

**AFFIDAVIT OF COMMUNITY MEETING**

I hereby certify that a community meeting was held virtually on December 19, 2023 at 7:00 pm through the Zoom Meeting platform, with an optional dial-in number, in advance of the filing of the application for Preliminary Plan Amendment and Site Plan for the Black Hill project located north of Crystal Rock Drive (just west of its intersection with Century Boulevard), and also east of Century Boulevard (north of Dorsey Mill Road), in Germantown, Maryland. The presentation materials were made available to the public for download on December 14, 2023, in advance of the meeting, on the previously advertised website.

I solemnly affirm that notice was properly given and the said community meeting was held in accordance with the Zoning Ordinance requirements and development procedures, as modified by the Planning Department for virtual community meetings in response to the COVID-19 public health emergency.

[Signature]  
Signature

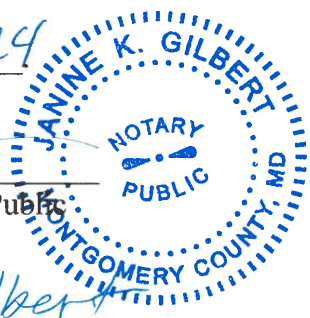
1/12/24  
Date

Robert G. Brewer  
Print Name

Attorney  
Title

Sworn and subscribed to before me this 12 day of January, 2024

[Signature]  
Signature of Notary Public  
Janine Gilbert  
Printed Name of Notary Public



My Commission Expires: 7/19/2024

**Pre-Submission Community Meeting Minutes**  
**Black Hill Townes**  
**Preliminary Plan Amendment and Site Plan**  
**December 19, 2023**

The pre-submission community meeting was held virtually through the Zoom meeting platform, with an optional dial-in number for those not joining online, on Tuesday, December 19, 2023. The meeting commenced promptly at 7:00 PM.

The following representatives of the development team attended the meeting:

James Policaro	Lerner Enterprises
Pat La Vay	MHG
Patrick Whealton	Hord Coplan Macht
Chris Schein	Hord Coplan Macht
Rodrigo Castillon	Lessard Design
Elizabeth Rogers	Lerch, Early & Brewer, Chtd.

Several community members also attended the meeting. At the beginning of the meeting, attendees were encouraged to sign-in on the virtual sign-in sheet. Please refer to the attached sign-in sheet for their contact information

Ms. Rogers welcomed attendees, introduced the development team, and provided an overview regarding the purpose of the meeting. Next, Mr. Policaro provided some background on Lerner Enterprises and their long-standing history with the Property. He then gave an overview of the Property and the existing development, noting that a large portion of the approved development and site infrastructure has already been built. He explained that Lerner is now looking forward to starting the next phase of the Black Hill development, which includes the construction of townhomes on the narrow strip of land located on the northern end of the site, bordered by Crystal Rock Drive, to the south, and Black Hill Regional Park, to the north.

Mr. Policaro then provided an overview of the proposed site design and layout for the townhomes, noting that they have been strategically oriented to activate Crystal Rock Drive, with walk-up entrances facing the street, as well as the open space and proposed public trail connection to Black Hill Regional Park. He provided an overview of the proposed architectural design, noting that the townhomes will have the same high-quality of design as the existing buildings.

Lastly, Mr. Policaro discussed the significant open space that will be provided with this next phase. He noted that the townhome layout creates a mews that physically and visually connects Crystal Rock Drive and the open space at the rear of the site, adjacent to the Black Hill Regional Park. This open space is proposed to include a playground, picnic pavilion (with picnic

tables and charcoal grills), flexible lawn with movable seating, planting bed, and, as mentioned, a public trail connection to Black Hill Regional Park. Lerner is also proposing to construct a nature pavilion, to the east of the townhomes, which will provide an additional connection to Black Hill Regional Park and will also include an overlook plaza and park entrance plaza.

At the conclusion of the meeting, the attendees were invited to ask questions and provide comments. Representative questions/comments included the following:

- *Comment: Thank you for proposing the trail connections to Black Hill Regional Park. As a nearby resident of Waters Landing, we enjoy the open spaces provided by the Black Hill project.*
- *There appears to be a lot of topography on the site. How will the grades work?*
  - There is a lot of topography on this site. Retaining walls will be used to hold up the grade in northeastern and the western portions of the site, so that the townhomes will be essentially flush with Crystal Rock Drive.
- *What is your anticipated timing for breaking ground?*
  - We are at the very beginning of the process. With the time it will take to get through these necessary approvals with the Planning Board and then permitting, we currently anticipate breaking ground in approximately the middle of 2025.
- *Comment: I am happy to hear you are building townhomes.*
- *Are you proposing any vehicular improvements to widen Crystal Rock Drive?*
  - No. Crystal Rock Drive and Century Boulevard are constructed to Master Plan standards. Lerner also has made substantial infrastructure improvements to the surrounding roadway network, as conditioned by the prior approvals.
- *How will lighting and stormwater impacts to the Black Hill Regional Park be minimized?*
  - Lerner provided a Forest Conservation Easement adjacent to Black Hill Regional Park, which will remain unchanged with the proposed development. This provides a substantial forested buffer between the proposed development and the Park. Additionally, to control stormwater runoff, the proposed townhouse development will provide modern stormwater management on-site. Lighting will be thoughtfully designed (including placement and cut-off fixtures) to avoid light pollution in the park.
- *To what degree will be the buildings be electrified?*
  - It is too early to know what appliances will utilize electricity versus natural gas.

- *What steps are you taking to promote car-lite living?*
  - Lerner entered into a Transportation Mitigation Agreement with the County for the overall Project, which includes measures designed to minimize single-occupant vehicular trips. The Project also includes right-sized parking, which means that just the right amount of parking is provided to meet market demand (without significant surplus).
  
- *What is the timing for the construction of the Dorsey Mill Road overpass?*
  - The Dorsey Mill Road Bridge remains in the County's CIP budget. Lerner made a significant financial contribution toward the design of the bridge and hopes that the County will further advance design and construction of the bridge through the CIP budget.

The meeting ended at 7:35 PM.

**Elizabeth C. Rogers**  
*Attorney*  
301-841-3845  
[ecrogers@lerchearly.com](mailto:ecrogers@lerchearly.com)

December 4, 2023

RE: Black Hill Townes  
Preliminary Plan Amendment and Site Plan  
Pre-Submission Community Meeting

Dear Neighbor:

On behalf of Black Hill Germantown, LLC (the "Applicant"), we cordially invite you to attend a virtual meeting to review plans for the next phase of development within the Black Hill project, located north of Crystal Rock Drive (just west of its intersection with Century Boulevard), and also east of Century Boulevard (north of Dorsey Mill Road), in Germantown, Maryland (the "Property"). The Property is zoned CR-0.75 C-0.5 R-0.5 H-145 T and within the Germantown Transit Mixed Use Overlay zone. The overall Black Hill development has a gross tract area of approximately 107.7 acres. Specifically, in this next phase, the Applicant is proposing to construct 69 townhomes on approximately 5.26 acres of land located north of Crystal Rock Drive.

**Date/Time:** Tuesday, December 19 at 7:00 PM

**Virtual Location:** <https://bit.ly/3R21VVq>

**Dial In:** 301-715-8592 **Meeting ID:** 816 7478 0351 **Passcode:** 322374

**Presentation slides available:** on December 14 at <https://bit.ly/40HgrFw>


*Comments can be made during the meeting via noted methods, or submitted by e-mail to [ecrogers@lerchearly.com](mailto:ecrogers@lerchearly.com) outside the meeting. Please note that if your computer does not have a microphone and you would like to provide comments during the meeting, you will need to use the call-in number provided above or through the Zoom Meeting comment box.*

In compliance with the County's Zoning Ordinance, this pre-submission community meeting will be held to share our plans with you and give you an opportunity to provide input. At this meeting, the Applicant will discuss the proposal and answer any questions. The Applicant will be filing the Applications with the Maryland-National Capital Park and Planning Commission ("M-NCPPC") shortly after the meeting. For more information about the development review process, please contact M-NCPPC at 301-495-4610 or visit their website at [www.montgomeryplanning.org](http://www.montgomeryplanning.org).

Because this meeting will be held virtually, we are asking you to provide your name and complete contact information for inclusion on the meeting attendee list at <https://forms.office.com/r/MFkaVjA9qJ>. If you would like to be added to the mailing list for future application updates, please make that selection when completing your information. The

link to provide your contact information will remain available until noon on December 20th. We look forward to meeting with you (virtually) on December 19th.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth C. Rogers". The signature is fluid and cursive, with the first name being the most prominent.

Elizabeth C. Rogers

Attorney for the Applicant