

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 THE POTOMAC EDISON COMPANY

NOTICE OF MOTION TO AMEND APPLICATION

The subject application seeks a Conditional Use, pursuant to Section 59.3.6.7.E of the Zoning Ordinance, to permit a *Public Utility Structure* use at 22800 Whelane Lane, Boyds, Maryland in the Employment-Office (EOF) Zone and the Clarksburg West Environmental (CWE) Overlay Zone. The property is identified as Parcel P909 and P930 on Map EW21 (Tax Account Number 02-03674732).

Please take notice that on March 14, 2019, the Applicant amended this pending application (Exhibits 42 and 46) to comply with comments made by the Montgomery County Planning Department. The amended plans include:

1. Conditional Use Plans
2. Forest Conservation Plan.
3. Planting Schedule, Planting Plans, Notes and Typical Details.
4. Landscape Screening and Lighting Plan (Sheets No. 1 and No. 2)
5. Vicinity Map
6. Fence Detail
7. Landscape Rendering

A motion to amend an application requests permission only to revise portions of the application. Granting the motion merely allows the Applicant to make the requested changes to the application, but does not, in any way, approve the application itself. The Hearing Examiner will take the motion to amend the application under consideration for a period of ten days from the date of this notice, until April 5, 2019. Interested parties who object to the motion must do so, in writing, no later than April 5, 2019. If no objection is received by that time, the motion will be considered granted. Additional notification regarding the amendment will be provided only if an objection is received.

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, currently scheduled for April 12, 2019.

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.

Continued

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.

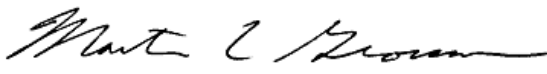
Nothing in this notice is intended to limit the rights of individual members of the public to testify during the hearing or to submit pertinent written materials at any time while the record remains open for that purpose. You may submit a signed letter to OZAH, which will be considered by the Hearing 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. 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 26th day of March 2019 to:

The Potomac Edison Company, Applicant
Greg Rapisarda, Esq., Applicant's Counsel
Charles Frederick, Esquire, Associate County Attorney
Diane Schwartz-Jones, Director, Department of Permitting Services
Greg Nichols, Manager, SPES at DPS
Elsabett Tesfaye, Planning Department
Alexandre Espinosa, Director, Finance Department
Washington Suburban Sanitary Commission
Montgomery County Public Schools
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