

**BOARD OF APPEALS  
For  
MONTGOMERY COUNTY**

**100 Maryland Avenue, Room 217  
Rockville, MD 20850  
(240) 777-6600**

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

**WORKSESSION MINUTES**

**Wednesday, September 20, 2023**

**ACTION ITEMS:**

**1. Worksession Minutes of September 6, 2023.**

Action: Approved, (CH/LST, 4-0) (JHP: abstained).

- 2. A-6834, Petition of Jose M. Polanco and Nelsy Polanco** (Variance). Letter to the Board from Francoise Carrier, Esquire, submitting the variance application and requesting that it be consolidated with a conditional use application pending for the same property. Ms. Carrier is also requesting a waiver of the variance fee, in accordance with Board Rule 1.6b.

*Located at 2230 Spencerville Road, Spencerville, Maryland.*

Action: Granted consolidation of cases and the variance fee waiver, (JHP/RM, 5-0).

- 3. CBA-1174-D, Petition of Holton Arms** (Private Educational Institution). Letter to the Board from Soo Lee-Cho, Esquire, submitting the School's Annual Report.

*Located at 7303 River Road, Bethesda, Maryland.*

Action: Deferred to October 4, 2023, (Consensus).

- 4. CBA-1446 [CBA-2395, S-15], Petition of Chesapeake and Potomac Telephone Company of Maryland** (Telephone Exchange). Letter to the Board from Timothy Dugan, Esquire, seeking an administrative modification of the Special Exception.

*Located at the Intersection of University Boulevard West and Kerwin Road, Silver Spring, Maryland.*

Action: Granted the administrative modification of the special exception, (RM/CH, 5-0).

- 5. CBA-2521-K, Petition of MedStar Montgomery Medical Center** (Hospital). Letter to the Board from Jody S. Kline, Esquire, requesting an administrative modification of the special exception.

*Located at 18101 Prince Philip Drive, Olney, Maryland.*

Action: Granted the administrative modification of the special exception, (JHP/AS, 5-0).

- 6. CU 22-07, Petition of Chapingo, LLC** (Landscape Contractor). Letter to the Board from Sean Hughes, Esquire, on behalf of the Petitioner, appealing and requesting oral argument regarding the Hearing Examiner's August 21, 2023, Report and Decision on Remand. Also included are opposition and a request to participate from James and Karen Ryan, and a request to participate from Thomas Hartsock.

*Located at 12120 Prices Distillery Road, Damascus, Maryland.*

Action: Denied the request for oral argument, adopted the OZAH Report and Decision on Remand, and denied the Conditional Use, (JHP/AS, 5-0).

- 7. S-2729, Petition of American Tower and M-NCPPC** (Telecommunications Facility). Letter to the Board from Douglas A. Sampson, Esq. Saul Ewing LLP, requesting an administrative modification of the special exception.

*Located at 1313 Bonifant Road, Colesville, Maryland.*

Action: Granted the administrative modification of the special exception, (JHP/CH, 5-0).

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Richard Melnick, Vice Chair  
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