

Appendix Y – January 2019

Butler, Patrick

From: Norman Holly <amtak518@gmail.com>
Sent: Thursday, January 10, 2019 11:06 PM
To: Butler, Patrick
Subject: Additional Outreach is NOT consensus

I am amazed that you play so easily into Leisure World mismanagement by regarding "additional outreach" as some sort of consensus, when actually it was meant to **SIDESTEP AND AVOID** consensus and get their construction approved without it. Our general manager even admitted as much when he refused all overtures to meet with opposition residents on the grounds that the Park and Planning Board had not notified him personally of their demand for consensus (although he certainly knew about it). His "additional outreach" meetings were exactly the opposite of consensus-building: in each mutual he promoted the construction, permitting only a three-minute comment from residents, and then cutting off anyone who sounded like they had reservations. He cut off my comments with a lie, which he repeated in other meetings as well, to the effect that opposition groups had achieved their 2,000 + signatures against the project by "coercion" which never in fact occurred. Furthermore, the meetings he addressed were attended by a definite minority of the residents in each mutual. How does "consensus" flow from this? Our hired general manager and all of the LW board members were invited but refused to attend consensus-seeking "Town Meetings" meetings that residents organized after management refused to do so. What manner of "additional outreach" is that?(He also paid a heavy State penalty - out of OUR funds - for failing to report or pay alcoholic beverage tax for some 32 years of sales though a private service that he operates!) Leisure World management has simply pulled a fast one on MNCP&P, and you fell for it. More than two thousand of Leisure World's residents have signed documents protesting this unnecessary expenditure of their funds, especially because it will financially neglect necessary maintenance of other trust properties serving residents (instead of only management), but management has edged them out of the consensus process by clever tricks and it appears that you intend to sanction their trickery, contrary to Park and Planning's stated requirement. Shame!

Norman Holly
3200 North Leisure World Blvd., # 601
Telephone 301-438-0777, cell 240-437-2246
Email: amtak518@gmail.com

Butler, Patrick

From: Butler, Patrick
Sent: Friday, January 11, 2019 8:42 AM
To: Norman Holly
Cc: Mills, Matthew; Sanders, Carrie
Subject: RE: No consensus at Leisure World

Good morning, Mr. Holly.

Yes, I assure you we have all of the previous emails sent to Lori Shirley. All documents will be turned over to the Planning Board for consideration before voting on the Site Plan. A Planning Board hearing will be scheduled in the near future.

Thank you,

Patrick Butler, AICP
Regulatory Supervisor | Area 2 Division
Montgomery County Planning Department
8787 Georgia Avenue | Silver Spring, MD 20910
301-495-4561
Patrick.Butler@montgomeryplanning.org



From: Norman Holly <amtak518@gmail.com>
Sent: Thursday, January 10, 2019 1:24 PM
To: Butler, Patrick <patrick.butler@montgomeryplanning.org>
Subject: No consensus at Leisure World

On November 30, 2017, the Board withheld approval the a new administration building at Leisure World owing to strong opposition among a significant number of residents (then 2,000, now increased to about 2,2000) and recommended we achieve consensus before proceeding further. However, the Leisure World board not only refused, it also opened a propaganda campaign designed to obfuscate any conversation by opposers. The Leisure World general manager refused on the specious ground that he received no personal directive from MNCP&P to achieve consensus (although he certainly new about it, as he retained legal counsel to overcome opposition, which we believe to constitute a breach of fiduciary responsibility).

During the interim a group of opposition residents sent Lori Shirley a large number of messages indicating, inter alia, that the proposed construction violates not only the historical record and necessity, but also ignores alternate needs for that money and jeopardizes future income and savings of its lower income residents. Also, we sent photographs showing the conditions cited by management to justify construction are largely a product of the hired manager's neglect, and repairable at a fraction of the proposed expense. We are concerned that now, with Ms. Shirley's retirement, those documents may have slipped out of sight and not come to the attention of the MNCP&P Board. In general, we are concerned that the lack of another open hearing in over a year may indicate that counsel retained by Leisure World management may have falsely represented some unattained "consensus", or that the MNCP&P may have moved ahead under the assumption - or persuasion - that the consensus they demanded had been achieved when in fact it has been deliberately thwarted.

Accordingly, we would be grateful for your relating to us the current status of the Leisure World petition for construction; whether or not the NMCP&P Board has been informed of the voluminous opposition we forwarded to Lori

Appendix Y

Shirley; whether or not a followup open meeting of the MNCP&P will be held to review the facts contained therein; and what steps are contemplated this year regarding the Leisure World management's application for constructing a new administration building.

Norman Holly , resident

3200 North Leisure World Boulevard, # 601

Silver Spring, Maryland 20906

Email: amtak518@gmail.com

Butler, Patrick

From: Butler, Patrick
Sent: Friday, March 15, 2019 1:32 PM
To: Butler, Patrick
Subject: FW: LEISURE WORLD...NO WONDER PART OF THE MEETING WAS CLOSED...from Bob Ardike CRM:0123060
Attachments: IMG_0774.jpeg; IMG_0778.jpeg

----- Original Message -----

From: Gerald Cichy;
Received: Sat Jan 19 2019 17:57:46 GMT-0500 (Eastern Standard Time)
To: mcp-chair@mncppc-mc.org; MCP-Chair@mncppc-mc.org; MCP-Chair #; ;
Subject: FW: LEISURE WORLD...NO WONDER PART OF THE MEETING WAS CLOSED...from Bob Ardike

From: Marybeth Ardike
Sent: Saturday, January 19, 2019 5:57:33 PM (UTC-05:00) Eastern Time (US & Canada)
To: LW Board of Directors; Leisure World News; aclwn@lwmc.com
Cc: Montgomery County Council; Fani-Gonzalez, Natali; Cichy, Gerald; Patterson, Tina; Anderson, Casey; Marc Elrich; ben kramer; vaughn stewart; bonniecullison; ben shnider; CCOC@montgomerycountymd.gov; Dreyfuss, Norman
Subject: LEISURE WORLD...NO WONDER PART OF THE MEETING WAS CLOSED...from Bob Ardike

It was late Saturday afternoon. I was exiting Leisure World's Clubhouse II having used the Fitness Center. Then I heard the familiar voice..."Hi, Bob. I was told you attended the LWCC Executive Board Meeting yesterday morning. Too bad you, and the other 3 "non members" in attendance, were excluded from hearing the latest regarding the Class Action Lawsuit initiated against Leisure World & 'other matters'. Little wonder that the LWCC Chair had insisted on a 'closed meeting.' I have a 'source' who informed me about the discussion. Here is what I was told ensued..."

The following is what he said to me...

Legal Matter: Should Leisure World's lawyers not prevail in defending Leisure World's Governance structure, using the "separation of church & state" line of reasoning, there is a "fallback" argument, in hand. Here it is...

Leisure World lawyers will claim that Leisure World's **Governance Structure** is **protected** under the "**Endangered Species Act (ESA; 16 U.S.C. § 1531 et seq.) of 1973**". They will argue that demise of the Leisure World Governance Structure would eliminate the only such governance entity existent in the State of Maryland.

The authoritative source for this unconventional reasoning comes from...



...the opening pages, as you can see, of this carefully written & fully vetted publication, "**Governance**" of Leisure World is explained...



The first paragraph reads..."Leisure world is unique because it has a very complex structure of governance **like no other** in the State of Maryland. In the words of the General Manager, "This provides Leisure World with a 'fail safe' position." It's an appeal aimed at generating sympathy.

Upon hearing the General Manager present the case for using this approach, & seeing the smile on his face as he spoke, 2 individuals asked for a glass of water & were seen downing "pills." One other person appearing flummoxed, got up and left saying a "migraine" was beginning....

Ok! I have to admit it. I can not write any more today about what I was told. Maybe tomorrow I'll be able to continue. I need time to absorb the implications of this new legal ploy & gather my thoughts...

Bob Ardike

Butler, Patrick

From: Marybeth Ardike <marybeth.bob@gmail.com>
Sent: Saturday, January 19, 2019 5:58 PM
To: LW Board of Directors; Leisure World News; aclwn@lwmc.com
Cc: Montgomery County Council; Fani-Gonzalez, Natali; Cichy, Gerald; Patterson, Tina; Anderson, Casey; Marc Elrich; ben kramer; vaughn stewart; bonniecullison; ben shnider; CCOC@montgomerycountymd.gov; Dreyfuss, Norman
Subject: LEISURE WORLD...NO WONDER PART OF THE MEETING WAS CLOSED...from Bob Ardike

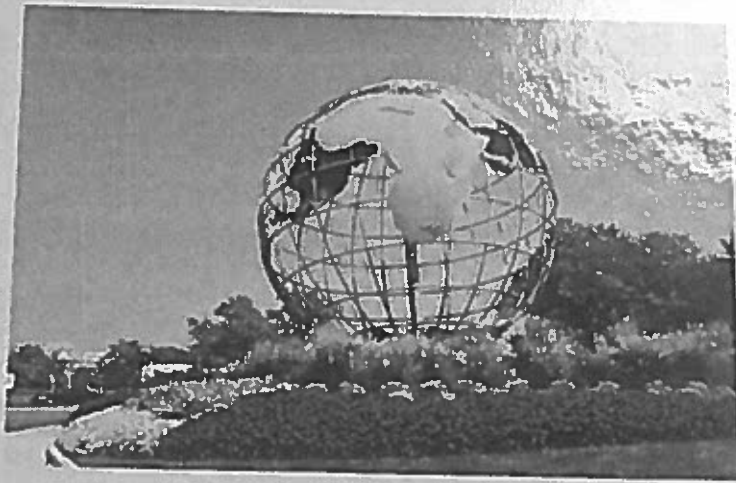
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**LEISURE WORLD
OF MARYLAND**

THE FIRST 50 YEARS

1966 TO 2016

Property of Rossmoor Library
Reference Only
Do Not Circulate

...the opening pages, as you can see, of this carefully written & fully vetted publication, "Governance" of Leisure World is explained...

Governance

Leisure World is unique because it has a very complex structure of governance like no other in the state of Maryland. In other communities that have homeowner's associations, the individual unit owner has a membership in and a direct legal connection to the community, whereas in Leisure World the Trust has the responsibility to keep the site safe and secure.

The developer built Leisure World in small parcels, typically 300 units or less. Each parcel was assigned a Mutual number. The design of Leisure World was to have low-level buildings around the perimeter with high-rise buildings in the center buffering the golf course. The high-rise units not only had a Mutual number they were also given names for marketing purposes.

The accompanying three organizational charts, located near the end of this section, reflect the responsibilities of the key players during the three periods over the 50-year span: 1966 to 1972, 1972 to 1984, and 1984 to 2016.

The Suburban Trust Company was the first Trustee and the Mutual representative formed the Community Advisory Council (CAC).

In 1972, the Community Advisory Council decided to have its own management subsidiary to be responsible to the community. In 1979, the CAC created the Leisure World of Maryland Corporation (LWMC), to manage Leisure World, financed by a community monthly fee paid by the unit owners. The LWMC is responsible for maintaining and managing all of the property of the Trust and for performing maintenance and management functions for the



Leisure World

The unit owner has a share in the Mutual Board of Directors. Unit members that sit on the LWCC Board

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Upon hearing the General Manager present the case for using this approach, & seeing the smile on his face as he spoke, 2 individuals asked for a glass of water & were seen downing "pills." One other person appearing flummoxed, got up and left saying a "migraine" was beginning....

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Bob Ardike

Butler, Patrick

From: Mary Catherine Bibro <bibromc@mac.com>
Sent: Sunday, January 20, 2019 3:21 PM
To: Maria A
Cc: Marybeth Ardike; CCOC@montgomerycountymd.gov; LW Board of Directors; Leisure World News; Marc Elrich; Montgomery County Council; aclwn@lwmc.com; ben kramer; ben shnider; bonniecullison; Anderson, Casey; Cichy, Gerald; Fani-Gonzalez, Natali; Dreyfuss, Norman; Patterson, Tina; vaughn stewart
Subject: Re: LEISURE WORLD...NO WONDER PART OF THE MEETING WAS CLOSED - continuation...from Bob Ardike

Please, please remove me from your email list. Remember, this is not my first request, M C Bibro . bibromc@mac.com .

Sent from my iPhone

On Jan 20, 2019, at 11:12, Maria A <mcardk@gmail.com> wrote:

Very interesting!

Thanks for sharing, Dad.

On Sun, Jan 20, 2019 at 11:07 AM Marybeth Ardike <marybeth.bob@gmail.com> wrote:

To recap yesterday's (Saturday) email from me:

I was narrating what I had been told ensued when the Leisure World Executive Committee... (meeting Jan. 18)... discussed in.. Closed Session – Legal Matters...I would not be able to provide this information were it not given to me. So, to continue

...as a fallback position regarding the class action lawsuit against Leisure World, LW lawyers will claim that Leisure World's **Governance Structure** is **protected** under the "**Endangered Species Act (ESA; 16 U.S.C. § 1531 et seq.) of 1973**". In other words, the Court will be asked to entertain the legitimacy of endorsing a new concept called "**Corporate Animalhood?**"

While avoiding the merits of this idea's viability, a great deal of discussion took place among Executive Committee members, regarding how Leisure World had reached this point of desperation?



The writing above, from the Leisure World 50th Anniversary book, provides the answer. As seen, the writing states, "the governance of Leisure World is linking (linking) it to the United States" This explains the necessity for a Court case.

Set aside the fact there are 50 States but only 29 Leisure World Mutuals. Focus only on the **similarity** of GOVERNANCE as explained in the "book."

Leisure World's Governance cannot be "likened" to the United States method of Governance nor to the 1987 HOA Act in Maryland. Here is why the comparison made in the Leisure World book is invalid...

1. Citizens of the U.S elect Members of the U.S. Congress, both Senate & House. Members are there as a result of **Direct Popular Election**.

The Homeowners of LW **do not elect** members of the (LWCC) Leisure World Community Corporation Board of Directors. Those members are **selected NOT elected**. This LWCC group is contesting an attempt to change the existing process to **Direct Popular Election**.

2. Federal tax dollars are collected from all of the States & then Federal tax dollars are redistributed back to the States. Some of the States even receive back much more than contributed.

The Mutuals of Leisure World (which the book compares to States) receive no HOA money back from what the LWCC collects. The LWCC even taxes 2% of the actual sale price of any home (Unit) sold in any of the Mutuals, but none of this tax money is returned to the Mutual where the home was sold. In Leisure World, as in the various States, Mutuals vary in size & financial wherewithal to maintain quality standards for their respective homeowners. The existing Leisure World system does not take this into account. Every individual Mutual is on its own. If something unforeseen arises in one of the older or even newer Mutuals, where its financial reserves are low, and an Insurance Policy does not cover the cost, the only recourse is to raise the monthly Mutual fee.

While more examples can be given, this much is sufficient to belie what the Leisure World book makes as a comparison and why a Court challenge is underway.

To be continued...?

Bob Ardike

Butler, Patrick

From: Butler, Patrick
Sent: Friday, March 15, 2019 1:21 PM
To: Butler, Patrick
Subject: FW: LEISURE WORLD...NO WONDER PART OF THE MEETING WAS CLOSED - continuation...from Bob Ardike CRM:0123055

----- Original Message -----

From: Norman Dreyfuss;
Received: Sun Jan 20 2019 15:20:50 GMT-0500 (Eastern Standard Time)
To: mcp-chair@mncppc-mc.org; MCP-Chair@mncppc-mc.org; MCP-Chair #; ;
Subject: FW: LEISURE WORLD...NO WONDER PART OF THE MEETING WAS CLOSED - continuation...from Bob Ardike

From: Mary Catherine Bibro
Sent: Sunday, January 20, 2019 3:20:44 PM (UTC-05:00) Eastern Time (US & Canada)
To: Maria A
Cc: Marybeth Ardike; CCOC@montgomerycountymd.gov; LW Board of Directors; Leisure World News; Marc Elrich; Montgomery County Council; aclwn@lwmc.com; ben kramer; ben shnider; bonniecullison; Anderson, Casey; Cichy, Gerald; Fani-Gonzalez, Natali; Dreyfuss, Norman; Patterson, Tina; vaughn stewart
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Bob Ardike

Butler, Patrick

From: Butler, Patrick
Sent: Friday, March 15, 2019 1:23 PM
To: Butler, Patrick
Subject: FW: LEISURE WORLD...NO WONDER PART OF THE MEETING WAS CLOSED - continuation...from Bob Ardike CRM:0123056

----- Original Message -----

From: Gerald Cichy;
Received: Sun Jan 20 2019 11:13:10 GMT-0500 (Eastern Standard Time)
To: mcp-chair@mncppc-mc.org; MCP-Chair@mncppc-mc.org; MCP-Chair #; ;
Subject: FW: LEISURE WORLD...NO WONDER PART OF THE MEETING WAS CLOSED - continuation...from Bob Ardike

From: Maria A
Sent: Sunday, January 20, 2019 11:12:30 AM (UTC-05:00) Eastern Time (US & Canada)
To: Marybeth Ardike
Cc: CCOC@montgomerycountymd.gov; LW Board of Directors; Leisure World News; Marc Elrich; Montgomery County Council; aclwn@lwmc.com; ben kramer; ben shnider; bonniecullison; Anderson, Casey; Cichy, Gerald; Fani-Gonzalez, Natali; Dreyfuss, Norman; Patterson, Tina; vaughn stewart
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To be continued...?

Bob Ardike

Butler, Patrick

From: Butler, Patrick
Sent: Friday, March 15, 2019 1:14 PM
To: Butler, Patrick
Subject: FW: LEISURE WORLD - NEW INFORMATION? ...from Bob Ardike CRM:0123053

----- Original Message -----

From: Norman Dreyfuss;
Received: Wed Jan 23 2019 12:07:06 GMT-0500 (Eastern Standard Time)
To: mcp-chair@mncppc-mc.org; MCP-Chair@mncppc-mc.org; MCP-Chair #; ;
Subject: FW: LEISURE WORLD - NEW INFORMATION? ...from Bob Ardike

From: Marybeth Ardike
Sent: Wednesday, January 23, 2019 12:06:56 PM (UTC-05:00) Eastern Time (US & Canada)
To: LW Board of Directors; Leisure World News; aclwn@lwmc.com
Cc: Montgomery County Council; Fani-Gonzalez, Natali; Cichy, Gerald; Patterson, Tina; Anderson, Casey; Marc Elrich; ben kramer; vaughn stewart; bonniecullison; ben shnider; CCOC@montgomerycountymd.gov; Dreyfuss, Norman
Subject: LEISURE WORLD - NEW INFORMATION? ...from Bob Ardike

New Information Coming Out Of Leisure World...?

Leisure World is prepared to change the strategy it will use when next appearing before the...

Montgomery County Planning Commission

Leisure World (**LW**) will ask the Planning Board Commissioners to view approval for constructing the proposed **LW** Administration Building in the same way they would view granting approval for the proposed **Southern Border Wall** between the United States and Mexico.

This strategy was supposedly approved by the Leisure World Executive Committee after a thoughtful presentation was made by Leisure World's General Manager. The G.M. made several things clear. The **Border Wall**, or some variation of it, **will be approved**...And...since the proposed construction of the Leisure World Administration Building enjoys about the same level of support, as the proposed Boarder Wall, it too should be approved. Furthermore, Leisure World will point out that **both projects** stem from a common basis - **unsubstantiated necessity**.

Leisure World will shown humbleness before the Commissioners. It will admit there is a **more solid basis** for the proposed **Border Wall** than for the proposed Administration Building. Then Leisure World will turn around and ask to be awarded "approval points" for coming up with its "construction idea" years before the Border Wall made headlines. It will then further its case by referencing the following...believing these points to enhance its case

- members of Congress are elected by **Direct Popular Election**. Congress must be cognizant of constituent sentiment.

Appendix Y

- Leisure World's Community Corporation(LWCC) Board is selected, absent popular election. So, resident sentiment does not need to be determined. The Leisure World Board, therefore, has greater latitude to do "things."
- the Congress will have to authorize & then appropriate money for the proposed Boarder Wall, more deficit spending.



- Leisure World will claim it has all the for the proposed Administration Building. This is so because of a 2% tax levied on the sale price of every unit that is sold in the Leisure World Community. Such monies should be going to "enhancing" existing facilities. That was previous practice until the General Manager convinced others to use such monies as a "building fund."
- The main advocate for the Border Wall says, "I promised to build the Wall. I'll build the Wall."
- Two previous Leisure World Chairs of the LWCC Board of Directors took the position, "A referendum on the matter of constructing a new administration building, which involves discerning the opinion of the 8,000 homeowners of Leisure World, will not be sanctioned."
- The "central advocate" for constructing the Border Wall says, "You know what? Unless I get money for the Border Wall, I'll take responsibility for the shutdown (not getting the money causes)!"
- The main advocates (Leisure World Board Chairs) for constructing a new administration building in Leisure World are also on record uttering "taunts, insults, and belittling" statements. These have been directed at residents concerned with the autocratic and undemocratic way Leisure World is governed. Here is a sample...the person assuming Chair of the LW Board in 2015 said... to a Leisure World resident expressing a differing point of view..."You are the worst person in Leisure World"... "if you think what you say is true - go to court"

The main issue before the **Montgomery County Planning Commission** is the following. Will the Commissioners "be sold" that Leisure World's claim of **Outreach**, to the Leisure World community, fulfills what it was directed to do? It was told to seek **Consensus from the Leisure World Community**. That did not happen! Why didn't that happen? **Leisure World denied being told to do that. This is what actually happened...**

...Presentations were made at Mutual meetings to explain only the architectural changes the Commissioners & their staff said were necessary.

All that remains in both of the above instances is to see what happens... ?

Bob Ardike

Butler, Patrick

From: admin@justus.group
Sent: Friday, January 25, 2019 10:05 AM
To: mont.co.planningboard@justus.group; Montgomery County Council; Marc Elrich; vaughn stewart
Cc: justus organization; tmo@townmeetingorganization.com; LW Green; lwdogs@justus.group; LW Board of Directors
Subject: Leisure World's Inaccurate and Disingenuous Statements --THERE IS NO CONSENSUS

From: Tom Conger <taconger41@gmail.com>
Date: January 25, 2019 9:39:35 AM EST
To: JustUs admin <admin@justus.group>
Subject: Inaccurate and Disingenuous Statements

In their written answer to the lawsuit that has been filed against them, the Leisure World Board of Directors tells the court the following:

"Defendants deny that the administration building is widely opposed by homeowners of Leisure World." This statement is not accurate, since the Leisure World Board of Directors has never done a survey or held a referendum to determine whether or not residents favor the building.

The Leisure World Board of Directors is aware of a petition that has been signed by over 2,200 residents of Leisure World. In that petition, the Leisure World Board of Directors is requested to hold a referendum on the building. To this date, the Leisure World Board of Directors has merely ignored the petition.

In general manager Kevin Flannery's presentations to the mutuals, he **never once asked** if the residents were in favor of or against the new building.

He merely presented the site plan that had already been approved by the Leisure World Board of Directors, with minor modifications. When asked why he had not attempted to gain **CONSENSUS** in the community **as recommended by Planning Board members**, he replied that he was never directed to do so.

So, what we have coming from the Leisure World Board of Directors and from Kevin Flannery are statements that are either **downright inaccurate** or **preposterously disingenuous**.

Why not have a vote of Leisure World unit owners to find out, once and for all, what the **CONSENSUS** of the community really is?

Tom Conger.
Mutual 18

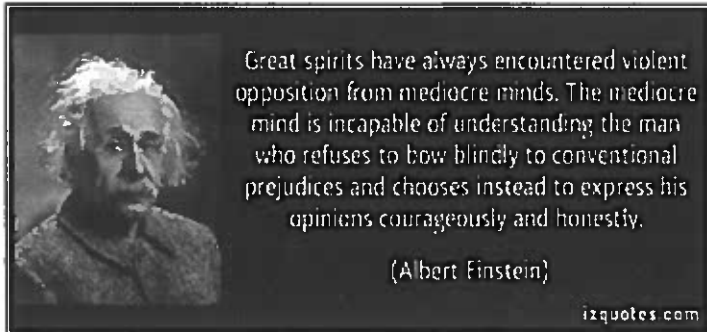
slkatzman

President, "*JustUs*"-conscience of the community

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

website: www.justus.group

email: admin@justus.group



town meeting organization (TMO)

website: www.townmeetingorganization.com

Butler, Patrick

From: Janice McLean <janicewmclean@gmail.com>
Sent: Friday, January 25, 2019 11:48 AM
To: Butler, Patrick
Cc: mathew.mills@ncmppc.org
Subject: Leisure World Project Number 820170120

Follow Up Flag: Follow up
Flag Status: Completed



Mr. Butler - As a resident of Leisure World, I am extremely concerned about the architectural, aesthetic, and fiscal debacle that will occur in my community if the Planning Board approves Site Plan 8210170120 for construction of an administration building.

On November 30, 2017, many of us told the Planning Board that the building was not necessary and that the process to get it accepted by the Board of Directors of Leisure World (its Trustees) was terribly flawed. We testified in such strong terms that the Chair sensed that several of the Board members would not approve the proposal and decided the decision should be postponed.

It is my understanding that you have received the appropriate internet links with recordings of statements made by some of the Commissioners. It is clear that they were displeased with parts of the proposal (steps to front door of the building, in particular) and they were obviously displeased about the sentiments of the LW residents in attendance. The room was packed with LW residents opposed to the building with fewer than 5 in favor of it.

Those Commissioners told LW Management and its lawyers to go back to the community and gain "consensus" among residents. This absolutely did not take place!! What LW Management claimed was consensus gathering was merely a dog and pony show detailing the changes that had been made to the plan after the November 20 hearing, i.e., removal of front steps and a few other minor changes. At NO time during any of the presentations made by LW management was there any attempt at achieving consensus in support of the building. At many meetings any question raised about the need for the building was ignored and/or subject to sarcasm from the presenters.

When the LW General Manager was asked why there were no efforts to achieve consensus, he replied that he had not been instructed by LW Board of Directors to seek consensus. I urge you not to accept LW Management's description of its meetings with residents of LW as efforts to achieve approval and support of the building.

No effort was ever made to ascertain if the current administration building could be remodeled or retro-fitted so as to satisfy the office space needs expressed by the General Manager and his supporters on the Board: In fact the latter stonewalled any attempt to have any sort of re-use study done. They also resisted any input from the residents of LW as to whether or not this new building was necessary. In fall of 2017, a petition asking for a referendum of all LW residents about the need for the building was circulated resulting in over 2,200 signatures. The LW Board emphatically withheld any recognition that the petition existed. That petition was submitted as part of the testimony of LW residents opposed to the building.

If you haven't visited LW to see what this new building will do to the Georgia Avenue entrance, you should do so. Now when one drives into the community, one sees two lovely, low-lying buildings at right angle to each other with attractive landscaping and several specimen trees. The building on the left will be torn down and made into a parking

Appendix Y

lot with limited landscaping such that it will be immediately visible when one drives through the gate. This will destroy the peaceful ambiance that one feels upon entering our community,

Moreover, the placement for the new building requires the removal of over 40 mature trees. LW currently has an unacceptable number of canopy trees and the removal of these trees will naturally impact that.

The General Manager announced yesterday that the hearing to continue review of this project will be in February. How soon can you provide a definite date? Since this is such an important issue to the residents of LW, many of whom are mobility-challenged, I urge you to suggest to Chairman Anderson that the hearing be held here in Leisure World. We have adequate facilities and equipment to accommodate any of the recording/broadcasting needs.

Prior to the November 30, 2017, meeting, as well as since then, numerous letters, emails, and other communications were submitted to Ms. Shirley. When and where will this correspondence be posted on your website? It is my understanding that all relevant documents should be made available to the public.

Remember - **no study** to determine if current building could be reused
no effort to seek approval of residents before plans were submitted
no effort to seek consensus as directed by Commissioners after plans were submitted
Should result in **rejection** of plan.

Sincerely,
Janice McLean
3330 N. Leisure World Blvd., Apt.904
Silver Spring, MD 20906
301 847 9169
janicewmclean@gmail.com



Butler, Patrick

From: Butler, Patrick
Sent: Friday, March 15, 2019 1:08 PM
To: Butler, Patrick
Subject: FW: THERE IS NO CONSENSUS AS INSTRUCTED BY PLANNING BOARD COMMISSIONERS re: Leisure World Project Number 820170120 CRM:0123051
Attachments: great spirits.jpg
Importance: High

----- Original Message -----

From: mcp-crm-tracker@mncppc-mc.org;
Received: Fri Jan 25 2019 12:27:06 GMT-0500 (Eastern Standard Time)
To: mcp-chair@mncppc-mc.org; MCP-Chair@mncppc-mc.org; MCP-Chair #; ;
Subject: THERE IS NO CONSENSUS AS INSTRUCTED BY PLANNING BOARD COMMISSIONERS re: Leisure World Project Number 820170120

From: admin@justus.group <admin@justus.group>
Sent: Friday, January 25, 2019 12:25 PM
To: mont.co.planningboard@justus.group; Montgomery County Council <county.council@montgomerycountymd.gov>; Marc Elrich <marc.elrich@montgomerycountymd.gov>; vaughn stewart <vaughnstewart3@gmail.com>; Anderson, Casey <Casey.Anderson@mncppc-mc.org>
Cc: justus organization <justus@justus.group>; tmo@townmeetingorganization.com; LW Green <lwgreen@justus.group>; lwdogs@justus.group
Subject: THERE IS NO CONSENSUS AS INSTRUCTED BY PLANNING BOARD COMMISSIONERS re: Leisure World Project Number 820170120
Importance: High

From: Janice McLean <janicewmclean@gmail.com>
Date: January 25, 2019 11:47:55 AM EST
To: patrick.butler@montgomeryplanning.org
Cc: mathew.mills@ncmppc.org
Subject: Leisure World Project Number 820170120

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email: admin@justus.group



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Butler, Patrick

From: admin@justus.group
Sent: Friday, January 25, 2019 5:30 PM
To: mont.co.planningboard@justus.group; Montgomery County Council; Marc Elrich; vaughn stewart; Anderson, Casey
Cc: justus organization; tmo@townmeetingorganization.com; LW Green; lwdogs@justus.group
Subject: NO CONSENSUS AT LEISURE WORLD - Norman Holly

No consensus at Leisure World

Norman Holly <amtak518@gmail.com> Thu, Jan 10, 1:23 PM

to Patrick.Butler

On November 30, 2017, the Board withheld approval of a new administration building at Leisure World due to strong opposition among a significant number of residents (then 2,000, now increased to about 2,200) and recommended we achieve consensus before proceeding further. However, the Leisure World board not only refused, it also opened a propaganda campaign designed to obstruct any conversation by opposers. The Leisure World general manager refused on the specious grounds that he received no personal directive from MNCP&P to achieve consensus (although he certainly has, as he retained legal counsel to overcome opposition, which we believe to constitute a breach of fiduciary responsibility).

During the interim a group of opposition residents sent Lori Shirley a large number of memos indicating, inter alia, that the proposed construction violates not only the historical record but also ignores alternate needs for that money and jeopardizes future income and quality of life of its lower income residents. Also, we sent photographs showing the conditions cited by management to justify construction are largely a product of the hired manager's neglect, and repairable at a fraction of the proposed expense. We are concerned that now, with Ms. Shirley's retirement, those documents may have slipped out of sight and not come to the attention of the MNCP&P Board.

In general, we are concerned that the lack of another open hearing in over a year may indicate that counsel retained by Leisure World management may have falsely represented some unanimity as "consensus", or that the MNCP&P may have moved ahead under the assumption - or persuasion - that the consensus they demanded had been achieved when in fact it has been deliberately thwarted.

Accordingly, we would be grateful for your relating to us the current status of the Leisure World Board's decision regarding construction; whether or not the MNCP&P Board has been informed of the voluminous opposition we forwarded to Lori Shirley; whether or not a followup open meeting of the MNCP&P will be held to review the facts contained therein; and what steps are contemplated this year regarding the Leisure World management's application for constructing a new administration building.

Norman Holly, resident
3200 North Leisure World Boulevard, # 601
Silver Spring, Maryland 20906
Email: amtak518@gmail.com

Butler, Patrick Fri, Jan 11, 8:42 AM

to **Matthew, Carrie, me**

Good morning, Mr. Holly.

Yes, I assure you we have all of the previous emails sent to Lori Shirley. All documents will be presented to the Planning Board for consideration before voting on the Site Plan. A Planning Board

Patrick Butler, AICP

Regulatory Supervisor | Area 2 Division

Montgomery County Planning Department

8787 Georgia Avenue | Silver Spring, MD 20910

301-495-4561

Patrick.Butler@montgomeryplanning.org

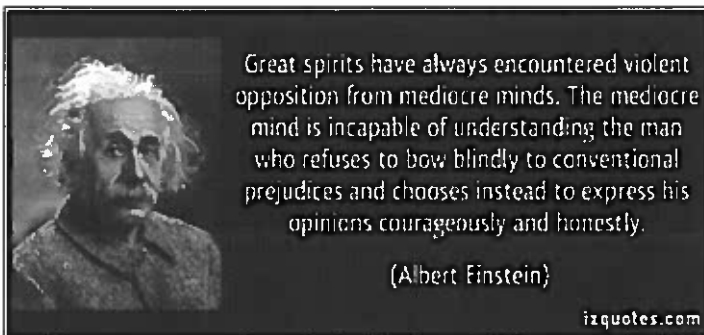
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Butler, Patrick

From: Butler, Patrick
Sent: Friday, March 15, 2019 1:06 PM
To: Butler, Patrick
Subject: FW: LEISURE WORLD - UNKNOWN HEROES - WHO DESERVE THEIR DO? ...from Bob Ardike CRM:0123050
Attachments: PastedGraphic-2.tiff; PastedGraphic-2.tiff

----- Original Message -----

From: Gerald Cichy;
Received: Sat Jan 26 2019 08:03:34 GMT-0500 (Eastern Standard Time)
To: mcp-chair@mncppc-mc.org; MCP-Chair@mncppc-mc.org; MCP-Chair #; ;
Subject: FW: LEISURE WORLD - UNKNOWN HEROES - WHO DESERVE THEIR DO? ...from Bob Ardike

From: Marybeth Ardike
Sent: Saturday, January 26, 2019 8:03:21 AM (UTC-05:00) Eastern Time (US & Canada)
To: LW Board of Directors; Leisure World News; aclwn@lwmc.com
Cc: Montgomery County Council; Fani-Gonzalez, Natali; Cichy, Gerald; Patterson, Tina; Anderson, Casey; Marc Elrich; ben kramer; vaughn stewart; bonniecullison; ben shnider; CCOC@montgomerycountymd.gov; Dreyfuss, Norman
Subject: LEISURE WORLD - UNKNOWN HEROES - WHO DESERVE THEIR DO? ...from Bob Ardike

These recollections are from several Leisure World residents privy to "inside information." **Hard to believe?** Assess for yourself... Bob Ardike

WARNING: Avoid reading this if you get angry easily. Hit your "delete" button now!

It all began in the year 2008. That year, the then Leisure World (**LW**) **Chairperson** recalled hearing a **Voice**. She claimed to feel the **TRUST**, the eternal **Guide** of Leisure World, had chosen her for a "mission." A special task needed to be performed. Much would be demanded. There could be no postponement. Here is why...

In the year 1987 - the Maryland Home Owners Association (**HOA**) **Act** was passed. The **Voice** said there could no longer be a delay given the passage of over 20 years. Knowing what the **HOA** law specified & how it applied to **LW** was essential. It was a matter of preserving the **TRUST'S** integrity.

It was 2009 when the Chairperson bit the bullet. The opportunity to begin was at hand. But how was she to start the process?

Then one night the answer came to her in a dream. For the initial task, she would choose an area law firm known for "**assessing challenging problems**." That was the law firm of Miles & Stockbridge.

From their work, the Chairperson received a detailed analysis of steps needed to be taken. What she read indicated much would have to change at Leisure World. The report was an "eye opener"...as you can see from reading below...



Accomplishing what was required would not be easy. Was additional support needed? Who could she trust?

The task was daunting but she would not be deterred. As she pondered, more became clear. The first step would be to involve a kindred spirit. Chosen was the **next person in line** of succession to be Chair of the LWCC Board. While **that person** had the **reputation** of being a **"Know-it All,"** she considered the down side of her own reputation. She was known as **"the Queen of Deceit,"** also for being **"pushy."** Together they would supplement & complement each other, a sort of **"dynamic duo?"** They met and began to crystalize a plan. Here is what was decided...

It was agreed to hold off taking further measures until the year 2012. Once **"Know-it-All"** donned the mantle of Chairperson, she would establish a **"Special Committee."** That committee would review Leisure World Governing documents.

The credentials of the special committee members selected were as sterling as were the individuals. But, the findings & implications of their report, were unanticipated. Read the report's cover. You'll then understand...



The report made clear that Governance at Leisure World **had to undergo a dramatic change.** The major difficulty was determining **WHO** would take responsibility & announce **"An End to the 30 Year Old Party?"** Neither the **Queen of Deceit** nor the **Know-it-All** wanted that dubious **"honor."** Both felt they had already done enough and being retired as **"former Chairs"** would **continue their being on the "good side"** of subsequent Boards with all perks continuing.

The existing Governance structure was simply providing too many **unspoken benefits** to be easily dismantled. It was a quite a system. No Board member actually **knew what** another Board member might be receiving in the way of **"opaque favors."** After all, the existing system of **LW Governance** had been in existence for over 30 years **without** any actual community **oversight.** That can provide **"fertile soil"** for **"questionable practices"** to develop over time. This is even more so when the membership of a Board **grows in size to approximately 3 dozen.**

What to do & how to do it became the key question? After much thought.... it was decided. The best approach was to have **CHANGE** come from the outside. The fault for changing what had been in existence for 3 decades should be blamed on...

A Government entity or a Court ruling...

More to follow in the days ahead ...Bob Ardike

Butler, Patrick

From: Butler, Patrick
Sent: Friday, March 15, 2019 12:55 PM
To: Butler, Patrick
Subject: FW: Leisure World - What You Didn't Know You Didn't Know ...from Bob Ardike
CRM:0123046

----- Original Message -----

From: Norman Dreyfuss;
Received: Tue Jan 29 2019 20:24:05 GMT-0500 (Eastern Standard Time)
To: mcp-chair@mncppc-mc.org; MCP-Chair@mncppc-mc.org; MCP-Chair #; ;
Subject: FW: Leisure World - What You Didn't Know You Didn't Know ...from Bob Ardike

From: Marybeth Ardike
Sent: Tuesday, January 29, 2019 8:23:57 PM (UTC-05:00) Eastern Time (US & Canada)
To: LW Board of Directors; Leisure World News; aclwn@lwmc.com
Cc: Montgomery County Council; Fani-Gonzalez, Natali; Cichy, Gerald; Patterson, Tina; Anderson, Casey; Marc Elrich; ben kramer; vaughn stewart; bonniecullison; ben shnider; CCOC@montgomerycountymd.gov; Dreyfuss, Norman
Subject: Leisure World - What You Didn't Know You Didn't Know ...from Bob Ardike

Revamping Leisure World Governance

**Why 3 previous Chairpersons of the Board of Directors
are Hoping the Class Action Lawsuit Against
Leisure World is Successful.**

Here are the Reasons...

1. A decade (10 years) has passed since it first became clear Leisure World had to have "Governance Change" to be legally in compliance with the Maryland Homeowners Association (HOA) Act of 1987 (See previous email sent pointing out what a previous Chair of the LWCC started in 2009).
2. The Plan developed and implemented by the 3 previous Chairpersons accomplished what was intended. That purpose being to **enrage** a sizable number of residents and, by actions taken, bring attention to the **outdated** way Leisure World was being Governed.
3. The strategy of the 3 Chairperson was to ensure "change" would come from "the Outside." They wanted to have it accomplished within the Montgomery County (MC) Court system. Nothing else would suffice.
4. The **means** chosen to trigger the change would be a series of unwarranted actions which would be brought before the Leisure World Community Corporation (LWCC - the "body" they sought to change) for **approvable**.

5. The idea was to select something to remove or change which symbolized Leisure World. Considered first, was removal or repurposing the land of the Golf Course. Then that idea was dropped. It was remembered that the 100, or so, residents who regularly used the golf course "had clubs?" Not a good idea to fool with that constituency.

5. Only 1 of 2 other "items" would suffice to trigger outrage. Either **remove** the 50 year old sizable, Globe, (the original symbol of Leisure World) outside the Georgia Ave. entrance, **or destroy** the original Administration Building & **claim** a new one was needed.

Destroying the original Administration Building & a proposal to build a new one was finally selected

The 3 previous Leisure World Chairpersons deemed Montgomery County (MC) entities, other than the MC Circuit Court, as a "joke." It was not uncommon to hear derision of other MC entities having "approval authority". As a case in point. They saw the Commission on Common Ownership Communities as a mere facade.

And then there was the **MC Planning Board**. This Commission was seen as a needless publicity hurdle. Who was this Commission to find fault with a Leisure World plan? This is why a person, on the LWCC Board, who had a close friendship with an MC Councilman, was sent to contact "his Friend." Leisure World had a long range plan. Leisure World knew what it was doing. The **"word"** needed to be sent back to the MC Commissioners was... **"Approve the new building. Stop worrying about Consensus."**

Leisure World wants this approval action taken by the Commissioners to keep up the momentum of outrage as the class action lawsuit unfolds & wends its way through the various established Court dates scheduled. Whether the Commissioners "take the bait" remains to be seen?

There is one other item to mention...

Then, Councilman Mark Elrich said, in closing statement at a Leisure World meeting, as reported in the June 15, 2015, issue of the Leisure World News,...I **"We are committed to improving the governance of common ownership communities."**

The Leisure World Chairpersons did not want Marc Elrich, now County Executive, meddling with Leisure World's Governance structure. He really could do little to change it. The Chairpersons of Leisure World wanted the MC County Circuit Court, not a mere County Council person, to get involved. Thus the reason for an emissary from Leisure World sent to seek a meeting with his "friend." The word was, **"Be sure Marc does not pursue the Leisure World matter We want it left to the Court to do what's necessary."**

That should help to explain the situation pending at Leisure World...

Let us look forward to more revelations in the days ahead...

Bob Ardike

Butler, Patrick

From: Butler, Patrick
Sent: Friday, March 15, 2019 12:53 PM
To: Butler, Patrick
Subject: FW: Leisure World - What You Didn't Know You Didn't Know ...from Bob Ardike
CRM:0123045
Attachments: Outlook-1492807795.png

----- Original Message -----

From: Norman Dreyfuss;
Received: Wed Jan 30 2019 10:37:04 GMT-0500 (Eastern Standard Time)
To: mcp-chair@mncppc-mc.org; MCP-Chair@mncppc-mc.org; MCP-Chair #; ;
Subject: FW: Leisure World - What You Didn't Know You Didn't Know ...from Bob Ardike

From: Marybeth Ardike
Sent: Wednesday, January 30, 2019 10:36:51 AM (UTC-05:00) Eastern Time (US & Canada)
To: Leisure World News; aclwn@lwmc.com
Cc: Montgomery County Council; Fani-Gonzalez, Natali; Cichy, Gerald; Patterson, Tina; Anderson, Casey; Marc Elrich; ben kramer; vaughn stewart; bonniecullison; ben shnider; CCOC@montgomerycountymd.gov; Dreyfuss, Norman
Subject: Re: Leisure World - What You Didn't Know You Didn't Know ...from Bob Ardike

NOTICE: You may be the recipient of email intended for you. Be assured! This situation is being addressed.

In the meantime. Please be advised. Do not! I repeat, **do not read such email ever again.** These emails could endanger how you think about Leisure World and its Governance structure...OR...the current Leisure World Board Chairperson could do what the previous Leisure World Board Chairperson did. Authorization could be given to the Leisure World General Manager to have certain email automatically blocked?

Please further note: The email being sent is **mainly intended** for the selected 34 members of the LWCC Board of Directors, the Leisure World News Organization, and its affiliates.

Questions pertaining to how you, as an **individual**, can block email should be sent to the **current** Venezuelan Office of Information or former members of the KGB...or simply hit the **delete key on your computer...whichever seems easier**

Thank you for your interest in Leisure World...and...your Welcome!

Bob Ardike

On Jan 29, 2019, at 8:58 PM, ajg@webbusconnect.com wrote:

Please take me off of your mailing list.

Alan Goldstein - Chair, Leisure World Communications Advisory Committee

On Jan 30, 2019, at 8:48 AM, Cassandra Chisholm <cchisholm@lwmc.com> wrote:

Hello, I'm requesting again to please be removed from your email list as I had not been subscribed to it. Thank you.

**Cassandra Marakov (formerly
Chisholm)**
Leisure World Communications
(301) 598-1029
cchisholm@lwmc.com

From: Bob Ardike <marybeth.bob@gmail.com>
Sent: Tuesday, January 29, 2019 8:23:57 PM
To: LWCC Board of Directors; Leisure World News;
lwnewscommittee
Cc: Montgomery County Council; [natali.fani-](mailto:natali.fani-gonzalez@mncppc-)
gonzalez@mncppc-



[mc.org](#); gerald.cichy@mncppc.org; tina.patterson@mncppc.org; casey.anderson@mncppc.org; Marc Elrich; ben kramer;
vaughn stewart; bonniecullison; ben shnider; CCOC@montgomerycountymd.gov; norman.dreyfuss@mncppc-mc.org
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Bob Ardike

Butler, Patrick

From: Butler, Patrick
Sent: Friday, March 15, 2019 12:57 PM
To: Butler, Patrick
Subject: FW: LEISURE WORLD - THE UNSUNG HEROES WHO DESERVE RECOGNITION...continued...from Bob Ardike CRM:0123047
Attachments: IMG_0776.jpeg; hp0GTCaLTk6e98TEMF+VXA_thumb_1f69.jpeg

----- Original Message -----

From: mcp-crm-tracker@mncppc-mc.org;
Received: Wed Jan 30 2019 12:19:22 GMT-0500 (Eastern Standard Time)
To: mcp-chair@mncppc-mc.org; MCP-Chair@mncppc-mc.org; MCP-Chair #; ;
Subject: LEISURE WORLD - THE UNSUNG HEROES WHO DESERVE RECOGNITION...continued...from Bob Ardike

From: Anderson, Casey
Sent: Tuesday, January 29, 2019 10:42 AM
To: MCP-Chair <mcp-chair@mncppc-mc.org>
Subject: FW: LEISURE WORLD - THE UNSUNG HEROES WHO DESERVE RECOGNITION...continued...from Bob Ardike

From: Marybeth Ardike <marybeth.bob@gmail.com>
Sent: Monday, January 28, 2019 6:56 PM
To: LW Board of Directors <board@lwmc.com>; Leisure World News <lwnews@lwmc.com>; aclwn@lwmc.com
Cc: Montgomery County Council <county.council@montgomerycountymd.gov>; Fani-Gonzalez, Natali <Natali.Fani-Gonzalez@mncppc-mc.org>; Cichy, Gerald <Gerald.Cichy@mncppc-mc.org>; Patterson, Tina <tina.patterson@mncppc-mc.org>; Anderson, Casey <Casey.Anderson@mncppc-mc.org>; Marc Elrich <Councilmember.elrich@montgomerycountymd.gov>; ben kramer <kramerdelegate19@aol.com>; vaughn stewart <vaughnstewart3@gmail.com>; bonniecullison <bonniecullison@yahoo.com>; ben shnider <shniderb@gmail.com>; CCOC@montgomerycountymd.gov; Dreyfuss, Norman <norman.dreyfuss@mncppc-mc.org>
Subject: LEISURE WORLD - THE UNSUNG HEROES WHO DESERVE RECOGNITION...continued...from Bob Ardike

Again! I would advise recipients of this email. **WARNING: The following is intended for Mature Audiences (MA) Only- Avoid reading this if you get angry easily. Hit your "delete" button now! ...**

With the above understood, I will proceed...by first recounting...

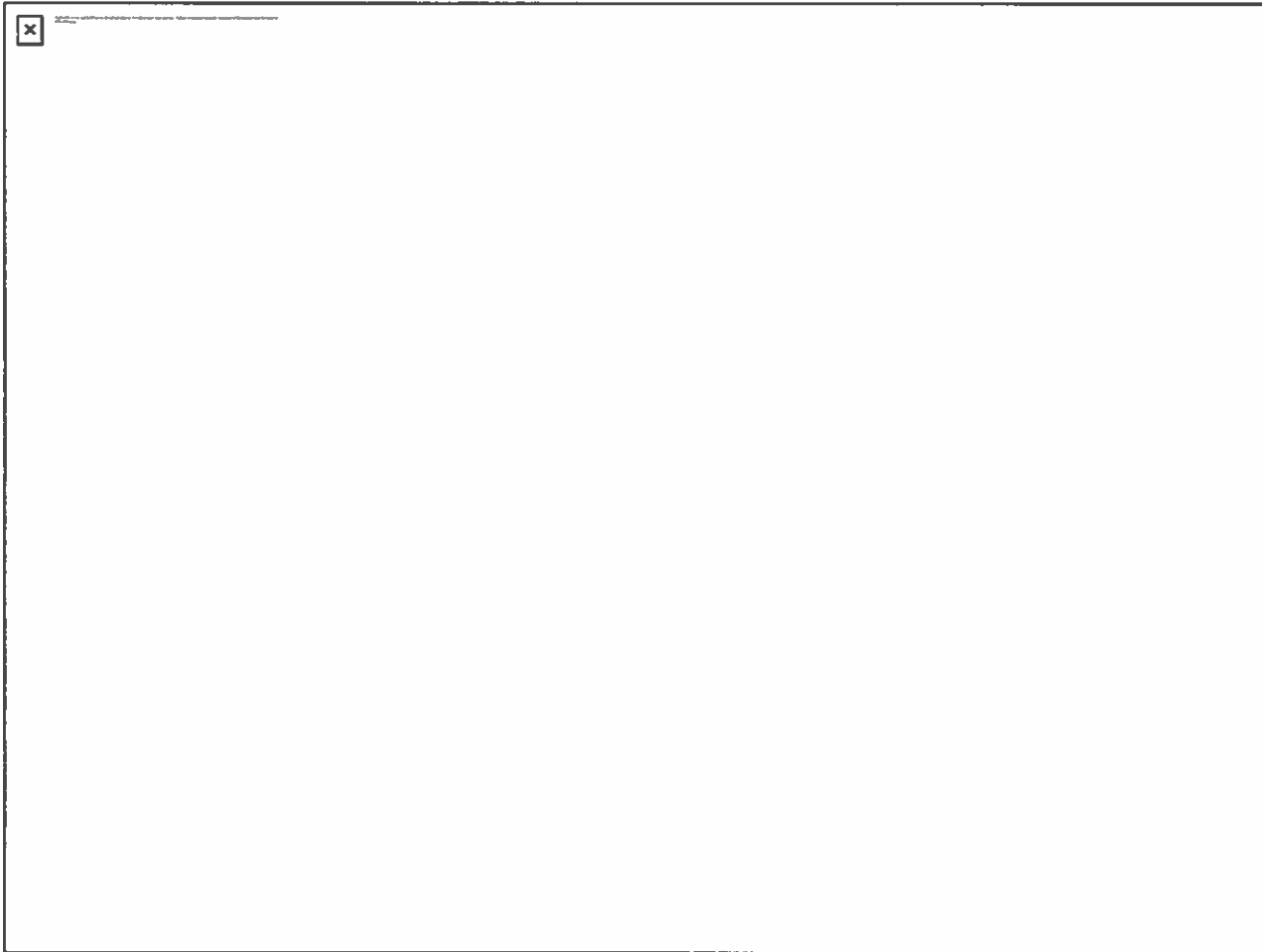
Yesterday's email honored three (3) former Leisure World past Chairpersons. They received accolades for their service in carrying out the plan initiated to overturn Leisure World's Governance structure. Remember! The Maryland Homeowners Association (HOA) Act of 1987 specified requirements pertaining to Governance - **ELECTION Not SELECTION.**

Appendix Y

Leisure World's Governance system remained encased in a "cocoon" for 22 years. Then in the year 2009, the Chairperson at the time, known reverently as the "Queen," initiated an inquiry based on "hearing a voice." The voice was that of the Leisure World TRUST (see previous email to recall).

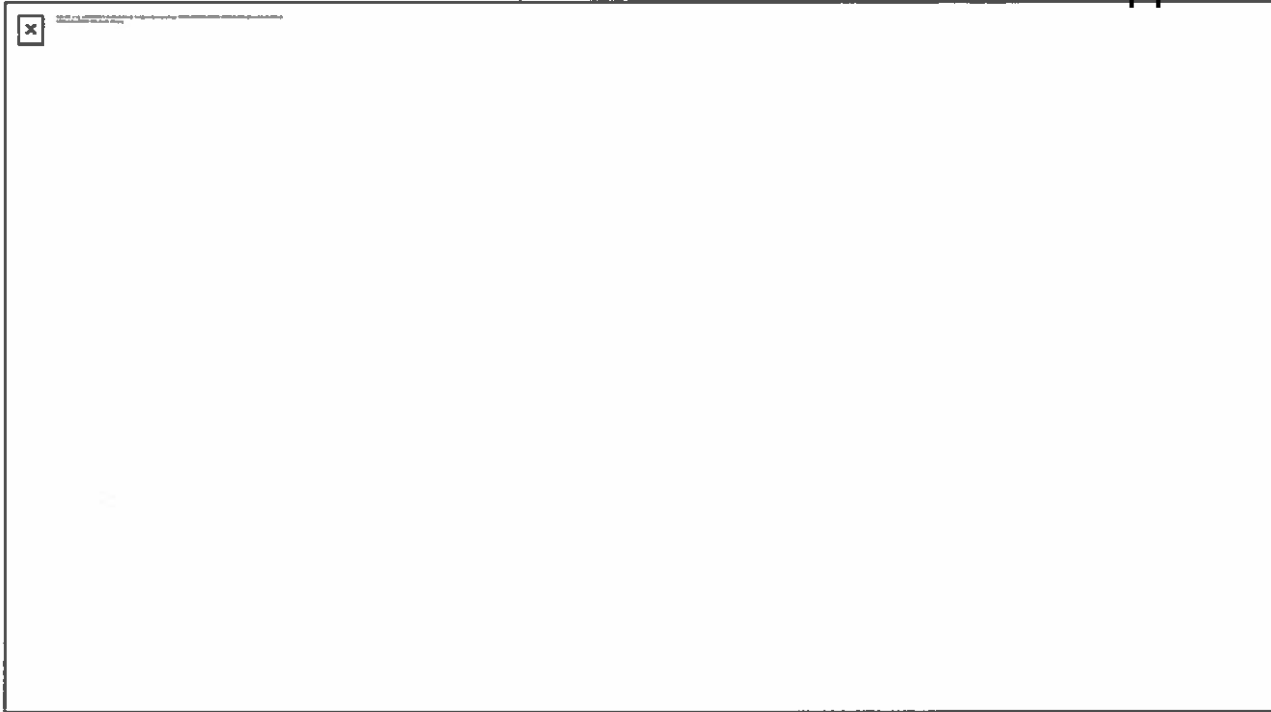
Had it not been for the things done or left undone by her, and by her 2 successors, Leisure World would not be defending itself against a class action lawsuit. So! In a way it can accurately be said, "They got what they asked for."

For initiating the actions which have finally brought Leisure World to this point, the TRUST... (read about the Trust below)



...rewarded the "Queen" with another selected "appointment," once her tenure ended as Chair. It should be noted. The Queen has presided over the Leisure World Foundation Board akin to the way she operated when acting as Leisure World Board Chair and also as she has done for years as her Mutual's representative on the Board of the LWCC.

Those who attend Foundation meetings find those meetings to be memorable. The meetings of the Foundation are considered to be open, but attendees are encouraged not to record the proceedings. The reason for this being - some things are best not remembered...?



More to come? ...and...Thank you!

Bob Ardike

Section 1 -- LEISURE WORLD TRUST

Trust Documents

The original developer of Leisure World (LW) was the Rossmore Construction Corporation (RCC) of California. Leisure World of Maryland is one of eight communities dedicated as a "Leisure World" or a "Rossmore" community. The residential area is zoned as a Planned Retirement Community (PRC) that has an age restriction for residents of at least 50 years old. In order to comply with the Housing for Older Persons Act of 1995, the age restriction stipulated that 80% of the residential units must be occupied by one person 55 years of age or older.

The land within Leisure World that was set aside for community use, and the facilities that were built on it later, were placed in a Trust dated March 9, 1966. Another Trust established in 1979, when the Trustee, on behalf of the Trustees (Mutualis), bought the golf course, the Administration building, and certain other properties owned by the developer. Trust 1 also had a Schedule of Improvements based on population growth in Leisure World. (See Appendix.) Throughout the years both Trust Agreements were amended to reflect changes in the agreements between the developers and the community such as defining age-restricted communities, money contributions to the Trust for each new unit being built, etc.

Leisure World Foundation Board 2016

**Jonas Weits, Philip Marks, Roy Kurlander, Phil Yaffee, Allen Eit, Bob Stromberg
Suzanne Offit, Billie Saunders, Marian Altman, Rita Penn, Norman Salenger**

The Foundation was formed in 1981 and tasked with enhancing the quality of life for Leisure World residents in the areas of culture, education, and health. The Foundation of Leisure World is an organization incorporated in the State of Maryland for health, educational, and cultural purposes. The community currently provides certain equipment, courses, lectures, and creative and performing arts presentations within the limits of its budgeted funds. The Foundation was established to supplement these efforts when the needs of the community's residents exceed fund availability. The Foundation is recognized by the Internal Revenue Service as tax exempt under Sec. 501(c) (3) of the tax law and eligible to receive contributions which donors may claim as deductions on their income tax returns to the extent permitted by law.

The Foundation is the sponsor of this 50-Year History of Leisure World.