

LINOWES
AND | BLOCHER LLP
ATTORNEYS AT LAW

November 21, 2005

Barbara A. Sears
301.961.5157
bsears@linowes-law.com

Scott C. Wallace
301.961.5124
swallace@linowes-law.com

The Honorable Derick P. Berlage
Chairman, and Members of the
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

BY HAND DELIVERY

Re: Bozzuto Homes, Inc. - Clarksburg Town Center - Multi-Family Buildings 1-7 and 9-12
(the "Bozzuto Buildings") - Site Plan Nos. 8-98001 and 8-02014, as amended -
Allegations of Zoning Violations

Dear Chairman Berlage and Members of the Planning Board:

This office represents Bozzuto Homes, Inc., BA Clarksburg, LLC and BA Clarksburg Two, LLC (collectively, "Bozzuto") the owner, builder or contract purchaser of the above-referenced multi-family buildings in the Clarksburg Town Center ("CTC"). On behalf of Bozzuto, enclosed for inclusion in the record of the referenced matter are the following materials:

1. Memorandum of Law dated November 18, 2005 with Exhibits.
2. Written Summary of Testimony of the following Bozzuto representatives presented at the November 3, 2005 Planning Board Hearing:
 - A. Tom Bozzuto, President and Chief Executive Officer of The Bozzuto Group;
 - B. Clark Wagner, Vice-President and Director of Development, Bozzuto Homes, Inc.; and
 - C. David Little, Professional Engineer, Principal, Gutschick, Little & Weber (also contains resume).

L&B 534414v1/01056.0026

The Honorable Derick P. Berlage
and Members of the Montgomery
County Planning Board

November 21, 2005

Page 2

3. PowerPoint Slides presented at the November 3, 2005 Planning Board Hearing.

Upon receipt of the enclosed materials, please do not hesitate to contact us if you have any questions or require additional materials.

Very truly yours,

LINOWES AND BLOCHER LLP



Barbara A. Sears



Scott C. Wallace

Enclosures

cc: Mr. William Mooney
Ms. Rose Krasnow
Michele Rosenfeld, Esquire
Mr. Thomas Bozzuto
Mr. Chris Herrin
Mr. Clark Wagner
Ms. Jackie Mowery
Mr. David Little
Timothy Dugan, Esq.
Kevin Kennedy, Esq.
Robert Brewer, Esq.
David Brown, Esq.
Stephen Kaufman, Esq.
Todd Brown, Esq.