

**OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS  
for  
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building  
100 Maryland Avenue, Room 200  
Rockville, Maryland 20850  
<http://www.montgomerycountymd.gov/ozah/index.html>  
Phone: (240) 777-6660; Fax (240) 777-6665**

**CASE NO. CU 19-07**

**APPLICATION OF POTOMAC EDISON COMPANY**

**CORRECTED NOTICE OF HEARING**

Please take notice that the Office of Zoning and Administrative Hearings for Montgomery County, Maryland, will hold a public hearing on the above application in the Stella B. Werner Council Office Building, Second Floor, Davidson Memorial Hearing Room, at 100 Maryland Avenue, Rockville, Maryland, on **Friday, April 12, 2019 at 9:30 am.** The Applicant seeks approval of a conditional use under Section 59.3.6.7.E. of the Zoning Ordinance to permit a Public Utility Structure on a .702 acre portion of 12.208 acre parcel owned by Montgomery County.

The subject property is Parcel P930 on Map EW21, located at 22800 Whelan Lane, in Boyds, Maryland 20841, in the Employment-Office (EOF) Zone and the Clarksburg West Environmental (CWE) Overlay Zone (Tax Account Number 02-03674732).

The entire file may be reviewed in the Office of Zoning and Administrative Hearings, Monday through Friday, between the hours of 9:00 a.m. and 4:00 p.m., prior to the date of the hearing.

Persons or associations that are (1) represented by counsel, (2) intending to appear in organized opposition, **or** (3) intending to introduce expert evidence or testimony must file a pre-hearing statement containing the information required by Rules 3.4 and 3.5 of OZAH's Rules of Procedure (Rules). Filings must include an electronic copy of the statement and all attachments. These Rules may be found on OZAH's website at <http://www.montgomerycountymd.gov/ozah/>. The Applicant must submit its pre-hearing statement at least 30 days before the public hearing. Persons in opposition that are required to file a pre-hearing statement must do so no less than 20 days before the public hearing.

In compliance with Maryland requirements regarding the practice of law, groups or associations must have counsel unless their witnesses are members of the group or association who will offer testimony in narrative form (*i.e.*, there is no need for an attorney to conduct a direct examination).

In addition to all other requirements, any party submitting documentary evidence for the record must file electronic copies of their submissions. Amended electronic copies must also be submitted of any amended documents. Electronic copies must be submitted on external storage media, including Compact Discs or DVDs, in Microsoft WORD format for text documents, and in PDF format for plans, photos and other non-text documents.

**Continued**


Nothing in this notice is intended to limit the rights of individual members of the public to testify during the hearing or to submit pertinent written materials at any time while the record remains open for that purpose. You may submit a signed letter to OZAH, which will be considered by the Hearing Examiner as part of the record but doing so will not automatically make you a party of record. Applicants and members of the public who testify at an OZAH hearing, whether for or against the application, are automatically considered parties of record. A person or organization that does not wish to appear at the OZAH hearing but wishes to be a party of record may request that status in a signed letter to OZAH. *See* OZAH Rule 3.1.

If you need services to participate in a public hearing, please contact this Office no later than seven (7) days in advance of the public hearing by calling 240-777-6660 (TTY 240-777-7914) or emailing us at [ozah@montgomerycountymd.gov](mailto:ozah@montgomerycountymd.gov). OZAH cannot guarantee that an interpreter can be made available if notified of the request less than seven (7) days in advance of the public hearing. This document is available in alternative format such as large print upon request, via the same phone numbers and email address.

Notices forwarded this 13<sup>th</sup> day of March 2019 to:

Potomac Edison Company, Applicant  
Gregory E. Rapisarda, Esquire, Counsel for the Applicant  
Charles Frederick, Esquire, Associate County Attorney  
Diane Schwartz-Jones, Director, Department of Permitting Services  
Greg Nichols, Manager, SPES at DPS  
Elsabett Tesfaye, Planning Department  
Neil Braunstein, Planning Department  
Washington Suburban Sanitary Commission  
Alexandre Espinosa, Director, Finance Department  
Abutting and Confronting Property Owners  
(or a condominium's council of unit owners or renters, if applicable)  
Civic, Renters' and Homeowners' Associations within a half mile of the site  
Any Municipality within a half mile of the site

Office of Zoning and Administrative Hearings

by:   
Martin L. Grossman, Director  
Hearing Examiner