us

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed: September 12, 2002
Action: Approved Staff Recommendation
Motion of Comm. Bryant, seconded by Comm. Perdue with a vote of 4-0; Comms. Bryant, Holmes, Perdue and Wellington voting in favor

CORRECTED
MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-01030
NAME OF PLAN: CLARKSBURG VILLAGE AND SPECIAL PROTECTION AREA WATER QUALITY PLAN

On 11/29/00, CLARKSBURG VILLAGE, LLC submitted an application for the approval of a preliminary plan of subdivision of property in the R-200/TDR-3 and TDR-4, R-200 and PD-4 zones. The application proposed to create 2,563 lots on approximately 700 acres of land. The application was designated Preliminary Plan 1-01030. On 07/30/01, Preliminary Plan 1-01030 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-01030 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-01030.

(1) Approval under this preliminary plan is limited to a maximum of 2,563 Residential Dwelling Units, 20,000 Square Feet Office/Retail Use and 2,500 Square Feet Daycare Facility
(2) At least sixty (60) days prior to the submission of a complete Site Plan application the applicant shall submit an "Infrastructure Plan" for Planning Board review. The plan shall include the following:
    a) Location and types of stormwater management facilities for quality and quantity controls that comply with the conditions of MCDPS' preliminary water quality plan
    b) Delineate bike and pedestrian access pathways including all at grade and below grade crossings along all road rights of way and at stream crossings
    c) All roadway networks including both private and public connections. Streetscape, lighting, sidewalks and paving materials
    d) Delineation of "Greenway" and other open space areas including all environmental buffers
    e) School sites and Park areas (adequate to provide for current programming needs)
    f) Recreation guideline concept plan
    g) Proposed schedule for clearing and grading of site

(3) To satisfy Policy Area Transportation Review:

a. The applicant shall participate in widening MD 27 to six through travel lanes from Observation Drive in Germantown through the Brink Road intersection, and to four through travel lanes through the A-305 intersection; continue two northbound travel lanes through the Skylark Road intersection, including dedication along the site frontage. This improvement along MD 27 is consistent with the master plan recommendation. If, after master plan dedication along the west side of MD 27, sufficient right-of-way is not available for the proposed widening, the applicant has to either acquire additional right-of-way on the east side of MD 27 or dedicate additional right-of-way and widen MD 27 on their development side

b. The applicant shall dedicate on-site portions and participate in constructing Relocated Newcut Road (A-302) as a two lane divided arterial roadway between MD 27 and the A-305 intersection and as a four lane divided roadway between A-305 and MD 355

c. The applicant shall dedicate and participate in constructing A-305 as a four lane divided arterial roadway between MD 27 and Stringtown Road

d. The applicant shall dedicate and participate in constructing Foreman Boulevard as a two lane arterial roadway from its current terminus at Timber Creek Lane to A-305

e. The applicant shall dedicate and participate in widening Stringtown Road as a four lane arterial along their frontage. This roadway improvement can be implemented by either the Department of PublicWorks and Transportation's CIP project, as a developer participation project or as the Clarksburg Town Center Development District.

(4) To satisfy Local Area Transportation Review;

a. The applicant shall participate in constructing a second left-turn lane from northbound MD 355 to westbound MD 27

b. The applicant shall participate in constructing additional turn/approach lanes on MD 27 and Brink Road at the intersection of MD 27/Brink Road

c. The applicant shall participate in providing a separate left-turn lane from southbound MD 355 to eastbound Brink Road and a separate left-turn lane from westbound Brink Road to southbound MD 355.

(5) The applicant shall agree that the roadway improvements listed as conditions of approval are under construction in accordance with the phasing of road improvements for Clarksburg/DiMaio development as described in David D. Flanagan's letter dated March 14, 2001 and confirmed in our letter dated March 29, 2001.

(6) The applicant shall construct the following roads as standard closed section primary residential streets:

- Street "C" between A-305 and Street "I'
- Street "M" between A-305 and Street "E"
- Street "E" between A-305 and Street "M"
- Street "T" between A-305 and Street "W"
- Street "Y" between Streets "T" and "Z"
- Street "GG" between its intersections with A-305
- Street "R" – approximately 400' from A-305 (or correspond to first intersection)
- Street "Z" next to School

(7) The applicant shall construct two roundabouts on A-305 as shown on the preliminary plan to define the boundaries of the business district portion of this roadway.
(8) The applicant shall construct A-305 as a business district street between the two roundabouts in accordance with DPWT Standard No. MC-219.03
(9) All roads rights of way shown on the approved preliminary plan shall be dedicated by the applicant, to the full width mandated by the Clarksburg Master Plan, unless other wise designated on the preliminary plan
(10) All roads shown on the approved preliminary plan shall be constructed by the applicant to the full width mandated by the approved and adopted Master Plan, and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan "To be Constructed by_____" are excluded from this condition
(11) Additional forest save areas to be created adjacent to the environmental buffer at the northwestern portion of the property. This will require reconfiguration of the layout for that portion of the property at site plan
(12) At site plan, the following stormwater management facilities to be reconfigured to maintain at least half of the environmental buffer widths as undisturbed areas: Ponds B, C, L, N, and V. Reconfigure Pond Q and adjacent sewer line to maintain most of the environmental buffer as undisturbed area. Eliminate, if possible, or minimize the footprint of Pond J by providing stormwater management quantity and quality controls at alternative locations. For remaining stormwater management facilities, any environmental buffer encroachments to be no more than that shown on the concept study, dated 4/12/01
(13) Compliance with the conditions of approval for the preliminary forest conservation plan dated July 25, 2001. The applicant must meet all conditions prior to MCDPS issuance of sediment and erosion control permits, as appropriate. Conditions include, but are not limited to, the following:
    a. Prior to the submission of the first site plan, submit a plan identifying specific areas proposed for natural regeneration and justifying its use in these specific areas. The plan should include measures to enhance the success of natural regeneration. At this time, areas proposed for natural regeneration must be identified in the field so that M-NCPPC may evaluate these areas as to the feasibility of natural regeneration
    b. Environmental buffers, forest conservation and planting areas, and any natural regeneration areas to be within park dedication areas or in Category I conservation easements. Conservation easements to be shown on record plats
(14) Conformance to the conditions as stated in DPS preliminary water quality plan approval letter, dated 7-25-01.
(15) Measures to mitigate traffic noise impacts on residential uses to be shown at site plan. Mitigation measures to be shown along Ridge Road. Mitigation measures may also be needed along Stringtown Rd., A-302, and A-305
(16) At site plan, provide permanent signage along conservation easement areas to make identify environmentally sensitive areas that are to remain protected Applicant to construct an 8 foot wide paved hiker/biker trail in the Clarksburg Greenway on the property applicant currently owns. The alignment will follow the approximate route as set out in Phase I of the Trail Facility Plan, with the detailed trail location and other design and construction considerations to be worked out by the time of the Infrastructure Plan

(17) Applicant will construct the portions of the hiker/biker trail from Stringtown Road east to Newcut Road and north to the DiMaio Property that are not on applicant's property, provided that M-NCPPC acquires the ownership or easement rights across the needed property along the trail alignment and funds the proportionate cost to Applicant for construction of these additional sections of trail

(18) Applicant will construct Foreman Boulevard and Midcounty Highway to allow for grade separated crossing for the hiker/biker Greenway Trail. The trail crossings should be constructed to accommodate the trail under the roads without changing the natural location, configuration or composition of the stream channel, and should be located to minimize flooding of the trail and minimize surface water runoff from the paved trail directly into the stream

(19) The property within the delineated Clarksburg Greenway along Little Seneca Creek and Little Seneca Tributary will be dedicated to M-NCPPC and the hiker/biker trail constructed or clearly delineated and marked prior to construction of the residences that abut the Greenway

(20) The park area marked as Jeane Onufry Local Park will be graded, surfaced with topsoil, fine graded to a maximum of +/- 6" over 100', and seeded as appropriate for ball field cover. Grading plans will be submitted to park staff for review and approval. The park area will be dedicated to M-NCPPC

(21) The school/park site off of Midcounty Highway will be graded, surfaced with topsoil, fine graded to a maximum of +/- 6" over 100', and seeded as appropriate for ball field cover. Grading plans will be submitted to park staff for review and approval. The parking and ball field area at the north end of the site will be separately delineated and dedicated to M-NCPPC

(22) Phasing of the dedication of the school/parks sites shall be incorporated as part of the phasing schedule included with site plan approval

(23) At site plan address specifically the following:
   a. Dwelling unit type and layout within the mixed use center
   b. Coordinate with adjoining property owner to achieve a well integrated and designed commercial center that locates parking to the rear and provides special treatment for paving, seating, landscaping, lighting ant other pedestrian amenities
   c. Provide adequate "windows" into open space areas
   d. Dwelling unit orientation along all road rights of way

(24) Provide a minimum of 600 TDR's pursuant to the objectives of the Clarksburg Master Plan based on current dwelling unit approval

(25) Final number and location of units including number of TDR's to be determined at site plan

(26) Final number of MPDU's to be determined at site plan dependent on Condition #23

(27) No clearing, grading, unless designated on "Infrastructure Plan" and recording of lots prior to site plan approval

(28) The validity of the Preliminary Plan will remain valid until July 30, 2013 and shall be phased for recordation of lots as follows:

1. Phase One: 300 lots by July 30, 2004
2. Phase Two: 1,000 lots by July 30, 2007
3. Phase Three: 1,700 Lots by July 30, 2010
4. Phase Four: All lots by July 30 2012

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