

January 21, 2026

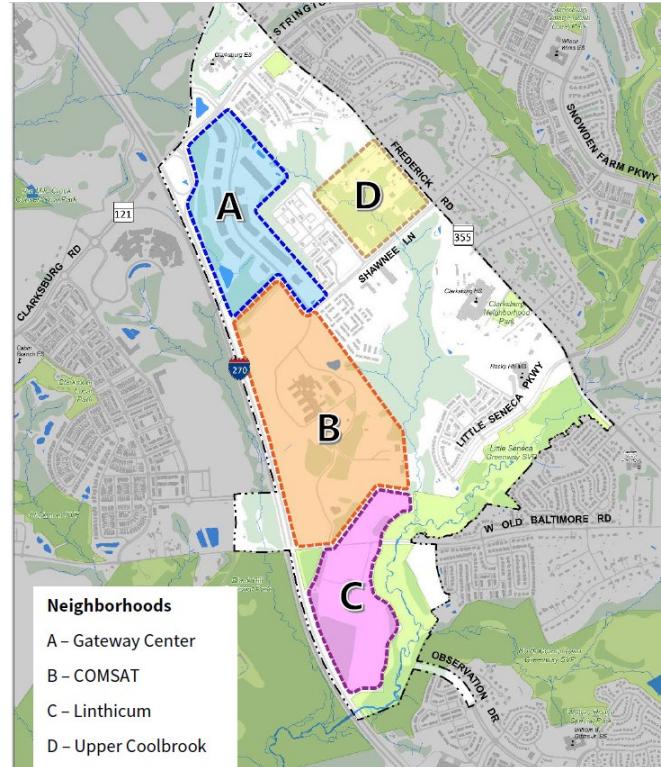
The Honorable Natali Fani-González and Members of the Montgomery County Council
100 Maryland Avenue
Rockville, MD 20850

Re: Public Hearing Testimony on Clarksburg Gateway Sector Plan – Public Hearing 1-21-26

Dear Council President González and Members of the County Council:

I write on behalf of our client Linthicum Properties Management, LLC, owner of the property described in the Planning Board Draft of the Clarksburg Gateway Sector Plan (the “Plan”) as the Linthicum Farm property, which is represented in this master plan process by Charles T. (Tom) Linthicum, Jr. and Paula Linthicum (the “Linthicums”). The Linthicum Farm property is 78 acres in size, making it the second largest development parcel in the sector plan area. It is identified on the Sector Plan image shown below as Neighborhood C, located between I-270 on the west, the Little Seneca Creek stream valley on the south and east, and the COMSAT property on the north, with West Old Baltimore Road running through the northern part of the property.

*Figure 1
Neighborhood Districts Map, Plan at 101*



The Linthicum family is deeply involved in Maryland agriculture and has been farming in Montgomery County for more than 150 years. This property is their last landholding in Clarksburg, which they have decided to sell as part of a decision to focus their farming activities on land they own within the Agricultural Reserve. The property is under contract for sale to JNP/Avanti, which will also be providing written and oral testimony. The Linthicums support the Planning Board Draft of the Plan, with some language changes and corrections described below and in written and oral testimony by JNP/Avanti.

As longtime owners of this property, the Linthicums would like to see it make the maximum possible contribution to housing in Clarksburg, while also facilitating a vital transportation link by connecting Observation Drive from Germantown to West Old Baltimore Road. The Linthicums are still actively farming the property. They are intimately familiar with the inadequacies of the transportation network in Clarksburg and feel that the people of Clarksburg deserve significant improvements. They also recognize that the best, fastest, most economical way for the County to acquire the land for the section of Observation Drive that runs through their property is for their property to be redeveloped, which would trigger dedication of the necessary right-of-way. That redevelopment and its timing depend to a great degree on how well the Sector Plan supports the development project that JNP/Avanti proposes. The Linthicums believe that the Planning Board Draft does a good job of balancing the many public interests at stake, and sets the stage for successful achievement of its goals. The remainder of this letter responds to objections made by opponents of the Plan, as well as minor changes and needed corrections.

200-Foot Setback from I-270

Planning staff proposed to the Planning Board a 200-foot setback from I-270 for residential buildings. After multiple extensive presentations by planning staff in favor of a 200-foot setback, including alternatives with smaller setbacks, the Planning Board made a considered decision to recommend no special setback from I-270. The Board's deliberations made clear that they felt the interest in public safety and welfare would be adequately protected by (i) a required 75-foot dedication along I-270 at the time of development; (ii) a 50-foot forested buffer along I-270; and (iii) mitigation in the form of a sound wall, if required under the County's Noise Ordinance. This decision reflected some salient facts:

1. As a practical matter, this stretch of I-270 will never be widened to the east due to high-tension power lines and a gas line that run just east of the highway. This, together with the Sector Plan standard calling for a 50-foot forest buffer, creates a no-build area along I-270 125 feet deep.
2. A 200-foot residential setback from I-270 would severely depress development of the major properties along I-270. JNP/Avanti has estimated that a 200-foot setback from I-270 would decrease the number of dwellings buildable on the Linthicum Farm property by approximately 22 percent.

3. The County has applied a 200-foot setback from I-270 in only one master plan to date, in Germantown. After all the impediments Clarksburg has seen to its development as a complete community, some of which were created directly by the County, it seems grossly unfair to impose tougher standards in Clarksburg than in other parts of the County where the real estate market is stronger.

The Linthicums believe that the proposed dedication, forested buffer and mitigation measures together strike a good balance between protecting human health and the environment and allowing the construction of much-needed housing. We urge the Council to follow the Planning Board's lead in rejecting an onerous setback requirement that would work directly against achievement of the Plan's housing goals.

Community Design Concept Illustration and Accompanying Text

The Plan includes an image and text suggesting that the former COMSAT property and the Linthicum Farm property will or should be developed together in a coordinated fashion. The image and the related text should be deleted or significantly revised to reflect the reality that these properties are under separate ownership and will be built out by different developers operating on their own timelines. JNP/Avanti intends to begin the development process for the Linthicum Farm property promptly upon approval of the Sector Plan and the zoning it recommends. Plans for redevelopment of the former COMSAT property appear to be at a much earlier stage, with no indication that development will be imminent. Leaving this drawing and text in the plan could end up delaying redevelopment of the Linthicum Property to wait for COMSAT, which is not in anyone's interest.



*Figure 4
Community Design Concept Illustration, Plan at 66.*

Related text from page 105:

4. **Proposed development on the Linthicum Family property should establish compatible development blocks that consider adjacent development and a coordinated grid of public streets with the adjacent former COMSAT Laboratories property. The**

Needed Corrections

We would like to add into the record two corrections that need to be made to the Planning Board Draft for consistency and accuracy. We have also communicated with Planning Department staff about these corrections.

The Plan presents a concept Framework Plan (page 21) that inadvertently was not updated to reflect changes made to the Plan during the course of the Planning Board's review. The complete Concept Framework Plan and a blown-up excerpt are shown below. This image was prepared early in the sector plan process, at a time when planning staff anticipated including the portion of the Linthicum Farm property north of West Old Baltimore Road in the COMSAT neighborhood shown in Figure 1 on the first page of this letter, rather than being part of the Linthicum Neighborhood. At the request of the Linthicums and JNP/Avanti, Figure 1 was adjusted to include the entire Linthicum Farm property in the Linthicum Neighborhood. This reflects that reality that the Linthicum Farm property will be developed separately from the former COMSAT property. The intention to treat the entire Linthicum Farm property as one neighborhood, subject to a single set of standards, should be reflected on this image.

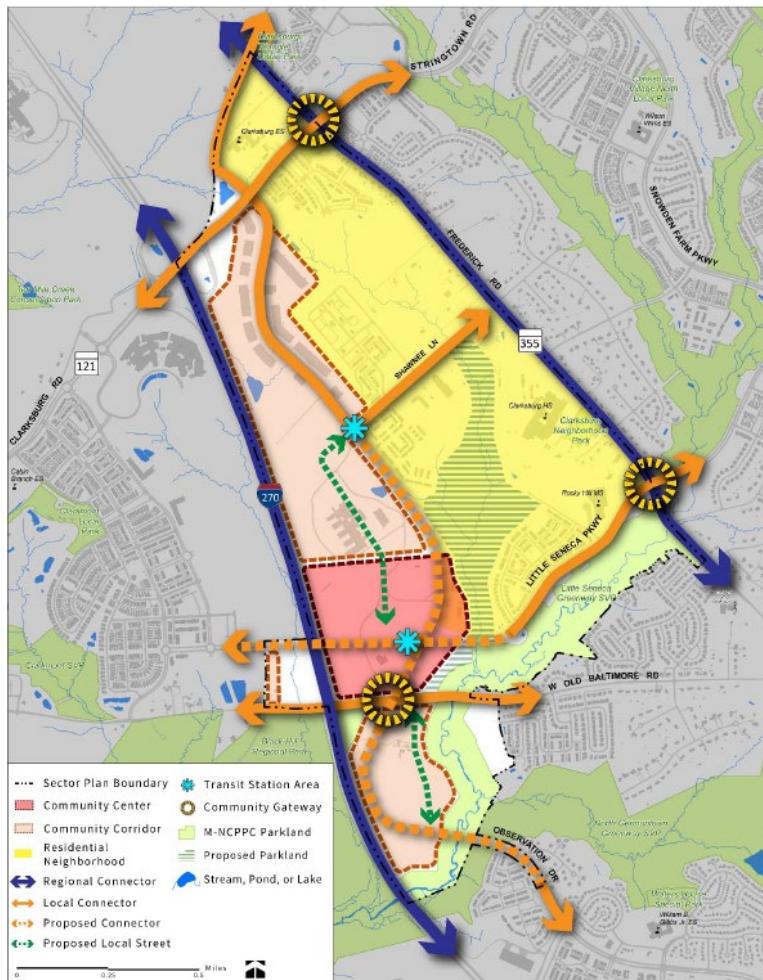


Figure 2
Concept Framework Plan, Plan at 21

Figure 3
Concept Framework Plan Close-up



More importantly, this graphic should be updated because currently, it shows part of the Linthicum Farm property north of W. Old Baltimore as Proposed Parkland. This oversight is inconsistent with discussions throughout the sector plan process between planning staff, the Linthicums and JNP/Avanti, and with the Planning Board's deliberations on the Plan. Further, it is inconsistent with Plan language about parks, including the focus on Constellation Park, the Plan's specific parks recommendations for the Linthicum Neighborhood, and language on page 81 about establishing a stream valley park along the Coolbrook tributary between the end of Little Seneca Parkway and Shawnee Lane, north of the Linthicum Farm property. In addition, staff and the Board considered and rejected testimony suggesting more parkland preservation from the Linthicum property along the Coolbrook and Little Seneca stream valleys. See Planning Staff Report for Planning Board worksession No. 5 at 9-10 and this slide from staff's presentation during worksession No. 5:

Parks, Open Spaces, and Recreation – Testimony Review

TESTIMONY

Expanded Parkland along Little Seneca Greenway Stream Valley Park

- One testimony suggests revisions that on the Linthicum property, the County should preserve more land either through private conservation easements or public parkland dedication in the following locations to provide better stream protection: along the western edge of Little Seneca Creek, and along the western edge of the Cool Brook Tributary, above its confluence with Little Seneca Creek. (Comment #117)

Staff Response: The Draft Plan recommends protection of the Cool Brook Tributary stream valley upstream from Little Seneca Greenway Stream Valley Park, either through conservation easement or parkland dedication (Recommendation 3.E.6.a, p. 68 and Recommendation 3.F.13, p. 76). Parks Staff does not support additional plan recommendation to expand Little Seneca Greenway Stream Valley Park along the eastern property line of the Linthicum Property since preservation of any sensitive environmental areas in this location may be considered as part of future development review.

Staff does not recommend revisions to the Draft Plan in response to testimony

In sum, the Concept Framework Plan should be adjusted to show the entire Linthicum Property as part of the Community Corridor, with no proposed parkland.

Thank you very much for taking the Linthicums' concerns into consideration. We will be happy to provide additional information at any time.

Sincerely yours,

BREGMAN, BERBERT, SCHWARTZ & GILDAY, LLC

By: 
Françoise M. Carrier