

## Item 5 - Correspondence

**From:** [Kaufman, Connie](#)  
**To:** [MCP-Chair](#)  
**Cc:** [rkronenberg@mncppc-mc.org](mailto:rkronenberg@mncppc-mc.org); [Brittany@christophercompanies.com](mailto:Brittany@christophercompanies.com); [Richard Ingram \(ringram@cpja.com\)](mailto:Richard.Ingram@cpja.com); [johnr@christophercompanies.com](mailto:johnr@christophercompanies.com); [Cirner, Casey L.](#)  
**Subject:** Item #5 Adequate Public Facilities at Building Permit Policy  
**Date:** Wednesday, June 26, 2024 11:01:10 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image005.png](#)  
[image006.png](#)  
[2024-06-26 - Ltr. to Montgomery County Planning Board 4867-4125-6140 v.1.pdf](#)

---

**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Sent on behalf of Casey L. Cirner, Esq.

### Connie Kaufman

*Legal Practice Assistant*

11 N. Washington Street | Suite 700 | Rockville, MD 20850-4229  
D: +1 301.517.4841 | O: +1 301.762.1600 | F: +1 301.517.4841



vCard | [ckaufman@milesstockbridge.com](mailto:ckaufman@milesstockbridge.com)



---

#### Confidentiality Notice:

This e-mail, including any attachment(s), is intended for receipt and use by the intended addressee(s), and may contain confidential and privileged information. If you are not an intended recipient of this e-mail, you are hereby notified that any unauthorized use or distribution of this e-mail is strictly prohibited, and requested to delete this communication and its attachment(s) without making any copies thereof and to contact the sender of this e-mail immediately. Nothing contained in the body and/or header of this e-mail is intended as a signature or intended to bind the addressor or any person represented by the addressor to the terms of any agreement that may be the subject of this e-mail or its attachment(s), except where such intent is expressly indicated.

Any federal tax advice provided in this communication is not intended or written by the author to be used, and cannot be used by the recipient, for the purpose of avoiding penalties which may be imposed on the recipient by the IRS. Please contact the author if you would like to receive written advice in a format which complies with IRS rules and may be relied upon to avoid penalties.

---

[Secure Upload/Download files click here.](#)



Casey L. Cirner  
301.517.4817  
ccirner@milesstockbridge.com

June 26, 2024

Artie Harris, Chair  
Members of the Montgomery County Planning Board  
Maryland-National Capital Park and Planning Commission  
2425 Reedie Drive  
Wheaton, MD 20902

Re: Item #5 Adequate Public Facilities at Building Permit Policy

Dear Chair Harris and Members of the Montgomery County Planning Board:

I am writing on behalf of The Christopher Companies to applaud the Maryland-National Capital Park and Planning Commission (M-NPPC) staff for bringing this policy forward to the Montgomery County Planning Board as a means of expediting the issuance of building permits for single family units on recorded and unimproved lots where the adequate public facilities finding has expired. Considering the pending housing crisis, tools that expedite the creation of housing are appreciated. Therefore, we suggest that the Montgomery County Planning Board consider broadening the proposed policy by revising provision number three (3) as follows:

(3) There are no more than **the greater of 20% or a total of 10 lots** remaining to obtain building permits in the original development application. ~~This percentage would not apply to small 2 and 3 lot subdivisions.~~

The proposed revision will not result in a greater impact to public facilities than contemplated by the policy. The policy proposes that the single-family units that receive an adequate public facilities validity finding ("APF Validity") at building permit generate no more than 10 students. The Administrative Procedures for Development Review also requires that the single-family units receiving the APF Validity at building permit generate no more than 50 peak person trips. Accordingly, 8 single-family detached units will not exceed either of the ceilings established by these policy requirements.

As a practical matter, the expanded policy will allow Christopher Companies to request an APF Validity at building permit for construction of single-family detached units on the remaining 8 recorded and unimproved lots in the original 10 lot subdivision on the north side of Big Woods Road in Dickerson and approved in 1990.

We appreciate your consideration of these comments.

Very truly yours,



Casey L. Cirner

cc: Robert A. Kronenberg, Montgomery County Planning Department  
E. John Regan, Jr., The Christopher Companies  
Brittany Havenner, The Christopher Companies  
Rich Ingram, CPJ