



RE: Notley Road LMA H-159

From Sokoni, Khandikile Mvunga <Khandikile.Sokoni@montgomerycountymd.gov>

Date Mon 12/1/2025 4:18 PM

To Michele Rosenfeld <michele@marylandpropertylaw.com>; Keith C Nusbaum <knusbaum@gmail.com>

Cc Elizabeth Rogers <ecrogers@lercheearly.com>; Natalie Walker <natalielynnwalker@gmail.com>; Fleit Family <mmkwmail-family@yahoo.com>; Deb Gonski <djgonski@yahoo.com>; Laurie Checco <lauriechecco@gmail.com>; Larry Checco <larry.checco@gmail.com>; James Touhey <touheyfamily@outlook.com>; Clifford Laufer <claufer@mindspring.com>; Logan Kelso <logan.kelso@vikamd.com>; Pat Baldini <pbaldini1819@gmail.com>; Edmond B French <edbonfrench2000@yahoo.com>; William Kassman <bill@kassman.net>; Peter Garvin <pfgarvin3@gmail.com>; Ann Link <keldlink@yahoo.com>; Regina Ottaviani <ctcwash@verizon.net>; Ivonne C. Lindley <ILindley@steinsperling.com>; Austin Holloway-Jones <austinhollowayjones@gmail.com>; Candace Anderson <candacesmanderson@gmail.com>; Susan Biddle <susanbiddle@gmail.com>; Laura Danette <ladansette@aol.com>

Ms. Rosenfeld

Your request to hold off any witness testimony until 10:00 AM tomorrow is granted to allow you the ability to attend the DRC meeting.

We will start with preliminary issues including review of Mr. Nusbaum's objections.

Kind regards,
Khandikile



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

From: Michele Rosenfeld <michele@marylandpropertylaw.com>

Sent: Monday, December 1, 2025 3:11 PM

To: Sokoni, Khandikile Mvunga <Khandikile.Sokoni@montgomerycountymd.gov>; Keith C Nusbaum <knusbaum@gmail.com>

Cc: Elizabeth Rogers <ecrogers@lercheearly.com>; Natalie Walker <natalielynnwalker@gmail.com>; Fleit Family <mmkwmail-family@yahoo.com>; Deb Gonski <djgonski@yahoo.com>; Laurie Checco <lauriechecco@gmail.com>; Larry Checco <larry.checco@gmail.com>; James Touhey <touheyfamily@outlook.com>; Clifford Laufer <claufer@mindspring.com>; Logan Kelso <logan.kelso@vikamd.com>; Pat Baldini <pbaldini1819@gmail.com>; Edmond B French <edbonfrench2000@yahoo.com>; William Kassman <bill@kassman.net>; Peter Garvin <pfgarvin3@gmail.com>; Ann Link <keldlink@yahoo.com>; Regina Ottaviani <ctcwash@verizon.net>; Ivonne C. Lindley <ILindley@steinsperling.com>; Austin Holloway-Jones <austinhollowayjones@gmail.com>; Candace Anderson <candacesmanderson@gmail.com>; Susan Biddle <susanbiddle@gmail.com>; Laura Danette

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[EXTERNAL EMAIL]

Hearing Examiner Sokoni:

I am addressing two issues.

First, with respect to the exhibits recently filed by the applicant, on behalf of GCCA and Mr. Smiddie I submit the following responses

1. We will not object to the updated traffic counts and new aerial image provided we are given the opportunity to cross-examine the applicant's traffic expert on those new materials at the next hearing (day 3), to allow us a reasonable amount of time to prepare cross-examination in connection with those materials.
2. We ask that the applicant confirm that the recently-filed signed land use report is otherwise unchanged from the unsigned report.
3. We join in Mr. Nusbaum's objection to the updated Notley Road massing exhibit because it does not show the single-family homes across the street. If this or any later revised massing exhibit is accepted into the record I ask that the applicant make their land use expert available for cross-examination in connection with it at the next hearing (day 3).

Second:

I represent a property owner that has a virtual Development Review Committee meeting scheduled tomorrow morning with the Planning Department at 9:30. I understood that the engineering firm would cover the DRC meeting and so agreed to the December 3 hearing date in this case, but I have been asked to attend. It is the only item on the DRC agenda and I expect the meeting to be short.

Understanding that tomorrow's hearing will begin with preliminary matters (including hearing Mr. Nusbaum's objections to the new exhibits), I am asking that you extend the courtesy of not starting witness testimony until 10:00 (assuming you finish the preliminary matters before then), as I will join the hearing (in person) at that time. I would appreciate any courtesy you can offer in this regard, and apologize for any inconvenience it may cause you or the participants. I will be in the County Office Building for the DRC meeting and so there will be no delay in my ability to join the hearing.

Respectfully,

Michele.

Michele Rosenfeld
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From: Sokoni, Khandikile Mvunga <Khandikile.Sokoni@montgomerycountymd.gov>
Sent: Wednesday, November 26, 2025 12:55 PM
To: Keith C Nusbaum <knusbaum@gmail.com>
Cc: Elizabeth Rogers <ecrogers@lercheary.com>; Natalie Walker <natalielynnwalker@gmail.com>; Fleit Family <mmkwmail-family@yahoo.com>; Deb Gonski <djgonski@yahoo.com>; Laurie Checco <lauriechecco@gmail.com>; Larry Checco <larry.checco@gmail.com>; James Touhey <touheyfamily@outlook.com>; Clifford Laufer <claufer@mindspring.com>; Logan Kelso <logan.kelso@vikamd.com>; Pat Baldini <pbaldini1819@gmail.com>; Michele Rosenfeld <michele@marylandpropertylaw.com>; Edmond B French <edbonfrench2000@yahoo.com>; William Kassman <bill@kassman.net>; Peter Garvin <pfgarvin3@gmail.com>; Ann Link <keldlink@yahoo.com>; Regina Ottaviani <ctcwash@verizon.net>; Ivonne C. Lindley <Lindley@steinsperling.com>; Austin Holloway-Jones <austinhollowayjones@gmail.com>; Candace Anderson <candacesmanderson@gmail.com>; Susan Biddle <susanbiddle@gmail.com>; Laura Danette <ladansette@aol.com>; Ayana Machen <ayanacm8@yahoo.com>; D Phan <dgphanmore@gmail.com>; Christine Bergeron <cbergero@vt.edu>; Heidi Otradovec <mattandheidi99@gmail.com>; Oscar Navarrete <oscar.navarrete6984@gmail.com>; Lorraine Nacson <lnacson@yahoo.com>; Greg Golden <aaaggolden@msn.com>; Debra Tipton <debratipton515@gmail.com>; Alfred Carr <alfred.carr@gmail.com>; Girard, Erin E. <eegirard@lercheary.com>; Leftwich, Troy <Troy.Leftwich@montgomeryplanning.org>; Biase, Vincent G. <vgbiase@lercheary.com>; Joshua Sloan <josh.sloan@vikamd.com>; Dan Wilhelm <djwilhelm@verizon.net>; Kyle Smiddie <ksmiddie2@gmail.com>; Mencarini, Katherine <katherine.mencarini@montgomeryplanning.org>; Sanders, Carrie <carrie.sanders@montgomeryplanning.org>; Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>; Guisao-Ospina, Jony <Jony.Guisao@montgomerycountymd.gov>; Office of Zoning and Administrative Hearings <OZAH@montgomerycountymd.gov>
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Mr. Nusbaum,

What is the basis of your objection? Can you please specify your specific objections and your grounds for objecting?

Kind regards,
Khandikile

From: Keith C Nusbaum <knusbaum@gmail.com>
Sent: Wednesday, November 26, 2025 12:45 PM

To: Sokoni, Khandikile Mvunga <Khandikile.Sokoni@montgomerycountymd.gov>
Cc: Elizabeth Rogers <ecrogers@lercheearly.com>; Natalie Walker <natalielynnwalker@gmail.com>; Fleit Family <mmkwmail-family@yahoo.com>; Deb Gonski <djgonski@yahoo.com>; Laurie Checco <lauriechecco@gmail.com>; Larry Checco <larry.checco@gmail.com>; James Touhey <touheyfamily@outlook.com>; Clifford Laufer <claufer@mindspring.com>; Logan Kelso <logan.kelso@vikamd.com>; Pat Baldini <pbaldini1819@gmail.com>; Michele Rosenfeld <michele@marylandpropertylaw.com>; Edmond B French <edbonfrench2000@yahoo.com>; William Kassman <bill@kassman.net>; Peter Garvin <pfgarvin3@gmail.com>; Ann Link <keldlink@yahoo.com>; Regina Ottaviani <ctcwash@verizon.net>; Ivonne C. Lindley <Lindley@steinsperling.com>; Austin Holloway-Jones <austinhollowayjones@gmail.com>; Candace Anderson <candacesmanderson@gmail.com>; Susan Biddle <susanbiddle@gmail.com>; Laura Danette <ladansette@aol.com>; Ayana Machen <ayanacm8@yahoo.com>; D Phan <dgphanmore@gmail.com>; Christine Bergeron <cbergero@vt.edu>; Heidi Otradovec <mattandheidi99@gmail.com>; Oscar Navarrete <oscar.navarrete6984@gmail.com>; Lorraine Nacson <lnacson@yahoo.com>; Greg Golden <aaaggolden@msn.com>; Debra Tipton <debratipton515@gmail.com>; Alfred Carr <alfred.carr@gmail.com>; Girard, Erin E. <eggirard@lercheearly.com>; Leftwich, Troy <Troy.Leftwich@montgomeryplanning.org>; Biase, Vincent G. <vgbiase@lercheearly.com>; Joshua Sloan <josh.sloan@vikamd.com>; Dan Wilhelm <djwilhelm@verizon.net>; Kyle Smiddie <ksmiddie2@gmail.com>; Mencarini, Katherine <katherine.mencarini@montgomeryplanning.org>; Sanders, Carrie <carrie.sanders@montgomeryplanning.org>; Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>; Guisao-Ospina, Jony <Jony.Guisao@montgomerycountymd.gov>; Office of Zoning and Administrative Hearings <OZAH@montgomerycountymd.gov>
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[EXTERNAL EMAIL]

Hearing Examiner Sokoni,

I object to certain of these items being introduced in the record and would request that these objections be addressed at the beginning of the hearing on December 2. Thank you.

On Wed, Nov 26, 2025 at 12:39 PM Sokoni, Khandikile Mvunga <Khandikile.Sokoni@montgomerycountymd.gov> wrote:

Acknowledging receipt.

Sincerely,

Khandikile



Khandikile Mvunga Sokoni
 Director/Hearing Examiner
 Office of Zoning & Administrative Hearings
 100 Maryland Ave

Suite 200

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Telephone: 240-777-6664

From: Rogers, Elizabeth C. <ecrogers@lercheary.com>

Sent: Wednesday, November 26, 2025 10:20 AM

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[EXTERNAL EMAIL]

Hearing Examiner Sokoni,

Please find attached supplemental materials that the Applicant will request to introduce at the December 2nd hearing for the Notley LMA.

I hope you have a wonderful Thanksgiving.

Best,

Liz Rogers

[Elizabeth C. Rogers](#), Attorney

Lerch, Early & Brewer, Chtd. rising to every challenge for 75 years

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