

Appendix P – April 2018

Shirley, Lori

From: admin@justus.group
Sent: Tuesday, April 3, 2018 6:14 PM
To: justus organization; LW Green
Cc: LW Board of Directors; mont.Co.PlanningBoard@justus.group
Subject: FULLY SUPPORT SOLAR ON ALL POSSIBLE HOMES, BLDGS!

From: midgove
Date: April 3, 2018 6:05:42 PM EDT
Subject: Fwd: THIS IS GREAT IDEA ... FULLY SUPPORT SOLAR ON ALL POSSIBLE HOMES, BLDGS!

L.W. LEADERS HELLO,

Hope your Easter, Passover were wonderful ...

still in major catch ups here ... SUGGEST ... great to contact Tom Hucker, Dave K. below shared -

LW could save millions in utility costs by having all town homes, patio, SFH, smaller low/mid-rise buildings w/solar roofs, AND verify stats about having a small wind farm on edges of golf course, other wood areas -

prior stats show that Kev. F. has had a LW cash cow deal w/Pepco for many yrs.

to loss of LW folks - We The People ...

new sharing ...

POS

From: Dave Kunes <dave@tomhucker.com>
To: Midgovele
Cc: Tom Hucker <tom@tomhucker.com>
Sent: Tue, Apr 3, 2018 5:53 pm
Subject: Fwd: THIS IS GREAT IDEA ... FULLY SUPPORT SOLAR ON ALL POSSIBLE HOMES, BLDGS!

Thank you for your support of this legislation. We appreciate you reaching out to our office.

Sincerely,

Dave Kunes
Chief of Staff
Councilmember Tom Hucker

From: midgove
Date: Tuesday, April 3, 2018

Subject: THIS IS GREAT IDEA ... FULLY SUPPORT SOLAR ON ALL POSSIBLE HOMES, BLDGS!

To: mary@cbar.info, powerupmontco@gmail.com, michele.lieban@gmail.com, admin@justus.group,
eharkavy@erols.com, hgershman@qbbinc.com, george.leventhal@montgomerycountymd.gov, Tom@tomhucker.com,
councilmember.floreen@montgomerycountymd.gov, Councilmember.Riemer@mccouncilmd.lmhostedig.com,
Chris.Gillis@montgomerycountymd.gov
Cc: midgovele@verizon.net



BETHESDA | CHEVY CHASE | GAITHERSBURG | KENSINGTON | NORTH
BETHESDA | POTOMAC | ROCKVILLE | SILVER SPRING

Business Notes: Two Council Bills Proposed To Generate More Sustainable Energy at Homes, Commercial Buildings

Plus: Stroke Comeback Center opening in Rockville; AARP discounts at Strathmore

BY BETHESDA BEAT STAFF

Published: 2018.04.03 11:23

Solar panels on the roof of the Jane Lawton Community Recreation Center in Chevy Chase
MONTGOMERY COUNTY WEBSITE

Elrich proposes bills requiring new home sellers to give buyers an option to install solar panels; owners of commercial buildings to add environmentally friendly roofs

A bill introduced to the County Council last month by council member Marc Elrich would require sellers of new homes to provide a buyer the option to install a solar panel system. Elrich said when introducing the bill that the aim was to encourage homebuilders to offer buyers a solar power alternative. The bill would also require sellers to estimate the cost of the panels and the annual energy savings they could create. The bill would apply to single-family detached homes as well as townhouses and row houses. Council member Tom Hucker co-sponsored the bill. A public hearing on the legislation is scheduled for 1:30 p.m. April 10 at the County Council Office Building.

Elrich also introduced a related bill last month that would require an environmentally sustainable roof be installed on certain new or redeveloped office, apartment and condo buildings. The policy would cover new buildings

measuring at least 10,000 square feet and redeveloped buildings in which more than 50 percent of the building's gross floor area has been altered, according to the legislation. If the legislation passes, 15 percent of the roof of a building meeting the requirements would have to be covered by solar panels or alternative roof coverings detailed in section 408.3 of the International Green Construction Code. A public hearing on this bill is also scheduled for 1:30 p.m. April 10.

slkatzman

President, JustUs

admin@justus.group

"JustUs" advocates to enhance the quality of life for all Leisure World residents



Albert Einstein – **“We cannot solve our problems with the same level of thinking that created them.”**

Shirley, Lori

From: admin@justus.group
Sent: Wednesday, April 11, 2018 1:40 PM
To: mont.Co.PlanningBoard@justus.group; Montgomery County Council
Cc: Tim Maloney
Subject: BOD representative/LWMC employee - conflict of interest

From: "admin@justus.group" <admin@justus.group>
Date: April 11, 2018 12:47:03 PM EDT
To: paul eisenhour <p_eisenhour@comcast.net>, "LW Exec. Committee" <execcomm@lwmc.com>, LW Board of Directors <board@lwmc.com>, ron pancotti <rpancotti@lwmc.com>
Cc: Mark Anders <mark.anders@montgomerycountymd.gov>, justus organization <justus@justus.group>, members@townmeetingorganization.com, LW Green <lwgreen@justus.group>
Subject: BOD representative/LWMC employee - conflict of interest

To: Paul Eisenhour, Chair - LWCC BOD

A Leisure World Community Corporation representative, (who is their mutual president), is a Leisure World of Maryland employee.

This is a direct conflict of interest, which by the way - was not identified on this persons mandatory BOD "Conflict of Interest" form.

The Executive Committee, Leisure World Board of Directors, Leisure World of Maryland General Manager and the LWMC Human Resources Department are all aware of this matter.

You are called upon to request that this representative voluntarily relinquish the BOD position or in the alternative, resign from LW employment.

slkatzman

President, JustUs

admin@justus.group

"JustUs" advocates to enhance the quality of life for all Leisure World residents



Albert Einstein – "We cannot solve our problems with the same level of thinking that created them."

Shirley, Lori

From: Carl Shoolman <carl@cx.org>
Sent: Friday, April 13, 2018 7:19 PM
To: Steven Wischmann
Cc: Shirley, Lori
Subject: Planning Board dialog requirement
Attachments: minutes planning board lw admin nov 30.pdf

The Planning Board deferred "to allow the applicant ...additional time to meet with the residents and try to solve the issues raised by the speakers during the hearing."

This is the recommendation in the hearing minutes.

They clearly expect a dialog, not a one-way presentation.

General Manager Flannery was told this at a meeting with the Planning Board staff, I believe.

(There may have been some confusion caused by an "update" posted on the Planning Board's website, but that doesn't change what the board members decided and expect.)

Residents expect a two-way discussion with the community board and management about the issues raised at the hearing, especially the need for residents to have meaningful input into community decision-making.

It would help everyone to schedule forums giving residents reason to believe that the community board is listening to them and considering their input in making major community decisions.

=====

I personally invite you and other decision makers to take advantage of Nextdoor.com as part of that dialog process.

We have had extensive, constructive and respectful conversations about these issues.

With over a thousand Leisure World residents, this would enable the community board and management to easily solicit resident views and explain how decisions have been made and will be made in the future.

(I am founder and lead for the Nextdoor Leisure World neighborhood. Members include some community board members and, in an effort to increase dialog, our general manager.)

Carl Shoolman

Here is the document quoted above. See page 13.

"Commissioners Fani-Gonzalez, Cichy, and Patterson recommended that the Site Plan request be deferred to allow the applicant ...additional time to meet with the residents and try to solve the issues raised by the speakers during the hearing. "



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**APPROVED
MINUTES**

The Montgomery County Planning Board met in regular session on Thursday, November 30, 2017, at 9:03 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 4:37 p.m.

Present were Chair Casey Anderson and Commissioners Natali Fani-González, Gerald R. Cichy and Tina Patterson. Vice Chair Norman Dreyfuss joined the meeting at 9:05 a.m. during discussion of Item 2.

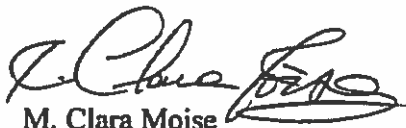
Items 1 through 4 are reported on the attached agenda.


The Board recessed for lunch at 11:10 a.m. and reconvened in the auditorium 1:15 p.m.

Items 5 through 11 are reported on the attached agenda.

Commissioner Fani-González left for the day at 3:20 p.m. prior to discussion of Item 6.

There being no further business, the meeting was adjourned at 4:37 p.m. The next regular meeting of the Planning Board will be held on Thursday, December 7, 2017, in the Montgomery Regional Office in Silver Spring, Maryland.


M. Clara Moise
Sr. Technical Writer/Editor


James J. Parsons
Sr. Technical Writer/Editor

**Montgomery County Planning Board Meeting
Thursday, November 30, 2017
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600**

1. Consent Agenda

***A. Adoption of Resolutions**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Resolutions submitted for adoption.

***B. Record Plats**

Subdivision Plat No. 220161040, Ancient Oak North

RE-1 zone, 1 lot; located on the east side of Ancient Oak Drive, 375 feet north of Meadow View Drive; Potomac Sub-Region 2002 Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: FANI-GONZÁLEZ/CICHY

Vote:

Yea: 4-0

Nay:

Other: DREYFUSS ABSENT

Action: Approved staff recommendation for approval of the Record Plat cited above, as submitted.

***C. Other Consent Items**

1. Travilah Square Preliminary Plan Amendment No. 12011034C --- Request to amend Preliminary Plan condition No. 5.b., of Planning Board Resolution MCPB No. 16-112, to replace the reference to a five-and-a-half-foot-wide bike lane with a 10-foot wide shared use path on the Site's Darnestown Road frontage in accordance with the appropriate Road Code standard; 5.56 acres, zoned CR0.75, C0.5, R0.75, H80' located at the southern corner of the intersection of Darnestown Road and Travilah Road, within the Great Seneca Science Corridor Master Plan area.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: FANI-GONZÁLEZ/CICHY

Vote:

Yea: 4-0

Nay:

Other: DREYFUSS ABSENT

Action: Approved staff recommendation for approval of the Preliminary Plan Amendment cited above, as stated in the attached adopted Resolution.

***D. Approval of Minutes**

Planning Board Meeting Minutes of November 9, 2017

BOARD ACTION

Motion: FANI-GONZÁLEZ/PATTERSON

Vote:

Yea: 4-0

Nay:

Other: DREYFUSS ABSENT

Action: Approved Planning Board Meeting Minutes of November 9, 2017 as submitted.

***2. The Blairs Building F1/F2, Site Plan Amendment No. 82014017B --- CR 5.0, C 0.5, R 5.0, H 200T Zone (Developed under CBD R-2 Zone), 15.55 acres, Request to increase the limits of the approved site plan to include portions of the existing retail shopping center; up to 5,400 square feet of non-residential uses for interim retail/restaurant building; temporary modifications to the existing surface parking lot; addition of temporary streetscape improvements at the existing retail buildings, potentially including sidewalk material, lighting, seating and landscaping; and the addition of temporary micro-bio-filter facilities; located at northwest corner of the intersection with Blair Mill Road and Eastern Avenue, Silver Spring CBD Sector Plan.**
Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: FANI-GONZÁLEZ/CICHY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Site Plan Amendment cited above, subject to revised conditions discussed during the meeting, and adopted the attached Resolution.

Planning Department staff offered a multi-media presentation and discussed a proposed Site Plan Amendment request to construct an interim building for retail and restaurant uses. The 13.49-acre site, which includes Block F1/F2 and the future Block E, is part of the larger 30.36-acre Blairs Master Plan property and is located on the northeast side of Eastern Avenue, bounded by Portland Drive to the northwest, High Park Lane to the northeast and is zoned Commercial/Residential in the Silver Spring Central Business District (CBD) Sector Plan area. In 2014, the Planning Board approved Block F1/F2 for an up to 605,000-square foot multi-family residential building for a maximum of 507 units, which is currently under construction. There is a significant grade change of approximately 40 feet across the entire site, with a steep drop of approximately 18 feet that is reinforced by a stone retaining wall located in the center of the site, which separates the site into two areas, identified as the Upper Escarpment and the Lower Escarpment, with Block F1/F2 and the future Block E located within the Lower Escarpment.

The applicant proposes to extend the geographic limits of the previously approved Site Plan to portions of the Upper Escarpment area for a new 5,400-square foot pad site to construct an interim restaurant/retail building. All elements included in the proposed Amendment are temporary in nature, as they are located in the area that is planned for a future residential building and green space to be approved by a future Site Plan. Removal of the temporary building within the Upper Escarpment may occur at any time, as determined solely by the applicant. The proposed amendment does not propose any changes to Block F1/F2 and will not

CONTINUED ON NEXT PAGE

***2. The Blairs Building F1/F2, Site Plan Amendment No. 82014017B**

CONTINUED

affect the redevelopment approved for the Site.

Staff added that vehicular access to the proposed pad site will continue to be from an existing driveway on East-West Highway (MD410), with one-way vehicular circulation around the new pad site to reduce conflicts between vehicles and between vehicles and pedestrians. Pedestrian and bicycle access will be primarily via the existing drive aisle from MD410 and will be improved by proposed streetscape enhancements, which include elimination of on-street parking along the driveway, and addition of new street lighting, planters, and space dedicated to outdoor seating. Bicycles will access the pad site using the driveway in a shared lane configuration with vehicular traffic. Staff then briefly discussed minor corrections to the staff report.

There followed a brief Board discussion.

***3. Viva White Oak, Sketch Plan No. 320180040** --- Request for approval of a Sketch Plan for up to 12,180,320 square feet of development, including up to 6,090,160 square feet of residential uses, to transform the current sand and gravel operation and a closed WSSC facility into a mixed-use development including residential, office, academic, hotel, retail/restaurant/entertainment, service, and conference center uses; on approximately 280 acres (Percontee Property and Site II Property); zoned CR 1.0: C 1.0, R 0.5, H 220; located between Cherry Hill Road and Industrial Parkway, along FDA Boulevard, within the 2014 White Oak Science Gateway Master Plan area.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: DREYFUSS/FANI-GONZÁLEZ

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Sketch Plan cited above, subject to revised conditions discussed during the meeting, and as stated in the attached adopted Resolution.

Planning Department staff offered a multi-media presentation and discussed a proposed Sketch Plan request to redevelop a property with a mixed-use development. The approximately 279-acre property, consisting of the County-owned 11-acre Site II property, and the 168-acre Global Lifesci property, commonly identified as the Percontee property, is located on the west side of Cherry Hill Road, and is zoned Commercial/Residential in the White Oak Science Gateway Master Plan area. All structures on the Site II property, a former Washington Suburban Sanitary Commission (WSSC) facility, will be demolished and the land will be graded. The Percontee property, a former sand and gravel mine, is currently used as a rubble landfill, concrete recycling center, and a sand, gravel, stone, topsoil processor and wholesaler. The Westfarm Tributary of the Paint Branch bisects the Global Lifesci property, from north to south. There are areas of wetlands associated with this stream, as well as forest within the stream valley. Other forested areas are located at the perimeter of the property.

The applicant proposes phased redevelopment of the property for up to 12,180,270 square feet of mixed-use development, including a maximum of 6,090,135 square feet of residential uses. The residential portion of the project will include a mix of multi-family housing, with live-work units, duplexes, townhouses, and a small number of single-family detached units, including a minimum of 12.5 percent Moderately Priced Dwelling Units (MPDUs). Proposed uses include but are not limited to academic, research and development, office, residential, conference center, hotel, retail, restaurant, and entertainment, to be located in four neighborhoods. The applicant

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3. Viva White Oak, Sketch Plan No. 320180040*CONTINUED**

will provide a master-planned co-located elementary school and 1.02-acre park site; master-planned open spaces, including a 5.34-acre passive natural park, multiple civic greens, urban plazas, neighborhood greens, neighborhood parks, one of which is a proposed 4.72-acre active recreation park, and linear greenways and parks; an extensive and well-integrated network of new vehicular, bicycle, and pedestrian facilities; landscaping and streetscape improvements; and required public benefits and amenities.

Staff noted that the proposed bicycle and pedestrian facilities will eventually connect with existing amenities such as the Paint Branch Park, the White Oak Community Recreation Center, and the Martin Luther King Recreational Park. Access to the site from Columbia Pike (US29) will be provided via an extension of Industrial Parkway through the Site II property, which will be identified as FDA Parkway and connect to existing FDA Boulevard. Also, proposed road B-5 will be extended from the adjoining Washington Adventist Hospital property through the Percontee property to connect to FDA Boulevard. Access from Cherry Hill Road will be provided via FDA Boulevard. All master-planned streets will be provided as public streets, with all other internal streets provided as private streets. Staff did receive correspondence from the Greater Colesville Citizens Association (GCCA) and the Calverton Citizens Association regarding the size of the co-located school and park site, additional bike lanes, improved pedestrian connections, and traffic monitoring. Staff then discussed minor clarifications and corrections to the staff report.

Ms. Barbara Sears, attorney representing the applicant, offered comments and concurred with the staff recommendation.

Mr. Jonathan Genn, member of the applicant's team, offered a multi-media presentation and discussed the proposed project.

The following speakers offered testimony: Ms. Betsy L. Bretz, representing the LabQuest Partnership; Mr. Peter Fosselman of the Office of the County Executive; and Mr. Dan Wilhelm, representing the GCCA.

There followed a brief Board discussion with questions to staff, during which the Board instructed staff to explore the feasibility of utilizing a single parking lot to be shared by the proposed school and the proposed adjacent park, and performing a portion of the construction work on some nearby off-site trails as part of the proposed project. The Board also instructed staff to remove the word elementary from the school requirement language in condition of approval 6 to allow the applicant to provide either an elementary, middle, or high school as needed.

4. **Amendment to the Facility Plan for the North Branch Hiker-Biker Trail** — 2.2 miles of new trail and connections, extending from Lake Frank in Rock Creek Regional Park to a developer-built trail adjacent to the Preserve at Rock Creek. The trail extends through Rock Creek Regional park and the North Branch Stream Valley Park within the Olney and Upper Rock Creek Master Plan Areas.

Staff Recommendation: Approval of Modifications to the Facility Plan

BOARD ACTION

Motion: **PATTERSON/CICHY**

Vote:

Yea: **5-0**

Nay:

Other:

Action: **Approved staff recommendation to amend the Facility Plan for the 2013 North Branch Hiker-Biker Trail.**

Parks Department staff offered a multi-media presentation and discussed a proposed amendment to the 2013 Facility Plan for the North Branch Hiker-Biker Trail. The proposed 2.2-mile trail, a segment of a contiguous regional trail system that will eventually extend from the District of Columbia northward to Olney, will be located mostly within environmentally sensitive areas of Rock Creek Regional Park and the North Branch Stream Valley Park, and will connect to the existing Lakeside Trail and extend north from the eastern edge of Lake Frank to Muncaster Mill Road and the future Emory Lane Bikeway. Approximately 1,000 feet south of Muncaster Mill Road, a trail spur will cross the North Branch and connect to Meadowside Lane and the existing Muncaster Mill Bikeway. The project also includes a small segment of the Trail that will connect to and extend north from the existing Inter-County Connector (ICC) Bike Trail to a recently built development trail. In March of this year, during the detailed design phase of the project, the Norbeck Manor Homeowners Association (HOA) contacted staff with concerns regarding the proposed location of the trailhead and parking lot, which were proposed to be located on the south side of Muncaster Mill Road, just west of its intersection with Emory Lane. Specifically, the HOA members were concerned with potential crime, illegal dumping, and increased traffic congestion at Sweetbirch Drive. HOA members also expressed concern regarding the safety of a proposed at-grade crossing at Emory Lane. Following a meeting with the HOA, staff reviewed the concerns, and developed another option for the location of the trailhead and parking lot.

Staff now proposes to locate the trailhead and parking lot to the west of the original location, on the east side of Meadowside Lane, just south of Muncaster Mill Road. In order to facilitate the access of the natural surface trails to the west of the North Branch, staff also

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4. Amendment to the Facility Plan for the North Branch Hiker-Biker Trail

CONTINUED

recommends relocating the proposed bridge crossing near the Meadowside Nature Center to the north, just to the south of the Inter-County Connector (ICC). Staff added that at an Open Town Hall Forum held on September 13, the revised location of the trailhead and parking lot received 70 votes as opposed to 19 votes for the original location.

Mr. Joe Fritsch of Buehler Road offered testimony.

There followed a brief Board discussion with questions to staff.

***5. Leisure World Administration Building and Clubhouse I Site Plan No. 820170120 --** Request to approve a Site Plan for a new 20,555-square foot Administration building with a 71-space parking lot; and reconfiguration of existing entrance and exit drive aisles at Clubhouse I with a redesigned drop-off area at the clubhouse, and related stormwater management and landscaping improvements in the existing parking lot; 11.60 acres zoned Planned Retirement Community (PRC); located within Leisure World near the intersection of Rossmoor Boulevard and North Leisure World Boulevard, within the Aspen Hill Master Plan area.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: FANI-GONZÁLEZ/CICHY

Vote:

Yea: 3-0-1

Nay:

**Other: ANDERSON ABSTAINED
DREYFUSS RECUSED HIMSELF (SEE BELOW)**

Action: Approved a deferral of the Site Plan cited above at the request of the applicant's attorney.

At the onset of the discussion, Chair Anderson explained the rules to be followed by those testifying. Legal Counsel to the Board noted that Vice Chair Norman Dreyfuss will recuse himself from the proceedings due to possible conflict of interest. Counsel added that Vice Chair Dreyfuss was previously involved in building the Leisure World Community.

In keeping with the November 17 technical staff report, Planning Department staff discussed a Site Plan request for a 20,555-square foot Administration Building and Clubhouse to be built within Leisure World, a retirement community near the intersection of Rossmoor Boulevard and North Leisure World Boulevard, within the Aspen Hill Master Plan area. Staff noted that the 616-acre Leisure World property is zoned Planned Retirement Community (PRC) and is bordered on all sides by a mix of single-family detached homes, townhouses, and older garden apartments. There is an existing shopping center, Leisure World Plaza, at the main entrance on Georgia Avenue, an office building, and an assisted living facility. Staff noted that the proposed Site Plan covers 11.60 acres and is developed with a 38,860-square foot clubhouse and an approximately 16,555-square foot administration building with office space, primarily for Leisure World employees. The administration building previously included a post office and a bank, but the bank was closed after its lease expired two year ago. A 384-space surface parking lot, including 15 handicap spaces, for these two buildings is located to the north of the administration building and clubhouse. The topography slopes up from the southeast corner of the parking lot to the clubhouse main entrance. A driveway loop from North Leisure

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5. Leisure World Administration Building and Clubhouse I Site Plan No. 820170120*CONTINUED**

World Boulevard provides an uncovered drop-off/pick-up area at the clubhouse main entrance on the west side. Parking for patrons using the golf course is located at the northeast corner of the parking lot. The existing sidewalks near the two buildings are not Americans with Disabilities Act (ADA) compliant.

Staff then discussed the proposed landscape plan and noted that a total of 101 new various species of shade trees and 50 existing trees will be removed. Most of the new trees will be planted along the perimeter of a new proposed 71-space parking lot. Staff also noted that the applicant proposes to install new outdoor light fixtures around the two new buildings and the parking lot.

Staff added that the applicant has complied with the submittal and noticing requirements and staff has received over 130 emails stating opposition to the proposed plan. The residents at Leisure World expressed concerns about the need for a new building, the cost of the project, the removal of trees, the location of the new parking lot, the authority of the Leisure World Board of Directors to file this application when residents are opposed to it, and the request for Vice Chair Norman Dreyfuss to recuse himself from the hearing because of his past involvement with Leisure World. Staff also discussed revisions and corrections to the staff report.

Mr. Scott Wallace, attorney representing the applicant introduced Messrs. John Sekerak, Ms. Nicole Gerke and Ms. Venessa Rai., members of the applicant's team, briefly discussed a reference to solar panels in the staff report, which they stated should be removed, and concurred with the staff recommendation.

Mr. John Sekerak offered brief comments.

Legal staff clarified the extent of the Planning Board's purview regarding this Site Plan request. Staff noted that the request must meet all of the requirements of the Zoning Ordinance and the Board must determine that the plan conforms to the Master Plan. Staff also added that Leisure World management has the authority to act on behalf of the residents and any other legal matters will have to be referred to the Court.

The following speakers offered testimony: Mr. Paul Bessel of Marble Arch Way; Ms. Barbara Braswell of Marble Arch Way; Mr. Philips Marks of Interlachen Drive; Ms. Marybeth Ardike of Gleneagles Boulevard and representing the Leisure World Green Progressive Legacy with Ms. Rosie Engman of S. Leisure World Building ceding her time; Ms. Sheryl Katzman of Chiswick Court, President of "JustUs"; Mr. David Polinsky of Leisure World Boulevard; Mr. Thomas Conger of Fitzhugh Lane; Ms. Janice McLean of North Leisure World Boulevard; Mr. Bruce MacDonald of Fiske Terrace; Mr. Bob Lin of N. Leisure World Boulevard; Ms. Carole Sloane of Tarkington Lane; Mr. Norman Holly of North Leisure World Boulevard; Mr. John Stewart of Interlachen Drive; Mr. Richard Ablard of Gleneagles Drive; Ms. Barbara Studwell of Pennfield Circle; Mr. Jordan Hardin of N. Leisure World Boulevard; Ms. Sue Gray of North Leisure World Boulevard; Ms. Brenda Kirkpatrick of Leisure World; Mr. Mark Narkus-Kramer of South Leisure World Boulevard; and Mr. William Butynski of Adderkley Court.

There followed extensive Board discussion with questions to staff and the applicant's representatives.

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***5. Leisure World Administration Building and Clubhouse I Site Plan No. 820170120**

CONTINUED

Commissioner Fani-Gonzalez stated that she does not support the proposed design of the Clubhouse building, especially the stairs.

Planning Department Director Gwen Wright clarified that the Planning Board can deny the Site Plan application or approve the applicant's request for a deferral,

Commissioners Fani-Gonzalez, Cichy, and Patterson recommended that the Site Plan request be deferred to allow the applicant to revise the buildings design and additional time to meet with the residents and try to solve the issues raised by the speakers during the hearing.

***6. Shady Grove Station, Preliminary Plan Amendment No. 12012008D --- Request to modify an approved Preliminary Plan to replace the unbuilt 131,422 square feet of office use with a maximum of 43,000 square feet of general retail space; 90.34 acres, zoned CRT-1.0 C0.25 R 0.5 H-60 T (TDR 0.6 Overlay); located on the south side of the intersection of Shady Grove Road and Crabbs Branch Way; within the Shady Grove Sector Plan area.**

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: CICHY/PATTERSON

Vote:

Yea: 4-0

Nay:

Other: FANI-GONZÁLEZ ABSENT

Action: Approved staff recommendation for approval, subject to revised conditions, and adopted the attached Resolution.

Planning Department staff offered a multi-media presentation and discussed a proposed Preliminary Plan Amendment request to modify an approved Preliminary Plan to replace 131,422 square feet of unbuilt office space with a maximum of 43,000 square feet of general retail space, which is in addition to the already approved 41,828 square feet of general retail. The proposed change will impact only the portion of the property at the southwest corner. The 90.34-acre property is located on the south side of the intersection of Shady Grove Road and Crabbs Branch Way within the Shady Grove Sector Plan area. Staff noted that the applicant is seeking this change because of the demand for retail uses, such as grocery stores or neighborhood-serving retail stores, based on visibility and the increasing demand for existing and planned development on the west and east sides of Shady Grove Station and CSP Associates proposed development.

Staff also noted that the proposed amendment does not include modifications to the previously approved layout. The applicant intends to accommodate an urban format grocery store on the site. A Site Plan application will be submitted when details for the future retailer are confirmed. Staff added that a minimum of 215 parking spaces are required and the applicant proposes to provide 220 spaces in the nearby parking garage. Staff also discussed revisions and additions to the Conditions of Approval.

Mr. Phillip Hummel, attorney representing the applicant, introduced Mr. McLean Quinn of EYA, and Ms. Ronnie Warner of Montgomery County Department of General Services.

There followed a brief Board discussion with questions to staff and Mr. Hummel.

***7. Ourisman Ford at Montgomery Mall, Sketch Plan No. 320170100** --- Request for approval of a Sketch Plan to allow up to a 355,822-square-foot multi-unit building of up to 75 feet in height; 4.08 acres, zoned CRT-2.5, C-1.5, R-2.0, H-75, located at the northeast corner of the Westlake Terrace and Motor City Drive intersection; within the 2002 Potomac Sub-Region Master Plan area.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: CICHY/DREYFUSS

Vote:

Yea: 3-1

Nay: PATTERSON OPPOSED

Other: FANI-GONZÁLEZ ABSENT

Action: Approved staff recommendation for approval of the Sketch Plan cited above, subject to conditions, as stated in the attached adopted Resolution.

In keeping with the November 17 technical staff report, Planning Department staff discussed a Sketch Plan request to allow the construction of a 355,822-square foot multi-unit building, including 12.5 percent Moderately Priced Dwelling Units (MPDUs), on a 4.08-acre property located at the northeast corner of the intersection of Westlake Terrace and Motor City Drive, within the Potomac Sub-Region Master Plan area. Staff noted that the property is surrounded by a mix of existing commercial, institutional, multi-family residential, office and retail uses. Staff noted that the site is the location of the former Ourisman Ford Automobile Dealership, and is currently improved with a 37,300-square foot building and a surface parking lot. The site is located next to Westfield Montgomery Mall, including the Transit Center with Metrobus and Ride-on buses. A post office and a Home Depot store are also located to the northwest and west of the property. The Countywide Zoning Rewrite and the subsequent comprehensive map amendment rezoned the property from Commercial (C-2) to Commercial/Residential/Transit (CRT-2.5), Commercial (C-1.5) and Residential (R-2) with a height of 75 feet.

Staff also noted that in addition to the proposed public open space, the applicant will provide a vegetated area with a trail at the east and south sides of the property. The proposed project also includes two private courtyards, one with an outdoor swimming pool and the other entirely enclosed within the residential building and structured parking.

Ms. Barbara Sears, attorney representing the applicant, briefly discussed the proposed request and concurred with the staff recommendation.

There followed a brief Board discussion with questions to staff and Ms. Sears.

Commissioner Patterson voted against approving the proposed Sketch Plan as submitted, stating that the Plan reflects an under allocation of MPDUs.

8. Zoning Text Amendment No. 17-13, Exemptions - Public Taking --- ZTA 17-13 amends the Montgomery County Zoning Ordinance to remove the possibility of structures located on a lot reduced in area by a public acquisition from becoming nonconforming; allow the repair, alteration, or reconstruction of such structure under certain circumstances; and allow the lot reduced in area by public acquisition to be legal.

Staff Recommendation: Transmit Comments to the County Council

(NOTE: Action required for County Council public hearing of 12/5/17)

BOARD ACTION

Motion: CICHY/PATTERSON

Vote:

Yea: 4-0

Nay:

Other: FANI-GONZÁLEZ ABSENT

Action: Approved staff recommendation to transmit comments to the County Council, as stated in the attached transmittal letter.

In keeping with the November 20 technical staff report, Planning Department staff discussed Zoning Text Amendment (ZTA) 17-13, which would amend the Montgomery County Zoning Ordinance to remove the possibility of structures located on a lot reduced in area by a public acquisition from becoming non-conforming; allow the repair, alteration, or reconstruction of such structure under certain circumstances, and allow the lot reduced in area by public acquisition to be legal.

Staff noted that the 2014 Zoning Ordinance did not grandfather a lawful structure located on a lot that is reduced in area by a public acquisition. That acquisition could render the structure non-conforming since Section 7.7.1.A.1 applies only to structures that existed on October 30, 2014. The proposed ZTA would retain the pre-acquisition, legal status of the property. Staff stated that the proposed amendment is recommended by County Council and Executive staff for situations where less than an entire property is publicly acquired. Staff finds the amendment necessary and consistent with language in the previous Zoning Ordinance.

There followed a brief Board discussion with questions to staff.

9. **Zoning Text Amendment No. 17-14, Walls and Fences - Setback Exemption** -- ZTA 17-14 amends the Montgomery County Zoning Ordinance to revise, under certain circumstance, the provisions that allow fences and walls to be exempt from setback standards.

Staff Recommendation: Transmit Comments to County Council

(NOTE: Action required for County Council public hearing of 12/5/17)

BOARD ACTION

Motion: DREYFUSS/CICHY

Vote:

Yea: 4-0

Nay:

Other: FANI-GONZÁLEZ ABSENT

Action: Approved staff recommendation to transmit comments to the County Council, as stated in the attached transmittal letter.

In keeping with the November 20 technical staff report, Planning Department staff discussed Zoning Text Amendment (ZTA) 17-14, which will amend the Montgomery County Zoning Ordinance to revise, under certain circumstances, the provisions that allow fences and walls to be exempt from setback standards. Staff noted that currently, the Zoning Ordinance exempts fences and walls from setback requirements if the height of the structure is 6.5 feet or lower, with exceptions granted for deer fencing or other fences located in the Agricultural or Rural Residential zones. A homeowner who wants a higher fence is either required to meet the setback requirement or to apply for a variance. Staff noted that the sponsor of this ZTA believes that when an owner of residentially-zoned property abutting a non-residentially zoned property, an eight-foot fence should be allowed without a setback requirement or a variance.

Staff supports the proposed ZTA given that the relaxation of the height standard could assist homeowners in residential zones in minimizing possible visual and audible obtrusions associated with adjacent non-residential uses.

Ms. Vicki Vergagni, President of the Board of Directors and On-Site Community Manager for the Glen Way Gardens Condominium offered comments.

There followed a brief Board discussion with questions to staff and Ms. Vergagni.

***10. Artery Plaza**

A. Sketch Plan Amendment No. 32015005B, Artery Plaza, CR 5.0 C 5.0 R 5.0 H 170 Zone, 3.02 acres, request an addition of 14,500 square feet devoted to office and amenity space to be located on the roof where a penthouse was previously approved; located on Bethesda Avenue at the western intersection with Wisconsin Avenue, Bethesda Downtown Sector Plan

Staff Recommendation: Approval with Conditions & Adoption of Resolution

B. Preliminary Plan Amendment No. 11983015C, Artery Plaza, CR 5.0 C 5.0 R 5.0 H 170 Zone, 3.02 acres, request an addition of 14,500 square feet devoted to office and amenity space to be located on the roof where a penthouse was previously approved; located on Bethesda Avenue at the western intersection with Wisconsin Avenue, Bethesda Downtown Sector Plan

Staff Recommendation: Approval with Conditions & Adoption of Resolution

C. Site Plan Amendment No. 81984002D, Artery Plaza, CR 5.0 C 5.0 R 5.0 H 170 Zone, 3.02 acres, request an addition of 14,500 square feet devoted to office and amenity space to be located on the roof where a penthouse was previously approved; located on Bethesda Avenue at the western intersection with Wisconsin Avenue, Bethesda Downtown Sector Plan

Staff Recommendation: Approval with Conditions & Adoption of Resolution

BOARD ACTION

**Motion: A. CICHY/PATTERSON
B. & C. CICHY/DREYFUSS**

Vote: Yea: A. B. & C. 4-0

Nay:

Other: FANI-GONZÁLEZ ABSENT

***Action: A. Approved staff recommendation for approval of the Sketch Plan cited above, subject to conditions, and adopted the attached Resolution.**

B. Approved staff recommendation for approval of the Preliminary Plan cited above, subject to conditions, and adopted the attached Resolution.

C. Approved staff recommendation for approval of the Site Plan Amendment cited above, subject to conditions, and adopted the attached Resolution.

In accordance with the November 17 technical staff report, Planning Department staff offered a multi-media presentation and discussed proposed Sketch Plan, Preliminary Plan, and Site Plan Amendment requests for the Artery Plaza project. Staff noted that the proposed amendments will add an additional floor to the new office building, increasing the non-residential gross floor area by 14,500 square feet for a total of 601,111 square feet. The 3.02-acre Artery Plaza site is located in the northwest quadrant of the intersection of Wisconsin Avenue

CONTINUED ON NEXT PAGE

***10. Artery Plaza – Sketch Plan Amendment, Preliminary Plan Amendment and Site Plan Amendment**

CONTINUED

and Bethesda Avenue in the Bethesda Downtown Sector Plan area. The site is in proximity to the Bethesda Metro Station and a proposed southern entrance to the Metro, as well as the terminus of the proposed Purple Line. The Bethesda Row retail area is located west of the site and Elm Street Park is also within a few blocks of the property. An existing 12-story office building, the Artery Plaza, will remain on site. A smaller, eight-story, existing office and retail building will be demolished to accommodate the proposed development. A standard method, two-story retail building, presently under construction, will also remain on site.

Staff then discussed recommended additional conditions of approval for the three amendments and noted that, except as amended, and discussed during the meeting, the conditions of approval remain valid and in full effect for the Sketch Plan, Preliminary Plan, and Site Plan.

Ms. Pat Harris, attorney representing the applicant, offered brief comments and concurred with the staff recommendation.

There followed a brief Board discussion with questions to staff and Ms. Harris.

***11. ZOM Property, Sketch Plan No. 320180050 --- CR 2.25, C 0.50, R 2.25 H 60, CR 2.0, C 0.25, R 2.0 H 60 and CR 1.0, C 0.25, R 1.0 H 60 zones, 1.28 acres, Request for a multi-family residential development including up to 235 residential units, including 15 percent MPDUs; includes an allocation of Bethesda Overlay Zone density; located in the southeast quadrant of the intersection with Moorland Lane and Arlington Road; Bethesda Downtown Sector Plan.**

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: DREYFUSS/CICHY

Vote:

Yea: 4-0

Nay:

Other: FANI-GONZÁLEZ ABSENT

Action: Approved staff recommendation for approval of the Sketch plan cited above, subject to conditions, as stated in the attached Resolution.

In keeping with the November 17 technical staff report, Planning Department staff offered a multi-media presentation and discussed a Sketch Plan request to construct a residential building for up to 257,675 square feet, with up to 235 multi-family dwelling units, including an allocation of the Bethesda Overlay Zone density of up to 172,708 square feet, and 15 percent Moderately Priced Dwelling Units (MPDUs). The 1.84-acre property is located in the southeast quadrant of the intersection of Moorland Lane and Arlington Road in the Bethesda Downtown Sector Plan area and is surrounded by a mix of residential, office, and institutional uses.

Staff noted that the proposed development is limited to a maximum height of 60 feet, as specified in the Zoning Ordinance. The applicant is proposing to meet the public open space requirements of 10 percent of the site at an off-site location to be determined at Site Plan application when the final density for the entire project will be approved by the Planning Board. Staff also noted that a Forest Conservation exemption has been granted because the project qualifies for the small property exemption given the net tract area of less than 1.5 acres with no existing forest or existing specimen tree, and the afforestation requirements would not exceed 10,000 square feet. Resident parking is proposed to be contained within a structured below-grade garage, with the final quantity of parking spaces and ingress/egress into the garage to be determined at Site Plan application based on the final number of dwelling units. Staff added that the area is well served by transit which includes the Red Line Metrorail Station, Metrobus, Ride-on buses, the Bethesda Circulator, and the future Purple Line.

Ms. Heather Dlhopsky, attorney representing the applicant, offered brief comments and concurred with the staff recommendation.

There followed a brief Board discussion with questions to staff and Ms. Dlhopsky.

Shirley, Lori

From: joan casey <joan_casey@hotmail.com>
Sent: Monday, April 16, 2018 10:18 PM
To: Anderson, Casey; Shirley, Lori
Subject: Site Plan No. 820170120 - New Administrative Building Plan for Leisure world

Many thanks for your careful consideration of the above-referenced plan and recommendations for same. The MNCPPC recommended changes to the plan, which I understand have been made. Another recommendation of the MNCPPC was that Leisure World management obtain consensus with the residents of Leisure World. This is the recommendation I am writing about today.

LW management has held informational meetings with the mutuals in Leisure World. I live in Montgomery Mutual, and our meeting was held on February 28, 2018. Kevin Flannery stated in this meeting that the MNCPPC did not specify by what methodology consensus was to be obtained. Well, the specifics of the methodology to obtain consensus is not MNCPPC's purview; it is incumbent on LW management to obtain consensus, and therefore, they should formulate the method to obtain consensus. Kevin Flannery also stated in this meeting that neither he nor Leisure World of Maryland Corporation had the authority to obtain consensus. I was not permitted to ask any further questions on the topic; he moved on to the next resident's question. In sum, he said that MNCPPC had not specified methodology to obtain consensus, and Leisure World of Maryland Corporation did not have authority to obtain consensus. No further discussion of consensus took place at the February 28, 2018 meeting.

I can tell you that many people present at this meeting were not in favor of the new administration building, and I have heard that was the case at other mutual meetings as well. Leisure World of Maryland Corporation will send you (maybe they already have) a package what will include the revised plan, and stating that informational meetings about the plan were held with all mutuals. This in no way obtains consensus with the residents. The fact that informational meetings were held, at which many residents expressed dissent, does not reach consensus! Leisure World of Maryland Corporation has not adhered to this recommendation by MNCCP. If Leisure World of Maryland Corporation does not have authority to obtain consensus with the residents, who does? What can be done about this?

I would appreciate any suggestions you may have regarding the consensus issue. And please be assured, that no matter how nicely put together Leisure World of Maryland Corporation's response package is, the fact remains that consensus with the residents has not been obtained. Please have this awareness as you continue with the process.

Again, many thanks!

Joan Casey
3652 Gleneagles Drive 12-B
Silver Spring, MD 20906

Shirley, Lori

From: mont.co.planningboard@justus.group on behalf of
admin@townmeetingorganization.com
Sent: Monday, April 16, 2018 10:29 PM
To: mont.Co.PlanningBoard@justus.group; Montgomery County Council
Cc: justus organization; members@townmeetingorganization.com; LW Green;
lwdogs@justus.group
Subject: Site Plan No. 820170120 - New Administrative Building Plan for Leisure world

From: joan casey <joan_casey@hotmail.com>
Sent: Tuesday, April 17, 2018 2:18 AM
To: casey.anderson@mncppc.org; Shirley, Lori
Subject: Site Plan No. 820170120 - New Administrative Building Plan for Leisure world

Many thanks for your careful consideration of the above-referenced plan and recommendations for same. The MNCPPC recommended changes to the plan, which I understand have been made. Another recommendation of the MNCPPC was that Leisure World management obtain consensus with the residents of Leisure World. This is the recommendation I am writing about today.

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I would appreciate any suggestions you may have regarding the consensus issue. And please be assured, that no matter how nicely put together Leisure World of Maryland Corporation's response package is, the fact remains that consensus with the residents has not been obtained. Please have this awareness as you continue with the process.

Again, many thanks!

Joan Casey
3652 Gleneagles Drive 12-B
Silver Spring, MD 20906

s.l.katzman
president -
town meeting organization
admin@townmeetingorganization.com

Shirley, Lori

From: admin@justus.group
Sent: Thursday, April 19, 2018 10:10 PM
To: mont.Co.PlanningBoard@justus.group
Cc: justus organization; LW Green; members@townmeetingorganization.com; ben shnider; vaughn stewart; chris willhelm; lwdogs@justus.group
Subject: rebuttal - by Rodney Brooks

THOUGHTS & OPINIONS: From Our Resi

number of people using our restaurants, which will help keep prices down." I doubt that more parking spaces will increase restaurant patronage, and even if it does, I don't think a slight increase will affect prices.

came from our pocket
bought our units. I
it!

"Many of our residents are in need of better access to our Clubhouse I... There is an 8 degree uphill access... which is difficult to maneuver." The "uphill" is actually a ramp at the beginning of the walkway to the Clubhouse I entrance, similar to (but longer than) the ramp near the Administration Building entrance. If it is now considered too steep, I believe it would be a simple matter to relay a few slabs of concrete, without tearing down the building.

In my opinion, the only "benefit" cited above that could come close to justifying a new building is lower maintenance cost, and only if the cost of the necessary repairs is comparable to that of a new building. I mean, who would tear down a building so that a mutual can have space that other mutuals don't have? Who would tear down a building to avoid relaying a section of walkway? Who would tear down a building to avoid reallocating parking spaces? However, if repairs are needed, I think our Leisure World Community Corporation board of directors should tell us specifically what they are and then get a cost estimate for fixing them from a reliable contractor. This information should be given to the Leisure World community before spending \$5.2 million (and growing) on this project. This is a lot of money and it's money that

Reasons to Build a New Administration Building – A Rebuttal

I recently saw an article in my mutual's newsletter that gave reasons why Leisure World should build a new Administration Building. Because this article echoed various opinions and assumptions that have been heard throughout the Leisure World community, I feel compelled to offer some facts and counter-opinions in rebuttal:

"We have a small group... who suddenly do not like or approve... and have criticized what was done... with false arguments and charges..." The opposition is not "sudden"; it has been around for years. Nor is the group small. The number of letters in the Leisure World News that oppose the project far exceeds the number supporting it, and I have not seen a "false argument" in any of them.

"A new building would have additional space." There is plenty of space in the present building, so much that a whole suite of offices is rented to a real estate

"Building would be energy efficient..." This may be true, but most people don't tear down a building at a cost of millions of dollars to save a few dollars on electricity.

"...and meet current building codes..." I don't think that existing buildings are required to meet current building codes, but even if they are, it would likely be cheaper to adapt to the new code than to tear down the building. How many 50-year-old buildings do you know that have been torn down because of changes in the building code?

"A new building would require a much lower maintenance cost." Sensible people don't tear down a building because it needs repairs, unless the cost of repairs is comparable to the cost of a new building. When Clubhouse I needed extensive repairs, the building was not torn down; instead, the repairs were made. Why is the Administration Building different?

"Staff would not have to move into temporary quarters and there would be no disruption to resident services..." With proper planning, a temporary move would not disrupt resident

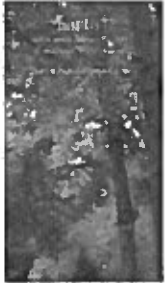
slkatzman

President, JustUs

admin@justus.group

conscience of the community

"JustUs" advocates to enhance the quality of life for all Leisure World residents



Albert Einstein – “We cannot solve our problems with the same level of thinking that created them.”

Shirley, Lori

From: Sharon Campbell <scampbell.lw@gmail.com>
Sent: Monday, April 23, 2018 6:51 PM
To: Shirley, Lori; chair@mncppc.org
Cc: Sharon Campbell; Janice McLean
Subject: Project 820170120: Report/comments on Mutual 17A Presentation
Attachments: FS 2-28-18 Presentation Minutes & Fact Sheet.pdf; Survey New Admin Bldg - FS.pdf; Admin Bldg Presentation to Fairways South ("FS," Mutual 17A) 2-28-18 (recorded).pdf

Ms. Shirley and P&P Chair:

Attached is our 4-page comments on the Feb. 28, 2018 presentation conducted at Fairways South/Mutual 17-A by Leisure World management. We know it's a bit long but we spent a lot of time making it as professional and easy to understand a report as we could and appreciate the time it will take to review.

In support of our comments, we are also attaching our Board's Minutes of that meeting, LW's Fact Sheet (the handout at the meeting) (FYI, these 2 documents are in one pdf), and a blank copy of our informal survey of FS owners around that meeting.

What is not attached is the full recording of this 2/28 presentation. If P&P would like a copy, please just ask and we will figure out how to get it to you.

Please confirm to us via email that you have received this email and all attachments as a formal comment on this Project. Also, if we need to submit these comments to a different or another email address, please let us know. We are happy to do that.

If possible, we would like a copy of P&P staff's summary of all comments received for this case when ready, but in advance of the next public P&P hearing. Please also let us know about this.

Thank you.

Sincerely,

Sharon Campbell and Janice McLean
Fairways South (Mutual 17-A)

Special Meeting
Fairways South, Leisure World of Maryland
Condominium Boards of Directors
February 28, 2018

An Open meeting of the Fairways South Condominium Board of Directors and Condominium owners was called to order at 7:00 PM by Mr. Herman Cohen, President. Mr. Cohen turned the meeting over to Mr. Kevin Flannery, LWMC General Manager and Ms. Nicole Gerke, Project Manager, in accordance with the Maryland Condominium Act, Section 11-109, and pursuant to notice previously given.

Officers Present: Herman Cohen, Barbara Cronin, and Susan Curow

Directors Present: Harry Brooks

Absent: Susan Cascone, Jeff Rubin and William Pailen

Guests Present: Kevin Flannery and Michelle Gerky

1. The topic was a Presentation of the Leisure World Administration Building/Clubhouse 1 Site Plan Project. Fact Sheet documentation was distributed to the Board members and Condominium Owners present.
2. Question and answer from Owners began at 7:35 PM.

Mr. Cohen adjourned the meeting at 8:21 PM.



Susan Curow, BOD Secretary

**Leisure World Administration
Building/Clubhouse I
Site Plan Project**

FACT SHEET

February 20, 2018

*Micale Geste
Project Manager*

Leisure World Administration Building/Clubhouse I Site Plan Project

I. History

- A. Administration Building -----Renovation or New Building?**
 - 1. Space Needs and Work Flow Assessment and Preliminary Systems Analysis**
 - 2. Professional Opinions**
- B. Creation of the Facilities Enhancement Plan (FEP)**
- C. Administration Building Board Action**
- D. Creation and Evolution of Administration Building and CHI Project Site Plan**
- E. Approval of Site Plan H**
- F. Resolutions and Meetings Related to the Administration Building/Site Plan Project**
- G. Leisure World News Articles and Community Meetings**
- H. Invasive Engineering Study**

II. Results of the Maryland National Capital Park & Planning Commission Hearing

- A. Actions Requested**
- B. Actions Taken**
- C. Follow-Up Actions**

Leisure World Administration Building/Clubhouse I Site Plan Project

I. History

A. Administration Building -----Renovation or New Building?

1. Space Needs and Work Flow Assessment and Preliminary Systems Analysis

Early in 2012, the Leisure World Community (LWCC) Board of Directors determined it was time to move forward on the renovation of the Administration Building. The current building was designed over 50 years ago---- when business operations were much different than today's practices. In addition, the building does not meet today's numerous building, fire and safety, ADA, and "green" codes, as well as best practices for office space design. The Community Planning Advisory Committee and the Board also recognized the need for a professional assessment of the current administrative operations and accommodations to understand the deficiencies in the existing building and what would need to be done to meet the functional needs of the LWMC organization and the Community.

In August 2012, the A.R. Meyers architectural firm presented a space needs and work flow assessment and preliminary building systems analysis of the Administration Building to the Board. Based on the report's findings, three conceptual floor plan options were offered for consideration:

1. Renovation of the building on the existing footprint,
2. Renovation of the building with a 3,000 feet addition,
3. Construction of new building at a new location to replace the current facility.

The pros and cons and preliminary cost estimates** of each were included.

**Construction costs were estimated for each option based on the conceptual building layouts reflecting the LWMC organizational structure and staffing at that time. The 2012 conceptual layouts are not applicable today due to changes in the LWMC organizational structure. In addition, the costs estimates did not reflect the current space needs, costs, and codes and regulations.

Initial objectives for the Administration Building project were to:

1. Accommodate all functions and spaces and provide efficient space utilization,
2. Provide code compliant physical and circulation space requirements per employee,
3. Improve work flow efficiency and the working relationships of several departments
4. Allow for flexibility of spaces to accommodate future changes in technology and work systems,
5. Provide building systems that are energy efficient and "green."

2. Professional Opinions

After the assessing current operations and facilities and using current industry standards for space allocation; two architectural firms (A.R. Meyers in 2012-2013 and Streetsense in 2014) independently determined that a new building would satisfy all project objectives and would provide the best long-term value to the community.

In addition to meeting all the objectives stated above, a new Administration Building would have:

- A longer life cycle (30 – 50 years vs 15 - 20 years for a renovation),
- More reliable and realistic cost estimates due to fewer unknowns,
- All new systems and a building envelope designed to increase energy efficiency, thus, reducing energy costs and ultimately lower overall operating costs,
- No disruption in resident services. Existing management operations and resident services would remain undisturbed (versus the need for operations and services to be relocated to trailers with any renovation).
- And the site of a new building would provide improved accessibility and close-in parking to both the new building and Clubhouse I.

Management also consulted a third architectural firm (SEI) that stated; in their experience, buildings far less than 50 years old are replaced. A critical component of renovation is the requirement to meet all the current applicable building, life safety, energy and ADA codes; and to achieve LEED certification. In addition, the 40-year life cycle cost of new construction would be less than renovation, which has higher maintenance and operating costs.

All three architectural firms acknowledged that, although there would be some disadvantages to a building a new building (primarily higher initial construction costs and a longer construction time); there would be a greater cost/benefit in new construction than renovation of the old building.

B. Creation of the Facilities Enhancement Plan (FEP) (2012 -2013)

As the Community Planning Advisory Committee was deliberating the three Administration Building options; management and several other Advisory Committees presented additional ideas for improvements of other Trust facilities/amenities. The Board of Directors requested that Management develop an organized plan for addressing them.

In June 2013, after input from five resident volunteer Advisory Committees and consultants and work by management; a **comprehensive Facilities Enhancement Plan (FEP)** was presented to the Board. In addition to the three options for the Administration Building; the plan included proposed plans for renovation of the Crystal Ballroom, the north wing of Clubhouse I (to include the Terrace Room, Cascade Bistro, and Maryland Room), and the PPD Customer Service area; enhancements of the golf course and remediation of the golf course irrigation pond; and a new Fitness Center.

The funds to pay for all these projects would come from the Trust's Resales Improvement Fund into which all LW unit owners pay when they purchase their units. This restricted Trust fund is to be used only for *"expanding, altering or improving existing Improvements (amenities) or other properties of the Trust."*

There was much activity related to the FEP in the next three months. The plan was made available to residents on the website and in the library. Included were the pros and cons and preliminary cost estimates of the three Administration Building options. Residents and Board members were invited to submit comments; sponsoring Advisory Committees reviewed their projects and submitted comments; and there was an evening community forum for residents to address their questions and comments about the plan, including those related to the three

Van Tabb
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Administration Building options. Twenty-four individuals submitted 138 comments, all of which were posted on the Leisure World website. On September 9, 2013 the Board of Directors held a full day work session to review and discuss all the comments submitted and to initially prioritize and determine the overall time schedule for the proposed projects. The work session included discussion of the Administration Building options and was open to all residents.

C. Administration Building Board Action

At the September 24, 2013, Board meeting, the LWCC Board of Director's adopted eight resolutions related to the FEP. One of those eight was:

"The Board of Director authorizes management to proceed with developing the Administration Building, option three, new building, which was presented as part of the July 2013 Facilities Enhancement Project. Management is directed to come back to the Board for initial planning funds." Resolution #71, (9/24/13)

D. Creation and Evolution of Administration Building and CHI Project Site Plan (2013 – 2016)

Because renovation of the north wing of Clubhouse I (the Terrace Room, Maryland Room and the former Cascade Bistro), included exterior building elements; a site plan would also be necessary to complete those projects. It was decided that incorporating the Clubhouse I exterior building elements into the Administration Building site plan would be the best way to proceed.

Therefore, on October 29, 2013 the Board adopted the following resolution:

"Whereas the Board authorized a new Administration Building with a conceptual project budget of \$5.3 million and a comprehensive plan for the food services wing of Clubhouse with a conceptual project of \$1.0 to \$1.5 million, Management is to interview and recommend qualified architects and consultants to produce a master site plan of the Administration Building/Clubhouse I site area which addresses how these can be part of overall conceptual site plan, identifies any other options with regard to site design, and, if necessary, considers the phasing of implementation. The Board authorizes \$50,000 for the preparation of a comprehensive conceptual site plan." Resolution #79, (10/29/13)

During the next few months, the architects and consultants, in collaboration with the Community Planning, Restaurant, and Education Advisory Committees worked on the development of the Administration Building/Clubhouse I (north wing) site plan.

On April 29, 2014, the Board adopted the following resolution:

"To adopt, for further development, Site Plan 3A, as shown in the report (Comprehensive Site Plan for Administration Building and Clubhouse I Facilities Enhancement Plan dated April 29, 2014) locating the new Administration Building on the east side of the parking lot." Resolution #28, (4/29/14)

During the two years following the approval of Site Plan 3A, the scope of the site plan changed, and it went through several iterations-----primarily as the result of Advisory Committees' and resident input and requests. As the scope of the site plan changed and evolved, including adding significant amenities to the exterior of Clubhouse I; additional priorities and objectives for the project emerged. They were to:

- Increase accessibility to Clubhouse I and the new Administration Building,

- Improve distribution of parking, including handicap spaces, in relation to the new building and Clubhouse I,
- Improve the safety of pedestrians and vehicles within the parking areas,
- Improve the overall ambiance of the site.

E. Approval of Site Plan H (2016)

On September 27, 2016 the Board adopted the following resolution:

The LWCC BOD approved the Administration Building and Clubhouse 1 Site Plan Version H package (site plan, floor plans and elevations) dated 9/27/16, as recommended by CPAC and endorsed by E&R, Restaurant, S&T and Management, and authorizes submission to MNCPPC for approval.

Further, the LWCC BOD authorizes an amount not to exceed \$258,000 for consultants to complete the regulatory submission process, including architecture and engineering (MEP and FP), civil engineering and landscape (including storm water management fees); geotechnical engineer, audio visual engineer and utility expeditor, legal and related filing fees, etc. Funds to come from the FEP (Resales Fund). Resolution #44 (9/27/16)

F. Resolutions and Meetings Related to the Administration Building/Site Plan Project

From September 2012 through November 2017:

1. The LWCC Board of Directors passed 20 resolutions specifically related to the Administration Building/Site Plan Project.
2. The Community Planning Advisory Committee (the principal Advisory Committee for the Administration Building/Site Plan Project) passed 53 resolutions related to the project and forwarded them to the LWCC BOD for consideration. The Education and Recreation, Restaurant, Security and Transportation, and Landscaping Committees also forwarded numerous resolutions related to the project to the LWCC BOD.
3. There were 80 open meetings of the Board and Committees (involved in the project) during which the project was discussed, and/or an action was taken.
 - ✓ These meetings are held on a regular monthly basis and are open to all community residents.
 - ✓ A calendar of meetings is published in the LW News and agendas are posted in advance of all meetings.
 - ✓ At these meetings, residents may comment on any agenda action item before a vote and again during the meeting Open Forums.

G. Leisure World News Articles and Community Meetings

1. From 2012 through 2017, 25 articles and excerpts from Board meeting reports about the Administration Building/Site Plan project appeared in the LW News. This information afforded the Leisure World residents many opportunities to learn about the process of the development and the authorizations for the construction of the new administration building/site plan project, as well as informing the community when key decisions about the project were made by the Board.

The THOUGHTS & OPINIONS: From Our Residents section in the LW News also afforded Residents opportunities to share their thoughts and opinions about the project with the Leisure World community. Fifteen such letters from residents were published in the LW News.

2. In addition to the Board of Directors and relevant Committee meetings at which the Administration Building/Site Plan project was addressed, the following community meetings were also held:

- Community Open Forum April 7, 2013 7:00 PM
- Meeting on FEP Projects August 14, 2013 7:00 PM
- Open Board Work Session September 9, 2013 9:30 AM – 2:00 PM
- Residents Forum February 26, 2014 3:00 PM
- Budget Assumption/Open Forum June 12, 2014 2:00 PM
- Meeting on FEP November 18, 2014 3:00 PM
(Over 300 residents attended)
- Site Plan Pre-Submission
Community Meeting March 29, 2017 6:00PM
(80 residents attended)
- Resident Group sponsored
Town Hall Meeting September 27, 2017 1:30 PM
(Over 300 residents attended)

H. Invasive Engineering Study

In 2014 and again in 2017, the Board of Directors was asked to vote on performing an invasive engineering study of the Administration Building. In 2014, the Board voted "no".

Prior to the 2017 vote, the Board requested and received a comprehensive report from Management about doing a study. The report also included answers to Board members' and residents' questions.

The Invasive Study Report listed ten applicable State and County codes and addendums that would need remediation solutions to bring the 50-year-old building into compliance with current standards.

It also stated that the ongoing repairs and modifications to the Administration Building over time have identified these deficiencies; such as the need remove the asbestos and mold, the need for upgraded and new mechanical systems, replacement of the obsolescent electrical systems, compliance with safety/fire code requirements (addition of sprinklers and fire alarm systems), plumbing system upgrades, and compliance with Montgomery County's new required "Green Construction Code."

In February 2017 the Board of Directors voted almost unanimously not to approve an invasive study. The Board recognized the cost of doing the study would only provide additional information on the known building infrastructure problems, the building code changes required, and the cost of remediation. It would not answer the question----renovate the old building or build a new one?

II. Results of the Maryland National Capital Park & Planning Commission Hearing--- November 30, 2017

The Administration Building and Clubhouse 1 Site Plan Version H package was submitted to the Maryland National Capital Park & Planning Commission on June 26, 2017 for review. The

Commission held a hearing on the Leisure World site plan on November 30, 2017. A determination on the plan was deferred and the following actions were requested.

A. Actions Requested

1. Site Plan Changes

- a. Explore options to remove stairs/ramp at main entrance to upper level of Administration Building
- b. Explore options to reduce congestion at exit of upper lot/loading dock/drop off access road

2. Additional Community Outreach

- a. Reach out to residents beyond the 1 pre-application community meeting required by M-NCPPC

B. Actions Taken

1. Propose Site Plan Changes ---will be presented to relevant Advisory Committees for feedback.

- a. Redesign upper parking lot
 - i. Delete "through" road connecting Cascade Circle to main parking lot
 - ii. Design 1-way traffic flow through upper lot
 - iii. Maintain drop off to CH I Grille entrance
 - iv. Provide sidewalks connecting parking spaces to CH I building entrances
 - v. Review impacts on storm water retention facilities and trees
- b. Redesign main entrance at upper level to Administration Building
 - i. Delete stairs/ramp
 - ii. Relocate main entrance to corner of building near drop off area
 - iii. Open plaza to accentuate main entrance and provide direct access to main entrance
- c. Other
 - i. Move pedestrian crosswalk across lower parking to align with open plaza/main entrance of upper level
 - ii. Add islands to break up lower parking lot to reduce asphalt area

2. Additional Community Outreach----- Management will attend Mutual Board or Special meetings in January/February/March 2018 to present:

- a. Overview of Facilities Enhancement Plan
- b. Overview of Montgomery County regulatory process
- c. Submitted and revised site plan for Administration Building and Clubhouse 1

C. Follow-Up Actions

Once Management has completed presenting the project to all Mutuals, comments and recommendations from residents on the project plan will be presented to the various Advisory Committees for consideration and incorporation into the design as recommended by the members.

A complete report documenting all Mutual meetings, attendance, questions/comments raised and recommendations for plan changes from the Advisory Committees will be provided to the LWCC BOD. The LWCC BOD will decide if the revised plans should be submitted to MNCPPC or if further development is required before proceeding further.

LW Admin Building Presentation to Fairways South ("FS," Mutual 17A) 2/28/18 (recorded)

Sharon Campbell and Janice McLean, Owners

This email contains data on the "outreach" conducted at our condo/mutual, our comments, and statistics from an **informal FS resident survey we conducted** fairly last minute since no one in a position of authority was doing one or, indeed, anything to obtain our opinions or consensus.

Notification of the meeting: While it was noted at the January FS Board meeting that the presentation would be on one of 3 dates, our Board posted a paper notice in **one or two (of 4) elevators only** of a "Special Meeting" from 7-9 pm on Feb. 28 on this topic about 2 weeks in advance. **No notice was delivered** to any units or mailed to non-resident owners. Only owners were allowed to attend (many renters have lived here for years). Therefore, the "notice" given was not proper per FS Bylaw Article 2, Section 2.5 Notice of Meetings, which states "The Secretary shall furnish to each unit owner a notice...of each special meeting of the unit owners at least fifteen days...prior to such meeting...." This is simply another way in which **even our Mutual does not conduct appropriate communications with its owners.**

Written Request for Critical Documents for Resident Review: At the January FS Board meeting, we provided a 1-page list of about 7 questions to the Board and asked President Cohen to submit them to the LW GM and Ms. Gerke in time for us to have the requested responses a couple of weeks, but at least one full week, ahead of the presentation. He stated that he would do so. That list included a request for paper copies of the most critical documents, including full size copies of the most important schematics, that would be available to us at our condo to review. **We received nothing and no communication regarding same.**

Formal Meeting Minutes: Herman Cohen, FS Board President, opened and closed the meeting as a "Board" meeting, making no mention of a Special Meeting. FS Board minutes (**attached**) are terse, but did state that "Mr. Cohen turned the meeting over to...pursuant to **notice previously given.**" (Emphasis added.) However, there is no mention of a Special Meeting, as on the elevator notices.

The presentation: Mr. Flannery, General Manager, and Ms. Gerke, Project Manager, handed out a 6-page "Fact Sheet" dated 2/20/2018, **attached** (a chronological list of meetings and actions, sans mention of the first and second submissions of the JustUs petition against the new build signed by over 500 and 2,000 residents, respectively; 2,000 being about 25% of our entire population. It's now impossible to tell if the Fact Sheet is accurate, as LW has a new website and most older documents/minutes are now gone, if they were ever there.). They then gave a powerpoint presentation, took questions after, and cut off questions by 8:21 pm., over half an hour early, with hands still in the air. Sharon's recording of it is ~81 minutes long.

They presented updates to the construction plans per P&P Nov. 30, 2017 requests, giving the impression that the project has been/will be approved by the Planning Board, and that we would learn only about the slight changes that had been made. Certainly, **with no prior-to-meeting access to the presentation or paper/electronic copies of it for us after, there was/is no opportunity for**

“resident review” unless of course all 8,000 of us go to the LW library (when it’s open and when the binder in question is there and up-to-date) to flip through the ONE binder of what we are told are the key documents.

When starting to take questions, Mr. Cohen reminded Mr. Flannery that written questions had been submitted to them in time for them to prepare full answers. They did not have those answers. Mr. Flannery began reading the questions as if seeing them for the first time; he got off track with other questions and had to be reminded to go back to those in writing.

Full answers were not provided to written or most real time questions; some questions weren’t answered at all; there was no real dialog. It was obvious they were not interested in our thoughts or opinions, particularly if we were questioning the project, except they did seem curious about one question regarding a parking lot bottleneck. Their delivery generally seemed dismissive.

Several people pointed out that the numbers being used were from a 2012 cost estimate and yet LW continues to quote and plan according to those outdated figures.

Mr. Flannery said a new Admin building is a strong “selling point” to buyers. Really? With people more and more interested in the environment and high-grade amenities, they will see that we do not value those things. They will see our employees in large new digs requiring the tearing down of a solid older building, while owners/residents are left with poorly updated old buildings (including an entirely outdated and uncomfortable auditorium and two outdated and poorly maintained pools/areas).

Our Comments: LW has yet to do an apples to apples analysis of what to do about our current Admin building. The little data we have show the renovation options considered did NOT include a “gut” renovation (down to the studs) or a gut plus a second story (if there’s a concrete slab foundation).

Gutting includes all new HVAC, electrical, and plumbing systems, and would directly compare to a new build. At our FS presentation, Mr. Flannery and Ms. Gerke confirmed the fact that both would be equally energy efficient after a specific question (since they were only touting the energy efficiency of a new build to a “renovation”). All of the asbestos/mold mitigation has to occur regardless of the option chosen (again, something we had to mention, which has been and is still stated as a reason against a reno). The main differences are costs, not felling trees or paving more land, not losing a \$1-1.5M asset, and Mr. Flannery, et al., working out of (nice) trailers for 9-12 months. Some of the parking lot changes could still occur, including more ADA spaces (without the overall loss of 10 spaces, as we have so far been advised will occur).

Related are the renovations that have occurred in our Club Houses. Sharon now can’t breath in CH 2 where new carpet/padding was laid (including the new gym), because of the off-gassing. So, because attention was not paid to a green carpet upgrade, some of us cannot use those spaces, and those that do are inhaling large amounts of VOCs. Then, there are the recent poorly done renovations to the CH 1 Ballroom, Terrace restaurant, and bathroom that had costly do-overs of

the renovations almost immediately, they were so poorly done. **There is still no sound-proofing in the restaurants and the bathroom is extremely difficult for mobility impaired individuals to use! But the same "architects" are designing this project. Why?**

Strategic Planning at LW: In 2010 Leisure World adopted a strategic plan to guide the use of resources for capital improvements. It was to be used as a "living document," including continuing community engagement and the administration building was the last project of the plan. We believe that the implementation of the plan had at least one fatal flaw: there was, and continues to be, no active community engagement. Of course, that "strategic planning" process has been considered "done" for years.

At the presentations made by Mr. Flannery and Ms. Gerke, there was often no discussion allowed on the need for a new administration building, thereby **crushing any possibility of "active community engagement" and certainly no "resident review"** of this project. Also, a new Strategic Planning Committee was organized by the LW Board in Spring/Summer 2017, which Committee is **forbidden any discussion of this Administration building project. Those of us who do ask "forbidden" questions are publicly scolded and belittled for doing so.** In our opinion, and according to generally accepted strategic planning practices, not including the "whole campus" (i.e., excluding the new build) in strategic planning renders the process invalid.

Report to the LW Board: Per the Fact Sheet cited above, LW Management will submit a report to the LW Board and certain advisory committees to include "resident feedback" and reflection of some level of resident consensus on this project via the presentations at mutuals. As we pointed out above, many residents at these mutual presentations were prevented from voicing their opinions about the need for a new building, given no opportunity for "resident review," and not surveyed in any way. **What kind of feedback and community consensus can possibly be included in this report?** There is no supporting documentation of any such thing.

Informal Survey and Statistics: Upon seeing that our FS Board was not making any attempt to engage owners in any dialog, or even to properly notify us of the meeting, we decided to do an informal survey, including some of the questions and concerns we had (copy attached). We will provide a pdf copy of all survey responses if P&P requests it.

We delivered ~150 copies max (300 total units, about 15-17 of which are for sale, about that many not lived in, while others are rented) 1-2 days before the meeting. Not everyone answered every question. We realize this is informal, but it is the best we could do on our own and quickly. We asked for responses to the three questions be submitted by March 5, but, of course, received a few later than that and one in April.

Total surveys distributed (max): 150

Total returned: 39 / 26% of 150

This first set of numbers are based on the total (150) surveys delivered.

Q: Build the new building.

Yes 7 - 4.6% No 31 - 21%

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Q: Do a structural engineering study of the Admin Bldg. Yes 30 - 20% No 5 - 3%

Q: Do whole campus strategic planning w/full community. Yes 30 - 20% No 3 - 2%

This second set of numbers is based on the total survey responses received (39).

Q: Build the new building. Yes 7 - 18% No 31 - 79.5%

Q: Do a structural engineering study of the Admin Bldg. Yes 30 - 77% No 5 - 12.8%

Q: Do whole campus strategic planning w/full community. Yes 30 - 77% No 3 - 7.7%

Respondent Comments: We received one letter from a responder citing: 1) the fact that the cost figures are "out-of-date and can't be relied upon" and that since "significant changes to the design" have been made, those figures are even less reliable; 2) that he "believes Mr Flannery conveys disdain for the residents" in part because these "presentations" are being done after the Nov. 30 P&P meeting and "Mr. Flannery has the gall to stand before us holding up a binder [of key documents] that he says residents can look through at the Clubhouse I library if we want information on the analysis that was done on the options...." Additionally, he said, "I also disliked Mr. Flannery's repetitive portrayal of himself as just an employee of LW who simply takes direction from the Board," saying further "I did not find him trustworthy."

[According to various research, one formal/written complaint can represent up to 26 unhappy customers. We assume something similar is true for signed petitions, surveys and this person's written letter to us. Even if, in LW, one complaint/survey/petition signature represents only a few others, that is quite significant and would take us to approximately 3/4 (~6,000) of the entire LW population for the JustUs petition alone.]

Attachments: FS Minutes of February 28, 2018 Presentation
LW Fact Sheet
Survey (blank)

New Administration Building Meeting Feb. 28 at 7pm FS Party Room Questions, Concerns and A Survey!

Hi, Neighbor! We want to better understand the proposed Admin Building project reasoning. **If it is done**, it will have an enormous impact on our community financially -- and, during construction. Below are some questions, comments and concerns we have to share with you. We hope to see you at or before the meeting.

1. Main reason given for a new building: A perceived need for an increase of 3,866 sf and reno of the Admin building. **How did this morph into the most expensive project in LW history?** Two architectural firms (Interplan 2005 and H R Meyers 2012--both fired) stated that adequate reno of the current building would provide sufficient space. Then LW hired StreetSense, which recommended a new building; StreetSense is still hired. Also, do we really need a credit union and a part-time/partial service P.O. (we pay ~\$60k/yr P.O. wages)?

2. Opportunity Costs: It will take almost all our 2% Sales Transfer fees for years for this new build. What else could we do with the extra millions over these next 5+ years? (New CH 2 auditorium? Fully renovated CH 1/2? Renovated pools? Other?) Why a new building? **The new building IS our strategic plan.**

3. Due diligence: There was no structural engineering study done to determine whether the current Admin building could be renovated/enlarged/possible second story, to meet needs. **So, where is the data that a new building is required?** Or, that CH 1 access couldn't be improved without it? **We agree with David Frager (last LW Board Chair), who wrote on 2/15/18 in a Nextdoor post: "I have always thought - and said so at Board meetings - that we should have done an invasive analysis of the existing building."**

4. Trees: We are losing about 50-60 mature trees, getting 3-4' saplings; and losing the view from LW Blvd.

5. Community Engagement: LW reps are only touring Mutuals now because Parks & Planning **required they engage us with "resident review."** P&P is requiring LW to "submit a written detailed analysis of the options considered before reaching the conclusion that replacement of the existing Admin building was the most appropriate way to move forward." Will residents receive a copy of this analysis when it goes to P&P?

**Please complete the below survey AFTER the Feb 28 meeting.
Leave it under one of our doors or call and we'll pick it up from you by Mar 3.**

I want LW to: 1) Build the new building. Yes ☐ No ☐
2) Do a structural engineering study of the Admin bldg. Yes ☐ No ☐
3) Do whole campus strategic planning with full community. . . Yes ☐ No ☐

Print Name _____ FS Unit # _____

Signature _____

THANK YOU! (without names/units/signing, this survey is not valid)

Janice McLean, #904, 847-9169

Sharon Campbell, #810, 520-5526

Shirley, Lori

From: Sharon Campbell <scampbell.lw@gmail.com>
Sent: Monday, April 23, 2018 6:59 PM
To: MCP-Chair
Cc: Shirley, Lori; Janice McLean; Sharon Campbell
Subject: Fwd: Project 820170120: Report/comments on Mutual 17A Presentation
Attachments: FS 2-28-18 Presentation Minutes & Fact Sheet.pdf; Survey New Admin Bldg - FS.pdf; Admin Bldg Presentation to Fairways South ("FS," Mutual 17A) 2-28-18 (recorded).pdf

Dear Chair: Our apologies for getting the email incorrect in our initial attempt to reach you.

Sincerely,

Sharon Campbell and Janice McLean

----- Forwarded message -----

From: Sharon Campbell <scampbell.lw@gmail.com>
Date: Mon, Apr 23, 2018 at 6:51 PM
Subject: Project 820170120: Report/comments on Mutual 17A Presentation
To: "Shirley, Lori" <lori.shirley@montgomeryplanning.org>, chair@mncppc.org
Cc: Sharon Campbell <scampbell.lw@gmail.com>, Janice McLean <janicewmclean@gmail.com>

Ms. Shirley and P&P Chair:

Attached is our 4-page comments on the Feb. 28, 2018 presentation conducted at Fairways South/Mutual 17-A by Leisure World management. We know it's a bit long but we spent a lot of time making it as professional and easy to understand a report as we could and appreciate the time it will take to review.

In support of our comments, we are also attaching our Board's Minutes of that meeting, LW's Fact Sheet (the handout at the meeting) (FYI, these 2 documents are in one pdf), and a blank copy of our informal survey of FS owners around that meeting.

What is not attached is the full recording of this 2/28 presentation. If P&P would like a copy, please just ask and we will figure out how to get it to you.

Please confirm to us via email that you have received this email and all attachments as a formal comment on this Project. Also, if we need to submit these comments to a different or another email address, please let us know. We are happy to do that.

If possible, we would like a copy of P&P staff's summary of all comments received for this case when ready, but in advance of the next public P&P hearing. Please also let us know about this.

Thank you.

Sincerely,

Sharon Campbell and Janice McLean

Fairways South (Mutual 17-A)

--

Author, *Medicare Enrollment Personal Workbook*

Shirley, Lori

From: admin@justus.group
Sent: Tuesday, April 24, 2018 9:12 AM
To: mont.Co.PlanningBoard@justus.group; justus organization; LW Green; members@townmeetingorganization.com; lwdogs@justus.group; LW Board of Directors
Subject: LET'S CONTINUE ADDRESSING MR. FRAGER'S OPEN LETTER...BY Bob Ardike
Attachments: marian altman vs. LW.pdf

From: Bob Ardike <marybeth.bob@gmail.com>
Date: April 24, 2018 9:05:30 AM EDT
To: admin JustUs <admin@justus.group>
Subject: LET'S CONTINUE ADDRESSING MR. FRAGER'S OPEN LETTER...BY Bob Ardike

Writer's Note: So sorry! I inadvertently failed to include Mr. Frager's letter*, in its entirety, with yesterday's email. It can be found at the bottom of this page.

Here is the second paragraph from that letter...

"I think it is especially **unfair** to residents that need to sell their residences or shares. Our recovery from the crash is not necessarily robust. We sell a lot of units, but that might be partially based on the relative bargains we offer. Please consider someone that needs to go to progressive care or to a child's place of residence to gain support. How **fair** is it to them to cast doubt on the value of their property and possibly force them to sell at a loss!

Response: First off! Appreciate that Leisure World is a **mixed housing development (neighborhood)**. The **range**, of property values within **LW**, is significant. It was that way before the real estate market crash; it remains that way. In this respect, it is no different from other areas in Silver Spring. Real estate has made a significant recovery but **only in selected areas** of the DC metro area.

Mr Frager & the entire LW Board of Directors, though, have it within their power to bring positive, progressive **attention** to Leisure World. Almost overnight, the **stigma**" of the LW board being **unfair** to its residents would change. Try to **imagine** the lead stories appearing in WAPO(the Wash. Post) & all of the the local papers! The Sentinel, the Beacon, etc. & TV coverage!

"Leisure World Board Announces Resident Democracy Plan!"

After over 50 years Leisure World residents will get Democracy. The 34 member LW Board of Directors has approved a plan to downsize itself to a 9 member board, mirroring the size of the Montgomery County Council. The plan also allows for its, over 8,000 plus, residents to have a voice (direct vote) in approving capital improvement projects of a million \$\$\$ or more. Local politicians are praising the move with the following caveat: **Sure Hope it Won't Take Another 50 years to implement.**

Local realtors are also excited. They are **predicting an upswing in LW property values.**

Appendix P

So! There you have it, Mr Frager. It is admirable you express concern for the plight of those who may need to sell their units(homes) under current conditions. Here's the nice part though. You **don't have to** just **bemoan** what is. You can be a **powerful force** for change. Past Leisure World chairpersons have that within their means. I'll explain...

Focus on the example of a twice appointed past LWBOD Chairperson. A few years ago that individual sponsored a resolution. It was a resolution to change LW's Fitness Center hours to an **unprecedented opening time of 4:00 am** without a person monitoring the facility. This change was **advised against** by non-board residents. The resolution, however, breezed through concerns raised. It was approved. Maybe you recall?? You were either the sitting Chair or vice-chair at the time? It doesn't matter. Let's go on

Well! Fate, at times, can deliver a slap to the face just like that old skin bracer after shave commercial. Here's what I mean

it turns out that in the wee early hours, the former chairperson, who introduced the Fitness Center change of hours, **claims** to have fallen in the hallway on the way to the restroom & is currently suing Leisure World claiming negligence, according to public records.

Leisure World's insurance carrier is said to have initially denied the claim. Therefore, it is reported that a jury trial is set to take place in early June.

Within LW this is a "hush, hush" matter. Gee, Golly! Wonder why?

Las Vegas odds makers, it is said, have "odds on favor" of a settlement being reached. I have no idea if this is true. Myself, I only play the Maryland lottery.

So, Mr. Frager as you ponder the 2 words used in your 2nd paragraph.."unfair" & "fair," maybe you'll reflect on what has been written above and ask yourself how this "matter" is seen by LW residents and the larger community well aware of Leisure World's idiosyncrasies.

Bob Ardike

*What to Do?

I believe that most residents feel that they made a good choice and are willing to live with the good and bad of community living. And they are **offended** when their choice is demeaned, especially outside Leisure World. It may be necessary to accept criticism as a necessary prelude to corrective action, but is it really necessary to make people doubt their choice? And this becomes extremely difficult to accept when often unfounded or disrespectful and exaggerated comments are circulated outside of Leisure World. What do we expect non- residents to think when they read these remarks?

I think it is especially unfair to residents that need to sell their residences or shares. Our recovery from the crash is not necessarily robust. We sell alot of units, but that might be partially based on the relative bargains we offer. Please consider someone that needs to go to progressive care or to a child's place of residence to gain support. How fair is it to them to cast doubt on the value of their property and possibly force them to sell at a loss!

How can you have an impact when you feel something is amiss? It seems that Montgomery County and Maryland officials have received a great many complaints, but how much has our community benefited? I suspect that management has many exam- ples of wasted time on the part of our government officials or our own staff, on issues that neither required, nor resulted in, corrective action.

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Then, what to do? Here is my prescription: First of all, determine if it is a mutual matter involving your residence or immediate vicinity that needs a gentle, or not so gentle, shove. In that case, communicate with your directors and property manager (or mutual assistant). Communicate with the mutual board via email or written correspondence, and attend your monthly meetings. Multiple signatures emphasize the need for action.

If it is a Leisure World issue, the Leisure World Community Corporation (LWCC) board of directors, which has a group email, and Leisure World Management Corporation officials such as Kevin Flannery should be similarly contacted. They will also put a letter in the board packet if you desire. Don't hesitate to contact members of the LWCC executive committee; they also have a group email address.

One caveat: don't expect that disrespectful or personal attacks will be accepted and have any impact. I know from personal experience that the best way to lose an argument is to lose your temper! I really believe the people mentioned above want to make your experience here as comfortable as possible, so that you will encourage others to join us.

– David S. Frager

slkatzman
President, JustUs
admin@justus.group
conscience of the community

"JustUs" advocates to enhance the quality of life for all Leisure World residents



Appendix P

Albert Einstein – **“We cannot solve our problems with the same level of thinking that created them.”**

Circuit Court of Maryland

[Go Back Now](#)**Case Information**Court System: **Circuit Court for Montgomery County - Civil System**Case Number: **432381V** Sub Type: **OTHER TORTS**Date Filed: **04/26/2017**Case Status: **OPEN****Plaintiff Information***(Each Alias, Address, and Attorney for the Plaintiff is displayed)*Name: **ALTMAN, MARIAN A**Address: **15004 WESTHOLM COURT
SILVER SPRING MD 20906-1761****Attorney(s) for the Plaintiff**Name: **HALPERN, MELIHA PEREZ**Address: **PEREZ HALPERN, LLC
200A MONROE ST STE 303
ROCKVILLE MD 20850**Phone: **301-476-1020**Name: **REITER, MICHAEL D**Address: **CHASEN BOSCOLO INJURY LAWYERS
7852 WALKER DR SUITE 300
GREENBELT MD 20770**Phone: **301-220-0050****Defendant Information***(Each Alias, Address, and Attorney for the Defendant is displayed)*Name: **LEISURE WORLD COMMUNITY CORPORATION**Address: **3701 ROSSMOOR BLVD
SILVER SPRING MD 20906****Attorney(s) for the Defendant**Name: **ROBINSON, STEPHEN R**Address: **LAW OFFICES OF JOSEPH M JAGIELSKI
THE WELLS FARGO BUILDING
7 ST PAUL ST STE 1250
BALTIMORE MD 21202**Phone: **443-353-2315**

Name: **LEISURE WORLD OF MARYLAND CORPORATION**
Address: **3701 ROSSMORR BLVD**
SILVER SPRING MD 20906

Attorney(s) for the Defendant

Name: **ROBINSON, STEPHEN R**
Address: **LAW OFFICES OF JOSEPH M JAGIELSKI**
THE WELLS FARGO BUILDING
7 ST PAUL ST STE 1250
BALTIMORE MD 21202
Phone: **443-353-2315**

Court Scheduling Information

(Schedule is subject to change)

Event Date: **03/29/2018** Event Time: **10:00 AM** Judge: **MCCALLY, CHERYL A**
Location: **50 Maryland Avenue North Tower Courtroom 6b** Courtroom: **6B**
Description: **SUMMARY JUDGMENT**

Event Date: **06/25/2018** Event Time: **09:30 AM**
Description: **TRIAL - JURY (2 days)**

Issues Information

Issue: **NEGLIGENCE - PERSONAL INJURY**
Issue: **NEGLIGENT ENTRUSTMENT**
Issue: **NEGLIGENCE - PERSONAL INJURY**
Issue: **NEGLIGENT ENTRUSTMENT**

Document Tracking

Docket Date: **04/26/2017** Docket Number: **1**
Docket Description: **BILL OF COMPLAINT**
Docket Type: **Docket** Filed By: **Plaintiff**
Docket Text: **PLAINTIFF'S COMPLAINT AND JURY DEMAND, FILED.**

Docket Date: **04/26/2017** Docket Number: **2**
Docket Description: **INFORMATION SHEET FILED**
Docket Type: **Docket** Filed By: **Plaintiff**
Docket Text: **PLAINTIFF'S INFORMATION SHEET, FILED.**

Docket Date: **04/28/2017** Docket Number: **3**
Docket Description: **SCHEDULING AND PRETRIAL HEARING ORDER**

Docket Type:	Docket	Filed By:	Court
Docket Text:	SCHEDULING ORDER AND PRETRIAL HEARING ORDER - TRACK 3 (DEBELIUS, J.) ENTERED. (COPIES MAILED)		
Docket Date:	04/28/2017	Docket Number:	4
Docket Description:	ORDER, SCHEDULING		
Docket Type:	Docket	Filed By:	Court
Docket Text:	SCHEDULING ORDER (DEBELIUS, J.) TRACK 3, ENTERED. (COPIES MAILED)		
Docket Date:	04/28/2017	Docket Number:	5
Docket Description:	SCHEDULING NOTICE, TRACK 3		
Docket Type:	Docket	Filed By:	Court
Docket Text:	SCHEDULING NOTICE AND ORDER OF COURT (DEBELIUS, J.) TRACK 3, ENTERED. (COPIES MAILED)		
Docket Date:	04/28/2017	Docket Number:	6
Docket Description:	NOTICE, NEW CASE NUMBER		
Docket Type:	Docket	Filed By:	Court
Docket Text:	NOTICE SENT GIVING NEW CASE NUMBER TO ALL PARTIES.		
Docket Date:	04/28/2017	Docket Number:	7
Docket Description:	SUMMONS ISSUED		
Docket Type:	Docket	Filed By:	Court
Docket Text:	TWO 30 DAY SUMMONS ISSUED FOR PERSONAL SERVICE AND MAILED TO ATTORNEY.		
Docket Date:	05/24/2017	Docket Number:	8
Docket Description:	AFFIDAVIT OF SERVICE BY MAILING - SUMMONS		
Docket Type:	Docket	Filed By:	Plaintiff
Docket Text:	AFFIDAVIT OF SERVICE BY MAILING AS TO LEISURE WORLD OF MARYLAND CORPORATION ON 05/11/2017 AND RETURN RECEIPT, FILED.		
Docket Date:	05/24/2017	Docket Number:	9
Docket Description:	AFFIDAVIT OF SERVICE ON SUMMONS: SERVED		
Docket Type:	Docket	Filed By:	Other
Docket Text:	AFFIDAVIT OF SERVICE ON SUMMONS: SERVED AS TO LEISURE WORLD OF MARYLAND CORPORATION W/S/O MIMI AMAYA ON 05/23/2017, FILED.		
Docket Date:	05/26/2017	Docket Number:	10
Docket Description:	ANSWER		
Docket Type:	Docket	Filed By:	Defendant
Docket Text:	DEFENDANTS' ANSWER TO COMPLAINT, FILED.		
Docket Date:	05/26/2017	Docket Number:	11
Docket Description:	CERTIFICATE OF SERVICE		
Docket Type:	Docket	Filed By:	Defendant
Docket Text:	DEFENDANT LEISURE WORLD OF MARYLAND CORPORATION'S NOTICE OF SERVICE OF DISCOVERY MATERIAL AS TO REQUEST FOR PRODUCTION OF DOCUMENTS, FILED.		

Docket Date: **05/26/2017** Docket Number: **12**

Docket Description: **CERTIFICATE OF SERVICE**

Docket Type: **Docket** Filed By: **Defendant**

Docket Text: **DEFENDANT LEISURE WORLD OF MARYLAND CORPORATION'S NOTICE OF SERVICE OF DISCOVERY MATERIAL AS TO INTERROGATORIES, FILED.**

Docket Date: **06/01/2017** Docket Number: **13**

Docket Description: **NOTICE, EXISTING SCHEDULE**

Docket Type: **Docket** Filed By: **Court**

Docket Text: **NOTICE OF EXISTING SCHEDULE SENT TO STEPHEN R. ROBINSON, ESQ., FILED.**

Docket Date: **07/20/2017** Docket Number: **14**

Docket Description: **DESIGNATION OF EXPERT WITNESSES**

Docket Type: **Docket** Filed By: **Plaintiff**

Docket Text: **PLAINTIFF'S PRELIMINAR EXPERT WITNESSES DESIGNATION, FILED.**

Docket Date: **07/25/2017** Docket Number: **15**

Docket Description: **ORDER, ALTERNATIVE DISPUTE RESOLUTION**

Docket Type: **Docket** Filed By: **Court**

Docket Text: **ORDER OF COURT (DEBELIUS, J.) FOR ALTERNATIVE DISPUTE RESOLUTION ENTERED. (COPIES MAILED)**

Docket Date: **08/02/2017** Docket Number: **16**

Docket Description: **LINE ENTERING APPEARANCE OF COUNSEL**

Docket Type: **Docket** Filed By: **Plaintiff**

Docket Text: **LINE ENTERING THE APPEARANCE OF MICHAEL D. REITER AS COUNSEL FOR PLAINTIFF, FILED.**

Docket Date: **08/02/2017** Docket Number: **17**

Docket Description: **DESIGNATION OF EXPERT WITNESSES**

Docket Type: **Docket** Filed By: **Plaintiff**

Docket Text: **PLAINTIFF'S FIRST AMENDED EXPERT WITNESS DESIGNATION AND ATTACHMENTS, FILED.**

Docket Date: **08/14/2017** Docket Number: **18**

Docket Description: **NOTICE, EXISTING SCHEDULE**

Docket Type: **Docket** Filed By: **Court**

Docket Text: **NOTICE OF EXISTING SCHEDULE SENT TO MICHAEL D. REITER, ESQ., FILED.**

Docket Date: **08/15/2017** Docket Number: **19**

Docket Description: **DESIGNATION OF EXPERT WITNESSES**

Docket Type: **Docket** Filed By: **Defendant**

Docket Text: **DEFENDANTS' DESIGNATION OF EXPERT WITNESSES, FILED.**

Docket Date: **08/17/2017** Docket Number: **20**

Docket Description: **CERTIFICATE OF SERVICE**

Docket Type: **Docket** Filed By: **Defendant**

Docket Text:	DEFENDANT, LEISURE WORLD COMMUNITY CORPORATION'S NOTICE OF SERVICE OF DISCOVERY MATERIAL AS TO ANSWERS TO INTERROGATORIES, FILED.
Docket Date:	08/17/2017 Docket Number: 21
Docket Description:	CERTIFICATE OF SERVICE
Docket Type:	Docket Filed By: Defendant
Docket Text:	DEFENDANTS' NOTICE OF SERVICE OF DISCOVERY MATERIAL AS TO RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS, FILED.
Docket Date:	08/17/2017 Docket Number: 22
Docket Description:	CERTIFICATE OF SERVICE
Docket Type:	Docket Filed By: Defendant
Docket Text:	DEFENDANT, LEISURE WORLD OF MARYLAND CORPORATION'S NOTICE OF SERVICE OF DISCOVERY MATERIAL AS TO ANSWERS TO INTERROGATORIES, FILED.
Docket Date:	08/25/2017 Docket Number: 23
Docket Description:	MOTION, APPROPRIATE RELIEF
Docket Type:	Motion Filed By: Plaintiff Status: Denied
Reference Docket(s):	Ruling: 27
Docket Text:	PLAINTIFF'S MOTION TO HAVE HER REQUEST FOR ADMISSIONS DEEMED ADMITTED, MEMORANDUM OF POINTS AND AUTHORITIES AND ATTACHMENTS, FILED.
Docket Date:	08/25/2017 Docket Number: 24
Docket Description:	CERTIFICATE REGARDING DISCOVERY
Docket Type:	Docket Filed By: Plaintiff
Docket Text:	PLAINTIFF'S NOTICE OF SERVICE REGARDING DISCOVERY MATERIAL AS TO ANSWERS TO INTERROGATORIES AND ANSWERS TO REQUEST FOR PRODUCTION OF DOCUMENTS TO DEFENDANT LEISURE WORLD OF MARYLAND CORPORATION, FILED.
Docket Date:	09/05/2017 Docket Number: 25
Docket Description:	CERTIFICATE OF SERVICE
Docket Type:	Docket Filed By: Defendant
Docket Text:	DEFENDANTS' NOTICE OF SERVICE OF DISCOVERY MATERIAL AS TO RESPONSE TO REQUEST FOR ADMISSIONS, FILED.
Docket Date:	09/11/2017 Docket Number: 26
Docket Description:	RESPONSE
Docket Type:	Docket Filed By: Defendant
Docket Text:	DEFENDANTS' RESPONSE TO PLAINTIFF'S MOTION TO HAVE HER REQUEST FOR ADMISSIONS DEEMED ADMITTED, MEMORANDUM AND ATTACHMENTS, FILED.
Docket Date:	09/21/2017 Docket Number: 27
Docket Description:	ORDER, FOR APPROPRIATE RELIEF
Docket Type:	Ruling Filed By: Court Status: Denied
Ruling Judge:	BURRELL, SHARON V
Reference Docket(s):	Motion: 23
Docket Text:	ORDER OF COURT (BURRELL, J./ROSA, M.) THAT PLAINTIFF'S MOTION TO HAVE HER REQUEST FOR ADMISSIONS DEEMED ADMITTED BE DENIED; THAT THE DEFENDANTS' RESPONSES TO THE REQUEST FOR ADMISSIONS BE DEEMED TIMELY, ENTERED. (COPIES MAILED)

Docket Date: **09/21/2017** Docket Number: **28**
 Docket Description: **CERTIFICATE OF SERVICE**
 Docket Type: **Docket** Filed By: **Defendant**
 Docket Text: **DEFENDANTS' NOTICE OF SERVICE REGARDING DISCOVERY AS TO SUBPOENA, NOTICE OF COMPLIANCE AND NOTICE OF RECORDS DEPOSITION, FILED.**

Docket Date: **10/02/2017** Docket Number: **29**
 Docket Description: **CERTIFICATE OF SERVICE**
 Docket Type: **Docket** Filed By: **Plaintiff**
 Docket Text: **PLAINTIFF'S NOTICE OF SERVICE REGARDING DISCOVERY MATERIAL AS TO FIRST AMENDED ANSWERS TO INTERROGATORIES AND FIRST SUPPLEMENTAL ANSWERS TO REQUEST FOR PRODUCTION OF DOCUMENTS AS TO DEFENDANT LEISURE WORLD OF MARYLAND CORPORATION, FILED.**

Docket Date: **10/16/2017** Docket Number: **30**
 Docket Description: **CERTIFICATE REGARDING DISCOVERY**
 Docket Type: **Docket** Filed By: **Plaintiff**
 Docket Text: **PLAINTIFF'S NOTICE OF SERVICE OF DISCOVERY AS TO NOTICE OF VIDEOTAPED DEPOSITION, FILED.**

Docket Date: **10/26/2017** Docket Number: **31**
 Docket Description: **CERTIFICATE REGARDING DISCOVERY**
 Docket Type: **Docket** Filed By: **Plaintiff**
 Docket Text: **PLAINTIFF'S NOTICE OF SERVICE OF DISCOVERY AS TO NOTICE OF VIDEOTAPED DEPOSITION, FILED.**

Docket Date: **10/30/2017** Docket Number: **32**
 Docket Description: **CERTIFICATE REGARDING DISCOVERY**
 Docket Type: **Docket** Filed By: **Defendant**
 Docket Text: **DEFENDANTS' NOTICE OF SERVICE OF DISCOVERY MATERIAL AS TO NOTICE OF DEPOSITION, FILED.**

Docket Date: **12/19/2017** Docket Number: **33**
 Docket Description: **CERTIFICATE REGARDING DISCOVERY**
 Docket Type: **Docket** Filed By: **Defendant**
 Docket Text: **DEFENDANTS' NOTICE OF SERVICE REGARDING DISCOVERY AS TO SUBPOENA AND NOTICE OF COMPLIANCE WITH 4-306 OF THE HEALTH-GENERAL ARTICLE, ANNOTATED CODE OF MARYLAND, FILED. (LP)**

Docket Date: **01/22/2018** Docket Number: **34**
 Docket Description: **PRE-TRIAL STATEMENT**
 Docket Type: **Docket** Filed By: **Joint**
 Docket Text: **JOINT PRETRIAL STATEMENT AND VOIR DIRE, FILED. (LP)**

Docket Date: **01/26/2018** Docket Number: **35**
 Docket Description: **MOTION, SUMMARY JUDGMENT**
 Docket Type: **Motion** Filed By: **Defendant** Status: **Open**
 Reference Docket(s): **Opposition: 37**
 Docket Text: **DEFENDANTS' MOTION FOR SUMMARY JUDGMENT, MEMORANDUM AND ATTACHMENTS, FILED. (LP)**

Docket Date: **01/30/2018** Docket Number: **36**
Docket Description: **CERTIFICATE REGARDING DISCOVERY**
Docket Type: **Docket** Filed By: **Plaintiff**
Docket Text: **PLAINTIFF'S NOTICE OF SERVICE REGARDING DISCOVERY MATERIAL AS TO THIRD SUPPLEMENTAL ANSWERS TO REQUEST FOR PRODUCTION OF DOCUMENTS TO DEFENDANT LEISURE WORLD OF MARYLAND CORPORATION, FILED. (LP)**

Docket Date: **02/06/2018** Docket Number: **37**
Docket Description: **OPPOSITION TO MOTION**
Docket Type: **Opposition** Filed By: **Plaintiff**
Reference Docket(s): **Motion: 35**
Docket Text: **PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT, MEMORANDUM OF LAW AND POINTS OF AUTHORITY IN SUPPORT OF MS. ALTMAN'S OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT, AND ATTACHMENTS, FILED. (ATTACHMENTS REMOVED AND PLACED IN EXHIBIT ROOM) (LP)**

Docket Date: **02/08/2018** Docket Number: **38**
Docket Description: **HEARING, PRE-TRIAL HEARING**
Docket Type: **Docket** Filed By: **Court**
Docket Text: **PRE-TRIAL HEARING (GREENBERG, J.) HELD. PLAINTIFF'S COUNSEL, MS. HALPERN AND MR. REITER. DEFENDANT'S COUNSEL, MR. ROBINSON.**
Audio Media: **3E-020818** Start: **15:26:26** Stop: **15:27:58**

Docket Date: **02/08/2018** Docket Number: **39**
Docket Description: **COURT SETS**
Docket Type: **Docket** Filed By: **Court**
Docket Text: **COURT (GREENBERG, J.) SETS TWO (2) DAY JURY TRIAL ON JUNE 25, 2018 AT 9:30 A.M.**

Docket Date: **02/21/2018** Docket Number: **40**
Docket Description: **NOTICE, HEARING DATE (MAILED)**
Docket Type: **Docket** Filed By: **Court**
Docket Text: **NOTICE OF HEARING DATE FILED AND MAILED. (HEARING DATE: 03/29/2018) (LP)**

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Shirley, Lori

From: admin@justus.group
Sent: Tuesday, April 24, 2018 6:12 PM
To: mont.Co.PlanningBoard@justus.group; justus organization; LW Green; members@townmeetingorganization.com
Subject: Special Joint Meeting of CPAC and S&T - Site Plan Alternate A3 with modification

From: Beth Leanza <bethlea12020@gmail.com>
Date: April 24, 2018 6:05:43 PM EDT
To: Nicole Gerke <ngerke@lwmc.com>
Cc: "freddys330@aol.com" <freddys330@aol.com>, Herman Cohen <cyberpi@msn.com>, Carole Kennon <virtualcarole@aol.com>, "roddy.frank2014@comcast.net" <roddy.frank2014@comcast.net>, "Stephhrm@aol.com" <Stephhrm@aol.com>, "janicewmclean@gmail.com" <janicewmclean@gmail.com>, Yolanda Hunt <Yolichunt@aol.com>, Bob Namovicz <namovicb@gmail.com>, Philip Marks <Psmarks2@juno.com>, Sandy Marks <sandymarks22@gmail.com>, "mr_eieio@hotmail.com" <mr_eieio@hotmail.com>, David Polinsky <dap1049@hotmail.com>, Joyce Temple <jtemple17b822@gmail.com>, Henry Jordan <hjordanvpe@aol.com>, "Phemps099@gmail.com" <Phemps099@gmail.com>, "pattiwiles1@gmail.com" <pattiwiles1@gmail.com>, "mrlongpants@gmail.com" <mrlongpants@gmail.com>, "susancrawford@comcast.net" <susancrawford@comcast.net>
Subject: Re: Special Joint Meeting of CPAC and S&T - Site Plan Alternate A3 with modification

My only "question" is
How difficult will it be for handicapped vehicles to exit in the correct
direction
in the Turn around (near the Terrace Room)

I am especially looking at the ones on the lower (right) of the turn
around.
Those last 2 or 3 spaces slant in to the right (as pictured)
and it looks like the driver will be inclined to leave in the wrong direction.

Beth Leanza
member E & R advisory committee

slkatzman
President, JustUs
admin@justus.group
conscience of the community

"JustUs" advocates to enhance the quality of life for all Leisure World residents



Albert Einstein – “We cannot solve our problems with the same level of thinking that created them.”

Shirley, Lori

From: admin@justus.group
Sent: Tuesday, April 24, 2018 6:10 PM
To: mont.Co.PlanningBoard@justus.group; justus organization; LW Green; members@townmeetingorganization.com
Cc: LW Board of Directors
Subject: From Tom Conger Mutual 18, in reference to Gerke's latest Site Plan Modification
Attachments: alternate A3_modified_20180419.pdf

From: Tom Conger<lkutun@msn.com>
Date: April 24, 2018 5:54:21 PM EDT
To: "admin@justus.group" <admin@justus.group>
Subject: From Tom Conger Mutual 18, in reference to Gerke's latest Site Plan Modification

Interesting how "go back to the community and reach a consensus" has devolved into "How to site plan the Perfect Parking Lot," as presented by Kevin Flannery's assistant Nicole Gerke in her latest rendition of one-way arrows and tiny "handicapped only" signs.

Flannery and Gerke obviously must be deaf to the words of the Planning Board members who uttered, on November 30, 2017, "Go back to the community and reach a consensus."

Not once in all of their 29 presentations, have the Flannery-Gerke duo ever asked the question, "Does the Leisure World Community really want to demolish the existing administration building and put up a parking Lot?" And, "does the Community really want to commit untold millions to a PALATIAL office building for Mr. Flannery and Ms. Gerke?"

I have just returned from a trip to the Eastern European City of Bucharest, Romania, where in the 1980s Communist dictator Nicolae Ceausescu ordered the demolition of an entire neighborhood so that he could erect the world's second largest office building (the Pentagon is #1). Fittingly, it's called "PALACE of Parliament," and Ceausescu got the idea for it by visiting Communist North Korea. Ceausescu is--thank goodness for Romanian citizens-- no longer with us. But the building's still there. And, guess what? if they turned on all the lights the resulting electric bill would bankrupt the nation's treasury. Notice any parallels here?

Tom Conger Mutual 18

From: Nicole Gerke <ngerke@lwmc.com>
Date: April 24, 2018 4:01:37 PM EDT
To: "freddys330@aol.com" <freddys330@aol.com>, Herman Cohen <cyberpi@msn.com>, Carole Kennon <virtualcarole@aol.com>, "roddy.frank2014@comcast.net" <roddy.frank2014@comcast.net>, "Stephhrm@aol.com" <Stephhrm@aol.com>, "janicewmclean@gmail.com" <janicewmclean@gmail.com>, Yolanda Hunt <Yolichunt@aol.com>, Bob Namovicz <namovicb@gmail.com>, Philip Marks <Psmarks2@juno.com>, Sandy Marks <sandymarks22@gmail.com>, "mr_eieio@hotmail.com" <mr_eieio@hotmail.com>, David Polinsky <dap1049@hotmail.com>, Joyce Temple <jtemple17b822@gmail.com>, Henry Jordan <hjordanvpe@aol.com>, Beth Leanza <bethlea12020@gmail.com>, "Phemps099@gmail.com" <Phemps099@gmail.com>, "pattiwiles1@gmail.com" <pattiwiles1@gmail.com>, "mrlongpants@gmail.com" <mrlongpants@gmail.com>, "susancrawford@comcast.net" <susancrawford@comcast.net>
Subject: Special Joint Meeting of CPAC and S&T - Site Plan Alternate A3 with modification

Appendix P

Attached is Site Plan Alternate A3 that was selected by CPAC and S&T Committee members at the Special Joint Meeting on April 19th.

The exit from the upper new lot to the lower existing lot was relocated as recommended at the meeting.

Please review and contact me with any questions. Thanks!

Nicole A Gerke, AIA, LEED AP, MBA
Project Manager
Community Services Department
(301) 598-1026 direct
(301) 801-0723 cell
ngerke@lwmc.com



slkatzman
President, JustUs
admin@justus.group
conscience of the community

"JustUs" advocates to enhance the quality of life for all Leisure World residents



Albert Einstein – **"We cannot solve our problems with the same level of thinking that created them."**



DRAFT

Shirley, Lori

From: admin@justus.group
Sent: Tuesday, April 24, 2018 9:34 PM
To: mont.Co.PlanningBoard@justus.group; LW Board of Directors
Cc: justus organization; LW Green; members@townmeetingorganization.com; lwdogs@justus.group
Subject: THIS "OPEN" LETTER DESERVES A RESPONSE...by Bob Ardike

From: "Norman Holly" <amtak518@gmail.com>
Date: April 24, 2018 9:19:09 PM EDT
To: <admin@justus.group>
Subject: RE: THIS "OPEN" LETTER DESERVES A RESPONSE...by Bob Ardike

Strange – this is the third time I have heard someone on or associated with the Board say, “If you don’t like it here, why don’t you leave?” There is a certain arrogance about the question that we didn’t expect – or know about – when we came here. What we HEARD instead was a sales pitch about what wonderful place it is. Now that we bit on that bit of salesmanship, we find ourselves in a kind of autocracy run by the person we hire to be a manager, with a conspiring and defensive Board exerting supremacy through an arcane and convoluted set of rules that shuts out any difference of opinion.

Indeed I have discussed with my wife the matter of departing, but now that I am 92 and recovering from a stroke she feels it would be too strenuous. So we are stuck here, and must endure insult upon insult from Board members and hangers-on about “If you don’t like it here (i.e., the way those in power run the place) why don’t you move out – and including the **Flannery-Gerke propaganda conspiracy** which cut off any dissent that they hope to say amounts to the **"consensus"** that the Planning Commission demanded before approving a construction on a new administration palace for Flannery-Gerke (to be built with money we don’t have, and to the neglect with upkeep we need on existing facilities). David, if you are looking for the source of dissatisfaction expressed by 2,000 of the folks that live here, look no further. That dissatisfaction is expressed by letters in nearly every issue of the LW news, but either you fail to notice or disregard them.

We see Flannery as ultimately culpable in this raid on our financial resources. He claims that the current admin building is rickety and moldy, but he has only himself to blame for whatever condition bothers him. **He has been neglectful** in allowing the deterioration he sees, and he would be as neglectful in whatever new quarters he acquires. He had a chance to expand into the space formerly held by Bank of America, and hastened to fill it with another firm so he could continue to cry “we’re overcrowded!” (Signal Financial, who finally were given an offer they couldn’t turn down to move in, acquired quarters immediately adjacent to Flannery’s admin group that they find spacious, free of mold and in good repair – indicating the same could apply to Flannery’s quarters and minimal expense and if only they would take care of it.

I believe any rational person would reach the same conclusion after a close inspection of areas that Flannery has neglected.

So, if 2,000 of our residents resent being ignored or told to move out if we are dissatisfied, the complaints seem justified. **We were sold a bill of goods.** This could be an lovely oasis in the desert of development all around us. But if the Board continues to confront us instead of cooperating with us, they have no basis to complain our warning others who consider moving in.

Norman Holly
Vantage Point East

From: ktvkarin@aol.com <ktvkarin@aol.com>
Date: April 24, 2018 9:02:42 PM EDT
To: admin@justus.group, marybeth.bob@gmail.com, justus@justus.group, lwgreen@justus.group,
members@townmeetingorganization.com, David Frager <davidfrager@gmail.com>
Subject: Re: THIS "OPEN" LETTER DESERVES A RESPONSE...by Bob Ardike

Karin Ventola M12

I made a very conscious decision to move here... IT CAN (key word) BE AN AWESOME PLACE TO BE!

However, I did not come here to see a grossly underbudgeted new, unnecessary and unwanted admin building be pushed on a community that as the concept, plans and COST \$\$ became more and more apparent DOES NOT WANT!

You, yes you, know the numbers are wrong...yet you are willing to jeopardize "OUR" community for some personal reason or "win".

You rationalize your argument with ITS NOT ONLY YOUR (MY) DECISION, ITS BEEN IN THE WORKS, OF COURSE THEY KNOW WHAT THEY ARE DOING BECAUSE ITS NEEN PLANNED FOR YEARS.. Or, you weren't involved so why speak up now. Well, I And many did speak up And it all kinda went underground. MCPP had a meeting And some semblance of communication surfaced. Day late, dollar short...very short \$\$ And if I or someone doesn't agree (even neighbors for goodness sake) You might as well be wearing a scarlet letter of some sort....The admin building looks like a flea market...WHAT PERCENT of the building is Actually admin ??? I did a tedious walkabout !! It's a bad joke ON US.

DONT RENEW RealEstate CO. Or the CU that will never ever never turn a profit(ever). Perhaps let MM but a place or two in MM for their own space... Get rid of STREET SENSE and affiliates...and let some real numbers KILL the deal..

BTW, Are you telling perspective buyers that there is some serious ""Stuff"" going on ...and who knows what serious fiduciary lawsuits might be in their future if or when

only 1/2 the project turns out is funded..... Short of increasing fees at alarming rates.. JUST WHAT IS YOUR PLAN B ? Chase people OUT and collect 2-%....

Yes I am quite frustrated BECAUSE I really really do like it here and You are muddying up OUR POTENTIAL...

From: David Frager <davidfrager@gmail.com>
Date: April 24, 2018 5:26:08 PM EDT
To: Anne Marie Martinez <annemariechuck@gmail.com>
Cc: JustUs admin <admin@justus.group>, mont.Co.PlanningBoard@justus.group, justus organization <justus@justus.group>, LW Green <lwgreen@justus.group>, members@townmeetingorganization.com, lwdogs@justus.group, cpac@justus.group
Subject: Re: THIS "OPEN" LETTER DESERVES A RESPONSE...by Bob Ardike

For your information, he calls himself a resident. He has been here 11 years, and if he hated it everyday, he would leave. I find it very difficult to understand why anyone stays here - except for financial obstacles - if it is really so intolerable. I appreciate that Bob chose to print my entire letter without highlighting or emphasis, so his mail recipients could see what I wrote and draw their own conclusions. The authors draw language from a number of items of past correspondence to express their dissatisfaction with management and the Board. I don't recall any member of the Board or management saying that the residents voted for the new building. So we have to disagree on that point. Evidently you can't have a difference of opinion without being the object of insults. It comes with the territory.

Dave

From: Anne Marie Martinez <annemariechuck@gmail.com>
Date: April 23, 2018 2:25:32 PM EDT
To: JustUs admin <admin@justus.group>
Cc: mont.Co.PlanningBoard@justus.group, justus organization <justus@justus.group>, LW Green <lwgreen@justus.group>, members@townmeetingorganization.com, lwdogs@justus.group, cpac@justus.group, LW Board of Directors <board@lwmc.com>
Subject: Re: THIS "OPEN" LETTER DESERVES A RESPONSE...by Bob Ardike

Thanks to Bob Ardyke - for his serious, and enjoyable, at the same time, for continuing to let us know how inept the Board is, and particular former Chair/President or whatever he calls himself.

We have been here 8 years, and regret every moment of every day. We never dreamed the Boards would be do dictatorial and self centered as to think of us the way they do. To not allow the owners to make decisions as to how to spend our money, and become arrogant and belligerent when any of us a question. Using the excuse "we are private" is no excuse for poor management and decision making. Just because "we voted for the building" WE DID NOT. WE HAVE NEVER AGREED WITH IT.

Look around Leisure World. There are many things that need to be attended to - outside of our domiciles! And, yes, we along with many others so regret ever moving here. What do we say to outsiders who ask us how Leisure World is..... WE answer - don't move into LW. And, we explain WHY?

Again thanks Bob for your fantastic insight, and knowledge. We look forward to reading your great editorials!

Most Sincerely,
Chuck & Anne Marie Martinez, and Patches
Mutual 14,Building 16, Unit 1-D

From: Bob Ardike <marybeth.bob@gmail.com>
Date: April 23, 2018 12:47:38 PM EDT
To: admin JustUs <admin@justus.group>
Subject: THIS "OPEN" LETTER DESERVES A RESPONSE...by Bob Ardike

At the request of "many" residents...

I am responding to an "open" letter entitled, "What to Do?" The letter appeared in the April 6, issue of the Leisure World News. It was written by the previous Leisure World Board Chairman, David Frager. He held the Chairman position for 3 years. If he had addressed the valid & reasonable resident concerns presented to him, during his tenure, he would not be wondering, "what to do?" Instead he exacerbated divisions which were growing in Leisure World (LW) prior to his term.

This is best illustrated by his "pushing" forward, with what has come to be known as, the "Albatross" of Leisure World. The albatross is the proposed building of a New Administration Building & the demolition of the existing one. His avoidance of seeking to develop a consensus among the 8,000 (LW) residents regarding this proposed

project, (the largest, multimillion \$\$\$ expenditure in LW's history), is the "gateway" to answering his question, "What to do?"

David wrote:... "I believe that most residents feel that they made a good choice and are willing to live with the good and bad of community living. And they are **offended** when their choice is demeaned, especially outside Leisure World. It may be necessary to accept criticism as a necessary prelude to corrective action, but is it really necessary to make people doubt their choice? And this becomes extremely difficult to accept when often unfounded or disrespectful and exaggerated comments are circulated outside of Leisure World. **What do we expect non- residents to think when they read these remarks?"**

Response: ...I believe **most** residents who move to Leisure World have enough "life experience" to know nothing is/nor will be found to be perfect...including Leisure World...

Most people of the **age 55, or older**, whether they live in Leisure World or elsewhere, **have more to do**, with the remainder of their lives, than to worry about **how other people** might feel about anything, **let alone about the choice, they made** in moving to Leisure World. If relevant data about residents were available, it would probably show that most people moving to Leisure World **consider it to be their last move**.

David's last sentence, (highlighted in red) of his first paragraph, **has no single answer**. However, among the many different things non-residents could be thinking, might be found in a variation of the following question..."**Why can't that place (LW) get its act together & come up with a consensus solution?"** In its own way, that is what the Montgomery County Planning Board (MCPB) stated when it postponed acting on "construction approval" for a new building in November, 2017.

It might be asked? "Since that November meeting, did what the **MCPB** ask happen? Was that even attempted? Well! If having 29 meetings where residents are **"told about"** changes being made to the original proposal submitted, then the answer is, "Yes!" If, instead, you ask, **"Was the Planning Board's advice followed?"** The answer is a resounding, "No!"

Let's go on...

After a year or more of living in Leisure World, the following is **what many residents find impossible to understand:**

- why is the first building they probably entered (**The Administration Building**), when first considering buying at Leisure World, proposed for demolition when...

1. **no concrete evidence** has been presented to the 8,000 residents that doing so is warranted & necessary?
2. the 8,000 residents were **not** given a **direct "voice" (vote)** regarding the proposed multi million \$\$\$ expenditure
3. what rationale justifies destroying the original structure when its "face worth" is probably valued at a million or more \$\$\$?

The Leisure World Board justification might well be summarized as follows: **"We began voting** to have this new building in **2012**. And through the following years, **we continued** to vote for it. **We** have done so for the simple reason that... **we previously voted for it.**"

And therein lies the rub. The "WE!" Look again! It has all been about the Board...the **we, we, we!** **NOT** about what the 8,000 residents thought.

If David & others are open to trying to understand why countervailing points of view exist, creating the impasse present in LW, answers are readily available. They are easily found. Just look in the last 2 issues of

Appendix P

the Leisure World News. Of particular note is an "Opinion" letter by Joyce Smythe in the April 6, issue & one written by Rodney Brooks appearing in the April 20, issue. Previous issues of the newspaper provide many more residents wanting answers and making reasonable suggestions.

So if you want answers about what "others" may be thinking concerning LW, read & try to comprehend what these 2 individuals & many others have written about.

At this point, I will pause. I have attempted to address only the 1st paragraph of his 6 paragraph letter. I hope to respond to the others in the coming days.

Bob Ardike

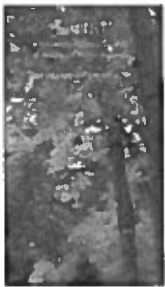
slkatzman

President, JustUs

admin@justus.group

conscience of the community

"JustUs" advocates to enhance the quality of life for all Leisure World residents



Albert Einstein – **"We cannot solve our problems with the same level of thinking that created them."**

Shirley, Lori

From: admin@justus.group
Sent: Wednesday, April 25, 2018 11:10 AM
To: mont.Co.PlanningBoard@justus.group; justus organization; LW Green; LW Board of Directors; nicole gerke
Cc: fred seebode; herman cohen; carole kennon; frank roddy; stephanie herman; Janice McLean; yolanda hunt; Bob Namovicz; Philip Marks; Sandy Marks; bruce macdonald; david polinsky; joyce temple; henry jordan; patricia hempstead; patti wiles; susancrawford@comcast.net
Subject: Gerke's latest Site Plan Modification
Attachments: alternate A3_modified_20180419.pdf

From: Diane Knott <rdknott@hotmail.com>
Date: April 25, 2018 9:53:51 AM EDT
To: "admin@justus.group" <admin@justus.group>
Subject: Re: Gerke's latest Site Plan Modification

From the start, once I saw the drop off loop I found it to be a hazard and unnecessary. That area should be for handicap parking. Residents would then have direct access to restaurants without having to navigating thru or around delivery vehicles, smelly trucks, buses and traffic in general.

From: Rodney Eng <oldinkie@gmail.com>
Date: April 25, 2018 9:17:52 AM EDT
To: admin@justus.group
Subject: Re: Gerke's latest Site Plan Modification

- (1)How are the food delivery, trash, and building service large trucks suppose to do their job without blocking the circle to the terrace room. If you are in the circle and want to get out. The trucks will not move until they are finished.
- (2)If by mistake you exit the upper parking lot onto the lower parking lot there is no return. You must exit the lower parking lot and drive up LW Blvd., go through the Georgia ave. intersection, turn left onto the Memorial circle and try to enter the upper lot again. Good luck to guest from out of town, and to all the disabled drivers. Make sure you have a full tank off gas and a map, or call security and try to let them know where you are.
- (3) Those with disabilities that parked and used the new Admin. bldg. must still walk up hill and dodge the trucks to enter the terrace room.

From: "Norman Holly" <amtak518@gmail.com>
Date: April 24, 2018 9:45:58 PM EDT
To: <admin@justus.group>
Subject: RE: Special Joint Meeting of CPAC and S&T - Site Plan Alternate A3 with modification

The matter of access to the proposed new building was not the critical issue, which you and Kevin Flannery artfully dodged in your tour of our mutuals. I would rather we focused on that.

Norman Holly

From: Nicole Gerke <ngerke@lwmc.com>

Date: April 24, 2018 6:21:35 PM EDT

To: Beth Leanza <bethlea12020@gmail.com>

Cc: "freddys330@aol.com" <freddys330@aol.com>, Herman Cohen <cyberpi@msn.com>, Carole Kennon <virtualcarole@aol.com>, "roddy.frank2014@comcast.net" <roddy.frank2014@comcast.net>, "Stephhrm@aol.com" <Stephhrm@aol.com>, "janicewmclean@gmail.com" <janicewmclean@gmail.com>, Yolanda Hunt <Yolichunt@aol.com>, Bob Namovicz <namovicb@gmail.com>, Philip Marks <Psmarks2@juno.com>, Sandy Marks <sandymarks22@gmail.com>, "mr_eieio@hotmail.com" <mr_eieio@hotmail.com>, David Polinsky <dap1049@hotmail.com>, Joyce Temple <jtemple17b822@gmail.com>, Henry Jordan <hjordanvpe@aol.com>, "Phemps099@gmail.com" <Phemps099@gmail.com>, "pattiwiles1@gmail.com" <pattiwiles1@gmail.com>, "mrlongpants@gmail.com" <mrlongpants@gmail.com>, "susancrawford@comcast.net" <susancrawford@comcast.net>

Subject: RE: Special Joint Meeting of CPAC and S&T - Site Plan Alternate A3 with modification

Hi Beth:

I asked the design engineers to look at this area in more detail based on your question.

I will let you know their response/recommendation.

Thanks!

Nicole A Gerke, AIA, LEED AP, MBA

Project Manager

Community Services Department

(301) 598-1026 direct

(301) 801-0723 cell

ngerke@lwmc.com

From: Beth Leanza <bethlea12020@gmail.com>

Date: April 24, 2018 6:05:43 PM EDT

To: Nicole Gerke <ngerke@lwmc.com>

Cc: "freddys330@aol.com" <freddys330@aol.com>, Herman Cohen <cyberpi@msn.com>, Carole Kennon <virtualcarole@aol.com>, "roddy.frank2014@comcast.net" <roddy.frank2014@comcast.net>, "Stephhrm@aol.com" <Stephhrm@aol.com>, "janicewmclean@gmail.com" <janicewmclean@gmail.com>, Yolanda Hunt <Yolichunt@aol.com>, Bob Namovicz <namovicb@gmail.com>, Philip Marks <Psmarks2@juno.com>, Sandy Marks <sandymarks22@gmail.com>, "mr_eieio@hotmail.com" <mr_eieio@hotmail.com>, David Polinsky <dap1049@hotmail.com>, Joyce Temple <jtemple17b822@gmail.com>, Henry Jordan <hjordanvpe@aol.com>, "Phemps099@gmail.com" <Phemps099@gmail.com>, "pattiwiles1@gmail.com" <pattiwiles1@gmail.com>, "mrlongpants@gmail.com" <mrlongpants@gmail.com>, "susancrawford@comcast.net" <susancrawford@comcast.net>

Subject: Re: Special Joint Meeting of CPAC and S&T - Site Plan Alternate A3 with modification

My only "question" is

How difficult will it be for handicapped vehicles to exit in the correct direction

in the Turn around (near the Terrace Room)

I am especially looking at the ones on the lower (right) of the turn around.

Those last 2 or 3 spaces slant in to the right (as pictured)
and it looks like the driver will be inclined to leave in the wrong direction.

Beth Leanza
member E & R advisory committee

From: Tom Conger<lkutun@msn.com>

Date: April 24, 2018 5:54:21 PM EDT

To: "admin@justus.group" <admin@justus.group>

Subject: From Tom Conger Mutual 18, in reference to Gerke's latest Site Plan Modification

Interesting how "go back to the community and reach a consensus" has devolved into "How to site plan the Perfect Parking Lot," as presented by Kevin Flannery's assistant Nicole Gerke in her latest rendition of one-way arrows and tiny "handicapped only" signs.

Flannery and Gerke obviously must be deaf to the words of the Planning Board members who uttered, on November 30, 2017, "Go back to the community and reach a consensus."

Not once in all of their 29 presentations, have the Flannery-Gerke duo ever asked the question, "Does the Leisure World Community really want to demolish the existing administration building and put up a parking Lot?" And, "does the Community really want to commit untold millions to a PALATIAL office building for Mr. Flannery and Ms. Gerke?"

I have just returned from a trip to the Eastern European City of Bucharest, Romania, where in the 1980s Communist dictator Nicolae Ceausescu ordered the demolition of an entire neighborhood so that he could erect the world's second largest office building (the Pentagon is #1). Fittingly, it's called "PALACE of Parliament," and Ceausescu got the idea for it by visiting Communist North Korea. Ceausescu is--thank goodness for Romanian citizens-- no longer with us. But the building's still there. And, guess what? if they turned on all the lights the resulting

electric bill would bankrupt the nation's treasury. **Notice any parallels here?**

Tom Conger Mutual 18

From: Nicole Gerke <ngerke@lwmc.com>

Date: April 24, 2018 4:01:37 PM EDT

To: "freddys330@aol.com" <freddys330@aol.com>, Herman Cohen <cyberpi@msn.com>, Carole Kennon <virtualcarole@aol.com>, "roddy.frank2014@comcast.net" <roddy.frank2014@comcast.net>, "Stephhrm@aol.com" <Stephhrm@aol.com>, "janicewmclean@gmail.com" <janicewmclean@gmail.com>, Yolanda Hunt <Yolichunt@aol.com>, Bob Namovicz <namovicb@gmail.com>, Philip Marks <Psmarks2@juno.com>, Sandy Marks <sandymarks22@gmail.com>, "mr_eieio@hotmail.com" <mr_eieio@hotmail.com>, David Polinsky <dap1049@hotmail.com>, Joyce Temple <jtemple17b822@gmail.com>, Henry Jordan <hjordanvpe@aol.com>, Beth Leanza <bethlea12020@gmail.com>, "Phemps099@gmail.com" <Phemps099@gmail.com>, "pattiwiles1@gmail.com" <pattiwiles1@gmail.com>, "mrlongpants@gmail.com" <mrlongpants@gmail.com>, "susancrawford@comcast.net" <susancrawford@comcast.net>

Subject: Special Joint Meeting of CPAC and S&T - Site Plan Alternate A3 with modification

Attached is Site Plan Alternate A3 that was selected by CPAC and S&T Committee members at the Special Joint Meeting on April 19th.

The exit from the upper new lot to the lower existing lot was relocated as recommended at the meeting.

Please review and contact me with any questions. Thanks!

Nicole A Gerke, AIA, LEED AP, MBA

Project Manager

Community Services Department

(301) 598-1026 direct

(301) 801-0723 cell

ngerke@lwmc.com



President, JustUs
admin@justus.group
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Albert Einstein – “We cannot solve our problems with the same level of thinking that created them.”

Shirley, Lori

From: admin@justus.group
Sent: Wednesday, April 25, 2018 6:44 PM
To: mont.Co.PlanningBoard@justus.group; justus organization; members@townmeetingorganization.com; LW Green; cpac@justus.group
Subject: Leisure World lawyers: Site Plan Justification for LW New Admin. Bldg. & CH additions

From: "Darlene Hamilton," <monet_2@comcast.net>
Date: April 25, 2018 3:06:19 PM EDT
To: "admin@justus group" <admin@justus.group>
Subject: Re: Leisure World lawyers: Site Plan Justification for LW New Admin. Bldg. & CH additions

One More Thing - The Parking Lots!

Did you ever receive this

At present, we now have one REALLY HUGE parking lot, which has been accommodating the needs of the Administration Building, which includes: a real estate office, a post office, a financial institution, a Security, Resales, Human Resources and Management offices, Montgomery Mutual staff offices, a Kitchen, a copy room, a large meeting room and numerous areas of "Staffing Sprawl."

In addition, the needs of Clubhouse 1, which includes:
3 restaurants w/ Kitchens, the Lanai, a Bar, an E & R office, an Art Studio, an Eyre Travel Agency office, an Outdoor Pool, a Newspaper office, a library, a large lobby w/ cloak room, a large Ballroom, a vending machine area, the very large larhrand many various sized meeting rooms. And finally, the needs of the outside recreational areas, including Lawn Bowling, Shuffleboard, and the Bocce Ball courts.

One parking lot, has served all of these areas for many years.
Which, leads me to ask the question, to those individuals whom live here, and those individuals whom are involved in making the final decisions.

When, was the last time, that you as an individual, actually saw a full Administration parking lot?

If you answered "Never," then you have just done more research, than all of the highly paid professionals together have done.

We are talking about one HUGE mass of partially used asphalt, or a heat island, if you will.

Appendix P

I understand, that it originally had numerous islands with planted trees, which soon disappeared over the years. Perhaps, to make it easier to plow, during the winter, and/or to lower landscape maintenance costs?

The parking lot renovations includes the following:

- 1. Administration - 280 spaces
- 2. Clubhouse 1 - 75 spaces
- 3. Golf Course. - 28 spaces
- 4. Disabled - 25 spaces
- Total - 508
Spaces

The landscaping is mainly around the lot perimeters, which are going to have to survive the excessive heat from the asphalt and concrete. The few landscaped islands have high curbs, which are an impediment for those with walkers, canes, wheelchairs, crutches, or with other mobility issues.

Next questions. OVER THE PAST SIX MONTHS, as a Leisure World resident:

- 1) How often and for how long, did you find it necessary to meet privately with any staff person in Administration, regarding your Mutual or other concerns?
- 2) How many times did you find it necessary to visit any of the other offices in the Administration Building, i.e. Resales, Security, Human Resources, Real Estate, Montgomery Mutual office?
- 3) How many times have you done business at the Post Office in the Administration Building?
- 4) How many times have you done business at the financial Institution in the Administration Building?
- 5) How often have you used the outside recreation area?
- 6) How many times have you eaten at any of the restaurants, and what was your preferred time of the day?
- 7) How many times have you visited the Library?
- 8) How many times have you visited Eyre Travel?
- 9) How many times have you visited the E&R office?
- 10) How many times have you visited the Newspaper office?
- 11) How many times have you used the Art Studio?
- 12) How many times have you used the outside pool or the Lanai area?
- 13) How many times have you attended any type of meetings in the Administration Building, or CH1?

14) How many times did you attend a Leisure World sponsored social event in CH1?

15) How many times did you attend a private social event in CH1?

16) How many of the business items above could have easily been handled by a phone call, instead?

17) Have you actually looked at the Renovation Site Plans and the parking lot changes? If not, why not?

18) Do you think that you have been given enough information about the New Administration Building and CH1 renovations and the costs involved by either your mutual board, or another unbiased and informed source? Do you feel that you need, or want more information about the Renovations?

I personally believe, that there is absolutely no reason, why the present building cannot successfully be renovated to fit our community's needs.

I think the problem is with illusions of grandeur, and the refusal to keep up with the new business trends and technology, such as downsizing and working smarter in a limited space. Space is money, and wasted space = wasted money. I see a lot of wanted space, but not needed space, in both the inside and outside plans.

When, I was serving on both the Physical Properties and Landscape Advisory Committees, I had always tried to convince them for years, the importance of becoming a Certified Green Business and Landscaping Company. Unfortunately, Management and their contractors were not interested, and considered it a waste of time

On August 7, 2017, at 4:44 PM, admin@justus.group wrote:

From: "darlene hamilton,"

Date: August 7, 2017 2:52:58 PM EDT

Subject: Boy, and I thought that I wrote missives!!!

Sheryl,

I just read all of this redundant crapola, and I am increasingly appalled that the LWCC Board is actually

paying these "professionals," to write such a pathetic rationale for the justification of building a new Administration Building and other amenities.

Their whole rationale is based, repeatedly, on those amenities which have already been in place in our community, for many years. The Post Office, has been present for many years, and is now, only a short, direct walk into the present Administration building.

The twelve A.D.A. parking spaces, bus service, and covered awnings, are all nothing more than, desperate ploys, to try to justify their own wants.

Because, they certainly do not reflect the majority's needs, nor do they validate the expense for a new building. The previous items, can all be done with a minimum of disturbance, and with little

expense.

The landscaping and storm water management is another necessary evil, which they were obligated to mention numerous times. However, they never once addressed either one.

We know from other meetings, that they plan on planting the bare minimum of trees needed in the parking lots, we know that their landscape tree selection would mainly be comprised of an invasive species, and other non-native plantings.

As far as, the storm water management, anyone who has visited in rainy weather and has parked in the present parking lot, had to be amazed by the torrents of rushing water there. Often, over two inches deep, gushing into the storm water drains and directly into the Northwest Branch. Or, its flooding the lower lying areas, where the new administration is planned.

If you already know, that Leisure World was essentially built on a swamp and they used fill dirt to build upon it. Why, would any intelligent being, build in a low lying area, at the bottom of a hill?

What did they not learn, from the fitness center fiasco?

The whole report was about the outside desired needs, and very little about the inside needs, or the rationale for demolishing the present building and building a new one - other than a post office. Which, we already have, but it's not a necessity. I have read nothing, that justifies the expense of the construction of a new Administration Building.

slkatzman
President, JustUs
admin@justus.group
conscience of the community

"JustUs" advocates to enhance the quality of life for all Leisure World residents



Albert Einstein – **“We cannot solve our problems with the same level of thinking that created them.”**

Shirley, Lori

From: admin@justus.group
Sent: Wednesday, April 25, 2018 8:36 PM
To: mont.Co.PlanningBoard@justus.group; David Frager; justus organization; members@townmeetingorganization.com; LW Green; LW Board of Directors
Subject: WHAT TO DO?...a 3rd INSTALLMENT By Bob Ardike
Attachments: A.R.Meyers study w-out vendors list.pdf; Pages from A.R.Meyers study w-out vendors list.pdf

1. The LW BOD is held responsible for ensuring that trust property is kept up to date and properly maintained. Therefore, why is the LW BOD continuing to pay (\$204,000 plus all paid benefits) to Kevin Flannery - when it is he who has ALLOWED the degradation which "residents have been helpful in identifying a number of situations that definitely required action by management."

Kevin Flannery must resign or his employment agreement terminated for cause.

2. re: "the cost of relocating staff during the construction process, and the re-estimated costs for essentially reducing the building to its bare walls and then rebuilding it." --

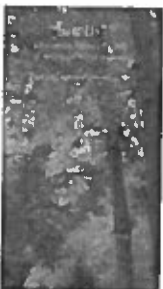
As shown in the 2012 AR Meyers study:

ADMINISTRATION BUILDING

Option	Pros	Cons	FI
RENOVATE WITHIN EXISTING FOOTPRINT	<ul style="list-style-type: none"> •Lowest Cost •Shortest Time Schedule 	<ul style="list-style-type: none"> •All functions housed in the existing building do not fit back into the footprint once standard work space is assigned to employees •Plan excludes Weichert, 220 SF file/storage space, 689 SF meeting space, and future needs space •Loss of \$50,000 per year rental income from Weichert •Work flow is not optimized •Plan is doable but not desirable •Loss of 69 parking spaces during construction for temporary trailers 	FI NC spi ful
BUILD 3,300 SF ADDITION	<ul style="list-style-type: none"> •Accommodates all functions housed in the existing building •Work flow is optimized •Opportunity at marginal cost to include improved, state of the art meeting space 	<ul style="list-style-type: none"> •Increased costs •Changing the architectural form and exterior appearance of the building •Longer construction time schedule •Loss of 69 parking spaces during construction for temporary trailers 	YE 1,C fut ca rer no

slkatzman
 President, JustUs
admin@justus.group
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Albert Einstein – “We cannot solve our problems with the same level of thinking that created them.”

From: David Frager <davidfrager@gmail.com>
Date: April 25, 2018 7:29:21 PM EDT
To: "admin@justus.group" <admin@justus.group>
Cc: mont.Co.PlanningBoard@justus.group, LW Board of Directors <board@lwmc.com>, "LW Exec. Committee" <excomm@lwmc.com>, justus organization <justus@justus.group>, LW Green <lwgreen@justus.group>, members@townmeetingorganization.com, lwdogs@justus.group
Subject: Re: WHAT TO DO?...a 3rd INSTALLMENT By Bob Ardike

Well, looks like residents have been helpful in identifying a number of situations that definitely required action by management. We can all be thankful for the resolution of the issues described in the e-mail. However, I am also aware of a number of concerns forwarded to state and local officials that were carefully considered but resulted in no action.

Something I wonder about - the proposal to build a new Admin Bldg was first presented in 2012. Why haven't more owners opposing the proposal run for their mutual boards, been elected, been chosen to serve on the LWCC Board, and expressed their concerns? Six years - and I can name only 3 people on the Board who went through this process and spoke up. I believe if we had direct elections the same folks who have the confidence of their fellow owners today would serve on the LWCC Board. 2000 signatures requires no real commitment by those owners - compared to the effort required to run for a board.

You all know I favored the analysis of the existing building - and I was joined by only 2 of the Board members voting for it - out of 34. Things to consider - the cost of relocating staff during the construction process, and the re-estimated costs for essentially reducing the building to its bare walls and then rebuilding it. A thoughtful analysis ought to replace rhetoric.

From: "admin@justus.group" <admin@justus.group>
Date: April 25, 2018 11:07:28 AM EDT
To: mont.Co.PlanningBoard@justus.group, David Frager <frager1938@gmail.com>, LW Board of Directors <board@lwmc.com>, "LW Exec. Committee" <excomm@lwmc.com>
Cc: justus organization <justus@justus.group>, LW Green <lwgreen@justus.group>, members@townmeetingorganization.com, lwdogs@justus.group
Subject: WHAT TO DO?...a 3rd INSTALLMENT By Bob Ardike

From: Bob Ardike <marybeth.bob@gmail.com>
Date: April 25, 2018 10:30:05 AM EDT
To: admin JustUs <admin@justus.group>
Subject: WHAT TO DO?...a 3rd INSTALLMENT By Bob Ardike

Point of Privilege: I express personal thanks to Mr. Frager. Without his Hamlet “like” (to be-or-not to be) open letter, “What to Do?” which was published in the Leisure World News on April 6, much of what is being written might not have been exposed to the “light of day.” His letter has proven to be inspirational,

What to Do?...a continuation...paragraph 3...David wrote...(his entire letter can be found at the bottom of this page)

"How can you have an impact when you feel something is amiss? It seems that Montgomery County and Maryland officials have received a great many complaints, but how much has our community benefited? I suspect that management has many examples of wasted time on the part of our government officials or our own staff, on issues that neither required, nor resulted in, corrective action."

The only word that suffices for what Mr. Frager writes is... **"Really?"**

Seeing this you, the reader, **might ask**, "Bob! Does this mean you disagree with the points David has made?"

I'll be specific...but...before I do...the answer is: **"YES!"**

David's 2nd sentence from above states...

"How can you have an impact when you feel something is amiss? It seems that Montgomery County and Maryland officials have received a great many complaints, but how much has our community benefited?..."

David! Glad you asked this question.

For your edification, consider the following instance. It will clearly demonstrate... how much our community has benefited?.

If, forbid, Clubhouse I had a fire, the **fire department connection** would have been unavailable to the fire department.

Only Resident complaints to the Montgomery County Fire & Rescue Service forced LW management to abide by the law. The below explains what I mean...

To:

Scott E. Goldstein,
Fire Chief
Montgomery County Fire & Rescue Service

re: Fire department connection located @ Leisure World Clubhouse 1 (Gleneagles Drive)

Chief:

Please advise if this is lawful for the area located directly in front of the "fire department connection" to be blocked by a parking space reserved for a Leisure World employee.





This above condition existed because the General Manager of Leisure was either **ignorant** of what he should have know **or did not care** in spite of knowing.

Obviously, this significant violation wasn't seen & therefore not addressed by any member of the Leisure World board of directors, any member of the multitude of LW advisory committees, etc. So, as what has constantly occurred, though the years, LW residents who value the Resident Advocacy Group, *JustUs*, brought about the **"corrective action."**

The pictures below show how that area appears now thanks to **the persistence of these residents** &, as usual, Sheryl Katzman and *JustUs*.



Appendix P

THE ABOVE SHOWS THE BENEFIT TO THE LW COMMUNITY...in addition, you also must not be aware that this has existed without abatement...

Look at the pictures below. When this constant illegal parking was mentioned at a recent meeting, where several LW Board members were in attendance, there was a jabbing of elbows & laughter. You ask, "Why?" Because many knew it is the **General Manager's vehicle** parked outside the fire exit from his office. So much for a discussion of traffic enforcement in Leisure World. Has he ever been cited, as the sign says & ticketed with the \$250. fine? It goes on constantly. Why have you and the Board not taken the "corrective action" to end this practice?



What's that, David? You're saying you had no idea such situations or other similar situations existed at Leisure World during your tenure?

I know that, David. So do other residents. And, Yes! Your apologies ARE accepted. So, there is no need to go out of your way to submit another letter **retracting** your first letter. After all. As you said to me, yesterday at

the Fitness Center, **"Bob I doubt many people read my letter when originally published in the LW Newspaper. Thanks to you, it's probably being read, now, by more people."**

David, I agree. I also noted your acknowledgement in an email you sent to a resident yesterday saying, "I appreciate that Bob chose to print my entire letter without highlighting or emphasis, so his mail recipients could see what I wrote and draw their own."

Permit me to say, David! "Your welcome!! It's proving to be my pleasure!"

So! David, there you have a good idea about why residents have **questions they want answered.**

It all boils down to explaining...

- why doesn't "management" see what so many residents see?
- too much that falls under management's responsibility is neglected or unattended to that is quite obviously in need of being addressed.
- having "legitimate matters" addressed should not necessitate criticism.
- a concerned & accountable management team **tends to things** needing "corrective action & addresses them well before they become festering points.

The above are merely 2 examples of why County & other Maryland officials have to be petitioned for redress. I trust this answers the question(s) posed in the 3rd paragraph of your letter.

Tomorrow it's on to your 4th paragraph. In the meantime, check the pictures below **to see more** of what's just been explained...

Flip through these pictures & read what you will. These are only the most recent problems residents have stumbled upon.

The residents aren't searching for problems. They are "out there" for all to see.

So residents ask a reasonable question:

Why doesn't so-called Management see them & correct them?

From: "Feldmann" <jjf3353@comcast.net>

Date: April 7, 2018 6:32:52 PM EDT

To: <admin@justus.group>



From: Rodney Eng <oldinkie@gmail.com>

Date: April 5, 2018 11:15:41 PM EDT

To: admin@justus.group

Subject: Re: danger - Leisure World Clubhouse 1 Storeroom - door blocked -

This looks like a emergency exit for CH1. No door in any commercial building is allowed to be blocked. The doors open out for exit. If you did exit out these doors where is the concrete slab or solid ground for anyone in a emergency to step on? Mulch is a tripping hazard and does this area have lights @ night. Where is the Fire Marshall when you need them. We must check every trust property storage and door in LW.

From: "admin@justus.group" <admin@justus.group>

Date: April 5, 2018 7:50:38 PM EDT

To: David.Borchardt@montgomerycountymd.gov

Cc: john feldmann <jjf3353@comcast.net>, Rick Merck <Richard.Merck@montgomerycountymd.gov>, Hector Areizaga <Hector.Areizaga@montgomerycountymd.gov>, Hemal Mustafa <Hemal.Mustafa@montgomerycountymd.gov>, Pastora Warnick <Pastora.Warnick@montgomerycountymd.gov>, "Brian Geraci, State Fire Marshal" <brian.geraci@maryland.gov>, "Scott Goldstein, Fire Chief-MCFRS" <Scott.Goldstein@montgomerycountymd.gov>, justus organization <justus@justus.group>, members@townmeetingorganization.com, LW Green <lwgreen@justus.group>, lwdogs@justus.group

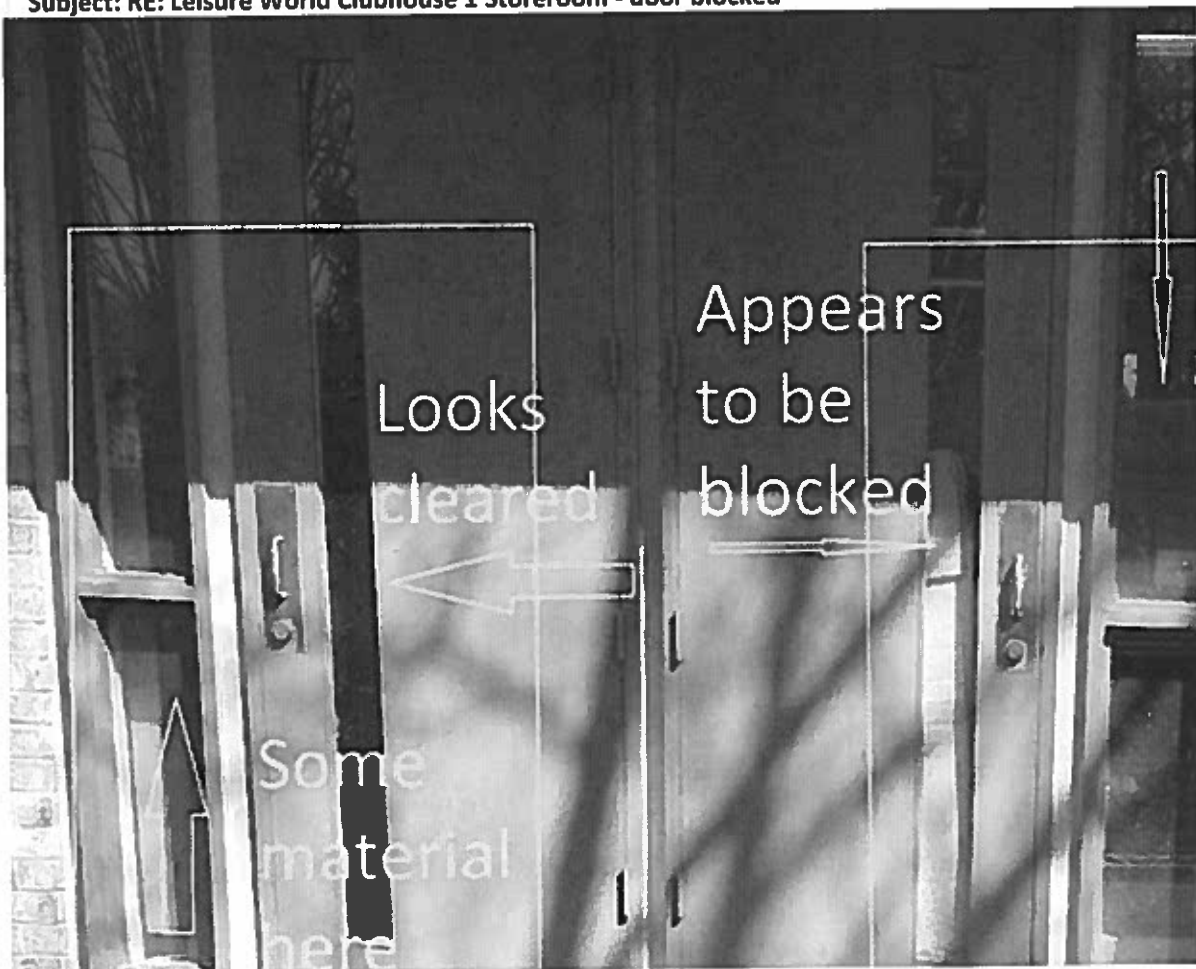
Subject: danger - Leisure World Clubhouse 1 Storeroom - door blocked -

From: "Feldmann" <jjf3353@comcast.net>

Date: April 5, 2018 7:32:48 PM EDT

To: <admin@justus.group>

Subject: RE: Leisure World Clubhouse 1 Storeroom - door blocked



slkatzman

President, JustUs

admin@justus.group

"JustUs" advocates to enhance the quality of life for all Leisure World residents



This April 13, 2018 photo showing the LW Clubhouse 1 storeroom door blocked.

When will an inspector be on scene to issue another notice of violation?

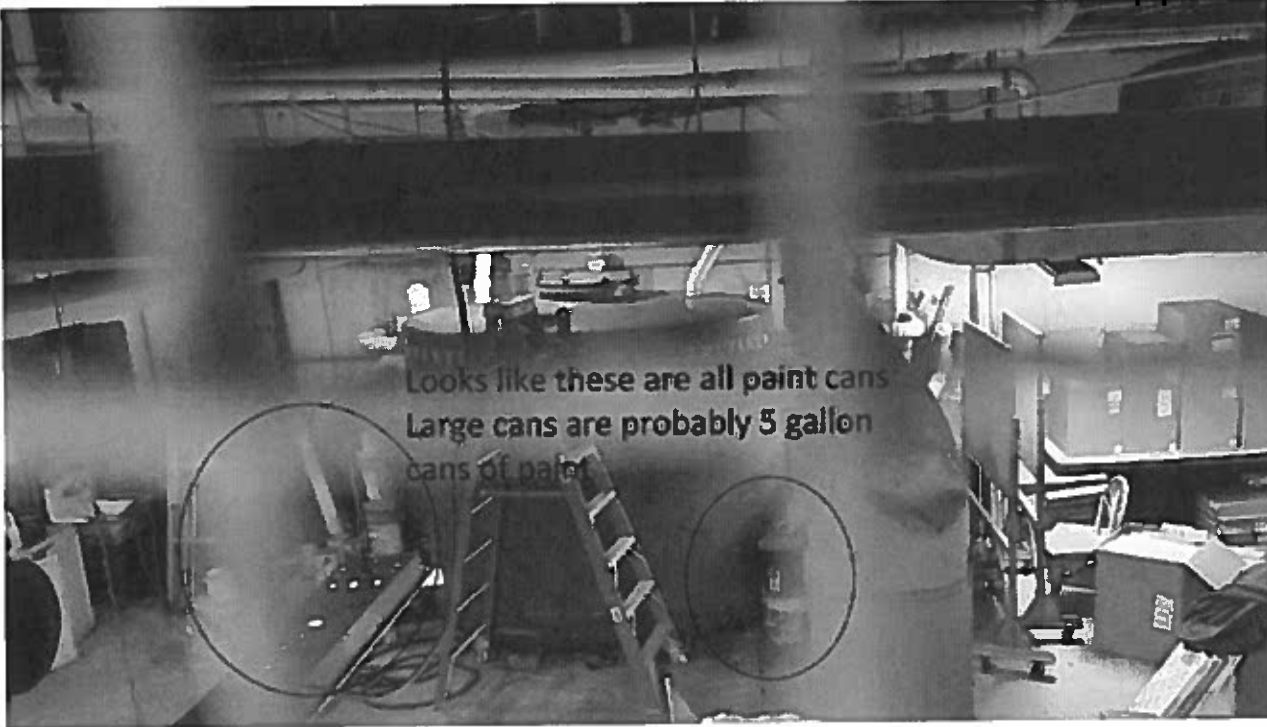
From: jjf3353 <jjf3353@comcast.net>

Date: April 13, 2018 3:54:43 PM EDT

To: admin@justus.group



How about this next picture?



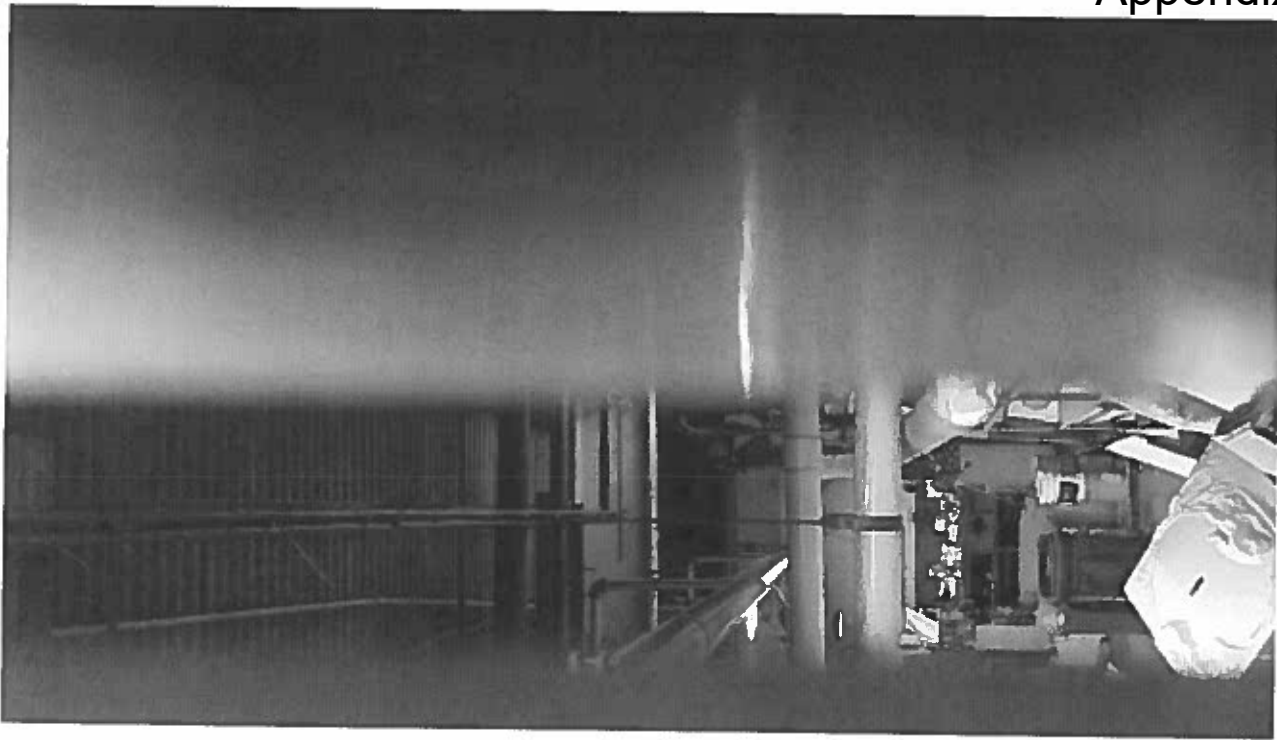
From: Rodney Eng <oldinkie@gmail.com>

Date: April 5, 2018 7:39:14 AM EDT

To: admin@justus.group

Subject: Re: Leisure World ---fire hazard -and electrical code violation(s) --- paint cans next to boiler - Clubhouse 1 boiler room

Who is our "SAFETY MANAGER"??, INSPECTOR?? Some one @ the top is not doing their job. Should be \$\$ fined. Should be fired. We should request a report on why these dangers have been over looked. Clean white air filters in the open dirty air. Looks like coffee cup,soda can and old food. Trash cans full of trash. What a "RAT NEST" Sad and we pay \$\$\$ for this. All wires should be in metal conduit. All paint cans should be in a red metal cabinet marked "PAINT ONLY" away from flame or heat, same for oil or lubricants. **Unused cardboard and paper products must be removed.** "All trust property", storage rooms, maintenance rooms, including all pools, golf shop, office storage, restaurant storage, PPD. should be look into by the fire marshall and us. Residents should have monthly open door inspections. This is a accident waiting to happen.



According to the 4/20/18 LW News article "Pedestrian Safety" and the LW Rules (below), Maryland State Law "mandates" vehicular compliance to pedestrian right of way. However, those responsible for ensuring Montgomery County/State of Maryland pedestrian safety/signage regulations, insist they have no obligation to do so in Leisure World.

Therefore, each of them are called upon to explain how Maryland State Law mandates anything to do with Leisure World vehicular compliance re: pedestrian rights and their safety, when logic concludes, you can't have it both ways.



As Paul knows from attending the Budget & Finance committee meeting this AM, the financial report contained a large deficit which Dawn Gaynor identified as most likely resulting from electric usage. During that report, another resident reported the waste of electricity due to the excessive lighting she witnesses in the late evening at Clubhouse 1.

From: Paul Eisenhaur <p_eisenhaur@comcast.net>

Date: April 16, 2018 9:10:48 PM EDT

To: sparky <mr.longpants@gmail.com>

Subject: Re: dispute resolution complaint re: invalid vote to approve Strategic Planning Comm. to develop RFP

...last I spoke to Henry, he has not received the complaint in the proper formal manner, which is not email...

paul

From: "Feldmann" <jif3353@comcast.net>
Date: April 9, 2018 8:26:25 PM EDT
To: <admin@justus.group>, "Rodney Eng" <oldinkie@gmail.com>
Subject: Material

Sheryl,

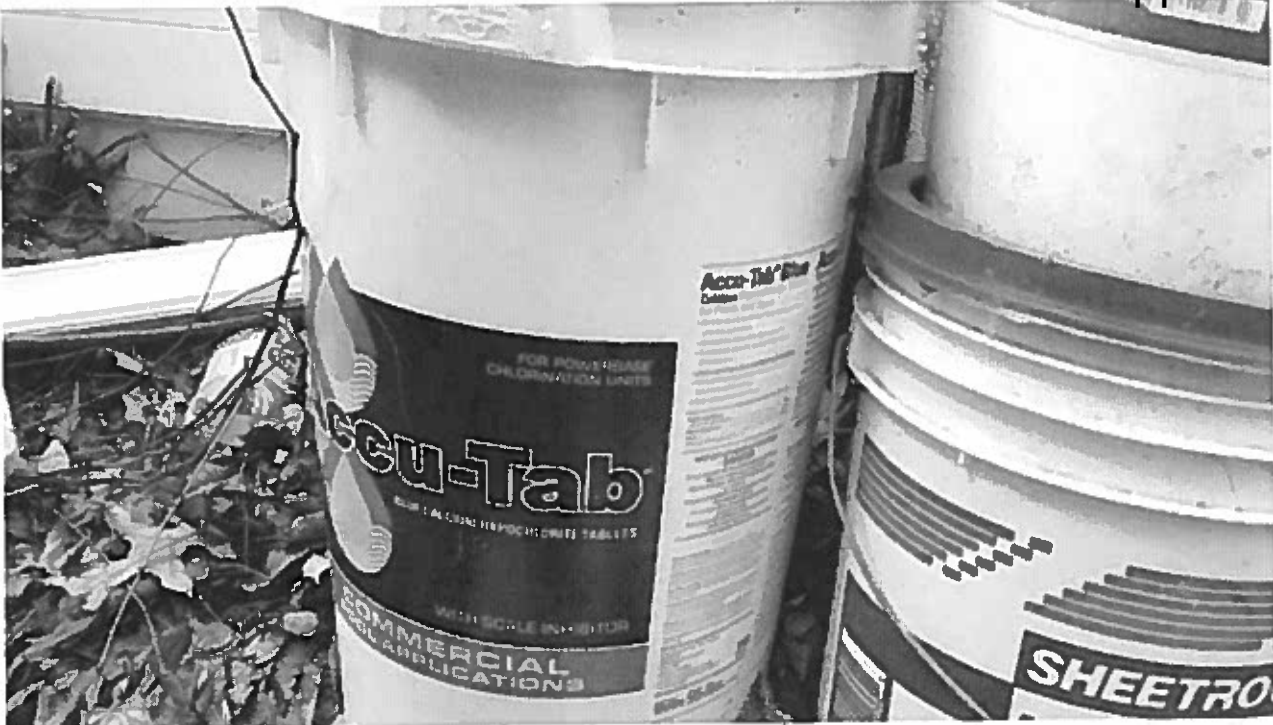
Here are pictures from what Rodney and I saw today. This material is what Rodney called hazardous waste. I touched a couple of cans, and they felt like they had something in them. The 5 gallon container marked sodium had material in it almost to the top and the top was off the container. Don't know what the material was though. The last picture titled open garbage is what we saw lying on the ground. No wonder they have a mouse problem.

John















slkatzman

President, JustUs

admin@justus.group

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Albert Einstein – "We cannot solve our problems with the same level of thinking that created them."

On Apr 15, 2018, at 6:52 PM, Rodney Eng wrote:

When did it become my job to find safety problems concerning the crosswalks in LW?

I have for 2 yrs been trying to bring crosswalks up to Md. State Guidelines on LW Blvd only. High paid management needs to get off their high horse and walk around like I do and find problems that face residents THAT LIVE HERE.

If management does not look around now. What is going to happen if they get their new view of the golf course? Watch golf players from their AC office.

How do you have the nerve to plan an Adm. bldg. and new parking lot when no one can cross the LW Blvd WITHOUT pedestrian crosswalks to walk there. Some can only walk and do not drive.

.....
.....
Well, David. There you have it. Again. Keep in mind. This represents ONLY recent months. Then there is the famous statement constantly made by the LW General Manager, Kevin F. who either writes or says...

We will address.

Kevin

What to Do?

I believe that most residents feel that they made a good choice and are willing to live with the good and bad of community living. And they are offended when their choice is demeaned, especially outside Leisure World. It may be necessary to accept criticism as a necessary prelude to corrective action, but is it really necessary to make people doubt their choice? And this becomes extremely difficult to accept when often unfounded or disrespectful and exaggerated comments are circulated outside of Leisure World. What do we expect non-residents to think when they read these remarks?

I think it is especially unfair to residents that need to sell their residences or shares. Our recovery from the crash is not necessarily robust. We sell a lot of units, but that might be partially based on the relative bargains we offer. Please consider someone that needs to go to progressive care or to a child's place of residence to gain support. How fair is it to them to cast doubt on the value of their property and possibly force them to sell at a loss!

How can you have an impact when you feel something is amiss? It seems that Montgomery County and Maryland officials have received a great many complaints, but how much has our community benefited? I suspect that management has many examples of wasted time on the part of our government officials or our own staff, on issues that neither required, nor resulted in, corrective action.

Then, what to do? Here is my prescription: First of all, determine if it is a mutual matter involving your residence or immediate vicinity that needs a gentle, or not so gentle, shove. In that case, communicate with your directors and property manager (or mutual assistant). Communicate with the mutual board via email or written correspondence, and attend your monthly meetings. Multiple signatures emphasize the need for action.

If it is a Leisure World issue, the Leisure World Community Corporation (LWCC) board of directors, which has a group email, and Leisure World Management Corporation officials such as Kevin Flannery should be similarly contacted. They will also put a letter in the board packet if you desire. Don't hesitate to contact members of the LWCC executive committee; they also have a group email address.

One caveat: don't expect that disrespectful or personal attacks will be accepted and have any impact. I know from personal experience that the best way to lose an argument is to lose your temper! I really believe the people mentioned above want to make your experience here as comfortable as possible, so that you will encourage others to join us.

– David S. Frager

Four floor plans are included for your review:

1. EXISTING FIRST FLOOR PLAN – AS BUILT represents the current space utilization.

2. PROPOSED FIRST FLOOR PLAN – EXISTING FOOTPRINT delineates the current facility (no additional space), reconfigured to accommodate as many of the current functions as possible, incorporating their updated space requirements. This plan evidences the need for additional space, as it does not accommodate a number of the existing functions in their projected 2013 form. Those that are planned in this scheme have certain inefficiencies due to a lack of space for support facilities and have compromised departmental adjacencies. Unaccommodated functions in this plan are: Weichert Realtors, conferencing facilities, staff facilities, files, and, most significantly, expansion space. (All long term planning prudently incorporates expansion space.)

In order to accommodate staff during construction, temporary facilities will be required. Therefore, prior to the start of construction, approximately 12 inter-connected trailers would be installed in the parking lot adjacent to the Administrative Building, to function as temporary office facilities. A half trailer will also reside in the parking lot as a temporary post office. The trailers will occupy a portion of the parking lot (see plan) for approximately nine months. Existing furniture would be moved into these trailers, which will be fully functional with all necessary electrical and phone capabilities. This will leave the building empty, other than the bank-occupied space, providing the contractors full access to the building to complete their work. This single move is much less disruptive than a series of "checkerboard" departmental moves in and out, and significantly more efficient (\$) for the contractor. At the completion of construction, staff will be moved back into their newly renovated and expanded offices.

Please note that we have provided an estimate for this scheme. The cost of these temporary facilities is included in this estimate. Not included in the accompanying estimate for this scheme is the ultimate cost to accommodate the realtor, the necessary additional conferencing spaces, the additional filing space needed throughout this scheme, and finally the future office expansion space. We have a concern that the "cost \$" doesn't fully recognize the inefficiency resulting from these unintegrated facilities.

The time schedule shown on the "time schedule chart" reflects that this entire process will take approximately one year and 5 months (The construction will take eight to nine months). The significant time savings is that there is no interaction with Montgomery County Park and Planning Commission.

3. PROPOSED FIRST FLOOR PLAN – EXISTING FOOTPRINT AND ADDITION accommodates all of the programmed functions and provides for efficient operations

Shirley, Lori

From: Carl Shoolman <carl@cx.org>
Sent: Thursday, April 26, 2018 12:14 AM
To: matthew.mills@mmcpc.org
Cc: Shirley, Lori
Subject: Leisure World/ Dialog Required ?

Dear Mr. Mills,

I'm a Leisure World resident and founder of a local Nextdoor.com online group with over 1,000 members.

Most of us have been trying to increase communication among residents and between residents and their community board members and management.

===

At the Planning Board meeting on the site plan for the proposed new administration building, Board members were clearly concerned about the many statements that residents felt excluded from the decision making process.

The Board's approved minutes said that they were deferring the request "to allow the applicant...additional time to meet with the residents and try to solve the issues raised by the speakers during the hearing."

We looked forward to finally having a dialog with the community decision makers.

===

Unfortunately, the community board and general manager did not allow any dialog.

At the meeting I attended for my co-op, the general manager described the changes proposed in the plan — without considering any input from residents.

He said the community board did not authorize him to do anything except describe the changes, which would be available in the library a few days later.

Residents were interested enough to fill the ballroom, but....

===

I encourage you and the Board to require our community board to do what the Board reasonably asked, meet with residents and try to solve the issues raised during the hearing.

Carl Shoolman

cell: 614 905 6467

Shirley, Lori

From: admin@justus.group
Sent: Thursday, April 26, 2018 9:13 PM
To: mont.Co.PlanningBoard@justus.group
Cc: justus organization; members@townmeetingorganization.com; LW Green
Subject: TANGLED PLANS

From: Carolee Rowse <carolee.rowse@gmail.com>
Date: April 26, 2018 8:24:10 PM EDT
To: admin@justus.group
Subject: TANGLED PLANS

Dear JustUs,

After volunteering about two hours of my time at home today designing my own site plan for the areas involving the Leisure World Clubhouse 1, Administration Bldg. and large parking lot, I figured out solutions to the many problems we are seeing in each of the expensive redesigns of the current site plan(s) by Stantec. If we could only prove that the current Admin. Bldg. does not have to be torn down or moved to a new location, but instead it could be either renovated or rebuilt on the same site, that this concept would solve most of the problems we are currently facing with the Stantec revolving re-dos.

Instead of solving parking issues by moving a building, we could solve the parking issues by moving parking spaces. We could add angle parking spaces to the horse shoe and add a parking area near the Terrace Room and Chesapeake Room. We could also move the current one way entrance into the large parking lot, a few yards north, so that some handicapped parking could be added to this side of the building. A new road could be built behind Clubhouse 1 that connects Gleneagles Dr. to the road at the bottom of the large parking lot. I have more ideas but they are on the site plan I designed in two hours today.....no joke.

I avoid looking at the expensive redesigned, re-do-overs by Stantec because to me they look like something concocted out of a hyper-manic frenzy. I would like to say to LW Management and Board of Directors that good judgement problem solving does not involve creating many new problems while you are trying to solve old ones. Oh what a tangled web we weave....when we declare without proof, that a building must be torn down and rebuilt on a new irrational site for millions of dollars.

Carolee Rowse

slkatzman
President, JustUs
admin@justus.group

conscience of the community

"JustUs" advocates to enhance the quality of life for all Leisure World residents



Albert Einstein – “We cannot solve our problems with the same level of thinking that created them.”

Shirley, Lori

From: admin@justus.group
Sent: Friday, April 27, 2018 12:43 PM
To: mont.Co.PlanningBoard@justus.group; justus organization; members@townmeetingorganization.com; LW Green
Cc: LW Board of Directors
Subject: "AS I RECALL"..
Attachments: Jennifer StJohn DOEPLW report.pdf

From: Bob Ardike <marybeth.bob@gmail.com>
Date: April 27, 2018 11:57:49 AM EDT
To: David Frager <davidfrager@gmail.com>
Cc: admin JustUs <admin@justus.group>
Subject: AS I RECALL...

David - I am taking the liberty to respond to a letter you specifically sent to the LW resident advocacy group, *JustUs*, but was directed to me (see David's full letter at the bottom of the page). I will only address your 1st paragraph. ♦ Why you chose that means to contact me I do not know?

Let the record show. I have never ♦blocked," nor attempted to block, an email sent to me from you, any Board member, or from Management ♦although I possess that capability ♦

Let ♦s take a walk down Memory Lane ♦

Bank of America (BA) left LW. It was a business decision ♦there was simply not enough business at the LW Branch to warrant maintaining a presence. They had a branch at the Aspen Hill shopping center ♦approx. 2 miles from Leisure World. Several months before leaving, the LW General Manager proclaimed the stability of BA remaining a viable tenant. Mention of "this projection" was made in the Leisure World News.

The LW General Manager was taken aback by BA ♦s departure. How the General Manager could be so unaware of what was developing, under his very nose, is known only by God.

So, the search for a replacement financial tenant began. Contact was made with Sandy Spring Bank. Why them? Who can say for certain? Could it be the LW General Mgr. & the Sandy Spring Bank president had passing familiarity with one another due to being on one or more ♦local" Boards in the suburb where they reside? I do not know? But ♦this I do know. An article in the Leisure World News proclaimed the imminent signing of a lease with Sandy Spring. Then, ♦poof. ♦ They withdrew from consideration?

You claim I told you, "a group of *JustUS* people went to talk to Sandy Spring executives and pointed out the difficulties they would face if they came to Leisure World. ♦ I have no way to show your recall is faulty. However, let ♦s think about this a moment before I state what I know happened ♦

David! Please! Get real! Nobody would just get to talk to Sandy Spring executives as you so state. It ♦s doubtful the LW Executive Committee would be able to talk to Sandy Spring executives, unless maybe, they said they had millions of \$\$\$ to deposit in a worthy institution. Just think about that...

Appendix P

Sandy Spring is bank that survived the Great Depression with good standing. It is a bank that values its community image. It is one of 5 banks just outside the main entrance of Leisure World, you know. It's around that Leisure World shopping plaza where the Giant grocery store, a beauty parlor, etc. is located. It is where 4 different Leisure World owned buses pick up, at a variety of locations within Leisure World, residents to shop & then return them.

Oh! And did I fail to mention there are 5 banks located there? (side note: one day last year I saw General Manager Flannery going into Wells Fargo bank which is one of the 5 located there true, very true) Let me proceed.

You and I have had very few conversations. Here is what I recall

- 1st time was... Sheryl Katzman, you, another Board member (dearly departed Joel Swetlow) & I met in Clubhouse I, just outside the library, about 3 years ago. The purpose of the meeting, which Ms Katzman scheduled, was to give you a heads up about a County report, which was about to be released, detailing how depleted the "tree canopy" was in LW, & what it should be, along with the rather sad state of the stream passing through LW & how "we" were adding to it's sad condition.

President, JustUs

conscience of the community

- 2nd time was...a conversation we had inside the "old" Fitness Center. It focused on General Mgr. Flannery & the multiple number of things he was doing & not doing that were **directly embarrassing you and the Board of Directors.** At first you were quiet. Then you said (as I recall), "Well! Kevin may be many things,... but he sure is no Manager." I told you to make it known you would not tolerate his foolishness any more...that he needed to "shape up." I even volunteered, that since you seemed intimidated by him, I would be more than pleased to accompany you. You appeared perplexed. No more was said.

- 3rd time was...& now we get to what you wrote...the conversation we had was, again, inside the old fitness center. You came up to me & seemed to be probing about ideas as to why Sandy Spring might have bowed out. I told you, as best I recall, it was because of "letters" sent to Sandy Spring's president. Those letters told him that he really ought to rethink the decision, not yet finalized, of locating a Sandy Spring branch inside Leisure World. I further stated he (the president) was being informed that a number of residents, having accounts in his branch bank outside the LW entrance, made it known they would close their accounts if the plaza branch were closed & relocated to LW. Why? It made no sense to relocate. Here's why...

... Bank of America left LW for lack of business

... Relocating the branch from the plaza would inconvenience customers who were not residents of LW...they would have to pause at the guard shed

... The bank would be losing its drive up window...I could go on...but I'll stop here...you get my drift? Right?

4th time was a conversation we had THIS WEEK. I was on one of the treadmills. You arrived & selected a recumbent bike. You addressed me & got my attention. You were gracious in making some inquiries...one of those pertained to the canine, a Husky, named Sasha I told you Sasha died last October.

I also gave you the details pertaining to giving her a home, when she was only three months old, in the year 2004. Your were empathetic in appreciating the loss. Again. Thank you!Now..

...I really want to deal with the 5th paragraph of your What to Do letter... I just want to make it clear. My response to that part of your letter may not come out until tomorrow...as a famous person is know for saying in the past year or so, "We'll see what happens..."

Bob

From: David Frager <davidfrager@gmail.com>

Date: April 26, 2018 9:51:02 PM EDT

To: "admin@justus.group" <admin@justus.group>

Subject: Re: "What to Do" ...continuing with Mr. David Frager's 4th Paragraph by Bob Ardike

Bob - I think your discussion of the bank left out an important detail. You talk about the difficulty in getting a bank to come to Leisure World - when you told me that a group of JustUS people went to talk to Sandy Spring executives and pointed out the difficulties they would face if they came to Leisure World. Of course, they might have decided not to come here for any number of reasons - many banks have been cutting back on branch offices because they don't do enough business to justify full teller and agent services. Time will tell if Signal made a good business decision.

As to going to the county with obvious deviations from standards and regulations - of course! And the CCOC is available to anyone with appropriate standing, with a very low filing fee and no requirement for paid counsel. But I believe most resident complaints relate to everyday problems that emerge from living in a common ownership community. It's relatively rare to have a multi-million dollar issue involving construction that becomes such a divisive and controversial matter. However, at peril, I feel obligated to note that this is a community organized under common ownership community laws and regulations, which give a great deal of authority to persons elected by the owners to manage their affairs. There is no provision in any of the Common Ownership Acts for initiatives and referendums. I believe that if each mutual had a direct election of the person they send to the LWCC Board, the results would be similar - that members of the mutual boards, with name recognition and acceptance by the owners, would also run for this position and win, there being no limit on the number of offices a person could seek. It will take persistence and efforts way beyond e-mails and petitions to identify people who want to- and ought to - run for their boards and seek to represent their mutuals.

This is a rational and courteous response to these issues.

Dave

slkatzman
President, JustUs
admin@justus.group
conscience of the community

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Albert Einstein – **“We cannot solve our problems with the same level of thinking that created them.”**



MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERSHED MANAGEMENT DIVISION

CASE REPORT

DATE OF VISIT: 7/24/2014

DATE OF REPORT: 7/28/2014, updated 10/23/14, 11/5/14, 11/14/14

PROJECT/LOCATION:

Tributaries to the Bel Pre Creek to the Northwest Branch (*Figures 1-4*).

Mutual 24 - Vantage Point East located at 3200 North Leisure World Boulevard through the Norbeck Road gate, turn left onto N Leisure World Boulevard and the building is the 2nd high rise on the right. Stream runs through the backside of the property.

Mutual 8 – Stream reach south of Gleneagles Dr and west of Leisure World Blvd.

CONTACT INFO

Nicole Gerke, AIA, LEED AP, MBA
Project Manager, Leisure World of Maryland Corporation
3301 N. Leisure World Boulevard, Silver Spring, MD 20906
(w) 301-598-1026 (c) 301-801-0723 ngerke@lwmc.com

WMD STAFF

Jennifer St. John, Watershed Planner
(w) 240-777-7740 (c) 301-674-8348 jennifer.st.john@montgomerycountymd.gov

BACKGROUND

Jolene King, Vice President and Assistant General Manager for Facilities and Services, who I met on a previous erosion concern (9/7/12) reached out to me again to look at two other streams on the Leisure World property to advise what efforts they can take to address the sediment, branches, and natural debris that has accumulated (*Figures 1 & 2*).

OBSERVATIONS

Mutual 24

Nicole Gerke and Ronald Cabrera met and walked with me down to a first order tributary that flows into the Bel Pre Creek tributary to the Northwest Branch on the southwest side of Mutual 24's property (*Figure 3*). The reach is upstream of where I had visited before (9/7/12) between Mutual 12 and 27 properties. The stream was relatively stable at Mutual 24, very little erosion, and had a fairly dense vegetative buffer, despite many non-native invasive plants (*Figures 5-8*). There a couple of areas in the stream where vegetation was growing over rocks in the stream (*Figures 9-10*) and Ms. Gerke wanted to know if this vegetation and/or rocks could be removed. I responded that this is not recommended and may not be permissible without a permit since the removal may constitute a change to the course, current, or cross section of the stream (see applicable regulations in Recommendations section). The flows were slow through this area and stagnant in some places where cattails and phragmites (common reeds) were growing (*Figures 13-14*). There were significant accumulations of algae, likely caused by high nitrogen and



MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERSHED MANAGEMENT DIVISION

phosphorus levels from the adjacent golf course runoff (*Figure 11*). The wetland-like conditions within this stretch of stream may serve a critical function to allow some nitrogen and phosphorus reduction to occur. Ms. Gerke also asked about removal of several dead trees and debris in the area adjacent to the stream (*Figures 15-16*). I responded that removing this particular debris shouldn't be an issue without a permit.

Mutual 8

This stream reach is on a separate first order tributary that flows to the Bel Pre Creek tributary and is located within Mutual 8's property, upstream of where I had visited before (9/7/11) on Mutual 11 property (*Figure 2 & 4*). The stream reach flows under Leisure World Blvd through a double pipe culvert (*Figure 17*) and a concrete channel carries runoff from the adjacent parking lot to the stream (*Figure 18*). The double pipe culvert is likely designed to carry baseflow (non-stormflows) through the right side and through both pipes during certain sized storms (*Figure 17*). Ms. Gerke asked about removing the sediment with vegetation in the stream above the culvert and this was not recommended. Just upstream of Leisure World Blvd, sediment was observed entering the stream (*Figure 19*) from an outfall that drains approximately 70 acres, or 32 acres of impervious area according to DEP estimates.

In general, Mutual 8 stream reach was observed to have significantly less vegetative buffer than the previous stream reach on Mutual 24 property (*Figures 21-23*). Many areas were mowed all the way to the edge of the streambank and there were several drainage pipe outfalls along the stream (*Figures 25-27*). Minor to moderate erosion issues were observed throughout the reach and a couple areas where a minor amount of sediment was dumped (*Figure 25*).

RECOMMENDATIONS

Leisure World has a lot of opportunity for stormwater, stream, and tree canopy improvements, with nearly 600 acres of land, 234 acres (40%) of which is impervious surfaces such as parking lots, roofs, sidewalks, etc. Approximately 25% of the non-impervious area is golf course.

DEP monitors stream conditions based on biology (aquatic insects and fish) just downstream of the Leisure World property (*Figure 2*) on the Bel Pre Creek tributary. The stream conditions have been consistently Poor or Fair at this location, with scores never reaching above 50%. DEP is planning to restore this reach of stream in the fall of 2015. In order for this stream restoration effort to be effective and long-lasting, it is important to improve stormwater control and treatment of areas draining to the restoration area from the Leisure World streams.

Further coordination with the Department of Environmental Protection (DEP) is highly recommended for a comprehensive approach to improving stormwater control/treatment, increasing and maintaining a healthy urban tree canopy, and protection of streams that run through the Leisure World property.

Ms. Gerke specifically requested general guidance on how Leisure World should handle sediment, branches, and natural debris accumulations in/around the streams and suggestions for best management practices. Some preliminary recommendations are below.



MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERSHED MANAGEMENT DIVISION

1. What Can/Cannot be done in or around Leisure World streams?

Please note that the Montgomery County Department of Environmental Protection is not the lead authority on the regulation or permitting of activities in or around streams. The following summary information is compiled per request and additional follow up is recommended with the appropriate agencies if any work is proposed in or near streams or wetlands on the Leisure World property. Additional guidance may be sought through an environmental consultant.

Applicable Regulations – General Guidance

Stream Channel or Wetlands

1. Authority: Maryland Department of Environment (MDE), Wetlands & Waterways Division www.mde.state.md.us/programs/water/wetlandsandwaterways
 - According to the Annotated Code of Maryland Title 26 Department of the Environment, Subtitle 17 Water Management, Chapter 4 Construction on Nontidal Waters and Floodplains:
Section 3- Requirements for a Permit
“A person who proposes to construct, reconstruct, repair, or alter a dam, reservoir, or waterway obstruction, or change in any manner the course, current, or cross section of a stream or body of water within the State except tidal waters, including any changes to the 100-year frequency floodplain of free-flowing streams shall obtain a permit from the Administration before commencing any work.”
<http://www.dsd.state.md.us/comar/getfile.aspx?file=26.17.04.03.htm>
 - This regulation would include any drainage added to the stream, because this may change (add to) the flow and floodplain of the stream. It also includes removal of vegetation and rocks from the stream channel, because this may change the cross section and create sediment pollution.
 - It is generally okay to remove dead trees and debris near the stream as long as the removal activities do not somehow change the course, current, or cross section of the stream. If the area is within a forest conservation area, then M-NCPPC is the authority for activities involving trees.
 - Link to MDE Fact Sheet:
<http://www.mde.state.md.us/programs/permits/documents/2008permitguide/WMA/3.19.pdf>
2. Authority: Montgomery County Department of Permitting Services (DPS)
 - Montgomery County Code, Chapter 19, Article I, Section 2, requires a permit for any land disturbing activity that disturbs 5,000 sq. ft. or more of land, results in 100 cubic yards or more of earth movement, or is for the construction of a new residential or commercial building.
 - An applicant must have approved Erosion, Sediment Control and Stormwater Management plans before construction begins.
 - Projects that are near floodplains, wetlands, steep slopes or other environmentally sensitive or difficult areas may not qualify for the use of a Small Land Disturbance permit and must instead apply for an Engineered Plan Sediment Control Permit.



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WATERSHED MANAGEMENT DIVISION

Trees near Stream

1. Authority: Maryland National Park and Planning Commission (M-NCPPC) Forest Conservation Law
 - A Forest Conservation Inspector may need to review area and proposed impacts to live trees if 1) there is a Forest Conservation Easement, and/or 2) if a project is large enough to require an Erosion & Sediment Control plan (disturbance greater than 5,000 square feet).
<http://www.montgomeryplanning.org/viewer.shtm#http://www.montgomeryplanning.org/environment/forest/documents/ForestConservationLaw2014.pdf>
2. Generally, urban communities in our County are encouraged to maintain at least 40% tree canopy coverage. According to DEP estimate using GIS analysis, Leisure World is at approximately 22% tree canopy and the distribution of this canopy is less than desirable. Therefore it is important to maintain existing trees and plant new ones as much as possible.

2. What are some general “Best Practices” for Leisure World streams?

1. ***Maintain a vegetative buffer along all streams*** to protect the streambanks from erosion caused by runoff from the property. This can be as simple as not mowing to the edge of the stream. Ideally, adding native plantings (trees, shrubs, grasses, ferns) that have stronger, more extensive root systems will prevent erosion and block pollution from entering the stream, while maintaining an attractive, yet natural landscape.
 - ***Tree Planting Project***
 - I sent Ms. Gerke information about a Metropolitan Council of Governments (COG) volunteer tree planting program on 10/15/14 and provided contact information for:
Aubin Maynard, Environmental Planner III,
 Metropolitan Washington Council of Governments
 777 14th Capitol Street, NE, Suite #300, Washington, DC 20002-4290
 202*962*3233 (direct) amaynard@mwcoq.org
 - COG is a regional non-profit organization that, among many other projects, provides funding needed for stream buffer plantings in the Anacostia watershed. The Leisure World streams flow into the Bel Pre Creek tributary, which flows into the Northwest Branch of the Anacostia.
 - COG has an existing pot of money for tree plantings, but has a hard time finding suitable areas within the Anacostia that are large enough, near streams, and in areas that are in great need of buffer protection. Leisure World streams appear to be great candidates. COG fully covers the cost of the trees, coordinates with DEP and volunteers to plant them, and monitors/replaces trees up to a certain number of years. Contact Aubin (above) for more information.



MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION
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- **Minimize removal of debris and leaves** within forested stream buffer areas, because this debris serves as natural fertilizer for the trees and increases infiltration and ability to filter water.
 - **Do not dump debris, leaves, or sediment** near the streams—it is illegal and can serve as a source of excess nutrients and sediment pollution to the stream.
 - **Manage invasive plant species** and replace with native plants.
 - Large-scale invasive removal should be performed by a professional that is experienced in dealing with invasive plants near streams. Mechanical removal with minimal use of appropriate herbicides and multiple follow-up visits is very effective. Adding native plants to open areas will prevent new invasive plants from coming back in the long term. Keep in mind that the more soil is disturbed, the more invasive plant seeds are ‘activated’ that are lying dormant in most soil.
 - Cut invasive vines off of trees. It is not recommended to pull vines out of the tree; there is danger for falling tree limbs and can damage the tree. Instead, cut vines at chest height all the way around the trunk of the tree. You can either remove the bottom part and roots of the vines mechanically, and/or through a professional herbicide treatment.
2. **Redirect downspouts and pipes** that are currently directed towards the stream into rain gardens, vegetated buffer areas and/or rain barrels.
- I noticed, especially on mutual 8 property, that there were many pipes that outlet directly into the stream. I’m not sure if the stormwater flowing from these pipes is slowed down or treated anywhere, such as through a stormwater pond or other best management practice (BMP). If not, it is highly recommended that Leisure World work with DEP on installing appropriate stormwater retrofits to properly control and treat stormwater discharges to the stream.
 - **Take advantage of the RainScapes Rebate** program (www.rainscapes.org) to do projects like rain gardens or conservation landscapes to minimize surface runoff from the property. A packet of RainScapes handouts were provided with other brochures and handbooks about healthy streamside practices. **Each mutual can be treated as a separate rebate for up to \$10,000 in rebate money.**
3. **Increase urban tree canopy coverage**
- Explore multiple programs for tree planting projects throughout the Leisure World property.
 - DEP can help find the best program(s) and provide other guidance.



MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERSHED MANAGEMENT DIVISION

SELECTED IMAGES

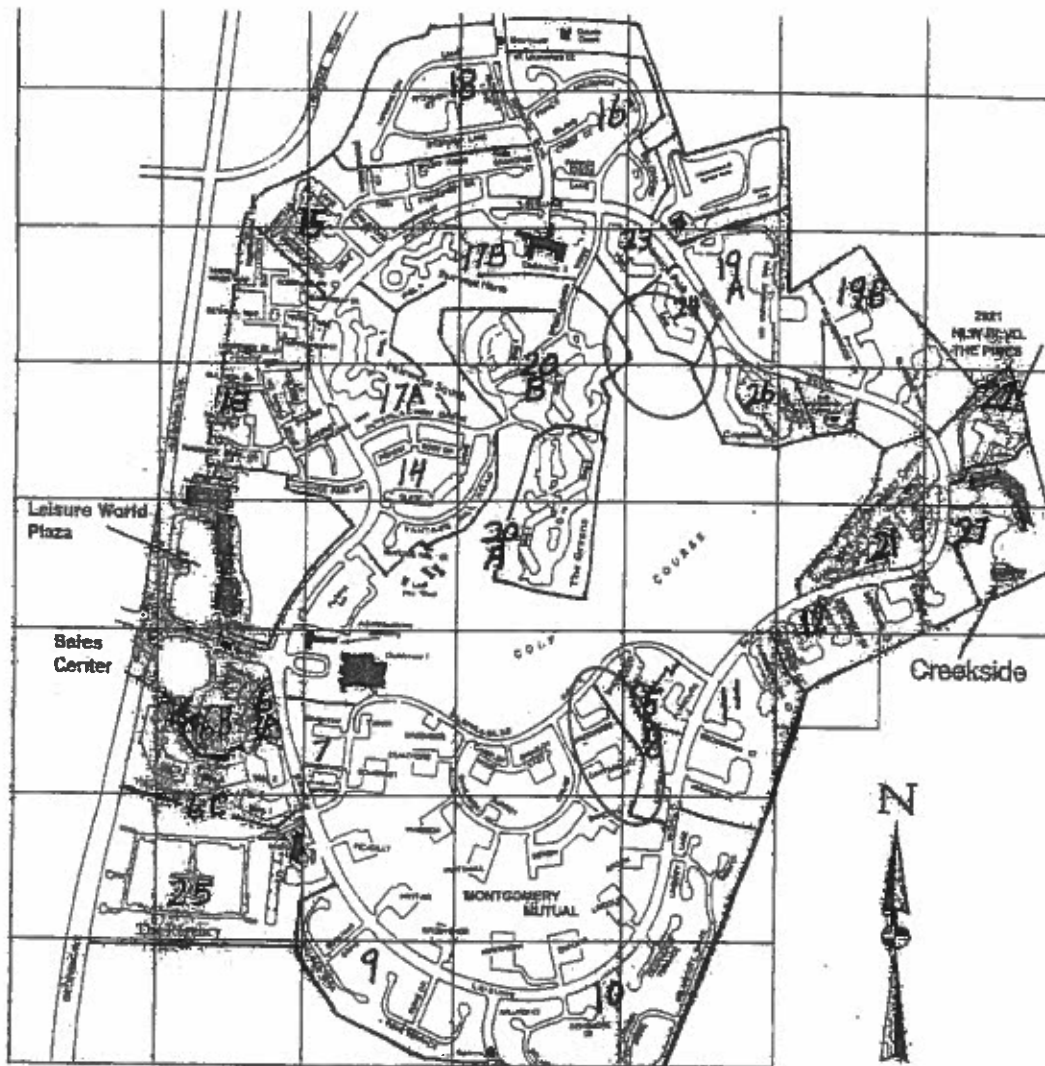


Figure 1 – Map of Leisure World mutual properties visited 7/24/14.



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WATERSHED MANAGEMENT DIVISION



Figure 2 – Map of Leisure World stream reaches visited, DEP planned Bel Pre Creek stream restoration project, and DEP monitoring site (NWBP201).



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Figure 3 – Map of Mutual 24 stream reach visited.

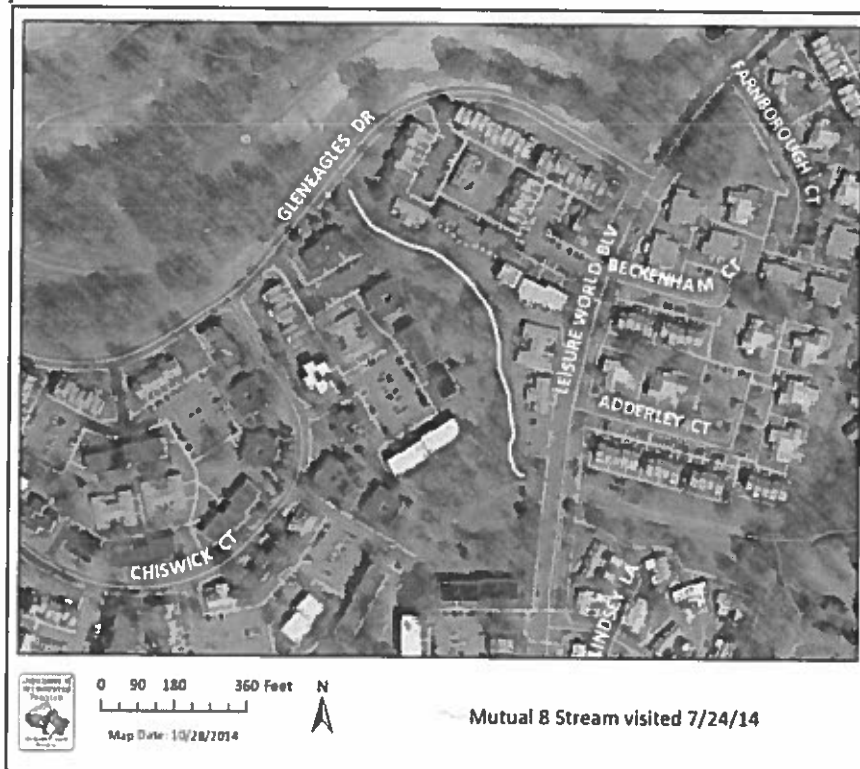


Figure 4 – Map of Mutual 8 stream reach visited.



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Figure 5 –Mutual 24 stream reach showing little erosion and dense vegetation (black willow, weeping willow, Japanese stilt grass).



Figure 6 –Mutual 24 stream reach showing vegetation in stream.



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Figure 7 – Mutual 24 stream area with common milkweed mixed in among the stilt grass.



Figure 8 – Mutual 24 stream area with invasive vine climbing on black willow tree



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Figure 9 – Mutual 24 stream reach showing some kind of sedge growing in stream.



Figure 10 – Mutual 24 stream showing rock in stream channel with some vegetation.



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Figure 11 – Mutual 24 stream reach showing algae growth.



Figure 12 – Mutual 24 stream showing slow moving water and minimal erosion.



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Figure 13 – Mutual 24 stream area with slow moving water and cattails, resembling a wetland.



Figure 14 – Mutual 24 stream area with phragmites, or common reed typically found around wetlands.



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Figure 15 – Mutual 24 stream area showing some dead tree branches.



Figure 16 – Mutual 24 stream area showing some dead trees and branches.



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Figure 17 – Mutual 8 stream flowing south under Leisure World Blvd and drainage from parking lot.



Figure 18 – Mutual 8 concrete conveyance of runoff from parking lot.



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Figure 19 – Mutual 8 sediment in stream from outfall draining areas from west. Thunderstorm with 0.16 in rain occurred the previous evening, approx. 14 hrs before photograph.



Figure 20 – Mutual 8 culvert under Leisure World Blvd.



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Figure 21 – Mutual 8 looking upstream from Leisure World Blvd. Mowing to edge and lack of vegetated riparian buffer.



Figure 22 – Mutual 8 lack of vegetated buffer with raw, eroded streambank areas



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Figure 23 – Mutual 8 streambank erosion and lack of buffer.



Figure 24 – Mutual 8 sediment dumped near stream.



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Figure 25 – Mutual 8 outfall pipe broken off and scour in stream.



Figure 26 – Mutual 8 - another of several outfall pipes along stream.



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WATERSHED MANAGEMENT DIVISION



Figure 27 – Mutual 8 stream and another outfall pipe.

*Files and images located at: R:\Programs\Watershed Restoration\Projects\Erosion Complaints\Reports\Northwest Branch\Leisure World - 072414

Shirley, Lori

From: admin@justus.group
Sent: Sunday, April 29, 2018 12:14 PM
To: mont.Co.PlanningBoard@justus.group; justus organization; LW Green; members@townmeetingorganization.com; LW Board of Directors
Subject: DINOSAURS AND ALBATROSSES: ----- LET'S CONTINUE ADDRESSING MR. FRAGER'S OPEN LETTER...the 5th Paragraph by Bob Ardike

From: Bob Ardike <marybeth.bob@gmail.com>
Date: April 29, 2018 11:18:32 AM EDT
To: admin JustUs <admin@justus.group>
Subject: LET'S CONTINUE ADDRESSING MR. FRAGER'S OPEN LETTER...the 5th Paragraph by Bob Ardike

To Gain Some Perspective: Leisure World (LW). * The data are from the official Leisure World website...I have made comparisons using these data...

- Leisure World... is contained within an area **less than 1 sq. mile** of land.
The area is fenced.

By acreage, Leisure World (**610 acres, which includes 85 acres devoted to a golf course**) is comparable, in land, **to a medium sized American family farm.**

- Leisure World might accurately be called a fenced, "age restricted, semi-private **enclave.**"

Again! Keep in mind! The LW property is **smaller than 1 sq. mile.**

- Over 8,000 individuals live in 5,660 individual units in Leisure World.

- Leisure World has a **34 member "controlling structure," not** a governance structure.

It refuses to establish one.

It ignores resident petitioning for redress.

This is the largest **unelected** body of its kind.

If "**another**" could be found, it would be **like finding a 2nd Dinosaur.**

- Leisure World **thrives on resident turnover!**

The 2% \$\$\$ tax levied on the selling price of every unit sold fills the coffers of what is called **the Trust.**

The **unelected** Board can use this **Trust** account to spend millions of \$\$\$ on a single project absent residence concurrence.

The individual mutual (condo like assoc.), where a given sale occurs, **doesn't get a "a penny" of this revenue for its own improvements.**

Appendix P

- It has become normal for a LW meeting, open to all residents, to begin with the admonition ..."Now! Keep in mind. **There will be no questions or discussions entertained pertaining to the new administration building!**"

- New technology finally made "an appearance" at Leisure World last year.

One of it's initial uses was to **BAN** all email communications being sent by Sheryl Katzman, the Founder & President of the resident advocacy group, **JustUs**, to LW management staff. **Her email was "blocked."**

I believe Mr. **Frager**, himself, **"authorized"** this banning of email; then he denied doing so; and then, he finally admitted doing so.

Long story short...after a significant amount of back & forth, (and CCOC intervention making it known that to do so is a violation) the ban was lifted.

It is no longer in place affecting her communications. As for others, who may be banned, I cannot say...?

- Leisure World has enjoyed a protected political status removed from most governmental scrutiny, almost like a church or synagogue.

This, it is said, is due to campaign assistance rendered by a Leisure World board member, to a local politician, once again running for re-election.

.....

Now! On to the 5th paragraph of David Frager's letter. **"What to Do?"**

"If it is a Leisure World issue, the Leisure World Community Corporation (LWCC) board of directors, which has a group email, and Leisure World Management Corporation officials such as Kevin Flannery should be similarly contacted. They will also put a letter in the board packet if you desire. Don't hesitate to contact members of the LWCC executive committee; they also have a group email address."

That is Mr. David Frager's statement. He served for 3 terms as Chairman of the Leisure World Board of Directors. Is it valid? Let's see. Hmm!!

How about using the **LW Albatross** as the case to test..."If it is a Leisure World issue..." ...to gauge the validity of the approach David recommends?

"Thanks for agreeing! I will now proceed..."

The Leisure World Albatross.

The **Leisure World Albatross** is the proposed New Administration building. Have any of the principles stated by Mr. Frager been taken, utilized, followed, or pursued regarding this matter? ...

Wait! Hold on! **OMG!** "I have just heard the sounds of people fainting." David might ask, "Who are these people, and why are they fainting?"

Well, David. They are the countless number of residents **who did everything**, you, recommended residents should do. Yet, you & other LWBOD member made a concerted effort to **ignore them**. During your term as Chairman:

- scores of resident opinion letters were published in the Leisure World News specifying **why** proceeding with **"The Albatross"** was wrong headed.

- scores of letters were sent to all Board members **requesting a referendum** before proceeding with **"The Albatross."**

- scores of residents, over your 3 terms, spoke at BOD meetings asking for specifics to explain why **"The Albatross"** was moving forward without an objective analysis being undertaken as to the necessity for doing so.

- a couple of thousand residents went out of their way to prepare, circulate, & obtain signatures indicating their objection to proceeding with **"The Albatross."**

- two Leisure World Town Hall meetings were conducted & attended by residents opposing the **"The Albatross."** (It should be noted that over 325 residents, some with disabilities, came to the 1st meeting **in spite of the worst weather day of the summer.** David! I know you regretted not be able to attend because it was "your day" at the museum...**BUT...as Chairman of the BOD, shouldn't you have at least sent someone to represent you as a gesture showing you were "attuned to resident concern?"**)

.....

Here are some of the comments received from residents who read David's **"What to Do."** ...

A few individuals who read David's letter used the word "mendacious to describe what he wrote...others merely said, **"I nearly fainted when I read David's distortion of reality."**

Another said, "David always has such a pleasant expression. **How can he maintain that expression writing what he knows is not true."**

Several merely said, **"David's obviously experiencing a problem. Let's hope it's treatable."**

So there you have it...I have just one more...??? What's that? It's just been learned...What! **OMG! OMG!! Sure! I can include it...**

Readers! I have just received advanced, rather significant news. I can now share the inscription of wording proposed for a plaque in the offing...

...in a move to "Seal the Deal," at the upcoming meeting, seeking final approval "to build" before the MC Planning Board, Leisure World dignitaries will unveil a dedication planned to be inscribed on a plaque at the entrance to the new building. It shall read...

"Welcome to yesterday This building is named "Albatross." It stands as fitting testimony to all those who contributed to destroying what should have been improved. You should be proud of the part you played. Without you, Leisure World would NOT have been able to squander millions of resident dollars in a futile effort to advance backwards into the future" ...Thank you!

Now that should be moving. This should leave no doubt as to how the Leisure World Board & its management think ...

Bob Ardike

Again! David's entire letter....

What to Do?

I believe that most residents feel that they made a good choice and are willing to live with the good and bad of community living. And they are offended when their choice is demeaned, especially outside Leisure World. It may be necessary to accept criticism as a necessary prelude to corrective action, but is it really necessary to make people doubt their choice? And this becomes extremely difficult to accept when often unfounded or disrespectful and exaggerated comments are circulated outside of Leisure World. What do we expect non-residents to think when they read these remarks?

I think it is especially unfair to residents that need to sell their residences or shares. Our recovery from the crash is not necessarily robust. We sell a lot of units, but that might be partially based on the relative bargains we offer. Please consider someone that needs to go to progressive care or to a child's place of residence to gain support. How fair is it to them to cast doubt on the value of their property and possibly force them to sell at a loss!

How can you have an impact when you feel something is amiss? It seems that Montgomery County and Maryland officials have received a great many complaints, but how much has our community benefited? I suspect that management has many examples of wasted time on the part of our government officials or our own staff, on issues that neither required, nor resulted in, corrective action.

Then, what to do? Here is my prescription: First of all, determine if it is a mutual matter involving your residence or immediate vicinity that needs a gentle, or not so gentle, shove. In that case, communicate with your directors and property manager (or mutual assistant). Communicate with the mutual board via email or written correspondence, and attend your monthly meetings. Multiple signatures emphasize the need for action.

If it is a Leisure World issue, the Leisure World Community Corporation (LWCC) board of directors, which has a group email, and Leisure World Management Corporation officials such as Kevin Flannery should be similarly contacted. They will also put a letter in the board packet if you desire. Don't hesitate to contact members of the LWCC executive committee; they also have a group email address.

One caveat: don't expect that disrespectful or personal attacks will be accepted and have any impact. I know from personal experience that the best way to lose an argument is to lose your temper! I really believe the people mentioned above want to make your experience here as comfortable as possible, so that you will encourage others to join us.

– David S. Frager

slkatzman
President, JustUs
admin@justus.group
conscience of the community

"JustUs" advocates to enhance the quality of life for all Leisure World residents



Albert Einstein – “We cannot solve our problems with the same level of thinking that created them.”

Shirley, Lori

From: admin@justus.group
Sent: Monday, April 30, 2018 10:40 AM
To: mont.Co.PlanningBoard@justus.group; LW Board of Directors
Cc: justus organization; LW Green; members@townmeetingorganization.com; lwdogs@justus.group
Subject: LET'S CONTINUE ADDRESSING MR. FRAGER'S OPEN LETTER...the Final Paragraph by Bob Ardike

From: Bob Ardike <marybeth.bob@gmail.com>
Date: April 30, 2018 10:02:48 AM EDT
To: admin JustUs <admin@justus.group>
Subject: LET'S CONTINUE ADDRESSING MR. FRAGER'S OPEN LETTER...the Final Paragraph by Bob Ardike

Ok! I must confess; I just have to say it; I really like this last paragraph taken from David Frager's letter, **What to Do**. Go on! Read it again. It's just 3 sentences long. I can wait until you're done...

"One caveat: don't expect that disrespectful or personal attacks will be accepted and have any impact. I know from personal experience that the best way to lose an argument is to lose your temper! I really believe the people mentioned above want to make your experience here as comfortable as possible, so that you will encourage others to join us"(entire letter at bottom for this page)

...Are you finished reading? Good!

Give me a chance to explain "why" I like this paragraph...

...I like this paragraph because each sentence is a truism...and when combined the sentences simply resonate enthusiasm & convey... you almost get the feeling of wanting to salute. The paragraph is truly motivational...

I ask you to let your mind "drift" for a moment. Isn't it easy to picture a group of kids sitting on the ground, maybe a campfire, looking up at a friendly faced counselor at the start of a Summer Camp? Those kids listen to the words spoken...words written by David. The words are upbeat; the kids are inspired; they are ready to march...to join (us... as David so states).

In addition, the imagined setting where these words are spoken is simply beautiful...

Hear the stream? Rippling water...so soothing...so clean, so pure...Listen to the wind in the tall trees gently blowing through the leaves... *%#@...

Stop it! Do not use those words!

No! No! ... I understand. You find it hard to focus on that beautiful, imagined scene...because... I get it! ...you say it's very difficult because of the pictures in your mind about runoff chemicals going into Leisure World's stream from the golf course.

Appendix P

I know there's over use of lawn pesticides applied throughout so much of the LW property. But! Be of good cheer. Many Leisure world residents... Yes!...even LW Board members... are beginning to understand the dangers and impact from the application of these needless chemicals. I also understand awareness is not happening fast enough....

Ok! Yes! I agree with you. The "tree canopy" at Leisure World is also a matter for concern. **Three years ago** a report was sent to Leisure World. It came from the the MC Department of Environmental Protection. It was rather devastating to read. The report stated... "**Leisure World has approximately 22% tree canopy and the distribution of this canopy is less than desirable. Therefore it is important to maintain existing trees and plant new ones as much as possible.**"

Yes! I hate to admit it, but you are right. That **report was essentially ignored** by LW management & the LW board of Directors. Only the residents took it seriously, & thus was born the Leisure World **club** called "**Leisure World Green.**"

Certainly I know **the depleted tree canopy is getting worse by the year.** A lot of hard wood trees are still, in too many instances, being cut down for frivolous **reasons...not out of necessity.** Furthermore, there is insufficient replanting. Again. Not good!

There is no denying the points made. Our **stream** has been **neglected**, our **tree canopy** has been **neglected & the existing administration building has been neglected** (*which is why the Board seeks approval, NOT from the LW Residents but from the County MCPB, to build a new one*)

You ask, what explains this sorry state? Well actually, it's explainable, because, in a moment of candor, Mr Frager spoke about the heart of the problem.

...What's that? You're asking me what he said?

Well! He didn't ask me to keep it a secret. SOo... Yes! I see **no** problem in sharing what he said. To paraphrase, he said **LW General Manager, Mr Flannery may be many things, but he isn't a Manager.** He further stated that **a dozen or more other board members feel the same way.** They are just "at a loss" to address the situation. Furthermore, **the Board keeps voting to build a new building, because they've voted the same way for years.**

So. To sum it all up. That's why I like Mr. Frager's last paragraph. In spite of all he knows; in spite of all he avoided doing; and, in spite of the "lunacy" of proceeding with Project "Albatross," he remains upbeat.

Speaking on behalf of those who asked me to respond to his letter, I say, "**Bravo, David!**" I can't imagine another person thinking quite like you do.

Bob Ardi

Again! David's entire letter....

What to Do?

I believe that most residents feel that they made a good choice and are willing to live with the good and bad of community living. And they are **offended** when their choice is demeaned, especially outside Leisure World. It may be necessary to accept criticism as a necessary prelude to corrective action, but is it really necessary to make people doubt their choice? And this becomes extremely difficult to accept when often unfounded or disrespectful and exaggerated comments are circulated outside of Leisure World. What do we expect non- residents to think when they read these remarks?

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– *David S. Frager*

slkatzman
President, JustUs
admin@justus.group
conscience of the community

"JustUs" advocates to enhance the quality of life for all Leisure World residents



Albert Einstein – **"We cannot solve our problems with the same level of thinking that created them."**

Shirley, Lori

From: Carl IMAP C <carl@cx.org>
Sent: Monday, April 30, 2018 11:34 AM
To: Shirley, Lori
Subject: Fwd: 3received ?? Leisure World/ Dialog Required ?

Carl

Begin forwarded message:

From: "Mills, Matthew" <matthew.mills@mncppc.org>
Date: April 30, 2018 at 10:54:32 AM EDT
To: Carl Shoolman <carl@cx.org>
Subject: RE: 3received ?? Leisure World/ Dialog Required ?

Mr. Shoolman:

I received the message. In light of the occasional email issues I have had, I appreciate your following up.

Matt Mills

Matthew T. Mills
Acting Principal Counsel
The Maryland-National Capital Park and Planning Commission
Office of the General Counsel
8787 Georgia Avenue – Suite 205
Silver Spring, Maryland 20910
(301)495-4646
(301)495-2173 (F)



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From: Carl Shoolman <carl@cx.org>
Sent: Friday, April 27, 2018 4:07 PM
To: Mills, Matthew <matthew.mills@mncppc.org>
Subject: 3received ?? Leisure World/ Dialog Required ?

Please confirm that you received this at this new email address....

=====

Dear Mr. Mills,

I'm a Leisure World resident and founder of a local Nextdoor.com online group with over 1,000 members.

Most of us have been trying to increase communication among residents and between residents and their community board members and management.

===

At the Planning Board meeting on the site plan for the proposed new administration building, Board members were clearly concerned about the many statements that residents felt excluded from the decision making process.

The Board's approved minutes said that they were deferring the request "to allow the applicant...additional time to meet with the residents and try to solve the issues raised by the speakers during the hearing."

We looked forward to finally having a dialog with the community decision makers.

===

Unfortunately, the community board and general manager did not allow any dialog.

At the meeting I attended for my co-op, the general manager described the changes proposed in the plan — without considering any input from residents.

He said the community board did not authorize him to do anything except describe the changes, which would be available in the library a few days later.

Residents were interested enough to fill the ballroom, but....

===

I encourage you and the Board to require our community board to do what the Board reasonably asked, meet with residents and try to solve the issues raised during the hearing.

[copy to Lori.Shirley@montgomeryplanning.org]

Carl Shoolman

cell: 614 905 6467