



Heather Dlhopsky  
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October 11, 2023

*Via Email to MCP-Chair@mncppc-mc.org*

Chairman Harris and Members of the Montgomery County Planning Board  
M-NCPPC  
2425 Reddie Drive, 14<sup>th</sup> Floor  
Wheaton, MD 20902

Re: 7126 Wisconsin Avenue – Sketch Plan Amendment No. 32019003A, Preliminary Plan of Subdivision No. 120230020, and Site Plan Application No. 820230020 (collectively, the “Applications”) – Response to 10/10/23 Letter from The Seasons

Dear Chairman Harris:

On behalf of Wisconsin Avenue Properties LLC (the “Applicant” in the above Applications), we are submitting this letter in response to the letter submitted by Mr. David M. Landow on October 10, 2023 on behalf of The Seasons.

First, we apologize for the error in noticing. It was certainly not intentional on our part. When the property that is the subject of the Applications initially proceeded through the Sketch Plan review process at the Maryland-National Capital Park and Planning Commission (“M-NCPPC”) in 2018, resulting in public hearing before the Montgomery County Planning Board on October 24, 2019, it only included three parcels. The fourth, the former Capital One bank site at 4708 Bethesda Avenue, located adjacent to The Seasons at 4710 Bethesda Avenue, was not a part of the project, and therefore The Seasons was not an adjoining property at that time.

When the former bank site was added to the assemblage and we undertook the initial preparation of the Applications in 2021, we updated the notice list as a whole to account for any changes in property ownership since creation of the list at the time of the original Sketch Plan. However, it was an oversight on our part that we did not update the notice list to account for the additional parcel included in the assemblage (the former bank site), and resulting additional adjoining neighbor (The Seasons) that needed to receive mailed notice as a result, and for that we apologize.

Granted, the property that is the subject of the Applications, including the former bank site, has also been posted with signage regarding the Applications since mid-May of 2022 (first with notice of the pre-submission community meeting, and then with notice of the Applications themselves), so we do believe notice was provided in that manner. That said, our neighbors at The Seasons should have received mailed notices, and they did not, so we believe that the correct action is for the Montgomery County Planning Board to provide them an opportunity to be heard at a public hearing on the Applications as they have requested.



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The Applicant will be reaching out in short order to The Seasons ownership to discuss and understand their concerns, and we look forward to these conversations.

Thank you very much, and please contact us should you have any questions or need any additional information.

Sincerely,

Wire Gill LLP

A handwritten signature in black ink that reads "Heather Dlhopsky". The signature is written in a cursive, slightly slanted style.

Heather Dlhopsky

cc: Ms. Tanya Stern  
Mr. Robert Kronenberg  
Mr. Elza Hisel-McCoy  
Ms. Stephanie Dickel  
Mr. Adam Bossi  
Ms. Emily Vaias  
Mr. Matthew Mills  
Mr. David M. Landow  
Mr. Michael Landow