

From: [Sokoni, Khandikile Mvunga](#)
To: [Alfred Carr](#); [Lindsey, Amy](#); [Ann Link](#); [Austin Holloway-Jones](#); [Ayana Machen](#); [Beth Hook](#); [Bill Backof](#); [Bob Eller](#); [Candace Anderson](#); [Sanders, Carrie](#); [Christine Bergeron](#); [clay.e.nuquist@gmail.com](#); [Clifford Laufer](#); [Craig Grunewald](#); [D Phan](#); [Dan Wilhelm](#); [davidd15@verizon.net](#); [David Muller](#); [Deb Gonski](#); [Debra Tipton](#); [Destiny Kibalama](#); [Edmond B French](#); [Elizabeth Rogers](#); [Vaia, Emily](#); [Girard, Erin E.](#); [Fleit Family](#); [James Touhey](#); ["Keith C Nusbaum"](#); [Gilda Linton](#); [Greg Golden](#); [Heidi Otradovec](#); [Hubert Johnson](#); [Ivonne C. Lindley](#); [Jeffrey Grunewald](#); [Joshua Sloan](#); [Mencarini, Katherine](#); [Katie Wagner](#); [Kyle Smiddie](#); [Larry Checco](#); [Lars Larson](#); [Laura Danette](#); [Laura Denion](#); [Laurie Checco](#); [Logan Kelso](#); [Lorraine Nacson](#); [Mark Pankow](#); [michele@marylandpropertylaw.com](#); [Natalie Walker](#); [Oscar Navarrete](#); [Pat Baldini](#); [Patrick Corey](#); [Paula A. Lincoln](#); [Peter Garvin](#); [Regina Ottaviani](#); [S. Rathbun](#); [Susan Biddle](#); [Toni Deboeck](#); [Leftwich, Troy](#); [Biase, Vincent G.](#); [William Kassman](#); [Johnson, Nana](#); [Guisao-Ospina, Jony](#)
Subject: FW: URGENT: Historical Public Record Information - Case H-159 (Notley Road)
Date: Friday, April 10, 2026 2:15:00 PM
Attachments: [image001.png](#)

Good Afternoon All,

Bringing the below communication to your attention.

Sincerely



Khandikile Mvunga Sokoni
Director/Hearing Examiner
Office of Zoning & Administrative Hearings
100 Maryland Ave
Suite 200
Rockville MD 20850
Telephone: 240-777-6664

From: Sokoni, Khandikile Mvunga
Sent: Friday, April 10, 2026 1:56 PM
To: 'Leftwich, Troy' <Troy.Leftwich@montgomeryplanning.org>; Denys <msdenys@yahoo.com>
Cc: Charles Kines <Charles.Kines@montgomeryparks.org>; Ballo, Rebecca <rebecca.ballo@montgomeryplanning.org>; Office of Zoning and Administrative Hearings <OZAH@montgomerycountymd.gov>; Mink's Office, Councilmember <Councilmember.Mink@montgomerycountymd.gov>; [djwilhelm@verizon.net](#); [notley.townhouses@gmail.com](#); [Mencarini, Katherine](#) <katherine.mencarini@montgomeryplanning.org>; [Johnson, Nana](#) <Nana.Johnson@montgomerycountymd.gov>; [Guisao-Ospina, Jony](#) <Jony.Guisao@montgomerycountymd.gov>
Subject: RE: URGENT: Historical Public Record Information - Case H-159 (Notley Road)

Good Afternoon Mr. Leftwich,

Thank you for drawing to the attention of Denys M. Schubert that this matter is now before the OZAH Hearing Examiner.

Denys M. Schubert, please note that while a matter is pending before the Hearing Examiner you must not engage in any ex-parte communications. Any communications to the Hearing

Examiner must also be sent to all parties. Your below communication will not be considered or given any weight by the Hearing Examiner except to bring it to the attention of the parties/participants in this matter. The proper way to add your voice to the proceedings is to either appear and testify under oath at a public hearing, or to submit a signed statement and request that it be included in the record.

For your reference, the relevant rules of procedure are pasted below:

3.1 Parties of Record.

- a) Under these Rules, "parties of record" include applicants for a zoning action or a conditional use, individuals and organizations testifying at an OZAH public hearing and those who have requested and been approved by the Hearing Examiner to be parties of record. Anyone may testify at the OZAH public hearing and will be automatically considered a party of record. Testifying before the Planning Board or other agency will not make a person a party of record to an OZAH proceeding.
- b) Persons who do not wish to testify may request to be classified as a party of record by filing a written request, signed by the individual or an authorized agent, and demonstrating that other parties of record will not adequately represent the interests of the person or organization seeking to become a party of record.
- c) All parties of record must provide contact information, including an address, telephone number and email address.
- d) Being designated or not designated as a party of record as defined in these Rules does not determine a person's right to appeal to the courts or to request oral argument before the Council or the Board of Appeals. The person's right to appeal or request oral argument is governed by the Zoning Ordinance and by state law.

3.2 Participants.

Participants are those persons who submit written comments on an application for consideration in the record, but who are not parties of record.

- a) Participants are not required to mail copies of their written submission(s) to other participants or to parties of record; nor will other participants or parties of record be required to send copies of motions, orders, or other submissions directly to participants who are not parties of record. However, all submissions will be available for public viewing in the case file maintained by OZAH.
- b) OZAH will send individual notice of hearings to participants only if they are adjoining or confronting property owners, civic and homeowners associations or municipalities within 1/2 mile of the subject site; OZAH will send participants a notice of the Hearing Examiner's report and recommendation to the Council or decisions in conditional use cases, only if they are parties of record. Copies of such reports and recommendations and decisions will be available for viewing on OZAH's website and at OZAH's office.
- c) All submissions made by participants must be in writing and signed by the individual or an authorized representative.
- d) Signed, written comments timely submitted to OZAH by participants will be considered in evaluating the case, but not necessarily given the same weight as statements that are made under oath and subjected to cross-examination at the hearing.

Sincerely,

Khandikile Mvunga Sokoni



Director/Hearing Examiner
Office of Zoning & Administrative
Hearings
100 Maryland Ave
Suite 200
Rockville MD 20850
Telephone: 240-777-6664

From: Leftwich, Troy <Troy.Leftwich@montgomeryplanning.org>
Sent: Tuesday, April 7, 2026 4:25 PM
To: Denys <msdenys@yahoo.com>
Cc: Charles Kines <Charles.Kines@montgomeryparks.org>; Ballo, Rebeccah <rebeccah.ballo@montgomeryplanning.org>; Office of Zoning and Administrative Hearings <OZAH@montgomerycountymd.gov>; Mink's Office, Councilmember <Councilmember.Mink@montgomerycountymd.gov>; djwilhelm@verizon.net; Sokoni, Khandikile Mvunga <Khandikile.Sokoni@montgomerycountymd.gov>; notley.townhouses@gmail.com; Mencarini, Katherine <katherine.mencarini@montgomeryplanning.org>
Subject: Re: URGENT: Historical Public Record Information - Case H-159 (Notley Road)

[EXTERNAL EMAIL]

Hi Denys M. Schubert,

The hearing examiner is currently reviewing this application. During this period, please direct any requests or information to ozah.

Thanks,

Troy Leftwich

Planner III
East County Planning Division
Montgomery County Planning Department
2425 Reedie Drive, Wheaton, MD 20902
troy.leftwich@montgomeryplanning.org
o: 301.495.4553

From: Denys <msdenys@yahoo.com>
Sent: Tuesday, April 7, 2026 12:02:15 PM
To: Leftwich, Troy <Troy.Leftwich@montgomeryplanning.org>
Cc: Kines, Charles <charles.kines@montgomeryparks.org>; Ballo, Rebeccah <rebeccah.ballo@montgomeryplanning.org>; ozah@montgomerycountymd.gov <ozah@montgomerycountymd.gov>; councilmember.mink@montgomerycountymd.gov <councilmember.mink@montgomerycountymd.gov>; djwilhelm@verizon.net

<djwilhelm@verizon.net>; notley.townhouses@gmail.com <notley.townhouses@gmail.com>

Subject: URGENT: Historical Public Record Information - Case H-159 (Notley Road)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

· Dear Mr. Leftwich and the Project Review Team,

I am a long-time Silver Spring resident writing to provide the Planning Department with documented public record information regarding the subject property in the Notley Road rezoning case (**LMA H-159**). My own curiosity as a fan of local history led me to uncover information that appears to have been omitted from the applicant's Statement of Justification, which I believe warrants careful consideration prior to the upcoming hearing.

The subject property, the NW quadrant of Notley Road and New Hampshire Avenue (13707,13711,13715,13719,13727, and 13733 Notley Rd., and 13704 New Hampshire Ave., Silver Spring, MD also known as Part of Lot 1, Part of Lot 2 and Lots,3-5, 'Price's subdivision' (Tax Account Nos.05-257477, 05-261218, 05-276130, 05-276141, 05-267465,05-267454 and 05-267476), **is the precise geographic location of the 1804 Coale's-Ville Plat. As the namesake and foundational node of the Colesville community, this site represents a critical historic resource that warrants formal evaluation under Chapter 24A and the Master Plan for Historic Preservation.**

While public debate has focused on traffic and density, there is a compelling regulatory argument for historic preservation that has not yet been fully developed. The historical record shows:

1. The 1804 Coalsville Plat: According to [Ned Bayley's book Colesville](#) [Maryland] published 2008: The Development of a Community, Its People and Its Natural Resources, Over a Period of Four Centuries (Heritage Books, 1997), the name 'Coalsville' first appears in the 1804 Montgomery County tax assessment records as a 2¾-acre rectangular plat located at the intersection of New Hampshire Avenue and Notley Road — precisely where this development is proposed. (referred to in Gary Gestson's 2020 article: History of Colesville, Maryland. <https://historichometeam.com/2020/10/history-of-colesville-md/>)

2. The 1806 Polling Place — Primary Source: Maryland General

Assembly Chapter LXXXIII, passed January 25, 1806, officially changed the Fourth Election District polling place to 'Edward Berry's, commonly called Coale's-Ville'— tying the first official recorded use of the name Colesville directly to this crossroads. This is not a secondary reference; it is the actual law, available in the Maryland State

Archives: <https://msa.maryland.gov/megafile/msa/speccol/sc2900/sc2908/000001/000192/html/am192--581.html>

The developer's application for the 'Notley Assemblage' utilizes the historical prestige of this location's name while making no mention of its archaeological or cultural significance.

I have already reached out to Rebecca Ballo (cc'd) at the Historic Preservation Office to inquire whether this site has been formally evaluated under the Locational Atlas & Index of Historic Sites. I am seeking clarification from both of your offices on the following:

- Does a site with primary-source documentation as a foundational civic node require formal evaluation for the Locational Atlas prior to a Planning Board recommendation?
- At what specific stage in the H-159 application would a Phase I Archaeological Survey be mandated?

I am coordinating this research with Dan Wilhelm at the GCCA and the nonotleytownhomes.com campaign team, both copied here, to ensure this evidence is entered into the official record before the April 13th hearing. I am available to assist further if needed.

Sincerely,

Denys M. Schubert
12807 Meadowood Drive, Silver Spring MD
301-928-0921 (cell)
Msdenys@yahoo.com