November 25, 2020

Ms. Vivian Benjamin
Assistant Director, Mortgage Finance
Housing Opportunities Commission
10400 Detrick Avenue
Kensington, MD 20895

STATE CLEARINGHOUSE RECOMMENDATION

State Application Identifier: MD20201015-0910
Applicant: Housing Opportunities Commission
Project Description: Renovation of the Bauer Park Apts., an Existing 142 Unit, Affordable, Age Restricted (62+) Rental Community Located on 3.88 Acres at 14635, 14639, and 14643, Bauer Drive in Rockville, MD
Project Address: 14635, 14639, and 14643 Bauer Drive, Rockville, MD 20853
Project Location: Municipality(ies) of Montgomery-City of Rockville
Approving Authority: U.S. Department of Housing and Urban Development HUD
Funds: Federal: $24,000,000.00 State: $ 0.00 Local: $ 0.00 Other: $ 0.00
Recommendation: Consistent with Qualifying Comments

Dear Ms. Benjamin:

In accordance with Presidential Executive Order 12372 and Code of Maryland Regulation 34.02.01.04-.06, the State Clearinghouse has coordinated the intergovernmental review of the referenced project. This letter constitutes the State process review and recommendation. This recommendation is valid for a period of three years from the date of this letter.

Review comments were requested from the Maryland Department(s) of Natural Resources, Transportation, the Environment; and the Maryland Department of Planning, including the Maryland Historical Trust. The Maryland Historical Trust had no comment.

The Maryland Department(s) of Natural Resources, and Transportation; and the Maryland Department of Planning found this project to be consistent with their plans, programs, and objectives.

Our Department (Planning) noted the following:

(1) This project proposes renovation of an existing affordable and age restricted apartment complex built in 1977.

(2) The project does not propose to change the existing density and will add an updated utility structure to the 3.88 acre site.

(3) The project is located within a Priority Funding Area (PFA).

The Maryland Department of Environment (MDE) found this project to be generally consistent with their plans, programs, and objectives, but included certain qualifying comments summarized below.

1. If the applicant suspects that asbestos is present in any portion of the structure that will be renovated/demolished, then the applicant should contact the Community Environmental Services Program at (410) 537-3215 to learn about the State's requirements.

2. Construction, renovation and/or demolition of buildings and roadways must be performed in conformance with State regulations pertaining to "Particulate Matter from Materials Handling and Construction" requiring that during any construction and/or demolition work, reasonable precaution must be taken to prevent particulate matter, such as fugitive dust, from becoming airborne.

3. During the duration of the project, soil excavation/grading/site work will be performed; there is a potential for encountering soil contamination. If soil contamination is present, a permit for soil remediation is required from MDE. Please contact the New Source Permits Division at (410) 537-3230 to learn about the State's requirements.

4. Any above ground or underground petroleum storage tanks, which may be utilized, must be installed and maintained in accordance with applicable State and federal laws and regulations. Underground storage tanks must be registered and the installation must be conducted and performed by a contractor certified to install underground storage tanks by the Land Management Administration in accordance with COMAR 26.10. Contact the Oil Control Program at (410) 537-3442 for additional information.

5. Any solid waste including construction, demolition and land clearing debris, generated from the subject project, must be properly disposed of at a permitted solid waste acceptance facility, or recycled if possible. Contact the Solid Waste Program at (410) 537-3315 for additional information regarding solid waste activities and contact the Waste Diversion and Utilization Program at (410) 537-3314 for additional information regarding recycling activities.

6. The Waste Diversion and Utilization Program should be contacted directly at (410) 537-3314 by those facilities which generate or propose to generate or handle hazardous wastes to ensure these activities are being conducted in compliance with applicable State and federal laws and regulations. The Program should also be contacted prior to construction activities to ensure that the treatment, storage or disposal of hazardous wastes and low-level radioactive wastes at the facility will be conducted in compliance with applicable State and federal laws and regulations.

7. Any contract specifying “lead paint abatement” must comply with Code of Maryland Regulations. If a property was built before 1950 and will be used as rental housing, then compliance with COMAR 26.16.02 is required. Additional guidance regarding projects where lead paint may be encountered can be obtained by contacting the Environmental Lead Division at (410) 537-3825.

8. The proposed project may involve rehabilitation, redevelopment, revitalization, or property acquisition of commercial, industrial property. For specific information about these programs and eligibility, please contact the Land Restoration Program at (410) 537-3437.

Any statement of consideration given to the comments should be submitted to the approving authority, with a copy to the State Clearinghouse. The State Application Identifier Number must be placed on any correspondence pertaining to this project. The State Clearinghouse must be kept informed if the approving authority cannot accommodate the recommendation.

Please remember, you must comply with all applicable state and local laws and regulations. If you need assistance or have questions, contact the State Clearinghouse staff person noted above at 410-767-4490 or through e-mail at myra.barnes@maryland.gov. **Also please complete the attached form and return it to the State Clearinghouse as soon as the status of the project is known.** ***Any substitutions of this form must include the State Application Identifier Number.*** **This will ensure that our files are complete.**

Thank you for your cooperation with the MIRC process.

Sincerely,

Myra Barnes, Lead Clearinghouse Coordinator

MB:MB
Enclosure(s)
cc: Greg Ossont - MTGM
Tony Redman - DNR
Ian Beam - MDOT
Amanda Redmiles - MDE
Joseph Griffiths - MDPL
Beth Cole - MHT

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PROJECT STATUS FORM

Please complete this form and return it to the State Clearinghouse upon receipt of notification that the project has been approved or not approved by the approving authority.

TO: **Maryland State Clearinghouse**
Maryland Department of Planning
301 West Preston Street
Room 1104
Baltimore, MD 21201-2305

DATE: _____
(Please fill in the date form completed)

FROM: _____
(Name of person completing this form.)

PHONE: _____-____-_____
(Area Code & Phone number)

RE: **State Application Identifier:** **MD20201015-0910**
Project Description: Renovation of the Bauer Park Apts., an Existing 142 Unit, Affordable, Age Restricted (62+) Rental Community Located on 3.88 Acres at 14635, 14639, and 14643, Bauer Drive in Rockville, MD

PROJECT APPROVAL

This project/plan was: ☐ **Approved** ☐ **Approved with Modification** ☐ **Disapproved**

Name of Approving Authority: _____

Date Approved: _____

FUNDING APPROVAL

The funding (if applicable) has been approved for the period of:

_____, 201____ to _____, 201____ as follows:

Federal $:	**Local $:**	**State $:**	**Other $:**
_____	_____	_____	_____

OTHER

☐ *Further comment or explanation is attached*

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Greg Ossont - MTGM

U.S. Department of Housing and Urban Development (HUD)
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