

**BEFORE THE OFFICE OF ZONING AND
ADMINISTRATIVE HEARINGS FOR MONTGOMERY COUNTY**

**IN THE MATTER OF ADMINISTRATIVE
MODIFICATION, APPLICATION OF THE
OLNEY BOYS AND GIRLS CLUB**

* **Case No. S-2385**
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APPLICANT’S PRE-HEARING SUBMISSION

The Applicant, Olney Boys and Girls Club Sports Association, Inc. (“Olney Boys and Girls Club” or the “Applicant”), by and through undersigned counsel, hereby submits this Pre-Hearing Submission for the hearing scheduled for February 11, 2025, and in accordance with Rule 3.4 of the OZAH Zoning Rules of Procedure, and states as follows:

A. Statement of the Grounds for Approval of the Application

The Applicant submitted as part of its record evidence a copy of its Petition for Special Exception Administrative Modification and supporting materials and evidence, originally submitted to the Board of Appeals on June 25, 2024, which serves as the Applicant’s statement of justification in this matter. The Applicant incorporates those materials by reference, and the other information contained in the administrative record for Case No. S-2385, as the grounds for approval of this Application. The Applicant may introduce additional documentary evidence at the hearing on February 11, 2025.

For further background information and context in preparation for the hearing, the Applicant states that the Applicant has owned the Property located at 4501 Olney-Laytonsville Road, Olney, Maryland 20832 since 1999 and received Special Exception approval from the Board of Appeals for a service organization that same year. The Applicant has conducted fundraising activities and events on the Property for over 20 years as a logical and natural extension of its operations. These activities and events are important to the Applicant and surrounding community, support the Applicant as a non-profit organization, and further the Applicant’s mission of providing children with safe after-school sports programs that emphasize physical and emotional development, build self-esteem and cultivate a lifelong interest in sports, health, and teamwork.

The “Field of Screams” seasonal fundraising event has operated for over 20 years (generally during the month of October), and the “Winter City Lights” seasonal fundraising event recently completed its third year (generally from Thanksgiving to New Year’s Day). Both fundraising events are safe, well organized, successful, and affordable family experiences that bring the local community together to celebrate the holiday seasons. The structures that support the Field of Screams and Winter City Lights events that are located along the walking trail within the woods that are used for the events have existed for over 20 years.

In its prior resolutions, the Board of Appeals specifically approved various structures that support the Field of Screams and Winter City Lights events, and the Board specifically referred to the walking trail in its June 4, 2019 Special Exception modification resolution. But one purpose of the June 25, 2024 Petition for Special Exception Administrative Modification is to include into the Board of Appeals record a site plan reflecting the precise locations of the trails and trail structures. The Applicant and M-NCPPC Planning Department worked collaboratively over a significant period of time to amend a Forest Conservation Easement and determine these precise locations.

The second purpose of the June 25, 2024 Petition is to clarify operational features of the fundraising events under the originally granted Special Exception. In its resolutions dated July 14, 2011, and June 4, 2019, the Board of Appeals recognized that fundraising events – at least generally – have occurred and continue to occur on the Property, and thus, approved those events. At the same time, the related prior Special Exception modification requests focused on the structures that support the fundraising events, as opposed to specific operational characteristics of the fundraising events themselves. The Applicant believes that in response to County Department of Permitting Services and neighboring property owner feedback, it is appropriate, makes sense, and would be helpful for all parties concerned, for information to be entered into the Board of Appeals record reflecting the operational characteristics of the fundraising events.

Accordingly, at the upcoming February 11, 2025, hearing, the Applicant will be prepared to present more specific information regarding the projected number of days of operation, hours of operation, parking and traffic management planning, event layout, and other similar information and characteristics for the Applicant’s seasonal fundraising events (Field of Screams and Winter City Lights). This information can provide the basis for reasonable parameters and

conditions associated with the Applicant's fundraising events to be entered into the Board of Appeals Special Exception record going forward. Additionally, the Applicant remains committed at all times to communicating and working with adjoining property owners to limit and address any off-site impacts created by the fundraising events.

B. Names of Testifying Witnesses

At the hearing, the Applicant will present testimony and evidence in support of its June 25, 2024 Petition. The Applicant does not intend to call expert witnesses or provide expert testimony, but intends to call the following other witnesses, which list the Applicant reserves the right to amend or supplement in any aspect, in accordance with the applicable Rules of Procedure:

- a. Brad Scott, Executive Director, Olney Boys and Girls Club Sports Association, Inc. Mr. Scott, among other things, will testify on the topics of the general operations of the Applicant's fundraising events and their importance to supporting the local community and the Applicant's mission as a non-profit organization.
- b. Jeremy Colville, Chair of the Board of Directors, Olney Boys and Girls Club Sports Association, Inc. Mr. Colville, among other things, will testify on the topics of the general operations of the Applicant's fundraising events and their importance to supporting the local community and the Applicant's mission as a non-profit organization.
- c. Kevin McLaren, event manager for SHP, Inc. (the private company that operates the Field of Screams and Winter City Lights events). Mr. McLaren, among other things, will testify on the topics of specific operational characteristics associated with the Field of Screams and Winter City Lights fundraising events.

C. Copies of Reports

The Applicant intends to rely upon the June 25, 2024 Petition and administrative record for Case No. S-2385, and such other documentary evidence as may be submitted as part of the Applicant's record evidence. Additionally, the Applicant submits the attached aerial photograph reflecting estimated distances measuring from the Applicant's Property line to nearby homes, and general plans reflecting both the Field of Screams and Winter City Lights event layouts. The

Applicant does not intend to produce any expert witness reports. If necessary, the Applicant reserves the right to amend or supplement this witness list, evidence to be presented, and any other component of the Application and materials submitted in accordance with the applicable Rules of Procedure.

D. Estimated Time for Presentation

The Applicant anticipates approximately 1-2 hours of testimony and presentation. The Applicant anticipates that it will take approximately 2 hours to present the Applicant's case, exclusive of any cross-examination.

Respectfully submitted,

Peter Ciferri / with permission



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Dated: January 13, 2025

Counsel for Applicant

Attachments:

1. Aerial photograph reflecting approximate distances measuring from the Applicant's Property line to nearby homes.
2. Plans reflecting both the Field of Screams and Winter City Lights event layouts.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT, on this 13th day of January, 2025, a copy of the foregoing Applicant's Pre-Hearing Submission was emailed to available email addresses and mailed, first class, to the parties named on the attached list.

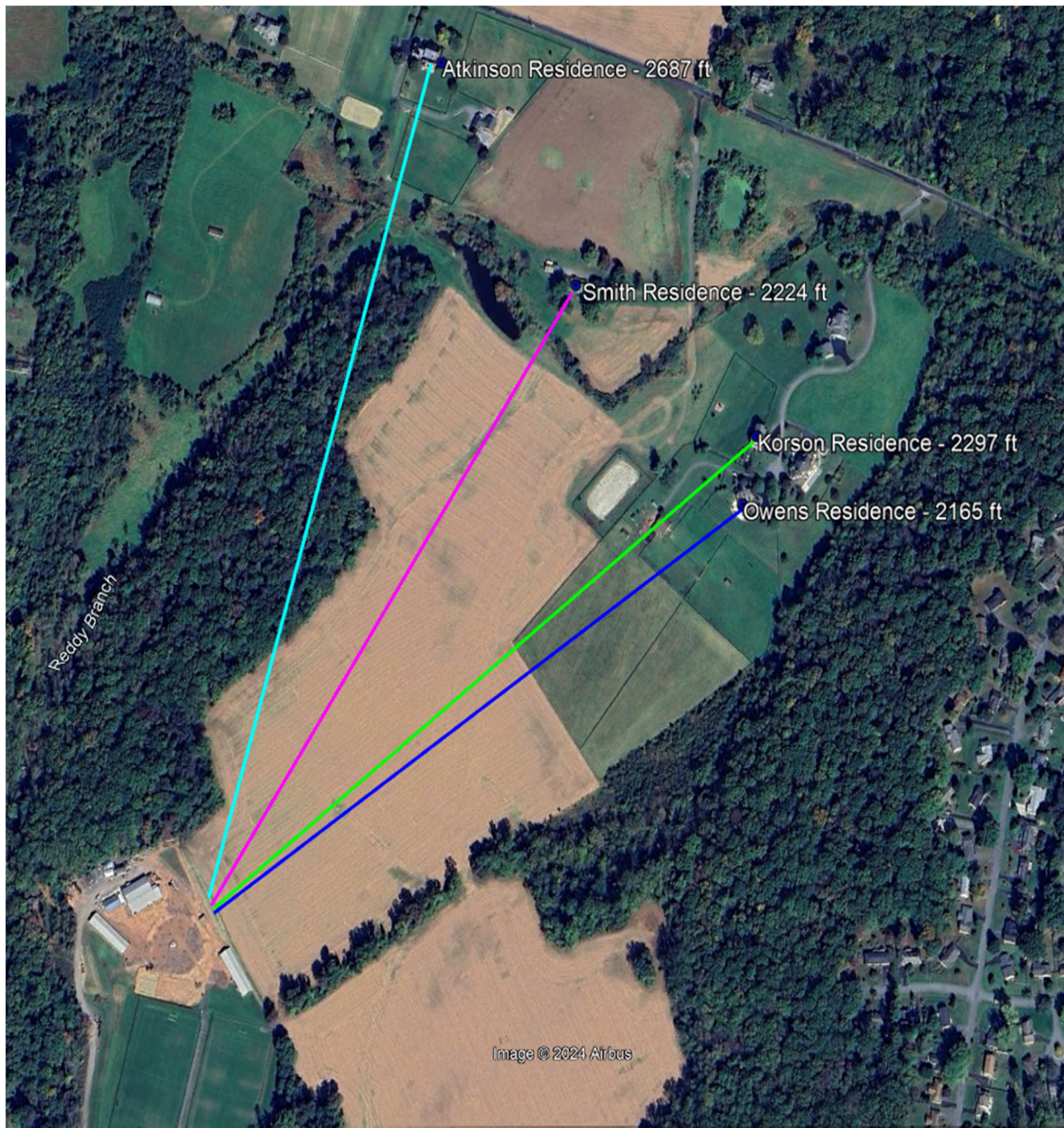


Stuart R. Barr

January 13, 2025

Special Exception Case Number S-2385

Approximate Distances from OBGC property line to various neighbors' homes:



Approximate Distances from OBGC property line to various neighbors' homes:

Atkinson – 2,687 feet, 0.51 miles

Smith – 2,224 feet, 0.42 miles

Korson – 2,297 feet, 0.44 miles

Owens – 2,165 feet, 0.41 miles



January 13, 2025

Special Exception Case Number S-2385

General layout of Field of Screams (FOS) and Winter City Lights (WCL) Seasonal Fundraising Event located at Olney Boys and Girls Club (OBGC), 4501 Olney Laytonsville Rd, Olney MD 20832