



RE: Process for March 16 hearing - Notley Road LMA H-159

From Sokoni, Khandikile Mvunga <Khandikile.Sokoni@montgomerycountymd.gov>

Date Thu 2/26/2026 5:18 PM

To Alfred Carr <alfred.carr@gmail.com>; Lindsey, Amy <amy.lindsey@montgomeryplanning.org>; Ann Link <keldlink@yahoo.com>; Austin Holloway-Jones <austinhollowayjones@gmail.com>; Ayana Machen <ayanacm8@yahoo.com>; Beth Hook <Beth.hook@icloud.com>; Bill Backof <billbackof@gmail.com>; Bob Eller <bobeller123@gmail.com>; Candace Anderson <candacesmanderson@gmail.com>; Sanders, Carrie <carrie.sanders@montgomeryplanning.org>; Christine Bergeron <cbergero@vt.edu>; Clifford Laufer <claufer@mindspring.com>; Craig Grunewald <craig.grunewald4@gmail.com>; D Phan <dgphanmore@gmail.com>; Dan Wilhelm <djwilhelm@verizon.net>; David Dunmire <davidd15@verizon.net>; David Muller <dmuller@ryansdev.com>; Deb Gonski <djgonski@yahoo.com>; Debra Tipton <debratipton515@gmail.com>; Destiny Kibalama <destinykibalama@gmail.com>

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Good Afternoon All:

We have only one more day on the calendar, March 16, 2026, for continued hearing in this matter. Meanwhile we have quite a few outstanding matters I would like us all to plan for:

1. Ms. Michelle Rosenfeld, Mr. Nusbaum, and parties in opposition are yet to start presenting their case in chief, with witnesses all subject to cross examination.
2. You will recall that at the December 2, 2025, hearing, following the testimony of the applicant traffic engineer, Mr. Phan raised concerns regarding the proposed west access point being aligned directly with my driveway. The applicant counsel, Ms. Rogers, deferred the question to Mr. Sloan, who prepared the site layout but was not present, and I indicated that this matter would be continued at the next hearing. I therefore anticipated that Mr. Sloan would address this at the January 15, 2026 hearing. However, that again did not occur. And then we were snowed out on January 27th and had to postpone to March 16.
3. There are also additional matters to dispose of related to opposing parties wishing to cross examine the applicant's traffic engineer and land use expert in connection with exhibits that applicant introduced very close in time to the December 2nd hearing. Ms. Rosenfeld did not object to those late additions on condition that she would have an opportunity to cross examine those witnesses during the 3rd day of hearings which was January 15, 2026. As the day was taken up with public testimony we run out of time and did not get to that either.
4. In addition to the items outlined above, we now have an additional request from Mr. David Dunmire who wishes to testify at the next hearing. I wish to draw the parties' attention to Exhibit 102 which was my response to Mr. Dunmire seeking clarification on his role since it appears that he is writing on behalf of an entity known as Eyes of Paint Branch. Mr. Dunmire you may testify as an individual without representation. However, if the Eyes of Paint Branch would need to be represented by Counsel. Beyond OZAH Rule 3.3 Maryland State Laws preclude the unlawful practice of law and only an attorney can represent an organization or entity before a court, tribunal or administrative agency.

My question to Ms. Rosenfeld, Mr. Nusbaum and Mr. Phan, the parties that have been waiting in the queue for the next hearing, given that we completed public testimony on January 15th, and were planning to attend to the outstanding matters 1-3 above, how do you wish to proceed in light of Mr. Dunmire's request to testify at the next hearing?

Sincerely,



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