



Re: S-2385 - OBGC - Administrative Modification - Hearing Date 2/11/25

From Byrne, Kathleen E. <Kathleen.Byrne@montgomerycountymd.gov>

Date Tue 3/4/2025 2:33 PM

To Barr, Stuart R. <srbarr@lercheary.com>; Nikki Korson <nikkikorson@gmail.com>

Cc Caroline Taylor <caroline@mocoalliance.org>; director@obgc.com <director@obgc.com>; atkinson1647@gmail.com <atkinson1647@gmail.com>; atkinson.tja@gmail.com <atkinson.tja@gmail.com>; Allen, Christopher <Christopher.Allen@montgomerycountymd.gov>; anothersmithfam@gmail.com <anothersmithfam@gmail.com>; tony.korson@gmail.com <tony.korson@gmail.com>; caraghfay@gmail.com <caraghfay@gmail.com>; mnace@faylawgroup.com <mnace@faylawgroup.com>; pvfgrain@aol.com <pvfgrain@aol.com>; brookelanefarm@yahoo.com <brookelanefarm@yahoo.com>; joelcundick@gmail.com <joelcundick@gmail.com>; Lynncfields@comcast.net <Lynncfields@comcast.net>; kbaker56dozen@yahoo.com <kbaker56dozen@yahoo.com>; Scheffel, Mike <Mike.Scheffel@montgomerycountymd.gov>; Talcott, Corey <Corey.Talcott@montgomerycountymd.gov>; Nichols, Greg <Greg.Nichols@montgomerycountymd.gov>; Coveyou, Michael <Michael.Coveyou@montgomerycountymd.gov>; Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>; Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>

All,

I appreciate your patience with my delayed response to OBGC's request to supplement the record with Mr. Barr's letter dated February 20, 2025 and the objection from Ms. Korson speaking on behalf of those in opposition to allowing the document into evidence. Mr. Barr argues that nothing in the letter is new evidence, merely it provides a summary of the evidence presented, and in the event any new evidence is contained in the letter, he would agree to striking that content. Ms. Korson argues that the letter is not evidence, but "new testimony" that is a "one sided, written, unsolicited summary".

The Hearing Examiner will not accept Mr. Barr's letter into evidence and will rely solely on the record made during the hearing, the court reporter's transcript and the exhibits admitted into evidence as of the date of the hearing. While the Hearing Examiner understands and appreciates Mr. Barr's efforts to provide an easy follow summary for all participants, as Mr. Barr stated in his email, the February 20, 2025 contains no new evidence, but provides a convenient summary. As such, there is no need to include the February 20, 2025 letter into evidence at this time.

Katy Byrne

Kathleen E. Byrne
 Director/Hearing Examiner
 Office of Zoning and Administrative Hearings
 100 Maryland Avenue, Room 200
 Rockville Maryland 20850
 240-777-6667

From: Barr, Stuart R. <srbarr@lercheary.com>

Sent: Tuesday, March 4, 2025 8:55 AM

To: Nikki Korson <nikkikorson@gmail.com>; Byrne, Kathleen E. <Kathleen.Byrne@montgomerycountymd.gov>

Cc: Caroline Taylor <caroline@mocoalliance.org>; director@obgc.com <director@obgc.com>; atkinson1647@gmail.com <atkinson1647@gmail.com>; atkinson.tja@gmail.com <atkinson.tja@gmail.com>; Allen, Christopher <Christopher.Allen@montgomerycountymd.gov>; anothersmithfam@gmail.com

<anothersmithfam@gmail.com>; tony.korson@gmail.com <tony.korson@gmail.com>; caraghfay@gmail.com <caraghfay@gmail.com>; mnace@faylawgroup.com <mnace@faylawgroup.com>; pvfgrain@aol.com <pvfgrain@aol.com>; brookelanefarm@yahoo.com <brookelanefarm@yahoo.com>; joelcundick@gmail.com <joelcundick@gmail.com>; Lynncfields@comcast.net <Lynncfields@comcast.net>; kbaker56dozen@yahoo.com <kbaker56dozen@yahoo.com>; Scheffel, Mike <Mike.Scheffel@montgomerycountymd.gov>; Talcott, Corey <Corey.Talcott@montgomerycountymd.gov>; Nichols, Greg <Greg.Nichols@montgomerycountymd.gov>; Coveyou, Michael <Michael.Coveyou@montgomerycountymd.gov>; Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>; Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>; Lenny Smith <lensmithcp@gmail.com>; Jay, Barbara <Barbara.Jay@montgomerycountymd.gov>; Peter Ciferri <PCiferri@mcmillanmetro.com>; Office of Zoning and Administrative Hearings <OZAH@montgomerycountymd.gov>; Barr, Stuart R. <srbarr@lercheearly.com>
Subject: RE: S-2385 - OBGC - Administrative Modification - Hearing Date 2/11/25

[EXTERNAL EMAIL]

Attached is OBGC's opposition to Ms. Korson's motion.

Stuart R. Barr, Attorney

Lerch, Early & Brewer, Chtd. rise to every challenge

7600 Wisconsin Ave | Suite 700 | Bethesda, MD 20814

T 301-961-6095 | F 301-347-1771 | Cell 571-213-2354

srbarr@lercheearly.com | [Bio](#)

Attention: This message is sent from a law firm and may contain information that is privileged or confidential. If you received this communication in error, please notify the sender by reply e-mail and delete this message and any attachments. Thank you. www.lercheearly.com

From: Nikki Korson <nikkikorson@gmail.com>**Sent:** Tuesday, March 4, 2025 8:45 AM**To:** Kathleen E. Byrne <Kathleen.Byrne@montgomerycountymd.gov>**Cc:** Caroline Taylor <caroline@mocoalliance.org>; Barr, Stuart R. <srbarr@lercheearly.com>; director@obgc.com; atkinson1647@gmail.com; atkinson.tja@gmail.com; Christopher Allen <christopher.allen@montgomerycountymd.gov>; othersmithfam@gmail.com; tony.korson@gmail.com; caraghfay@gmail.com; mnace@faylawgroup.com; pvfgrain@aol.com; brookelanefarm@yahoo.com; joelcundick@gmail.com; Lynncfields@comcast.net; kbaker56dozen@yahoo.com; Mike Scheffel <mike.scheffel@montgomerycountymd.gov>; Corey Talcott <Corey.Talcott@montgomerycountymd.gov>; Greg Nichols <Greg.Nichols@montgomerycountymd.gov>; Michael Coveyou <Michael.Coveyou@montgomerycountymd.gov>; Victor Salazar <Victor.Salazar@montgomerycountymd.gov>; Nana Johnson <Nana.Johnson@montgomerycountymd.gov>; Lenny Smith <lensmithcp@gmail.com>; Barbara Jay <Barbara.Jay@montgomerycountymd.gov>; Peter Ciferri <PCiferri@mcmillanmetro.com>; OZAH@montgomerycountymd.gov**Subject:** Re: S-2385 - OBGC - Administrative Modification - Hearing Date 2/11/25

Dear Hearing Examiner,

We write to follow up on the admission of new evidence. Has your office determined their decision on its admissibility under the rules?

With thanks,
Nikki

On Feb 21, 2025, at 1:19 PM, Nikki Korson <nikkikorson@gmail.com> wrote:

Dear Hearing Examiner,

To reiterate, those in opposition at the hearing oppose the introduction of this new testimony-as we maintain a unilaterally, one sided, written, unsolicited summary, is not evidence, and may unduly delay consideration of the application as precluded under OZAH procedural rules. We are comfortable relying on the transcript of the hearing if a summary is needed.

We await your decision on if it shall be permitted. If it is permitted, I reiterate our preservation of the right to provide rebuttal as outlined in your earlier communication but seek to avoid the delays that extended the opening of the record will bring.

We will await your decision before providing any further discussion on this matter.

Respectfully,
Nikki

Sent from my iPhone

On Feb 21, 2025, at 12:34 PM, Caroline Taylor <caroline@mocoalliance.org> wrote:

Respectfully, I would like to hear such a request from the HE.
As I recall, the HE asked for the affected community to coordinate their hearing participation. They did so.

Warmly,

C
Caroline Taylor, Executive Director
Montgomery Countryside Alliance
P.O. Box 24, Poolesville, Maryland 20837
301-461-9831
<http://mocoalliance.org/>

"Whether we and our politicians know it or not, Nature is party to all our deals and designs, and she has more votes, a larger memory, and a sterner sense of justice than we do." ~Wendell Berry

On Feb 21, 2025, at 12:07 PM, Barr, Stuart R.
<srbarr@lercheearly.com> wrote:

One additional thing: if Ms. Korson (or anyone else) responds on behalf of a group, it would be helpful to know specifically the names and addresses of the individuals who have authorized her to speak on their behalf. Thank you.

Stuart R. Barr, Attorney

Lerch, Early & Brewer, Chtd. rise to every challenge
7600 Wisconsin Ave | Suite 700 | Bethesda, MD 20814
T 301-961-6095 | F 301-347-1771 | Cell 571-213-2354
srbarr@lerchearly.com | [Bio](#)

Attention: This message is sent from a law firm and may contain information that is privileged or confidential. If you received this communication in error, please notify the sender by reply e-mail and delete this message and any attachments. Thank you. www.lerchearly.com

From: Barr, Stuart R. <srbarr@lerchearly.com>

Sent: Thursday, February 20, 2025 4:45 PM

To: Nikki Korson <nikkikorson@gmail.com>; Kathleen E. Byrne

<Kathleen.Byrne@montgomerycountymd.gov>

Cc: director@obgc.com; atkinson1647@gmail.com;

atkinson.tja@gmail.com; Christopher Allen

<Christopher.Allen@montgomerycountymd.gov>;

anotherSmithfam@gmail.com; tony.korson@gmail.com;

caraghfay@gmail.com; mnace@faylawgroup.com; pvfgrain@aol.com;

brookelaneFarm@yahoo.com; Caroline@mocoalliance.org;

joelcundick@gmail.com; Lynncfields@comcast.net;

kbaker56dozen@yahoo.com; Mike Scheffel

<Mike.Scheffel@montgomerycountymd.gov>; Corey Talcott

<Corey.Talcott@montgomerycountymd.gov>; Greg Nichols

<Greg.Nichols@montgomerycountymd.gov>; Michael Coveyou

<Michael.Coveyou@montgomerycountymd.gov>; Victor Salazar

<Victor.Salazar@montgomerycountymd.gov>; Nana Johnson

<Nana.Johnson@montgomerycountymd.gov>; Lenny Smith

<lensmithcp@gmail.com>; Barbara Jay

<Barbara.Jay@montgomerycountymd.gov>; Peter Ciferri

<PCiferri@mcmillanmetro.com>; OZAH@montgomerycountymd.gov

Subject: RE: S-2385 - OBGC - Administrative Modification - Hearing Date 2/11/25

Hearing Examiner Byrne: understood. OBGC does not believe the letter is new evidence, but rather just a summary of what was discussed at length during the public hearing, but supports leaving the record open for any review and response. Thank you.

Sent via the Samsung Galaxy S9+, an AT&T 5G Evolution capable smartphone

Stuart R. Barr, Attorney

Lerch, Early & Brewer, Chtd. rising to every challenge for over 70 years
7600 Wisconsin Ave | Suite 700 | Bethesda, MD 20814
T 301-961-6095 | F 301-347-1771 | Cell 571-213-2354
srbarr@lerchearly.com | [Bio](#)

Attention: This message is sent from a law firm and may contain information that is privileged or confidential. If you received this communication in error, please notify the sender by reply e-

mail and delete this message and any attachments. Thank you.

www.lerchearly.com

----- Original message -----

From: Nikki Korson <nikkikorson@gmail.com>

Date: 2/20/25 4:21 PM (GMT-05:00)

To: "Kathleen E. Byrne"

<Kathleen.Byrne@montgomerycountymd.gov>

Cc: "Barr, Stuart R." <srbarr@lerchearly.com>,

director@obgc.com, atkinson1647@gmail.com,

atkinson.tja@gmail.com, Christopher Allen

<Christopher.Allen@montgomerycountymd.gov>,

anotherSmithfam@gmail.com, tony.korson@gmail.com,

caraghfay@gmail.com, mnace@faylawgroup.com,

pvfgrain@aol.com, brookelaneFarm@yahoo.com,

Caroline@mocoalliance.org, joelcundick@gmail.com,

Lynncfields@comcast.net, kbaker56dozen@yahoo.com, Mike

Scheffel <Mike.Scheffel@montgomerycountymd.gov>, Corey

Talcott <Corey.Talcott@montgomerycountymd.gov>, Greg Nichols

<Greg.Nichols@montgomerycountymd.gov>, Michael Coveyou

<Michael.Coveyou@montgomerycountymd.gov>, Victor Salazar

<Victor.Salazar@montgomerycountymd.gov>, Nana Johnson

<Nana.Johnson@montgomerycountymd.gov>, Lenny Smith

<lensmithcp@gmail.com>, Barbara Jay

<Barbara.Jay@montgomerycountymd.gov>, Peter Ciferri

<PCiferri@mcmillanmetro.com>,

OZAH@montgomerycountymd.gov, "Barr, Stuart R."

<srbarr@lerchearly.com>, Christopher Allen

<Christopher.Allen@montgomerycountymd.gov>, Mike Scheffel

<Mike.Scheffel@montgomerycountymd.gov>, Corey Talcott

<Corey.Talcott@montgomerycountymd.gov>, Greg Nichols

<Greg.Nichols@montgomerycountymd.gov>, Michael Coveyou

<Michael.Coveyou@montgomerycountymd.gov>, Victor Salazar

<Victor.Salazar@montgomerycountymd.gov>, Nana Johnson

<Nana.Johnson@montgomerycountymd.gov>, Barbara Jay

<Barbara.Jay@montgomerycountymd.gov>,

OZAH@montgomerycountymd.gov

Subject: Re: S-2385 - OBGC - Administrative Modification -

Hearing Date 2/11/25

Hearing Examiner Byrne,

Received with thanks. Confirmed that the opposition have opted not to submit additional evidence in the spirit of efficiency.

The opposition will however, provide the invited collective objection/rebuttal to the previously submitted attachment on the aforementioned grounds, appreciating your schedule will not permit review until the 26th.

Respectfully,
Nikki Korson

> On Feb 20, 2025, at 4:16 PM, Byrne, Kathleen E.

<Kathleen.Byrne@montgomerycountymd.gov> wrote:

>

> Mr. Barr and Ms. Korson,

> I apologize for not responding earlier to the emails you both sent earlier this week, but this is the first opportunity I've had to address those concerns. At the conclusion of the hearing, I stated that the record remains open for a period of 10 business days, for the transcript to be received. February 26, 2025 marks the 10th business day. I believe after the hearing Ms. Korson had additional exhibits she wished to submit after the hearing while the record was open, but I explained that I cannot consider accepting new evidence into the record after the hearing without allowing OBGC the opportunity to review and comment and that if she wished to submit new evidence she must send the evidence to all parties. Since I never saw an email with additional evidence sent from Ms. Korson to all parties, I assume she chose not to make the request. Ms. Korson did however object to OBGC's request to submit the letter you have just sent arguing it is "new evidence." To the extent, the attached letter consists of new evidence, it cannot be considered without an opportunity for those in opposition to review and comment. I have not yet reviewed the document, but if you wish for me to consider it and it contains new evidence, I will need to leave the record open for a period of time for those in opposition to review and provide comment. Please note, I am out of the office starting now returning on Wednesday 2/26/25.

> I would ask Ms. Korson and those in opposition to review the attached and if believe it contains new evidence and/or they object, to please make those objections in writing. Again I will not have the opportunity to review the letter or respond to any objections by the opposition until at the earliest 2/26/25.

> Katy Byrne

>

> Kathleen E. Byrne

> Director/Hearing Examiner

> Office of Zoning and Administrative Hearings

> 100 Maryland Avenue, Room 200

> Rockville Maryland 20850

> 240-777-6667

>

>

> From: Barr, Stuart R. <srbarr@lercheearly.com>

> Sent: Thursday, February 20, 2025 3:52 PM

> To: Byrne, Kathleen E. <Kathleen.Byrne@montgomerycountymd.gov>

> Cc: director@obgc.com <director@obgc.com>;
atkinson1647@gmail.com <atkinson1647@gmail.com>;
atkinson.tja@gmail.com <atkinson.tja@gmail.com>; Allen, Christopher
 <Christopher.Allen@montgomerycountymd.gov>;
anotherSmithfam@gmail.com <anotherSmithfam@gmail.com>;
tony.korson@gmail.com <tony.korson@gmail.com>;
caraghfay@gmail.com <caraghfay@gmail.com>;
mnace@faylawgroup.com <mnace@faylawgroup.com>;
pvfgrain@aol.com <pvfgrain@aol.com>;
brookelaneFarm@yahoo.com <brookelaneFarm@yahoo.com>;
Caroline@mocoalliance.org <Caroline@mocoalliance.org>;
joelcundick@gmail.com <joelcundick@gmail.com>;
Lynncfields@comcast.net <Lynncfields@comcast.net>;
kbaker56dozen@yahoo.com <kbaker56dozen@yahoo.com>; Scheffel,

Mike <Mike.Scheffel@montgomerycountymd.gov>; Talcott, Corey
 <Corey.Talcott@montgomerycountymd.gov>; Nichols, Greg
 <Greg.Nichols@montgomerycountymd.gov>; Coveyou, Michael
 <Michael.Coveyou@montgomerycountymd.gov>; Salazar, Victor
 <Victor.Salazar@montgomerycountymd.gov>; Johnson, Nana
 <Nana.Johnson@montgomerycountymd.gov>; Lenny Smith
 <lensmithcp@gmail.com>; Jay, Barbara
 <Barbara.Jay@montgomerycountymd.gov>; Peter Ciferri
 <PCiferri@mcmillanmetro.com>; Byrne, Kathleen E.
 <Kathleen.Byrne@montgomerycountymd.gov>; Allen, Christopher
 <Christopher.Allen@montgomerycountymd.gov>; Scheffel, Mike
 <Mike.Scheffel@montgomerycountymd.gov>; Talcott, Corey
 <Corey.Talcott@montgomerycountymd.gov>; Nichols, Greg
 <Greg.Nichols@montgomerycountymd.gov>; Coveyou, Michael
 <Michael.Coveyou@montgomerycountymd.gov>; Nikki Korson
 <nikkikorson@gmail.com>; Salazar, Victor
 <Victor.Salazar@montgomerycountymd.gov>; Johnson, Nana
 <Nana.Johnson@montgomerycountymd.gov>; Jay, Barbara
 <Barbara.Jay@montgomerycountymd.gov>; Barr, Stuart R.
 <srbarr@lercheearly.com>; Office of Zoning and Administrative Hearings
 <OZAH@montgomerycountymd.gov>
 > Subject: RE: S-2385 - OBGC - Administrative Modification - Hearing
 Date 2/11/25
 >
 >
 > [EXTERNAL EMAIL]
 >
 > Please see attached letter for the record in Special Exception Case
 Number S-2385. A hard copy will be mailed to the Hearing Examiner's
 office. Thank you.
 >
 >
 >
 >
 > _____
 > Stuart R. Barr, Attorney
 > Lerch, Early & Brewer, Chtd. rise to every challenge
 > 7600 Wisconsin Ave | Suite 700 | Bethesda, MD 20814
 > T 301-961-6095 | F 301-347-1771 | Cell 571-213-2354
 > srbarr@lercheearly.com<<mailto:srbarr@lercheearly.com>> |
 Bio<<http://www.lercheearly.com/people/stuart-r-barr>>
 >
 > Attention: This message is sent from a law firm and may contain
 information that is privileged or confidential. If you received this
 communication in error, please notify the sender by reply e-mail and
 delete this message and any attachments. Thank you.
 www.lercheearly.com<<http://www.lercheearly.com>>
 >
 > From: Barr, Stuart R. <srbarr@lercheearly.com>
 > Sent: Tuesday, February 18, 2025 2:31 PM
 > To: Nikki Korson <nikkikorson@gmail.com>; Kathleen E. Byrne
 <Kathleen.Byrne@montgomerycountymd.gov>
 > Cc: director@obgc.com; atkinson1647@gmail.com;
atkinson.tja@gmail.com; Christopher Allen
 <Christopher.Allen@montgomerycountymd.gov>;

anothersmithfam@gmail.com; tony.korson@gmail.com;
caraghfay@gmail.com; mnace@faylawgroup.com; pvfgrain@aol.com;
brookelanefarm@yahoo.com; Caroline@mocoalliance.org;
joelcundick@gmail.com; Lynncfields@comcast.net;
kbaker56dozen@yahoo.com; Mike Scheffel
<Mike.Scheffel@montgomerycountymd.gov>; Corey Talcott
<Corey.Talcott@montgomerycountymd.gov>; Greg Nichols
<Greg.Nichols@montgomerycountymd.gov>; Michael Coveyou
<Michael.Coveyou@montgomerycountymd.gov>; Victor Salazar
<Victor.Salazar@montgomerycountymd.gov>; Nana Johnson
<Nana.Johnson@montgomerycountymd.gov>; Lenny Smith
<lensmithcp@gmail.com>; Barbara Jay
<Barbara.Jay@montgomerycountymd.gov>; Peter Ciferri
<PCiferri@mcmillanmetro.com>; Kathleen E. Byrne
<Kathleen.Byrne@montgomerycountymd.gov>; Christopher Allen
<Christopher.Allen@montgomerycountymd.gov>; Mike Scheffel
<Mike.Scheffel@montgomerycountymd.gov>; Corey Talcott
<Corey.Talcott@montgomerycountymd.gov>; Greg Nichols
<Greg.Nichols@montgomerycountymd.gov>; Michael Coveyou
<Michael.Coveyou@montgomerycountymd.gov>; Victor Salazar
<Victor.Salazar@montgomerycountymd.gov>; Nana Johnson
<Nana.Johnson@montgomerycountymd.gov>; Barbara Jay
<Barbara.Jay@montgomerycountymd.gov>; Barr, Stuart R.
<srbarr@lercheearly.com>

> Subject: RE: S-2385 - OBGC - Administrative Modification - Hearing
Date 2/11/25

>
>
>

> In response to OBGC neighbor comments that the OBGC fundraising
events need to be more specific and that the approvals were vague and
need to be defined, OBGC indicated in its January 13, 2025 prehearing
statement (Ex. 59):

>
>
>

> 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.

>
>
>

> The Applicant further reiterated this position during opening and closing

at the February 11, 2025 hearing. The Applicant covered operational characteristics and potential conditions extensively during direct testimony. That testimony was subject to extensive cross-examination. The Applicant believes now that a written summary of what was discussed at the hearing (not new evidence) would be helpful to everyone going forward and disagrees with Ms. Korson's objections below. Thank you.

>

>

>

>

> Stuart R. Barr, Attorney
 > Lerch, Early & Brewer, Chtd. rise to every challenge
 > 7600 Wisconsin Ave | Suite 700 | Bethesda, MD 20814
 > T 301-961-6095 | F 301-347-1771 | Cell 571-213-2354
 > srbarr@lerchearly.com<<mailto:srbarr@lerchearly.com>> |
 Bio<<http://www.lerchearly.com/people/stuart-r-barr>>

>

> Attention: This message is sent from a law firm and may contain information that is privileged or confidential. If you received this communication in error, please notify the sender by reply e-mail and delete this message and any attachments. Thank you.
www.lerchearly.com<<http://www.lerchearly.com>>

>

> From: Nikki Korson
 <nikkikorson@gmail.com<<mailto:nikkikorson@gmail.com>>>
 > Sent: Tuesday, February 18, 2025 11:54 AM
 > To: Barr, Stuart R.
 <srbarr@lerchearly.com<<mailto:srbarr@lerchearly.com>>>
 > Cc: Kathleen E. Byrne
 <Kathleen.Byrne@montgomerycountymd.gov<<mailto:Kathleen.Byrne@montgomerycountymd.gov>>>;
 director@obgc.com<<mailto:director@obgc.com>>;
atkinson1647@gmail.com<<mailto:atkinson1647@gmail.com>>;
atkinson.tja@gmail.com<<mailto:atkinson.tja@gmail.com>>; Christopher
 Allen
 <Christopher.Allen@montgomerycountymd.gov<<mailto:Christopher.Allen@montgomerycountymd.gov>>>;
anothersmithfam@gmail.com<<mailto:anothersmithfam@gmail.com>>;
tony.korson@gmail.com<<mailto:tony.korson@gmail.com>>;
caraghfay@gmail.com<<mailto:caraghfay@gmail.com>>;
mnace@faylawgroup.com<<mailto:mnace@faylawgroup.com>>;
pvfgrain@aol.com<<mailto:pvfgrain@aol.com>>;
brookelane@farm@yahoo.com<<mailto:brookelane@farm@yahoo.com>>;
Caroline@mocoalliance.org<<mailto:Caroline@mocoalliance.org>>;
joelcundick@gmail.com<<mailto:joelcundick@gmail.com>>;
Lynncfields@comcast.net<<mailto:Lynncfields@comcast.net>>;
kbaker56dozen@yahoo.com<<mailto:kbaker56dozen@yahoo.com>>; Mike
 Scheffel
 <Mike.Scheffel@montgomerycountymd.gov<<mailto:Mike.Scheffel@montgomerycountymd.gov>>>; Corey Talcott
 <Corey.Talcott@montgomerycountymd.gov<<mailto:Corey.Talcott@montgomerycountymd.gov>>>; Greg Nichols
 <Greg.Nichols@montgomerycountymd.gov<<mailto:Greg.Nichols@montgomerycountymd.gov>>>; Michael Coveyou

<Michael.Coveyou@montgomerycountymd.gov<<mailto:Michael.Coveyou@montgomerycountymd.gov>>>; Victor Salazar
<Victor.Salazar@montgomerycountymd.gov<<mailto:Victor.Salazar@montgomerycountymd.gov>>>; Nana Johnson
<Nana.Johnson@montgomerycountymd.gov<<mailto:Nana.Johnson@montgomerycountymd.gov>>>; Lenny Smith
<lensmithcp@gmail.com<<mailto:lensmithcp@gmail.com>>>; Barbara Jay
<Barbara.Jay@montgomerycountymd.gov<<mailto:Barbara.Jay@montgomerycountymd.gov>>>; Peter Ciferri
<PCiferri@mcmillanmetro.com<<mailto:PCiferri@mcmillanmetro.com>>>;
Kathleen E. Byrne
<Kathleen.Byrne@montgomerycountymd.gov<<mailto:Kathleen.Byrne@montgomerycountymd.gov>>>; Christopher Allen
<Christopher.Allen@montgomerycountymd.gov<<mailto:Christopher.Allen@montgomerycountymd.gov>>>; Mike Scheffel
<Mike.Scheffel@montgomerycountymd.gov<<mailto:Mike.Scheffel@montgomerycountymd.gov>>>; Corey Talcott
<Corey.Talcott@montgomerycountymd.gov<<mailto:Corey.Talcott@montgomerycountymd.gov>>>; Greg Nichols
<Greg.Nichols@montgomerycountymd.gov<<mailto:Greg.Nichols@montgomerycountymd.gov>>>; Michael Coveyou
<Michael.Coveyou@montgomerycountymd.gov<<mailto:Michael.Coveyou@montgomerycountymd.gov>>>; Victor Salazar
<Victor.Salazar@montgomerycountymd.gov<<mailto:Victor.Salazar@montgomerycountymd.gov>>>; Nana Johnson
<Nana.Johnson@montgomerycountymd.gov<<mailto:Nana.Johnson@montgomerycountymd.gov>>>; Barbara Jay
<Barbara.Jay@montgomerycountymd.gov<<mailto:Barbara.Jay@montgomerycountymd.gov>>>; Barr, Stuart R.
<srbarr@lercheearly.com<<mailto:srbarr@lercheearly.com>>>

> Subject: Re: S-2385 - OBGC - Administrative Modification - Hearing
Date 2/11/25

>
>
>

> Dear Hearing Examiner Byrne:

>
>
>

> Our understanding at the conclusion of the hearing was that, upon
request, additional evidence was not needed. We do not recall a discussion
about proposed conditions or operational characteristics of the same.

>
>
>

> As such, those in opposition at the hearing oppose the introduction of
this new testimony-as it is not evidence, offers no opportunity for rebuttal
or cross, and may unduly delay consideration of the application.

>
>
>

> Respectfully,

>

> Nikki Korson

>
>
>
> On Feb 18, 2025, at 10:50?AM, Barr, Stuart R.
<srbarr@lercheearly.com<<mailto:srbarr@lercheearly.com>>> wrote:
>
> ?
>
> Hearing Examiner Byrne: Following last week's hearing, our understanding is that the record closes on February 25th (10 business days following the hearing date). If this is not correct, please let us know. At the hearing the Applicant OBGC discussed proposed conditions/operational characteristics in connection with the fundraising events. The Applicant believes that it would be helpful for the record and for all parties/participants to see a written summary of those proposed conditions/operational characteristics. We will work to submit those into the record as soon as we can. Thank you.
>
>
>
>

> Stuart R. Barr, Attorney
> Lerch, Early & Brewer, Chtd. rise to every challenge
> 7600 Wisconsin Ave | Suite 700 | Bethesda, MD 20814
> T 301-961-6095 | F 301-347-1771 | Cell 571-213-2354
> srbarr@lercheearly.com<<mailto:srbarr@lercheearly.com>> |
Bio<<http://www.lercheearly.com/people/stuart-r-barr>>
>
> Attention: This message is sent from a law firm and may contain information that is privileged or confidential. If you received this communication in error, please notify the sender by reply e-mail and delete this message and any attachments. Thank you.
www.lercheearly.com<<http://www.lercheearly.com>>
>
> Subscribe to the Zoned In blog<<https://www.zonedinblog.com>>
>
>
>
>
[<https://www.montgomerycountymd.gov/mcg/Resources/Images/Cybersecurity-footer1.png>]
>
> For more helpful Cybersecurity Resources, visit:
<https://url.us.m.mimecastprotect.com/s/UfVUCo2XwwFllmXkhVioTpcKnk?domain=montgomerycountymd.gov>
> <winmail.dat>