



February 15, 2024

Michael L. Paylor, Chief
Division of Traffic Engineering & Operations
Montgomery County Department of Transportation
101 Monroe Street, 10th Floor
Rockville, MD 20850

Re: Abandonment Petition AB-784 – Request for Reconsideration

Dear Mr. Paylor:

Last week, counsel for the applicants (Housing Opportunity Commission and Emory Grove United Methodist Church) wrote to ask you to reconsider your decision to keep the record open until March 30, 2024, rather than March 1st as requested. That request was promptly denied, with a very limited explanation offered that such extension would allow “parties of record” a chance to offer additional comments or documents to respond to the title issues associated with Area 2.

Our interest in this application, and the proceedings before you are as counsel for collaborators in the Heritage Emory Grove project, which we support wholeheartedly. We should all be cognizant of the importance of the HEG project, and the ultimate delivery of a significant amount affordable housing (more than 30% MPDU’s). The historical fabric of the project and its connection to the origins of Emory Grove have been eloquently stated previously.

I wish to add that the abandonment petition—the original application was submitted November 2022—has been thoroughly vetted by county staff. Comments made at the hearing are limited to Area 2 and seeks answers to title issues the church is diligently pursuing. Rather than extend the time period by seven (7) weeks we suggest your office directs the Office of the County Attorney to submit its comments in writing, to explain the concerns that office seems to have with the ownership of Area 2. Without such direction, it seems likely we lack an understanding of the specifics of these concerns, or how the county would have those resolved.

Finally, I want to add support to the comment made by counsel for the HOC, that further delays put the HEG project at risk. It does. There are tax credits in place, and other associated that threaten the viability of the project should we experience more delay. This application is one step in a broader county review of the widely supported Heritage Emory Grove project. We wish to see it concluded as soon as possible.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "E.L. Donohue". The signature is fluid and cursive, with a large loop at the end.

Edward L. Donohue

Copies to:

Gordon S. Woodward

Francoise M. Carrier