

**LINOWES**  
**AND BLOCHER LLP**  
ATTORNEYS AT LAW

May 9, 2017

**Erin E. Girard**  
egirard@linowes-law.com  
301.961.5153

The Honorable Isiah Leggett  
County Executive  
Montgomery County, Maryland  
101 Monroe Street, 2<sup>nd</sup> Floor  
Rockville, MD 20850

Re: Westwood Shopping Center, Sketch Plan No. 320170010

Dear Mr. Leggett:

On behalf of our client, Regency Centers (“Regency”), this letter responds to your letter of May 3 requesting that Regency delay its archeological investigation of a portion of the Westwood Towers property in Westbard (the “Property”) in order to explore mediation with the Macedonia Baptist Church (the “Church”). Regency is, and has been, willing to participate in mediation aimed at addressing the concerns of the Church regarding a potential cemetery on the Property, which, although not specified in your letter, we continue to understand to be the topic of the proposed mediation. At the same time, Regency has serious concerns about the continuing delay the potential cemetery issue has caused in the processing of its development applications, which cover a much larger area than just the Property. Therefore, Regency is willing to agree to the request to delay further archeological study on the Property while mediation is explored, provided the mediation proceeds expeditiously.

As you may be aware, the Planning Board’s approval of the Sketch Plan for Westwood Shopping Center (Sketch Plan No. 320170010), an approximately 25 acre development, included a condition that Regency’s preliminary plan for the center, which was filed in December, could not move forward until such time as 1) an archeological study on the Property was completed, and 2) a sketch plan amendment incorporating the Property and the results of the study was approved. Thus, under the Sketch Plan approval, Regency is unable to progress further with its entitlements until the study is complete. This condition affects all 25 acres of the redevelopment, while the study area for the investigation includes only one-half acre of the Property.

Under its initial schedule, the archeologic investigation would have commenced in December 2016, but was delayed first to change firms to the one preferred by the Church (the Ottery Group), and then again while Park and Planning negotiated with the Church about potential oversight of the study. As a result, Regency’s efforts have already been delayed over six months. Therefore, while recognizing the importance of mediation in this matter, minimizing

The Honorable Isiah Leggett

May 9, 2017

Page 2

further delay is also of great importance to Regency. We would therefore request that the mediation be scheduled so as to bring resolution by the end of this month.

Thank you for your good faith efforts to bring resolution to this issue and to address Regency's concerns. We look forward to working with your office, the Church, and other stakeholders as mediation commences.

Very truly yours,

**LINOWES AND BLOCHER LLP**



Erin E. Girard

cc: Rafael Muñiz  
Krista Di Iaconi