

AVENEL

Community Association, Inc.

September 15th, 2023

Kishia L. Powell
General Manager/CEO
Washington Suburban Sanitary Commission
14501 Sweitzer Lane
Laurel, Maryland 20707

Re: WSSC Property located within the Avenel Community (“Property”)

Dear Ms. Powell:

This letter is written on behalf of the Avenel Community Association, Inc. (“Avenel”) regarding the above-mentioned Property owned by Washington Suburban Sanitary Commission (“WSSC”).

This Property has been the subject of much discussion and correspondence over the past two (2) months and was just recently addressed in correspondence to you from Tom Natelli of Natelli Communities dated September 14, 2023. Additionally, pursuant to recent communications between WSSC and Natelli Communities, our general manager, Lucy Wilson, was invited to attend a meeting on September 11, 2023 with Al Roshdieh, the General Services Director of WSSC, and other members of the WSSC staff to discuss the current status and plans for the Property. It is our understanding that Tom Natelli requested a meeting with you as General Manager of WSSC and you suggested that the meeting proceed with Mr. Roshdieh first. As a result, the meeting was arranged with Mr. Roshdieh and it was Natelli Communities and Avenel’s intent that this meeting be a first step in working cooperatively with WSSC to establish a plan for the continued operation of the Equestrian Facilities on the Property. The Equestrian Facilities have been operated on the Property for many years and such use is an integral part of Avenel and is interwoven with the fabric of the community. Notwithstanding this long history, it became clear from the meeting that WSSC is disinterested in working with Avenel and Natelli Communities and it appears that WSSC intends to cease any operation of the Equestrian Facilities on the Property.

The Property was originally identified by WSSC for a future Wastewater Treatment Plant for the Avenel and neighboring areas of the County (“AWTP”) but this treatment plant was never constructed. As contemplated in various recorded agreements, since WSSC took ownership of the Property and throughout the development and growth of the Avenel community, the Property has been continuously used for an equestrian facility pursuant to a long term lease arrangement with Nancy Evans, who operates the Avenel Equestrian Center. Such use together with the trails and other amenities throughout the Avenel area are an essential part of Avenel’s identity. In addition, the Equestrian Facilities are a significant and historic feature of the greater Potomac area and are enjoyed by many residents in Montgomery County generally.

Although Avenel received no prior notice, we understand that WSSC gave written notice to Ms. Evans of lease termination in the near term. Ceasing the operation of the Equestrian Facilities would be an enormous loss to Avenel and our community members are already extremely concerned about this course of action. While WSSC raised some concerns about the structural integrity and safety of the existing barn and stable located on the Property, it does not appear to be the primary reason for termination as it is our understanding from the recent meeting with your

staff that WSSC is unwilling to discuss cooperation with Avenel and Natelli Communities to address the conditions of the barn and stable. In fact, it is our understanding that WSSC has not obtained an engineering evaluation of the structures nor has it considered the scope of work and related costs of any necessary improvements to preserve these facilities especially given their historical significance to the community. Additionally, these facilities are in active use at this time with many boarders using the stable.

We understand that there are no current plans to construct the AWTP. Existing recorded agreements require that WSSC allow the operation of the Equestrian Facilities on the Property. In fact, consideration must be given to the continued operation of such facilities even if the AWTP was to be planned and constructed in the future. Additionally, pursuant to a letter agreement dated March 30, 1988, WSSC agreed to consult with and consider Avenel's input with respect to any modifications to the physical structures of the Equestrian Facilities before implementing the same. This would certainly include any demolition or abandonment of such facilities. *See* attached copy of the agreement. Avenel was never even notified of the planned lease termination of the facilities and only now learned at the recent meeting that WSSC intends to either demolish the facilities or abandon their use. No good faith effort to consult with Avenel was pursued nor has Avenel's interest in the continued operation been considered. We were extremely disappointed in WSSC's adamant refusal to consider a cooperative path forward and its intent to make changes to the use of the Property to the detriment of the Avenel community and the interests of its members.

We strongly urge WSSC to reconsider its position. In fact, we believe that the current termination should be delayed so that we can meet in person to discuss reasonable options for the Property and the Equestrian Facilities. We remain willing to work with WSSC toward a collaborative resolution, consistent with the good neighbor relationship we have had for many years. Please let us know available times for a meeting.

Sincerely,

AVENEL COMMUNITY ASSOCIATION, INC.

By: *Clifford J. Ehrlich L.W.*
Clifford J. Ehrlich, President

Enclosure

cc: (via email only)

Board of Directors

Lucy Wilson

Shelah F. Lynn, Esq.

Tom Natelli

Al Roshdieh

ROCK RUN PARTNERSHIP

March 30, 1988

Washington Suburban Sanitary Commission
4017 Hamilton Street
Hyattsville, Maryland 20781

Re: Equestrian Center at the Avenel
Development, Potomac, Maryland

Dear Commissioners:

This letter will confirm the agreement reached between the Washington Suburban Sanitary Commission (WSSC), Rock Run Limited Partnership (RRLP), Tournament Players Club at Avenel, Inc. (TPC), and the Avenel Community Association, Inc. (ACA) at our meeting of February 1, 1988.

At this meeting, representatives of WSSC agreed that WSSC would consult with and consider in good faith the views of ACA and TPC before making any changes to the physical appearance of the structures comprising the equestrian center on the land in the Avenel Development in Potomac, Maryland, to be conveyed by RRLP to WSSC pursuant to the Master Agreement and amendments thereto entered into by and among WSSC, RRLP, Montgomery County, Maryland and TPC's predecessor-in-interest. Notwithstanding the aforementioned, the final decision as to changes to the physical appearance of the structures comprising the equestrian center shall rest solely with WSSC.

Please sign each of the three enclosed duplicate originals evidencing the WSSC's consent to the foregoing arrangement, and retain one of the originals for your records.

Sincerely,

ROCK RUN LIMITED PARTNERSHIP,
a Maryland Limited Partnership
BY: POTOMAC INVESTMENT ASSOCIATES
LIMITED PARTNERSHIP, a Maryland
Limited Partnership, General
Partner

By:

A. M. Natelli
A. M. Natelli,
General Partner

AVENEL COMMUNITY ASSOCIATION,
INC., A Maryland Corporation

By: A. M. Natelli

A. M. Natelli, President

TOURNAMENT PLAYERS CLUB
AT AVENEL, INC.

By:

James R. Seeley

James R. Seeley,
Vice President

READ AND AGREED TO:

WASHINGTON SUBURBAN SANITARY
COMMISSION

By:

Richard G. Hocevar

Title: General Manager

Date: 12/19/88