

From: [Soo Lee-Cho](#)
To: [Robeson Hannan, Lynn](#); [Beall, Mark](#)
Cc: [Butler, Patrick](#); [Johnson, Nana](#)
Subject: RE: Questions on CU 23-12, Brookstone Senior Living
Date: Friday, February 9, 2024 1:29:18 PM

[EXTERNAL EMAIL]

Will do!

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

From: Robeson Hannan, Lynn <Lynn.RobesonHannan@montgomerycountymd.gov>
Sent: Friday, February 9, 2024 1:16 PM
To: Soo Lee-Cho <sleecho@bregmanlaw.com>; Beall, Mark <mark.beall@montgomeryplanning.org>
Cc: Butler, Patrick <patrick.butler@montgomeryplanning.org>; Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>
Subject: Re: Questions on CU 23-12, Brookstone Senior Living

We would like a hard copy set because we are required to keep hard copies of the file.
Thank you.

Get [Outlook for iOS](#)

From: Soo Lee-Cho <sleecho@bregmanlaw.com>
Sent: Friday, February 9, 2024 12:26:58 PM
To: Robeson Hannan, Lynn <Lynn.RobesonHannan@montgomerycountymd.gov>; Beall, Mark <mark.beall@montgomeryplanning.org>
Cc: Butler, Patrick <patrick.butler@montgomeryplanning.org>; Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>
Subject: RE: Questions on CU 23-12, Brookstone Senior Living

[EXTERNAL EMAIL]

Ms. Robeson Hannan,

Thank you for your e-mail. The Applicant will confer with staff on the below, as applicable, and will be prepared to address at the hearing. In the meantime, please let me know you would like a hardcopy set of the final plan set reviewed by Planning Board (i.e., now marked as exhibits) delivered to OZAH in the early part of next week.

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 (-> urldefense.proofpoint.com)

From: Robeson Hannan, Lynn <Lynn.RobesonHannan@montgomerycountymd.gov>

Sent: Friday, February 9, 2024 8:38 AM

To: Beall, Mark <mark.beall@montgomeryplanning.org>; Soo Lee-Cho <sleecho@bregmanlaw.com>

Cc: Butler, Patrick <patrick.butler@montgomeryplanning.org>; Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>

Subject: Questions on CU 23-12, Brookstone Senior Living

Good afternoon, all. I have a few questions on the above and wanted to get them to you as far as possible before the hearing. You may answer them before the hearing or be prepared to address them at the hearing. Mark, would you please provide any additional analysis of No. 9 before the hearing?

They are:

1. The zoning is R-200/TDR 3.0. It doesn't look like the Applicant is using the TDRs for this development. In the past, we have added a condition extinguishing the TDRs. Can you confirm and let me know whether you agree/disagree with such a condition.
2. Is the property 5.68 acres or 5.86 acres. There are two different numbers in the Staff Report —is the one on the cover page just a typo?
3. Usually we put a condition on the maximum number of employees that can be on-site at one time and a condition mandating shift times w/number of employees on each shift because

this usually supports the traffic findings. Can this information be summarized and provided?
Do the Applicant object to a condition limiting the number of staff, maximum on-site, and shifts?

4. Would the “surety and maintenance agreement” referenced in Condition 5 be between the Planning Department and the site management company or the property owner? Are the independent senior units rentals or ownership?
5. Are any MPDUs proposed for the senior living units? If not, is there a payment to the Housing initiative Fund?
6. The photometric plan doesn’t show lighting levels to the edge of the property. Please confirm that footcandles will be 0.1 either by extending the fc to the property line or some other method.
7. The Staff Report mentions a “signage plan”. Can you direct me to OZAH’s exhibit number for this plan? Will the sign be illuminated? What type of lighting? Does this affect fc at the property line? Do you have timing for illumination?
8. Some of the plans submitted are blank (*see*, Exhibit 28(c), Staff Memos). Is there a reason for this?
9. Inherent/Non-Inherent: we’ve found that noise is one of the inherent effects of these types of uses (from delivery trucks, waste pick-up, ambulances, etc.) Is there information on the number of deliveries that will be occurring? From Staff, do we have any information on whether noise is inherent/non-inherent and, is there any additional analysis of why the noise/number of deliveries is inherent?

Again, if there is information in the file that I have missed, please direct me to the correct exhibit.
Thanks in advance for your cooperation on this.

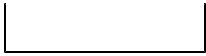
Lynn Robeson Hannan
Director
Office of Zoning and Administrative Hearings
100 Maryland Avenue, Room 200
Rockville, MD 20850
(240) 777-6660



For more helpful Cybersecurity Resources, visit:
<https://www.montgomerycountymd.gov/cybersecurity>

Links contained in this email have been replaced. If you click on a link in the email

above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.



For more helpful Cybersecurity Resources, visit:

<https://www.montgomerycountymd.gov/cybersecurity>

Links contained in this email have been replaced. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.