

From: [Behanna, Sara](#)
To: richtak04@gmail.com
Cc: [Elizabeth Rogers](#)
Bcc: [Byrne, Kathleen E.](#)
Subject: FW: Glenmont Master Plan and Rezoning Hearing
Date: Thursday, May 23, 2024 4:43:00 PM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)
Importance: High

Mr. Takamoto, per Livhu's response to you, I want to be clear that as County Council ultimately votes to approve or deny LMAs, direct contact with councilmembers about any matter regarding a LMA can be misconstrued as an attempt to influence members as to the outcome of the case. I don't believe that was your intention, but I wanted to stress why this communication is against all rules and procedures.

I spoke to the applicant's attorney, Liz Rogers, who mentioned you attended a meeting a month ago with the applicant where next steps were discussed, including the hearing in question. She would be happy to speak to you about any of your concerns, regarding the mailing list or more substantive concerns you may have about the case. She can be reached at 301-841-3845 or ecrogers@lerchearly.com

I also wanted to make sure I clarified the potential engineering report you mentioned and the hearing. You may submit a report into the record as an exhibit. You may discuss what you learned in the report, citing the report itself. But you may not directly testify to the information contained in the report, as you are not an expert witness. Your engineer also may not testify without representation by an attorney.

I realize some of this may be obvious information, but I want to make sure there isn't any confusion or incorrect expectations the day of the hearing.

[Sara Behanna](#)
[Administrative Specialist II](#)
[Office of Zoning & Administrative Hearings](#)
[Montgomery County Government](#)
[100 Maryland Avenue, Room 200](#)
[Rockville, MD 20850](#)
[\(240\) 777-6661](#)
sara.behanna@montgomerycountymd.gov

From: Office of Zoning and Administrative Hearings <OZAH@montgomerycountymd.gov>
Sent: Thursday, May 23, 2024 4:06 PM
To: Byrne, Kathleen E. <Kathleen.Byrne@montgomerycountymd.gov>; Behanna, Sara <Sara.Behanna@montgomerycountymd.gov>
Subject: FW: Glenmont Master Plan and Rezoning Hearing
Importance: High

Exhibit 27
H-149

From: Ndou, Livhu <Livhu.Ndou@montgomerycountymd.gov>
Sent: Thursday, May 23, 2024 3:04 PM
To: R T <richtak04@gmail.com>
Cc: Byrne, Kathleen E. <Kathleen.Byrne@montgomerycountymd.gov>; Office of Zoning and Administrative Hearings <OZAH@montgomerycountymd.gov>
Subject: RE: Glenmont Master Plan and Rezoning Hearing

Hello Mr. Takamoto,

Per the ex parte rules, Councilmembers may not communicate with you about **any aspect** of the application, even procedural or notice issues. If you have concerns about communications, you should reach out to OZAH directly.

Thanks,

Livhu Ndou

(LEE-voo NA-doo)

she/her/hers [what's this?](#)

Legislative Attorney

Office of the Montgomery County Council

100 Maryland Avenue, 6th floor, Rockville, MD 20850

Office: (240) 777-7896

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

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From: R T <richtak04@gmail.com>
Sent: Thursday, May 23, 2024 2:18 PM
To: Ndou, Livhu <Livhu.Ndou@montgomerycountymd.gov>
Subject: Re: Glenmont Master Plan and Rezoning Hearing

[EXTERNAL EMAIL]

Dear Ms. Ndou,

You have misunderstood the request. The purpose of the email was to point out the inconsistent and last-minute communications being received from Montgomery County. These inconsistencies are raising concerns by myself and the neighborhood. If there is someone else I should speak with about these concerns, please let me know.

Thank you

Richard Takamoto

On Wed, May 22, 2024 at 11:09 AM Ndou, Livhu <Livhu.Ndou@montgomerycountymd.gov> wrote:

Good morning Mr. Takamoto,

I was forwarded your email to Councilmember Fani-González and am replying on her behalf. Local map amendments are subject to the rules of ex parte communication, meaning Councilmembers are not permitted to discuss any part of the application with residents, community members, applicants, etc. These rules can be found on our Council website: https://www.montgomerycountymd.gov/COUNCIL/about/ex_parte.html. Because all ex parte communications must be disclosed, I am copying the Hearing Examiner so that your concern can be made a part of the record.

Thank you,

Livhu Ndou

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----- Forwarded message -----

From: **RT** <richtak04@gmail.com>

Date: Tue, May 21, 2024 at 11:01 AM

Subject: Glenmont Master Plan and Rezoning Hearing

To: <councilmember.fani-gonzalez@montgomerycountymd.gov>

Dear Councilwoman Fani-Gonzalez:

I am a resident of Montgomery County who resides in District 6, adjacent to the Glenmont Forest Apartments, which is located on the corner of Randolph Road and Georgia Avenue.

Residents from Wallace and Erskine Avenues (adjacent to the Glenmont Forest Apartments) have formed a group to share information and notifications we are receiving from Montgomery County and Rodgers Consulting on two proposed projects: the Glenmont Master Plan and the rezoning request

from Glenmont Forest Investors (LMA H-149). Not all neighbors are receiving these letters from the County and Rodgers Consulting and we now rely on each other to share information as it is received. The inconsistencies in who receives what information is a concern.

The most recent letter was received from OZAH on May 20, 2024 (postmarked May 17, 2024) with notification of a public hearing to be held on June 14, 2024. The letter also states those wishing to raise concerns must submit a pre-hearing statement at least 20 days prior to the hearing (i.e., within 3 days of receiving the letter). We have hired a professional engineering firm to conduct an assessment due to prior issues with Glenmont Forest Apartments, and have asked the engineering firm to provide recommendations so that we may proactively work with the County and ensure our concerns are taken into consideration. However, we do not yet have this engineering report, nor will the report be completed within 3 days. In addition, we will need time to review the report and decide whether we want to file a pre-hearing statement after the report is completed.

I am writing this email to request assistance with improving communication to the residents on Wallace and Erskine Avenues about the two projects mentioned above. This letter is to also make you aware of our concern about the short notice provided to file a pre-hearing statement if we decide to pursue that option. Perhaps there will be other opportunities in the future to present recommendations from the engineering report. If so, we would appreciate knowing that as well.

Our neighborhood is excited about the proposed changes as part of the Glenmont Master Plan and respectfully request the opportunity to express our concerns for discussion.

Thank you,
Richard Takamoto

For more helpful Cybersecurity Resources, visit:

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



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From: [Byrne, Kathleen E.](#)
To: [Behanna, Sara](#)
Subject: FW: Glenmont Master Plan and Rezoning Hearing
Date: Wednesday, May 22, 2024 11:14:19 AM
Attachments: [image001.png](#)
[image003.png](#)

Sara

This is the email that needs to go in the record. Thanks

Katy

From: Ndou, Livhu <Livhu.Ndou@montgomerycountymd.gov>
Sent: Wednesday, May 22, 2024 11:09 AM
To: richtak04@gmail.com
Cc: Byrne, Kathleen E. <Kathleen.Byrne@montgomerycountymd.gov>
Subject: RE: Glenmont Master Plan and Rezoning Hearing

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Richard Takamoto

