

ATTACHMENT 3

RE: Poplar Run Notice - Plan No. 82007002C

Michael Brown <mbrown@luselaw.com>

Sun 7/13/2014 11:44 AM

Inbox

To:Lindsey, Amy <amy.lindsey@montgomeryplanning.org>;

Lindsey:

I have been searching for the setback rules that apply to my house and the distances required between my house and the neighboring houses. I cannot see one that appears to apply to me. But nothing I see would appear to allow the distances between my house and neighboring houses, especially on sides and back. Can you point me to the governing rules? Thanks

Mike

From: Michael Brown

Sent: Saturday, July 12, 2014 8:32 AM

To: Lindsey, Amy

Subject: RE: Poplar Run Notice - Plan No. 82007002C

Amy:

Was in China last week. Can we discuss Monday? 202.274.2003.

Thank

Mike

From: Lindsey, Amy [amy.lindsey@montgomeryplanning.org]

Sent: Monday, July 07, 2014 7:24 PM

To: Michael Brown

Subject: Re: Poplar Run Notice - Plan No. 82007002C

Michael,

I just received these emails from you and will look into this as soon as I get in the office tomorrow. As I am the project manager for this plan, I would greatly appreciate it if you would contact me if you have further questions/issues.

Thanks,

Amy Lindsey

3014952189

Sent from my iPhone

On Jul 7, 2014, at 4:57 PM, "Hisel-McCoy, Elza" <elza.hisel-mccoy@montgomeryplanning.org> wrote:

Hello Michael,

By reply I am copying Amy Lindsey, the lead reviewer for the project, to address your question.

Sincerely,

Elza

Elza Hisel-McCoy, Assoc. AIA, LEED-AP
Master Planner, Regulatory Supervisor
Area One
Montgomery County Planning Department
M-NCPPC
8787 Georgia Avenue
Silver Spring, MD 20910
301.495.2115, elza.hisel-mccoy@montgomeryplanning.org
montgomeryplanning.org

From: Michael Brown [<mailto:mbrown@luselaw.com>]
Sent: Saturday, June 28, 2014 4:16 PM
To: Hisel-McCoy, Elza
Subject: FW: Poplar Run Notice - Plan No. 82007002C

Here are copies of defective notice. I assume all notices by Winchester have been defective from beginning. What is your intended action?

From: Michael Brown
Sent: Friday, June 27, 2014 4:26 PM
To: Rasolee, Simin
Subject: FW: Poplar Run Notice - Plan No. 82007002C

fyi

From: Michael Brown
Sent: Friday, June 27, 2014 4:25 PM
To: 'amy.edwards@montgomerycountymd.gov'
Subject: Poplar Run Notice - Plan No. 82007002C

Attached are copies of the illegible notice provided. Please also share this with Elza as well. Please see 4.D.a.(i) of the *Manual of Development Review Procedures for Montgomery County, Maryland*, which can be found at:

<http://www.montgomeryplanning.org/development/documents/DevReviewProcedures.pdf>

BTW – your standard letter on how to participate is about 7 font size, which is also not legible.

Thanks

Mike

RE: Planning Department Notice and Project Information

Michael Brown <mbrown@luselaw.com>

Tue 6/24/2014 10:32 PM

Inbox

To: Hisel-McCoy, Elza <elza.hisel-mccoy@montgomeryplanning.org>;

Cc: Lindsey, Amy <amy.lindsey@montgomeryplanning.org>; Afzal, Khalid <khalid.afzal@montgomeryplanning.org>;

Thanks guys. I am a little overwhelmed. Is there a good description of how a huge plot of land by a wetlands gets developed -- like wetlands developments for dummies or how a bill becomes a law!?

I think I need to take a step back to understand all of this enough.

Mike

From: Hisel-McCoy, Elza [elza.hisel-mccoy@montgomeryplanning.org]

Sent: Tuesday, June 24, 2014 5:23 PM

To: Michael Brown

Cc: Lindsey, Amy; Afzal, Khalid

Subject: Planning Department Notice and Project Information

Hello Mike,

Here are the links we spoke about:

- The Manual of Development Review Procedures includes description of all of the noticing and other requirements for the various kinds of development applications. Page 16 specifically addresses Consent Agenda Plan Amendments:
http://www.montgomeryplanning.org/development/forms/Manual_of_Development_Review_Procedures.pdf
- The templates for the notice letters are to be found at:
<http://www.montgomeryplanning.org/development/forms/>
 - the format for consent agenda is here:
http://www.montgomeryplanning.org/development/forms/documents/notice_letter_consent_agenda.docx
- To view the application materials for this (or any other application), please visit
<http://www.montgomeryplanning.org/development/index.shtm>
 - In the blue box that reads "Search the Development Activity Information Center (DAIC)" enter the application number (82007002C)
 - On the "Search Results" screen, select "Click here to view Plans & Reports".

Please let me, Amy, or Khalid know if you have any questions.

Sincerely,

Elza

Elza Hisel-McCoy, Assoc. AIA, LEED-AP
Master Planner, Regulatory Supervisor
Area One
Montgomery County Planning Department
M-NCPPC
8787 Georgia Avenue
Silver Spring, MD 20910
301.495.2115, elza.hisel-mccoy@montgomeryplanning.org
montgomeryplanning.org

RE: Poplar Run Notice - Plan No. 82007002C

Michael Brown <mbrown@luselaw.com>

Mon 7/7/2014 10:01 PM

Inbox

To:Lindsey, Amy <amy.lindsey@montgomeryplanning.org>;

Thank you. I assume they needed notices to get waivers to put a house in my backyard and so close to mine. How can I stop the building of the house since all notices were defective - illegible?

Who allowed this to happen? I will am in China on business now, but will take this up further when I return. Can you stop the building of the house now? It will only make things worse for everyone if they continue.

Also, why is Wayerhauser/Winnchester being allowed to continue to build there. Their own general counsel told me they have been sued several times for violations. I myself have pictures of them polluting the Anacostia.

I told the general counsel I am considering actions, but do not want to start anything yet. But I would expect you to act now! If you are not willing to act I will seek a writ of mandamus against you for arbitrary and capricious actions. And seek a court injunction against them. If I am forced to take action against them to force you to do your job, it will ot look good for you!

Please respond about actions regarding house behind mine. I have informed you about your own regs on legible notices. Let me know if I need to do anything else for you to get your job done.

I wish to be polite, but this is the largest purchase I have ever made, and the County/State have failed me horribly in preventing abuses by Windchester.

Mike

From: Lindsey, Amy [amy.lindsey@montgomeryplanning.org]

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