



Certificate of Need Request for Extension

To request a six-month extension to incur a capital expenditure or above-ground construction, complete this form in its entirety. Also submit a completed Periodic Progress Report with this form if it is due at this time. Send this information by email to CONP@health.mo.gov (preferred), fax at 573-751-7894, or mail to CONP, P.O. Box 570, Jefferson City, MO 65102. Request for extensions must be received in adequate time to allow for processing prior to the meeting for which a decision is scheduled.

Date: 10/10/24											
Project #: 5971 RS	Project Name: Topwood Home LLC										
Project Title/Description: 75 Bed Assisted Living spread across 5 small memory care homes.											
<p>1. Briefly explain why a capital expenditure will not be incurred by the current deadline. We have started to spend money on our project regarding our site but have not come out of the ground with a structure. We have received MSD and St. Louis County approval for a grading plan. We have taken down the structure on the site, have cleared trees and are completing the grading this month. Our Civil Engineer is working on the final site plans for approval for the next stage with MSD.</p>											
<p>2. Briefly state the reason(s) for the extension request. It took us longer than anticipated to start and complete our process for a grading plan with MSD and St. Louis County. We are moving forward with the next stage with MSD for site work approval.</p>											
<p>3. What steps have been completed for the project to date and when were they completed?</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;"><u>Date Completed</u></th> <th><u>Step Completed</u></th> </tr> </thead> <tbody> <tr> <td>Fall 2023</td> <td>Received an extension from the City of Manchester</td> </tr> <tr> <td>5/2024</td> <td>Received Grading Approval from MSD</td> </tr> <tr> <td>5/2024</td> <td>Received Approval from St. Louis County</td> </tr> <tr> <td>8/2024</td> <td>Started taking down the structure on the property, trees and are doing Grading</td> </tr> </tbody> </table>		<u>Date Completed</u>	<u>Step Completed</u>	Fall 2023	Received an extension from the City of Manchester	5/2024	Received Grading Approval from MSD	5/2024	Received Approval from St. Louis County	8/2024	Started taking down the structure on the property, trees and are doing Grading
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<p>4. What steps are needed in order incur a capital expenditure (above ground construction or equipment lease/purchase) for the project, and when will they be completed?</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;"><u>Anticipated Completion Date</u></th> <th><u>Step to be Completed</u></th> </tr> </thead> <tbody> <tr> <td>1st Quarter 2025</td> <td>Finalize Site Plan Approval with MSD</td> </tr> </tbody> </table>		<u>Anticipated Completion Date</u>	<u>Step to be Completed</u>	1 st Quarter 2025	Finalize Site Plan Approval with MSD						
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<p>5. What are the steps that will take place after the capital expenditure to complete the project and when do you anticipate that they will be completed?</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;"><u>Anticipated Completion Date</u></th> <th><u>Step to be Completed</u></th> </tr> </thead> <tbody> <tr> <td>1st Quarter 2026</td> <td>Completed 1st 2 structures on the property</td> </tr> </tbody> </table>		<u>Anticipated Completion Date</u>	<u>Step to be Completed</u>	1 st Quarter 2026	Completed 1 st 2 structures on the property						
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<p>6. Are planning and/or zoning matters complete, and is the site approved? If "no", explain. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>											
<p>7. Has financing been secured for the project? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>If financing has been acquired and documentation was not previously provided, attach a copy of the letter from the lender or 3rd party documentation.</i> Are financing contingencies complete? <input type="checkbox"/> Yes <input type="checkbox"/> No Is financing available for immediate disbursement for the project? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No All of the work that we have done to date has been with our own capital If the answer is "no" to any of the above questions, explain. All of the work that we have done to date has been with our own capital. Give specifics of any and all existing financing problems and the reason(s) for their occurrence. We have our bank that we use with our homes and will be able to deploy their capital when needed.</p>											
<p>8. Are there any new equity partners for the project as originally presented to the committee? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "yes", explain.</p>											
<p>9. Explain any and all restructuring of the project as originally presented to the committee. None.</p>											
<p>10. Describe any anticipated situation(s) or problems not previously addressed that may prevent the project from incurring a capital expenditure by the end of the requested extension, should the extension be granted. None.</p>											
<p>11. If this extension is granted, do you anticipate that additional six-month extensions will be necessary? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "yes", how many would be needed? 2 Explain why additional extensions would be needed. Finalizing site plan approval and getting all utilities etc will take a while</p>											
Signature 	Printed Name Barth Holohan										
Date 10/10/24											

From: [Stacy Neeser](#)
To: [CONP.CONP](#)
Subject: Topwood/Opposition Letter
Date: Thursday, October 24, 2024 5:01:12 PM

Dear Mackenzie,

I am writing to express my concerns regarding the proposed Topwood Homes LLC project, which many of us in the community oppose due to its potential impact on the safety of our neighborhood. My family has lived in Westridge Manor Estates for 16 years, a subdivision consisting of 95 homeowners, including 45 on Burgundy Lane. Over the years, we've seen a significant increase in cut-through traffic and speeding due to our proximity to Highway 141. The entrance of Burgundy Lane is just a quarter mile from Topwood Lane, and we've faced numerous issues as a result.

Our subdivision's entrance at Burgundy Lane and Highway 141 has required frequent repairs by MoDOT due to repeated damage caused by trucks and emergency vehicles cutting through our narrow roads, which were built for residential use. The entrance island has been hit and damaged multiple times, and the streets within our subdivision are so narrow that parking is only allowed on one side, complicating traffic flow. This development is not suitable for our small neighborhood. The stoplight at Burgundy Lane and Highway 141 already backs up with 4-6 cars regularly, and there have been multiple accidents at that intersection. Adding the anticipated 3-4 additional employees from the Topwood project during peak traffic times will only exacerbate these problems.

With the Topwood project, we foresee an even greater increase in traffic—81+ vehicles, including construction vehicles, employee vehicles, deliveries (food, medical supplies), and emergency services. This will undoubtedly worsen congestion and further jeopardize the safety of our neighborhood, particularly for the many children who live and play here. Increased traffic and speeding vehicles pose a significant risk to our residents, and we fear the additional volume will heighten this danger.

I am currently working with the Manchester Police Department and City Officials to address our neighborhood's safety concerns. However, I am deeply concerned that the traffic increase from this facility will negatively impact both the peace and safety of our established community, especially for the children playing outside.

Thank you for taking the time to consider our concerns.

Sincerely,
Stacy Neeser
314-422-3143
873 Burgundy Lane

Westridge Manor Estates Trustee

From: [Katy Bayer](#)
To: [CONP.CONP](#)
Subject: Letter of Concern Related to Topwood LLC Project (5971 RS)
Date: Friday, October 25, 2024 12:49:42 PM

Dear CON Board,

We are residents of Westridge Manor Estates subdivision in Manchester, Missouri. We are sending a Letter of Opposition stating our concerns related to the Topwood LLC Project continuing in our neighborhood. We understand that the Applicant Barth Holohan has submitted a fourth Extension Request that will be heard at the November 18, 2024 CON Board Meeting.

We have serious concerns about this Extension Request and would strongly suggest that the CON Board members vote AGAINST granting more Extensions for this project for the following reasons:

- The Applicant has not made any significant progress on the project in 2+ years, even after closing on the property in August 2022. According to CON Board rules this is a condition for denying an Extension
- The Applicant has not made a Capital Expenditure for the project in 2+ years. According to CON Board rules this is a condition for denying an Extension
- This is the wrong location for an Assisted Living Facility, since there is only one Ingress/Egress point which is through a busy residential subdivision
- There is NO NEED for another Assisted Living Facility within the City of Manchester and West County area—the latest published Quarterly Stats ending with 2nd Quarter 2024 show there is only a 71.9% Occupancy in St Louis County. This means there are still almost 30% Available Beds.
- The Applicant and City of Manchester still have not communicated their Traffic Impact Study (TIS) results to the neighbors, although the TIS has been completed since late Spring/early Summer 2024
- There has been limited community outreach by the Applicant since June 2022, with the exception of a single Resident Meeting held in July 2024, scheduled at the urging of the City of Manchester Planning & Zoning department

Thank you,

Katy and Jason Bayer

834 Burgundy Lane

Ballwin, MO 63011

314-606-4352

Residents of Westridge Manor Estates

From: [Hendrickson, Scott R](#)
To: [CONP CONP](#)
Subject: RE: Topwood Home LLC Project
Date: Friday, October 25, 2024 1:35:36 PM

Dear CON Board – I am a residents of Westridge Manor Estates subdivision in Manchester, Missouri.

I have sent two previous emails stating my opposition to the Topwood LLC Project and it was recently brought to my attention that this ownership group is requesting yet another extension. I don't have any faith that you will do the right thing, but I would like to submit this email as my formal opposition to this extension being approved.

This project clearly doesn't have the support/capital needed to move forward and candidly there is absolutely no need for another assisted living facility. There are more than enough in the Manchester/Ballwin area.

Scott Hendrickson
892 Burgundy Lane

From: Lux, Mackinzey <Mackinzey.Lux@health.mo.gov>
Sent: Thursday, November 30, 2023 11:55 AM
To: Hendrickson, Scott R MO1 <SHendrickson@express-scripts.com>
Subject: [EXTERNAL] RE: Topwood Home LLC Project

Thank you. Our office has received this.

Mackinzey Lux

Assistant Program Coordinator, Certificate of Need
Department of Health and Senior Services
920 Wildwood Drive, P.O. Box 570
Jefferson City, MO 65102
OFFICE: 573-751-6403
FAX: 573-751-7894

EMAIL: mackinzey.lux@health.mo.gov
<http://health.mo.gov/information/boards/certificateofneed/index.php>

DHSS - Protecting Health and Keeping People Safe

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From: Hendrickson, Scott R MO1 <SHendrickson@express-scripts.com>
Sent: Thursday, November 30, 2023 11:13 AM
To: Lux, Mackinzey <Mackinzey.Lux@health.mo.gov>
Subject: RE: Topwood Home LLC Project

Hello Mackinzey,

It was brought to my attention that the owners of the Topwood property in Manchester, MO have requested an extension for their project.

I obviously still have great concern of this project going through and how it will negatively impact our neighborhood (see note below).

Beyond that it is troubling that this ownership group doesn't seem to have a plan, or an ability to execute that plan with the constant extensions. My new fear is that they get approval and the project falls through half way through creating additional issues for the surrounding areas.

Thank you for your time and have a great day.

Scott and Sonni Hendrickson

From: Lux, Mackinzey <Mackinzey.Lux@health.mo.gov>
Sent: Friday, May 12, 2023 10:59 AM
To: Hendrickson, Scott R MO1 <SHendrickson@express-scripts.com>
Subject: [EXTERNAL] RE: Topwood Home LLC Project

This has been received by our office. Thank you.

Mackinzey Lux

Assistant Program Coordinator, Certificate of Need

Department of Health and Senior Services

3418 Knipp Drive, P.O. Box 570

Jefferson City, MO 65102

OFFICE: 573-751-6403

FAX: 573-751-7894

EMAIL: mackinzey.lux@health.mo.gov

<http://health.mo.gov/information/boards/certificateofneed/index.php>

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From: Hendrickson, Scott R MO1 <SHendrickson@express-scripts.com>
Sent: Friday, May 12, 2023 7:56 AM
To: Lux, Mackinzey <Mackinzey.Lux@health.mo.gov>

Subject: Topwood Home LLC Project

Hello Mackinzey,

I was told you were the correct person to reach out to with concerns regarding the Topwood Home LLC Project. If that is incorrect please let me know if there is someone else I should contact.

I have several concerns listed below but primarily this project directly impacts our current living situation since its planned to be built on the land behind my house. The added noise and lack of privacy will surely impact our property value (negatively) and was something we tried to express to the Mayor when this was being reviewed.

In addition my wife and I have the following concerns for this project:

- This project is on a small, dead-end residential street, with the **only** access being through our small neighborhood street.
- This project will increase traffic through our neighborhood exponentially. We already have a significant problem with cut-through traffic and speeding cars, and this will make it so much worse.
- Our neighborhood has many young children & grandchildren, who ride bikes and scooters in the streets and play in their yards. With employees and visitors driving to and from this facility, there will be so many more cars driving through our streets and speeding down the hill to get to the highway.
- There are already **three** memory care facilities within **two miles** of our neighborhood.
- There are at least **eight** additional memory care facilities within **five miles** of our neighborhood.
- This project was pushed through the City of Manchester with almost no input from the city or neighborhood.

I appreciate you considering the items listed above as you work through approving/rejecting any extensions the Topwood group may be requesting. Thank you.

Scott and Sonni Hendrickson
892 Burgundy Lane
Manchester, MO 63011

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From: [Thomas Torretti](#)
To: [CONP.CONP](#)
Subject: Letter of Concern Related to Topwood LLC Project (5971 RS)
Date: Friday, October 25, 2024 2:08:00 PM

Dear CON Board – I am a resident of Westridge Manor Estates subdivision in Manchester, Missouri. I have previously sent a Letter of Opposition to the Board in 2023 or early 2024 stating my concerns related to the Topwood LLC Project continuing in our neighborhood. I understand that the Applicant Barth Holohan has submitted a fourth Extension Request that will be heard at the November 18, 2024, CON Board Meeting.

I have serious concerns about this Extension Request and would strongly suggest that the CON Board members vote AGAINST granting more Extensions for this project. Some reasons include:

- The Applicant has not made any significant progress on the project in 2+ years, even after closing on the property in August 2022. According to CON Board rules this is a condition for denying an Extension
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- This is the wrong location for an Assisted Living Facility, since there is only one Ingress/Egress point which is through a busy residential subdivision
- There is NO NEED for another Assisted Living Facility within the City of Manchester and West County area—the latest published Quarterly Stats ending with 2nd Quarter 2024 show there is only a 71.9% Occupancy in St Louis County. This means there are still almost 30% Available Beds.
- The Applicant and City of Manchester still have not communicated their Traffic Impact Study (TIS) results to the neighbors, although the TIS has been completed since late Spring/early Summer 2024
- There has been limited community outreach by the Applicant since June 2022, with the exception of a single Resident Meeting held in July 2024, scheduled at the urging of the City of Manchester Planning & Zoning department

Please deny this request.

Thomas M. Torretti
816 Henry Manor Ct.
Manchester, Mo. 63011
Proud Resident of Westridge Manor Estates

From: [Nancy Parker](#)
To: [CONP.CONP](#)
Subject: The proposed facility in our neighborhood
Date: Saturday, October 26, 2024 1:04:50 PM

To: CONP@health.mo.gov

Subject: Letter of Concern Related to Topwood LLC Project (5971 RS)

Dear CON Board – We are residents of Westridge Manor Estates subdivision in Manchester, Missouri. We have previously sent a Letter of Opposition to the Board in 2023 or early 2024 stating our concerns related to the Topwood LLC Project continuing in our neighborhood. We understand that the Applicant Barth Holohan has submitted a fourth Extension Request that will be heard at the November 18, 2024 CON Board Meeting.

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- There has been limited community outreach by the Applicant since June 2022, with the exception of a single Resident Meeting held in July 2024, scheduled at the urging of the City of Manchester Planning & Zoning department
- We do NOT want bright parking lot lights affecting our quality of life as well as the wildlife in our neighborhood. We also don't want emergency vehicles coming and going which logically, they would often do. We do not want additional traffic in our small quiet neighborhood. Staff members of the facility will be coming and going with changes of shifts. Please look elsewhere for a more logical site for your business, not in our peaceful neighborhood!

Thank you,
Bill and Nancy Parker
718 Chancellor Heights Dr.
Manchester, MO
Resident of Westridge Manor Estates

From: [suren mehta](#)
To: [CONP.CONP](#)
Cc: [mehta suren](#)
Subject: Letter of Concern Related to Topwood LLC Project (5971 RS)
Date: Saturday, October 26, 2024 11:10:12 AM

Dear Con Board,

We are residents of Westridge Manor Estates subdivision in Manchester, Missouri. We have previously sent a Letter of Opposition to the Board in 2023 or early 2024 stating our concerns related to the Topwood LLC Project continuing in our neighborhood. We understand that the Applicant Barth Holohan has submitted a fourth Extension Request that will be heard at the November 18, 2024 CON Board Meeting.

We have serious concerns about this Extension Request and would strongly suggest that the CON Board members vote AGAINST granting more Extensions for this project.

In my opinion none of the board members prefer this kind of Assisted living facility in their subdivision. Also

- The Applicant has not made any significant progress on the project in 2+ years, even after closing on the property in August 2022. According to CON Board rules this is a condition for denying an Extension
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- There has been limited community outreach by the Applicant since June 2022, with the exception of a single Resident Meeting held in July 2024, scheduled at the urging of the City of Manchester Planning & Zoning department

Thanks.

Sincerely,
Suren & Bharati Mehta,
749 Woodridge Heights Court

Manchester, MO-63011

314-956-3108

Resident of Westridge Manor Estates

From: gailynn@charter.net
To: [CONP.CONP](#)
Cc: gailynn@charter.net
Subject: TOPWOOD LLC PROJECT (5971 RS) - Letter of Concern
Date: Tuesday, October 29, 2024 9:08:33 AM

Dear CON Board – I am a resident at 14 Glenworth Court of Hanover Woods Subdivision in Manchester, Missouri. We have previously sent a Letter of Opposition to the Board in 2023 or early 2024 stating our concerns related to the Topwood LLC Project continuing in our neighborhood as well as my property specifically since it backs up to this project. I understand that the Applicant, Barth Holohan, has submitted a fourth Extension Request that will be heard at the November 18, 2024 CON Board Meeting.

I have serious concerns about this Extension Request and would strongly suggest that the CON Board members vote AGAINST granting more Extensions for this project. Some reasons include:

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- There has been limited community outreach by the Applicant since June 2022, with the exception of a Resident Meeting held in July 2024, scheduled at the urging of the City of Manchester Planning & Zoning department
- I strongly feel this entire process has been handled without proper communication to those of us who will have the most direct impact from another superfluous Assisted Living Facility in this area. This is an opportunity to correct the situation by denying yet another extension to this developer.

Sincerely,
Gailynn Campbell
14 Glenworth Court
Manchester, MO 63011
636-394-7741
Hanover Woods Subdivision

From: [William Duncan](#)
To: [CONP.CONP](#)
Subject: Letter of Grave Concern
Date: Monday, October 28, 2024 3:22:13 PM

Dear CONP Board Members:

My name is William Duncan. I live at 909 Burgundy Lane in Manchester, Missouri, which is located directly across the street from the only entrance to Topwood, the proposed site of the Assisted Living Facility proposed by Bath Holohan. In other words, I am directly in front of the only ingress/egress point.

I urge you, in the strongest possible terms, NOT to further extend the certification for this project. The completion of this project would draw thousands of additional vehicles each year to the street directly in front of my home, in what is now a quiet residential neighborhood.

Unless there is some way to provide an entrance to the facility directly from 141 (Woods Mill Road,) the construction of this facility will substantially endanger the residents of our neighborhood. Furthermore, the continued extensions of this certification without a public review of the recently completed Traffic Impact Study reflects a capricious lack of concern for our residents safety, and a lack of transparency that is irresponsible.

Sincerely,

Bill Duncan
billduncanbusiness@gmail.com