

From: [Behanna, Sara](#)
To: [R T](#)
Cc: [Elizabeth Rogers](#); [Robins, Steven A.](#)
Bcc: [Byrne, Kathleen E.](#)
Subject: RE: LMA H-149, Glenmont Forest Investors, LLC
Date: Thursday, May 23, 2024 3:11:00 PM

Hi there. Hopefully I can answer your questions in further detail.

1. To your point of not receiving the mail in a timely manner, I cannot account for what happens to a letter once I bring it to USPS. I brought these letters to the post office myself.

However, our office discussed your thoughts about the limited time given between receipt of a notice and the request to receive the pre-hearing statement within 20 days of the hearing. Collectively, our office (there are only 3 of us at the moment) thought you made a good point and moving forward, we now plan to send hearing notices out 45 days in advance, rather than 30 days.

2. Addresses for the mailings are given to us by an applicant's attorney. I've cc'd Liz Rogers on this email if you wish to ask her for more information about the source of property owners list.
3. If your neighbors wish to hire an attorney to represent their interests as a group and need more time to produce a pre-hearing statement, they may send us an email requesting more time. We understand most citizens are not familiar with our procedural rules prior to the hearing notice and we do our best to accommodate requests for additional time for submissions.
4. You are welcome to testify as an individual without an attorney and without a pre-hearing statement. Please note the following:

Section 3.3 of OZAH's Rules regarding representation states:

-

3.3 Representation.

Groups, organizations or entities arguing a matter or calling witnesses before OZAH must be represented by an attorney, but a member of an organization, authorized by that organization to do so, may offer testimony in narrative form on behalf of the organization without attorney representation. Individual members of organizations may also offer testimony in narrative form on their own behalf, without attorney representation.

If you wish to submit an engineer's report into the record, it must be signed and

Exhibit 28
H-149

sealed. Your testimony must be in a narrative form on your own behalf. Whether or not the Hearing Examiner accepts the report will up to her at the hearing and the Applicant may object.

I hope that answers your questions in more detail. Please email me if you have additional questions or need clarification.

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: R T <richtak04@gmail.com>
Sent: Thursday, May 23, 2024 2:26 PM
To: Behanna, Sara <Sara.Behanna@montgomerycountymd.gov>
Subject: Re: LMA H-149, Glenmont Forest Investors, LLC

[EXTERNAL EMAIL]

p.s. The other issue is receiving the notification from Montgomery County and being given less than 3 days to determine if our neighbors want to retain the services of our attorney for this matter. More advanced notice would be appreciated.

On Thu, May 23, 2024 at 2:24 PM R T <richtak04@gmail.com> wrote:

Hello Sara,
Thank you for the email.

Neighbors adjoining the property are not receiving the same pieces of information. That is part of the problem and why our neighborhood has now come together to compare what information is being provided by Montgomery County and Rodgers Consulting.

I have retained and am financing the services of a professional engineer. The neighbors are aware and I will be sharing the report with the group. Based on your email above, I am not required, as an individual, to file a prehearing statement and am free to present the engineering report on my own. Will you please confirm.

Thank you again,
Richard Takamoto

On Thu, May 23, 2024 at 10:01 AM Behanna, Sara
<Sara.Behanna@montgomerycountymd.gov> wrote:

Hello, Mr. Takamoto. I received your voice mail and was also forwarded the email you sent to County Council about LMA H-149, Glenmont Forest Investors. I'd like to address some of your questions and I'm happy to talk further when you are available.

For our cases, mailings are sent only to adjoining/abutting property owners, so that's why the whole neighborhood did not receive the notice.

Any group of persons who wish to be heard in a case must be represented by an attorney, and the attorney must enter their appearance as soon as possible. Individuals who wish to testify on their own behalf (not on the behalf of others), are not required to file a pre-hearing statement and will be heard during the hearing. Individuals do not need to sign up ahead of time to testify.

I understand you've attained the services of an engineer, which is fine, but your group must have an attorney. While individuals may testify without a pre-hearing statement, an engineering study financed by a group must, again, be entered by an attorney.

I hope that clarifies some of your questions. If you are requesting something from our office in regards to the case, please put the request in a letter format and cc the applicant's attorneys, Liz Rogers and Steve Robins. I've cc'd them on this email and their email addresses are listed below.

ecrogers@lercheearly.com

sarobins@lercheearly.com

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From: [R.T](#)
To: [Behanna, Sara](#)
Subject: Re: LMA H-149, Glenmont Forest Investors, LLC
Date: Thursday, May 23, 2024 2:24:31 PM

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

From: [R.T](#)
To: [Behanna, Sara](#)
Subject: Re: LMA H-149, Glenmont Forest Investors, LLC
Date: Thursday, May 23, 2024 2:26:17 PM

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