

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
100 Maryland Avenue, Room 217
Rockville, Maryland 20850
(240) 777-6600**

<https://www.montgomerycountymd.gov/boa/>

WORKSESSION MINUTES

Second Floor Davidson Memorial Hearing Room

Wednesday, January 9, 2019

ACTION ITEMS:

1. Minutes of December 19, 2018, Worksession.

Action: Approved, (KF/BG, 3-0) (JHP-abstained).

2. **A-6582, Petition of Mark W. Abbott and Demetra Aposporos** (Variance). Letter to the Board from the Petitioners requesting modification of the Board's Opinion dated October 17, 2018.

Action: Granted (SBB/BG, 3-1) (KF-opposed).

3. **A-6588, Petition of Michael D. and M. Maizel** (Variance). Letter to the Board from Nancy J. Allender, requesting a rehearing of this matter.

Action: Denied the request for rehearing, (JHP/BG, 4-0).

4. **A-6592, Petition of Tiemoko Coulibaly** (Administrative Appeal). Emails to the Board dated December 20, 2018, and December 21, 2018, that the Appellant requests be added to the Board's record. Email dated December 28, 2018, from the Appellant attaching a Notice of Appeal of the Board's November 30, 2018, and December 21, 2018, decisions, filed with the Circuit Court. Email dated December 31, 2018, from the Appellant attaching a request that the Board reconsider its December 21, 2018, denial of the requested filing fee refund. A second copy of the cover sheet for this request for reconsideration, as augmented by the Appellant on January 2, 2019, is also included. Email with attachment dated January 3, 2019, requesting that the Board hold further action on this matter in abeyance, and a second email, also dated January 3, 2019, clarifying that request. Also included is an email dated 1/4/19.

Action: Case is on appeal. No action taken.

5. **CBA-286-A, Petition of Columbia Country Club** (Golf and Country Club). Letter to the Board from Jody S. Kline, Esquire, requesting an administrative modification of this special exception.

Action: Granted the modification of this special exception, (JHP/SBB, 4-0).

6. **CBA-1383-A, Petition of Tilden Woods Recreation Association** (Community Swimming Pool). Letter to the Board from the Michael Osterman, President, TWRA, submitting the minutes from the three Community Liaison Council meetings held in 2018.

Action: Re-opened the record to include Michael Osterman's letter with attachments, (JHP/BG, 4-0).

7. **CBA-1707, Petition of Regency Estate Swim Club** (Community Swimming Pool). Letter to the Board from Mara V.J. Senn, Regency Estate Swim Club President, requesting an administrative modification of this special exception.

Action: Granted the administrative modification of this special exception, (JHP/BG, 4-0).

8. **S-213 [S-214], Petition of Potomac Electric Power Company** (Electric Substation and Electric Power and Energy Transmission Lines). Letter to the Board from Amber C. Young, Manager, submitting the required 10- and 20-year plans for electric service for Pepco's Brighton Substation No. 66.

Action: Re-opened the record to include Amber C. Young's letter with attachments, (JHP/KF, 4-0).

9. **S-1204, Petition of Children's Center of Damascus, LLC.** (Child Day Care Facility). Letter to the Board from Upreet Bhandari, requesting an administrative modification of this special exception. [Large Exhibit: site plan].

Action: Granted physical modifications of this special exception only, change to number of children not addressed, (JHP/SBB, 4-0).

10. **S-1632-B and S-2273, Petition of River Road Development, Inc. d/b/a Gymkhana Club International and AT&T Wireless Services** (Telecommunications Facility). Letter to the Board from William J. Chen, Esquire, submitting a letter of complaint on behalf of abutting property owners David Hilbert and Jan Casadei. The letter requests enforcement of the special exception conditions and suspension by OZAH of their processing of CU 18-05, which pertains to the same property. [Large Ex: NRI/FSD; Site Plan]

Action: This complaint was referred to the Department of Permitting Services, (JHP/KF, 4-0).

11. **S-2087, Petition of Andrew and Krystyn Bialek Kalinski** (Accessory Apartment). Letter to the Board from Mitiku Kelkay, requesting the transfer of this special exception.

Action: Granted the transfer of this special exception, (JHP/BG, 4-0).

12. **S-2092, Petition of Brooke Grove Foundation** (Life Care Facilities). Letter to the Board from Soo Lee-Cho, Esquire, requesting an administrative modification of this special exception.

Action: Granted the administrative modification of this special exception, (BG/SBB, 4-0).

13. **S-2206, Petition of DHF Investment Group, LLC** (Accessory Dwelling). Letter to the Board from Kristin Protas, requesting the transfer of this special exception.

Action: Granted the transfer of this special exception, (KF/BG, 4-0).

14. **S-2244, Petition of Wireless PCS, Inc. (d/b/a AT&T Wireless Services by Christopher Doherty)** (Telecommunications Facility). Letter to the Board from Benjamin Pelletier, Land Use Project Manager, Network Building + Consulting, sent on behalf of T-Mobile, requesting a modification of an existing cell tower special exception. Also included written permission to seek the modification from American Tower Corporation, and a request to transfer this special exception to current owner GTP Towers IV, LLC, which is a wholly-owned subsidiary of American Tower Corporation.

Action: Deferred to January 23, 2019.

Board Members

John H. Pentecost, Chair
Stanley B. Boyd, Vice Chair
Bruce Goldensohn
Katherine Freeman
[Vacancy advertised]

Staff

Barbara Jay, Executive Director
Kathryn Lloyd, Associate County Attorney