

From: [Robins, Steven A.](#)
To: [MCP-Chair](#); [Coello, Catherine](#); [Harris, Artie](#); [Bartley, Shawn](#); [Pedoeem, Mitra](#); [Linden, Josh](#); [Hedrick, James](#)
Cc: [Robins, Steven A.](#); gunterberg@rodgers.com; [Bob Elliott](#); [Mike Alexander](#); [Casey Blair Anderson \(canderson@rodgers.com\)](mailto:Casey.Blair.Anderson@canderson@rodgers.com); [Butler, Patrick](#); [Zeigler, Donnell](#); [Larson, Clark](#); [Sartori, Jason](#); [Kronenberg, Robert](#); [Figueredo, Miti](#); [Flusche, Darren](#); [Ciabotti, Christie](#)
Subject: River Falls First Submission for Worksession #5 Parks/Open Space and Community Facilities/Clarksburg Gateway Sector Plan
Date: Tuesday, November 4, 2025 11:28:01 AM
Attachments: [CGSP Worksession 5 - RF - Parks OS Rec and CF 11 04 25.pdf](#)
Importance: High

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Dear Chair Harris and Members of the Planning Board,

Thank you very much for the opportunity to provide the Board with information related to the topics being discussed in the Clarksburg Gateway Sector Plan Worksession #5. Per the Chair's suggestion, we are working diligently to provide our comments to the Board earlier in the week.

Today, we are transmitting our materials on Parks, Open Space, Recreation, and community facilities. We can do this because we have worked collaboratively with Parks Staff to generally agree on recommendations affecting the property. Like Preservation, we appreciate Parks Staff's willingness to work with us in a manner that we believe will improve the viability of the Sector Plan. While we have some further tweaks to their new language, we believe we can achieve our shared goal of delivering a high-quality Plan.

Unfortunately, the same cannot be said for the Environmental sections of this plan, as significant disagreement remains with the Staff's recommendations. On numerous occasions, we have expressed our concerns in meetings with Staff and in front of the Planning Board. We are doing our best to respond to reports (and provide the Board with information) that are delivered less than a week before a Worksession.

For this submission, attached are the documents that address the issues River Falls Investments LLC considers most important for the Planning Board's review during Worksession #5 for the Clarksburg Gateway Sector Plan (again, understanding that materials on Environmental will be sent separately):

- A document titled "Comsat Property Issues for Decision: Parks, Open Space and Recreation" discusses River Falls' recommendations for parks, specifically the Constellation Park option, and other issues related to Open Space. It also references the general disclaimer found in the "Global Comments" document

mentioned above.

- A document titled “Comsat Property Issues for Decision: Community Facilities” recommends that if the Board wants to keep a reference to a community recreation and/or aquatic center in the Plan, it should remove all references to the Comsat Property. While we understand the importance of community facilities, there is no clear nexus between the recommendation and development of the property and, furthermore, it would significantly and negatively impact the development of the Property. This document also references the general disclaimer in the “Global Comments” document discussed above.

As previously mentioned, River Falls will provide the Staff and the Board with a comprehensive document on Environmental matters in the next few days. After the November 6th worksession, we will provide the Board with a comprehensive submission with our lingering concerns about Neighborhood Districts, Transportation issues and any other remaining concerns; we will endeavor to submit this as soon as possible to allow for plenty of time for consideration at the November 20th worksession.

We will attend the work session and be ready to answer questions or discuss our positions. Thank you for considering our positions and concerns. We are all working to make this a great plan.

Thank you,

Steve Robins

Steven A. Robins, Attorney

Lerch, Early & Brewer, Chtd. rising to every challenge for 75 years

7600 Wisconsin Ave | Suite 700 | Bethesda, MD 20814

T 301-657-0747 | F 301-347-1778 | Cell 301-252-1904

sarobins@lerchearly.com | [Bio](#)

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Comsat Property Issues for Decision: Parks, Open Space and Recreation

River Falls asks the Planning Board to decide the following issues related to Clarksburg Gateway Sector Plan (CGSP) Draft as follows:

REVISE the new Recommendation #12 (a) language (found in Staff Work Session #5 Report, Page 8) as follows:

12.a. Design – The new recreation amenities should be implemented as a network of connected public parks with distinct uses that achieve the goals described in this section of the Plan. Park elements should be configured to complement the Plan’s goals for public and private development. They should be connected to one another and the surrounding community, readily accessible by people walking, biking, and rolling, and give the feeling of a truly integrated network of parks that create a community-defining feature and encourage residents and visitors to move through the plan area on foot, by bicycle or rolling to take advantage of each amenity. The recreation elements must include a variety of amenities that encourage physical activity and social interaction, as described in the following Amenities and Implementation Process sections.

REMOVE the tree symbol on the map specifying the location of a single, large recreational park on the Comsat site (Page 75) as well as the green star (Page 20).

REMOVE Comsat Neighborhood Recommendation #10 (Page 95) since the Clarksburg Gateway Local Park has been removed in favor of the Constellation Park language.

River Falls Rationale:

- River Falls greatly appreciates the Parks Department’s decision to revise its original recommendation for a single 8-12 acre park on the Comsat property in favor of the Constellation concept that would place recreational infrastructure and amenities on a series of interspersed but networked locations integrated by bike and pedestrian pathways and wayfinding.
- River Falls requests that the plan remain flexible as to the location of each individual park. Observation Drive may well be a suitable location for the “string” connecting each of these “pearls,” but another configuration may prove better for the Parks Department’s purposes and more complementary to the development projects ultimately proposed for the plan area. River Falls shares the Parks Department’s desire to ensure the accessibility and appeal a Constellation that spreads across the plan area, and we hope to apply this concept in a way that encourages residents and visitors to use these recreational amenities and to move through the plan area on foot, by bicycle or rolling, tying the plan area together.



- For your consideration, we have attached several Constellation Park Diagrams. These diagrams demonstrate:
 - A “primary” Constellation of Parks located along Observation Drive, which forms the core of the new development areas within the Plan.
 - “Secondary parks can be connected in various ways East-West or North-South across the Sector Plan, potentially along the Cool Brook Tributary and along West Old Baltimore Road. One important lateral spine could be the Linthicum Elementary School site to a new entrance to Black Hills Regional Park, east of I-270.
- In light of the Constellation / “String of Pearls” recommendation, River Falls asks that the Planning Board remove the star (page 20) and tree symbol (P. 75) from the draft plan that purported to specify the general location of the single, large park previously proposed by staff.
 - Comsat Neighborhood Recommendation #10 (Page 95) should also be deleted.

REVISE Sector Plan Recommendations #8 and #9 for Black Hill Regional Park (Page 73) as well as Recommendation #15 for the Wildlife / I-270 Crossings (Page 77) to study the potential closing of a portion of West Old Baltimore Road, between Lake Ridge Drive and Observation Drive, to vehicle traffic, after the construction of the Little Seneca overpass, in favor of a high quality ped/bike/wildlife underpass, as follows:

- 8a.** MCDOT should improve connectivity across I-270 via a sidepath on West Old Baltimore Road and on the planned extension of Little Seneca Parkway across I-270. Any necessary right-of-way expansion or shift in the roadway to accommodate a path on West Old Baltimore Road should be on the north side of the road to avoid encroachment on environmentally sensitive parkland in Black Hill Regional Park south of West Old Baltimore Road. **MCDOT should conduct additional studies to determine the feasibility of converting the existing section of West Old Baltimore Road between Lake Ridge Drive and Observation Drive Extended to a trail for Pedestrians, Bikes and Wildlife only, without vehicular lanes. This road closure and underpass modification would only be made following the completion of the full Little Seneca Parkway overpass as well as the full Observation Drive extensions contemplated in the Sector Plan.**
9. Montgomery Parks should investigate potential appropriate uses such as natural surface trail, conservation and stormwater uses for the small portion of parkland east of I-270, especially as adjacent properties develop or redevelop. **Montgomery Parks should work with MCDOT to study the feasibility of converting West Old Baltimore Road between Lake Ridge Drive and Observation Drive Extended to a trail for Pedestrians, Bikes and Wildlife only, consistent with Recommendation 8a.**



In Recommendation #15, for I-270 Crossings, ADD item f as follows:

f. As a potential replacement for items “d” and “e”, conduct additional studies to determine the feasibility of converting the existing section of West Old Baltimore Road between Lake Ridge Drive and Observation Drive Extended to a trail for Pedestrians, Bikes and Wildlife only, without vehicular lanes. This road closure and underpass modification would only be made following the completion of the full Little Seneca Parkway overpass as well as the full Observation Drive extensions contemplated in the Sector Plan.

River Falls Rationale:

- With the Board’s support for inclusion of the interchange as either Option B or C, advancing a wildlife crossing on the Little Seneca Overpass would effectively be implementing the “No Interchange” Option A and preclude interchange ramps in the future. With ramps as a possible requirement, an alternative route for wildlife should be considered.
- Further, River Falls believes that the Sector Plan’s proposed widening of the existing West Old Baltimore Underpass would cost an extraordinary amount and the addition of a future sidepath suggested by the Sector Plan is infeasible.
 - The cost differential between providing a wildlife crossing over the Little Seneca overpass and creating a dedicated underpass using West Old Baltimore Road likely results in a significant cost saving measure with significant additional benefits.
- West Old Baltimore Road is a low volume road and traffic could easily be diverted once the Little Seneca Parkway, and its overpass, along with Observation Drive are fully built out.
 - Closure of West Old Baltimore Road could create an access point to Black Hills Park on the East Side of I-270.
 - Creation of a high-class park entry would further reduce the need to add additional buffers for wildlife.
 - The suggested 150-foot-wide buffers are antithetical to the suggested compact forms of development and would result in an extraordinary amount of lost density.
- We have attached a detailed narrative and write-up with diagrams that provides additional justification and logic about this creative and cost-effective solution.

REVISE Parks Recommendation #16 (Page 78) and Comsat Neighborhood Recommendation Recommendation #9 (Page 91) as follows:

16. Consider co-locating a community recreation and/or aquatic center within the Sector Plan area. Relevant county departments should be consulted about the viability of such a facility as a part of development review for any proposed development within the Sector Plan area. (See also Parks, Open Spaces, and Recreation recommendations.)



River Falls Rationale:

- As drafted, River Falls would strongly prefer to remove Recommendation #9 in its entirety. As proposed by staff, a community recreation and/or aquatic center requirement of this scale is a significant encumbrance on any future approvals for our property, particularly in light of the fact that there is no capital funding program contemplated or even available given its total expected costs in the tens of millions.
 - The County's last draft of the RFP for this amenity required 20 acres and benefits 10,000s of thousands of people and the burden of such an exaction is not ours alone.
 - We must be clear that there is simply no nexus between a major community recreation and aquatic center of this scale and the redevelopment anticipated for our property.
- However, River Falls recognizes the importance of community facilities and has modified Recommendation #9 to remain in the Sector Plan with all properties in the Sector Plan area being evaluated for this need.

REVISE Recommendation #19 (Page 79) as follows:.

- 19. MCDOT, M-NCPPC, and private property owners should establish civic-minded Constellation Parks near planned bus stations within the Sector Plan area. These spaces could be publicly or privately owned. (See also Transportation recommendations.)**

River Falls Rationale:

- River Falls understands and appreciates the importance of parks and open spaces in close proximity to bus stations, not just on its property but throughout the Sector Plan area.
 - There are many planned BRT routes and stations, including along Observation Drive, Clarksburg Road and 355. Use of the Constellation Park concept along all BRT routes would help reinforce civic engagement and community accessibility to parks.
 - All properties in the Sector Plan area should be evaluated for this need.

LAST WEEK, FOR WORK SESSION #3, WE PROVIDED A "GLOBAL COMMENT" WHICH CONTAINS A PROPOSED BLANKET DISCLAIMER THAT WOULD AVOID THE NEED TO PLACE SEPARATE QUALIFYING LANGUAGE IN EVERY PART OF THE PLAN.





LEGEND

- SUBJECT PROPERTY LINE
- ADJACENT PROPERTY BOUNDARIES
- CLARKSBURG SECTOR BOUNDARY
- M-NCP&PC PARKLAND
- OBSERVATION DRIVE PARKS
- OTHER REGIONAL FEATURES
- PARK LOCATION
- TRAIL CONNECTIONS

NOTE: ILLUSTRATIVE EXAMPLE ONLY.
THIS IS ONE POSSIBLE CONFIGURATION OF
PARK LOCATIONS.



West Old Baltimore Road Pedestrian and Wildlife Underpass

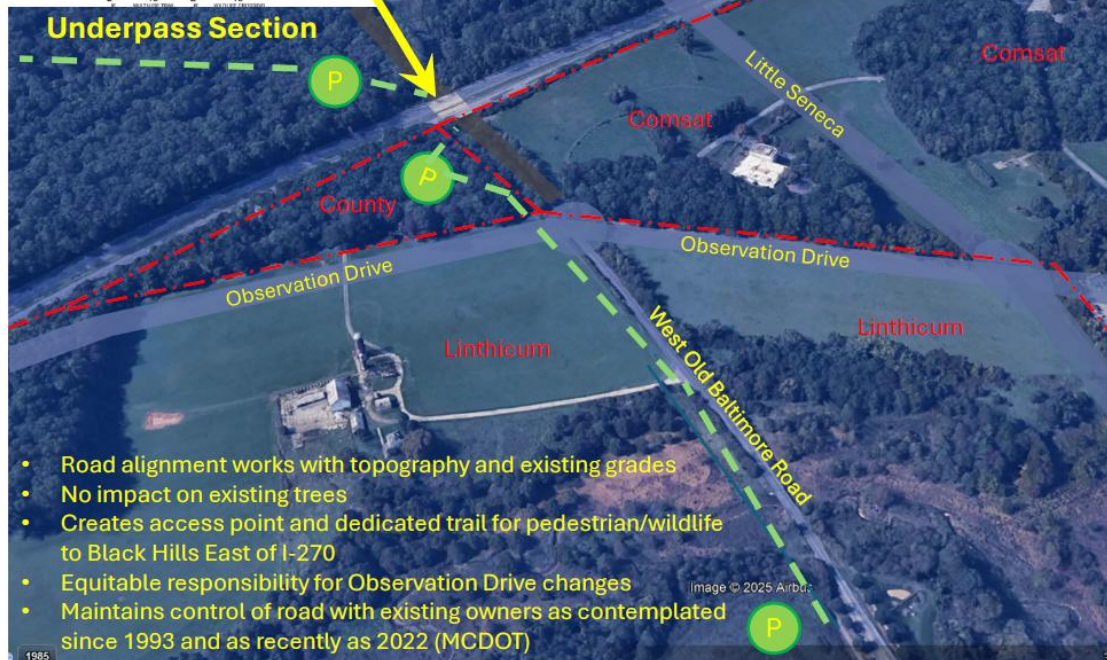
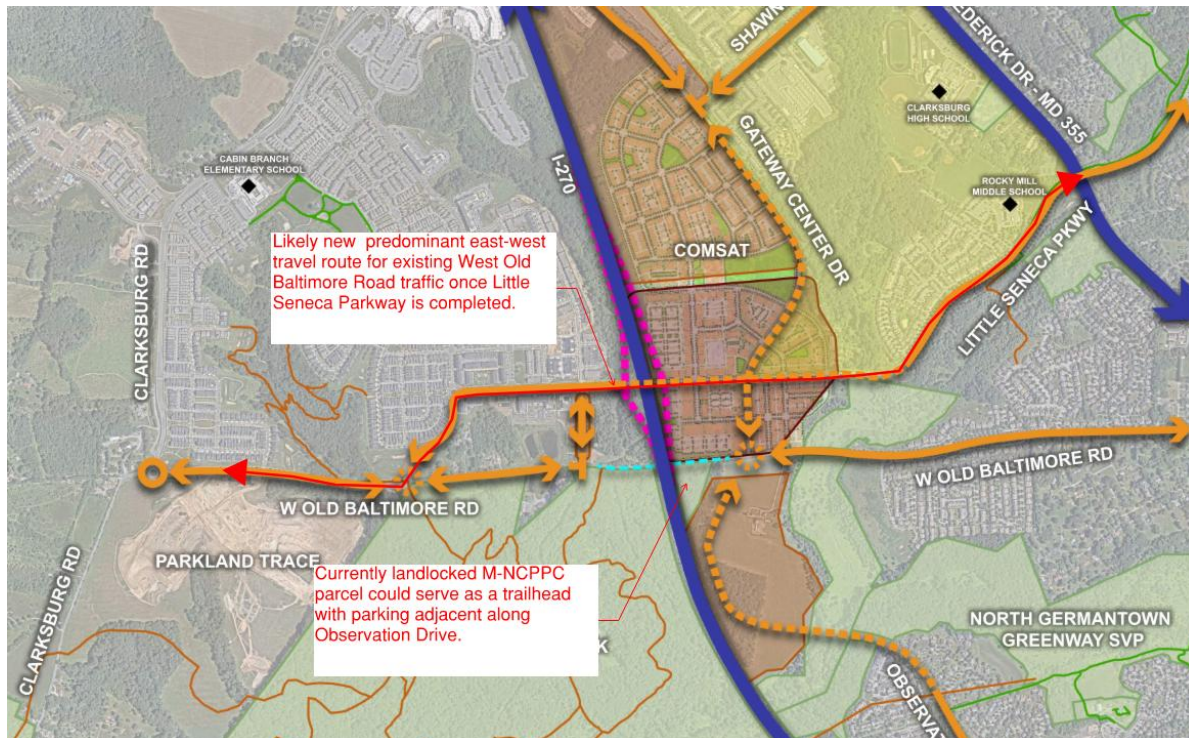


Justification:

The potential conversion of a short section of West Old Baltimore Road to a high-quality pedestrian, bike and wildlife trail crossing under the I-270 overpass was developed as a way to provide a lower cost uninterrupted pathway from east of I-270 to the west under I-270 to Black Hills Regional State Park and the Cabin Branch development in the future when the Little Seneca Parkway and Observation Drive extensions are complete. While sidewalks would also be provided across the Little Seneca Parkway bridge, the West Old Baltimore trail would provide a higher quality and safer connection located proximate to the park while also unlocking access to the 3-acre M-NCPPC parcel on the east side of I-270. Further, a wildlife trail under I-270 bookended by two County parks would provide a more likely utilized route for wildlife when compared to a bridge overpass also carrying vehicular traffic.

West Old Baltimore Road would remain as-is until such time that the Little Seneca Parkway bridge and extensions are constructed and alternative vehicular routes to offset the disconnection of West Old Baltimore Road are available. The conversion would include approximately 1,600 feet of roadway between the future intersection of Observation Drive at the east end and the Lake Ridge Drive intersection at the west end.

West Old Baltimore Road Pedestrian and Wildlife Underpass



Aerial View Looking West

West Old Baltimore Road Pedestrian and Wildlife Underpass

If the conversion were implemented, traffic traveling east-west along West Old Baltimore Road would reroute along Observation Drive, Little Seneca Parkway and Lake Ridge Drive or Broadway Avenue where convenient Roundabout intersections would facilitate turns. As shown in the image below, **this disconnection of West Old Baltimore Road would not result in a loss of access for any landowners or users, and continuous travel routes would still be available.** The increase in travel distance is relatively negligible at up to approximately 1,900 ft added to the route. However, of the 4,500 daily vehicles, combined volume of both directions, that use this road today, a significant portion would likely already be rerouting to Little Seneca Parkway once it is completed to provide an east-west connection between MD 355 and Cabin Branch. Given the I-270 overpass constraints along West Old Baltimore Road, **there is no other option to add pedestrian or bike facilities along West Old Baltimore Road.**



We feel that the short increase in travel distance for some drivers along this route would be more than offset by the new trail and connectivity for pedestrians, cyclists and wildlife under I-270, as envisioned in the image below. Such a trail system could draw new visitors to the area and provide a great amenity to future residents along Observation Drive. The Sector Plan seeks to promote non-automotive travel in the Plan Area, and this would be a relatively inexpensive way to help meet that goal in the future once alternative vehicular routes are completed.



Comsat Property Issues for Decision: Community Facilities

River Falls asks the Planning Board to decide the following issues related to Clarksburg Gateway Sector Plan (CGSP) Draft as follows:

REVISE Recommendation #9 as follows (Page 91):

- 9. Consider co-locating a community recreation and/or aquatic center within the Sector Plan area. Relevant county departments should be consulted about the viability of such a facility as a part of development review for any proposed development within the Sector Plan area. (See also Parks, Open Spaces, and Recreation recommendations.)**

River Falls Rationale:

- As drafted, River Falls would strongly prefer to remove Recommendation #9 in its entirety. As proposed by staff, a community recreation and/or aquatic center requirement of this scale is a significant encumbrance on any future approvals for our property, particularly in light of the fact that there is no capital funding program contemplated or even available given its total expected costs in the tens of millions.
 - The County's last draft of the RFP for this amenity required 20 acres and benefits 10,000s of thousands of people and the burden of such an exaction is not ours alone.
 - We must be clear that there is simply no nexus between a major community recreation and aquatic center of this scale and the redevelopment anticipated for our property.
- However, River Falls recognizes the importance of community facilities and has modified Recommendation #9 to remain in the Sector Plan with all properties in the Sector Plan area being evaluated for this need.

LAST WEEK, FOR WORK SESSION #3, WE PROVIDED A "GLOBAL COMMENT" WHICH CONTAINS A PROPOSED BLANKET DISCLAIMER THAT WOULD AVOID THE NEED TO PLACE SEPARATE QUALIFYING LANGUAGE IN EVERY PART OF THE PLAN.

From: [Soo Lee-Cho](#)
To: [MCP-Chair](#)
Cc: [Sartori, Jason](#); [Butler, Patrick](#); [Zeigler, Donnell](#); [Larson, Clark](#); [Francoise Carrier](#); [James Proakis <jproakis@jnpccap.com>](#); [William Rogers](#); [Donavon Corum](#); [Matt Leakan](#); [Susan Tater](#)
Subject: JNP/Avanti additional comments for Agenda Item 7 - November 6 Planning Board Meeting re: CGSP Public Hearing Draft
Date: Tuesday, November 4, 2025 12:10:56 PM
Attachments: [JNP-Avanti CGSP Public Hrg Draft Worksession #5 Comment Letter 11 04 2025.pdf](#)

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Please see attached for this Thursday's Planning Board meeting on Agenda Item 7.

Thank you.

Soo



Soo Lee-Cho

BREGMAN, BERBERT, SCHWARTZ & GILDAY, LLC

7315 Wisconsin Avenue, Suite 800 West

Bethesda, Maryland 20814

301-656-2707 x5902 **PHONE** | 301-961-6525 **FAX** | 301-318-3884 **MOBILE**

Email: sleecho@bregmanlaw.com

www.bregmanlaw.com

November 4, 2025

Artie Harris, Chair, and Members,
Montgomery County Planning Board
2425 Reedie Drive, 14th Floor
Wheaton, MD 20902

**Re: Agenda Item 7 – November 6, 2025 Planning Board Meeting re: Clarksburg
Gateway Sector Plan Public Hearing Draft – Worksession #5**

Dear Chair Harris and Members of the Board:

The following are additional comments regarding the Clarksburg Gateway Sector Plan Public Hearing Draft (the “CGSP” or “Draft Plan”) submitted on behalf of JNP Capital Management and Avanti Properties Group (together “JNP/Avanti”) as the developer and contract purchaser of the Linthicum property (“Property”).

We write in further response to the October 30th Staff Report on Environment, Parks, Open Spaces & Recreation, and Community Facilities, in particular regarding staff’s revised recommendation 3.E.10 to impose a 35% green cover area requirement that is calculated from the total developed area, excluding existing, retained forest cover on a property (rather than “net tract area”).

As the Board is aware, JNP/Avanti advocated for the relocation of the Observation Drive alignment through the Linthicum property – directing the road away from the stream valley instead of cutting right through it in order to preserve, enhance and integrate this unique environmental feature into the new residential development envisioned for the Property. In conjunction with development, the stream buffer areas of the Property will not only be made subject to a Category I Easement but will serve as the receiving area for **on-site planting requirements** and so should not be excluded from the green cover calculation.

Moreover, JNP/Avanti’s efforts to seek relocation of Observation Drive to preserve the stream valley sacrificed more developable areas of the Property. Accordingly, it is reasonable and should not come as a surprise that JNP/Avanti would expect that the green cover calculation would be based on a ‘net tract area’ that does not include the land dedicated for Observation Drive. Staff’s recommendation to include the land area dedicated for Observation Drive as a means of increasing the amount of green cover imposed on the development is simply punitive.

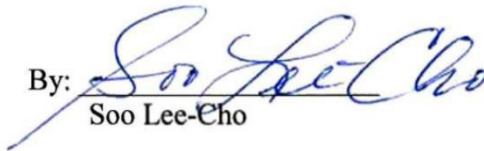
November 4, 2025

Page 2

Based on the above, JNP/Avanti respectfully requests that the Planning Board reject staff's recommendation and support **no greater than a 25% green cover standard that is inclusive of not only existing, retained forest cover and any/all planted areas incorporated within a development but that is calculated on a 'net tract area' basis, i.e., not inclusive of dedicated right-of-way for Observation Drive.**

Sincerely yours,

BREGMAN, BERBERT, SCHWARTZ & GILDAY, LLC

By: 
Soo Lee-Choo

From: [Robins, Steven A.](#)
To: [MCP-Chair](#); [Harris, Artie](#); [Coello, Catherine](#); [Bartley, Shawn](#); [Pedoeem, Mitra](#); [Linden, Josh](#); [Hedrick, James](#)
Cc: [Robins, Steven A.](#); [Bob Elliott](#); [Mike Alexander](#); gunterberg@rodgers.com; [Casey Blair Anderson \(canderson@rodgers.com\)](mailto:Casey.Blair.Anderson@canderson@rodgers.com); will.zeid@kimley-horn.com; [Butler, Patrick](#); [Larson, Clark](#); [Zeigler, Donnell](#); [Sartori, Jason](#); [Kronenberg, Robert](#)
Subject: Environmental Comments for Worksession #5/Clarksburg Gateway Sector Plan/ River Falls submission
Date: Wednesday, November 5, 2025 12:06:23 PM
Attachments: [CGSP Worksession 5 - RF - Environment 11-5-25.pdf](#)
Importance: High

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Dear Chair Harris and Members of the Board:

Thank you very much for the opportunity to provide the Board with information related to the topics discussed in the Clarksburg Gateway Sector Plan Worksession #5. As mentioned in our November 4, 2025, submission, we are now submitting information regarding the Environmental portion of the work session. We regret that we were unable to submit all materials in a single filing. The reason for this is that, unlike the submission on Parks, Open Space, and Community Facilities, staff has not moved away from their preliminary recommendations on environmental matters, despite our significant effort to reach agreement. As a result, we respectfully ask that the Board also take the time to carefully consider the comments raised in our prior testimony and in this filing. These issues are very important to the Plan's success.

As part of this filing, we are submitting the following:

1. A document titled "Comsat Property Issues for Decision: Environment." This document addresses the environmental recommendations in the Plan and River Falls' position on each topic.

After the November 6th worksession, we will provide the Board with a comprehensive submission outlining our remaining concerns about Neighborhood Districts, Transportation issues, and any other relevant matters. We aim to submit this as soon as possible to ensure ample time for review at the November 20th worksession.

We will attend the work session and be ready to answer questions or discuss our positions. Thank you for considering our positions and concerns. We are all working to make this a great plan.

Steve Robins

Steven A. Robins, Attorney

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7600 Wisconsin Ave | Suite 700 | Bethesda, MD 20814

T 301-657-0747 | F 301-347-1778 | Cell 301-252-1904

sarobins@lerchearly.com | [Bio](#)

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Comsat Property Issues for Decision: Environment

River Falls asks the Planning Board to decide the following issues related to Clarksburg Gateway Sector Plan (CGSP) Draft as follows:

The staff draft includes several onerous, inconsistent, or confusing environmental recommendations. These provisions create uncertainty and highlight unresolved tensions between goals for environmental protection on the one hand and housing and economic development on the other. River Falls recommends the inclusion of the following language in the body of the Environmental Section of the Sector Plan:

The natural resources and water quality of Montgomery County - particularly within the Clarksburg Special Protection Area - are already protected by exceptionally rigorous laws, including Chapter 19, Article V (Water Quality Review) and Chapter 22A (Forest Conservation Law). These existing standards provide comprehensive safeguards that exceed those in most jurisdictions and ensure responsible environmental management.

As recognized in Thrive 2050, compact mixed-use development that supports transit and walkability is itself a key strategy for long-term environmental stewardship. Additional overlapping regulations would only constrain the land needed to accommodate economic development and achieve the County's housing goals. This plan relies on the robust protections already in place to preserve flexibility within the existing legal framework to advance both environmental and development goals.

REVISE Goal #2 (Page 66) as follows:

Preserve and expand forest stands, non-forest tree canopy, and other natural areas on public and private lands to the extent consistent with the plan's economic development and housing goals.

River Falls Rationale:

- The draft plan calls for preserving or expanding forests, tree canopy, and other natural areas without qualification. River Falls urges the Planning Board to refine this recommendation to acknowledge the need to balance environmental preservation with the plan's other goals.

REVISE Recommendation 2(c) (Page 67) as follows:

2c. Manage the retention of on-site trees and vegetation, especially on properties with Forest Interior Dwelling Species areas and within the Priority Urban Forest areas, as defined by – and consistent with regulatory guidance by – Maryland DNR.



River Falls Rationale:

- The draft plan contains inconsistent language on forest preservation. Although staff state that no specific forest stands are identified, the plan text says all stands should be preserved.
- The Forest Conservation Law already establishes rigorous standards for forest and tree retention and planting, making additional requirements unnecessary. Maryland DNR has identified “priority urban forest” areas but has not imposed new restrictions - only recommending preservation where feasible in light of local land use and development goals.

REMOVE Recommendation #4 (Page 67) requiring 50% tree canopy coverage for surface parking lots.

River Falls Rationale:

- Parking lot landscaping should be addressed through the development review process, which will apply the existing SPA requirement to minimize impervious surfaces.
- A 50% canopy standard would undermine walkability goals by expanding parking lots and spreading buildings farther apart. Reflective or light-colored paving and solar canopies reduce heat islands without sacrificing compact design and should count toward any canopy requirement.

REVISE Recommendation 5 (Page 67) as follows:

5. Prioritize afforestation and reforestation where gaps in contiguous forest corridors exist, especially within stream buffers and between high-quality forest stands, and where appropriate to the natural setting, natural area management objectives, and the plan’s housing and economic development goals. Restoring or enhancing network gaps improves habitat connectivity for the movement of wildlife, supports healthier ecosystems, and should be encouraged where consistent with the plan’s other objectives.

River Falls Rationale:

Recommending preservation of all forest stands - including Maryland DNR “priority urban forests” - conflicts with Thrive 2050’s goal of balancing environmental protection with compact, transit-supportive growth. River Falls already has strong incentives to preserve forest, both to minimize costly afforestation and off-site mitigation and to make development



attractive and appealing. Preservation of the forest stands interior to the COMSAT site are inconsistent with delivering the development recommended in the plan.

DELETE RECOMMENDATION 9 (Page 68) on trees and landscaping between all new development and I-270.

River Falls Rationale:

- This issue should be resolved through the I-270 setback standard. River Falls' proposed compromise (a sound wall and 50-foot forest buffer between I-270 and residential uses) protects environmental health while allowing commercial buildings closer to the highway.

REPLACE Recommendation #10 (Page 68) with the following text:

10. New development should provide a minimum of 35% green cover over the entire site. This recommendation is intended to ensure adequate green and/or shaded areas within the site environment for the health and enjoyment of people. Examples of green cover include:

- a. Intensive green roof (6 inches or deeper; must be built in place – tray systems are not allowed).**
- b. Shade tree canopy cover (including trees and landscaping in the right of way)**
- c. Vegetative cover or landscaped areas deeper than 6 inches.**
- d. Rain gardens, bioswales, and other stormwater management areas.**
- e. Open space, parks and recreation areas.**
- f. Solar installations or other green energy options.**
- g. Forest conservation areas.**

Note: The Planning Board may approve alternative compliance proposals consistent with these green cover goals.

River Falls Rationale:

- River Falls urges the Planning Board to preserve flexibility within existing law - specifically County Code Chapter 19, Article V (Water Quality Review) and Chapter 22A (Forest Conservation Law) - which already provide strong safeguards for the Clarksburg SPA.
- Forest Conservation requirements are based on the entire site and should remain so. Green cover should be calculated the same way (including stream buffers, public dedications, street trees, etc.). Any need for additional plantings to address heat island effects or the like should be addressed through landscaping requirements at the time of site plan approval.



- Bethesda standards are inappropriate in Clarksburg, where horizontal construction types make green roofs less feasible.
- Existing and retained forest should count toward green cover, as it delivers stormwater, habitat, and climate benefits in close proximity to areas to be developed.

REMOVE Recommendation 12 in the COMSAT Neighborhood Recommendations (Page 95) calling for preservation of existing forest and trees without qualification and expressly prioritizing specific forest stands on the property.

River Falls Rationale:

- As previously stated, the draft plan contains inconsistent language on forest preservation, stating that no specific forest stands are identified yet later identifying some for preservation. This Recommendation creates unnecessary contradiction that should be resolved to maintain flexibility as already allowed under the Forest Conservation Law.
- The recommendation to preserve the forest stand south of the former COMSAT building conflicts with the staff-supported illustrative development concept and would interfere with appropriate and desirable development in the middle of the property.

LAST WEEK, FOR WORK SESSION #3, WE PROVIDED A "GLOBAL COMMENT" WHICH CONTAINS A PROPOSED BLANKET DISCLAIMER THAT WOULD AVOID THE NEED TO PLACE SEPARATE QUALIFYING LANGUAGE IN EVERY PART OF THE PLAN.