

**Major Modification to Special Exception CBA-1174-E** Soo Lee-Cho, attorney for the applicant, the Holton Arms School, requests a major modification to Special Exception CBA-1174-E.

The modifications requested are: 1) To increase its enrollment cap to 870 students, 2) To increase its summer camp enrollment numbers to 970, 3) To offer use of its facilities to outside users, and 4) To incorporate the previous Board of Appeals administrative approval regarding Granger House.

The subject property is located at 7303 River Road, Bethesda, MD 20817, also known as Lot N624(Par 4) Pt Lt 7, Outlot A, Burning Tree Valley Subdivision in the R-200 and R-90 Zone (Tax Account 07-03743658, 07-00653141).

## **EXHIBIT LIST**

1. Application
2. Board's Resolution to refer Major Modification to the Hearing Examiner
3. Certified Zoning Map
4. Excerpt Pages from Bethesda/Chevy Chase Master Plan
5. Parcel Tax Map
6. Holton Arms Board's Resolutions
7. Notice List
  - 7a. Civic Association/HOA List
8. Aerial Map
9. Local Area Transportation Report
10. Petitioner's Statement in Support of Special Exception Modification Application
11. Site Plan
12. Notice of Hearing
13. ~~Opposition Emails~~ ***Not included in the record pursuant to Rule OZAH's Zoning Rule 3.2(c)***
14. Exhibit 14. Email Exchange between VanDeWeghe and Hearing Examiner; Re: Request Postponement
15. ***Not an Exhibit***
16. Hearing Examiner's Approval of Party of Record Request; Re: Riefberg
17. Email Exchange between Al Marah and Hearing Examiner; Re: Postponement of Hearing
18. ***Not an Exhibit***
19. Request from Applicant's Attorney to Postpone Hearing
20. Hearing Examiner's Response to Postponement Request
21. Email Response From VanDeWeghe
22. Change of Legal Counsel; Re: Soo-Lee-Cho, Esq.
23. Email Exchange between Hearing Examiner and Reifberg
24. Resolution to Modify Special Exception 7/26/23
25. Resolution to Modify Special Exception 4/25/25
26. Al Marah DOT attachment
27. **Party of Record/Opposition Requests**
  - a. VanDeWeghe
  - b. Al Marah

- c. Reifberg
- d. Kim Brinkman
- e. Michael Hutton
- f. Wendy Kaufman
- g. Steven Kaufman
- h. Mariah Longo-Swiek
- i. Maida Lerner
- j. Kathleen James-Teelucksingh
- k. Mariam Lamech
- l. Ellen and Michael Singer
- m. Sean Cahill
- n. Jaclyn Greenstein
- o. Amy Stephens
- p. Steven Kolas and Laura Maratou-Kolas
- q. Scott Thayer
- r. Wendy Kaufman (Second Submission, New Points)
- s. Reuben Mollel & Karin Mithamo
- t. Tasha K. Teelucksingh & Luke Kovacs
- u. John Harris & Eleanor Yano
  - i. Supplement Opposition Letter
- v. Vivian Zalzal
- w. Uy and Amy Hoang
- x. Richard Bowe
- y. Deborah Sonnenreich
- z. Reuben Mollen & Karin Mithamo
- aa. Dwayne and Brenda Holt
- bb. Seyyed Hossein Nasr
- cc. Christine N. Cahn
- dd. Jim Wilder & Suzanne Medgyesi-Mitschang
- ee. Elizabeth Wilson
- ff. Steven Kolas
- gg. Laura Kaufman
- hh. Ziga Vodusek
- ii. Sara Qureshi
- jj. Wendy J. Miller
- kk. Mo Smith
- ll. Elmer Chatak
- mm. Paige Coulman
- nn. Catherine Zimmermann

**28. Letters of Support**

- a. Michael Malmberg & Sabrina Manville
- b. Ye Qian
- c. Kevin and Stephanie Nealer
- d. Tariye Gbadagesin
- e. Dr. Michael Xydakis
  - i. AM Drop Off

- ii. PM Pick Up
  - f. Noreen O'Meara & K. Edward Shanbacker
  - g. David A. Javdan
  - h. J D Thomas
  - i. Katie & Wes Hays
  - j. Beth Javdan
  - k. Marie Sylla-Dixon
  - l. Aneela Kazi
  - m. Charles and Sandra Rothwell
  - n. David Javdan
  - o. Courtney Gugino
  - p. Michael Brochu
  - q. Adaire Plesnarski
  - r. Tom Krajewski
  - s. Blake Doyle
  - t. Jennifer Windom
  - u. Alex Curlet
  - v. Devon & Scott Caraher
  - w. Josh Miller & Cory Miller
  - x. Rynnie Cotter and Scott Cotter
  - y. Christina Perkins
  - z. Stephen Vladeck
  - aa. Bill McNulty
- 29. Notice of Rescheduled Hearing
- 30. Revised Statement of Justification
- 31. Updated Existing Conditions Site Plan'
- 32. Transportation Management Plan
- 33. Local Area Transportation Report
- 34. Response to Comments on Second Submission of LATR
- 35. 9/16/2025- Email Exchange between Applicant's Attorney and Vivian Riefberg; Re: follow up on documents requested.
  - a. MCDOT Comments
  - b. SHA Comments
- 36. Email Exchange between Applicant's Attorney and Vivian Riefberg
- 37. Board Resolutions**
  - a. S-2503
  - b. S-2467
  - c. CBA-1174-D
  - d. S-516
  - e. S-729
- 38. 10/17/2025-Applicant's Pre-Hearing Submission
  - a. Revised Holton-Arms School TMP
  - b. Revised Holton-Arms School TMP with tracked changes
  - c. Holton-Arms School Supplemental Analysis Memo
  - d. SHA Review Meeting Summary
  - e. School virtual Community meeting and outreach recap

- f. Email response to alleged pictures of Penny Evins
- g. Expert Witness Resumes
- 39. 10/21/2025- LATR/TIS comment/approval letter from MCDOT
- 40. LATR Technical Attachments
- 41. 10/24/2025- Pre-Hearing Submission Vivian Riefberg and Bradley Blvd Citizens Assn
  - a. Exhibit A
  - b. Exhibit B
    - i. Exhibit B(a)
    - ii. Exhibits B(b) through B(c)
  - c. Exhibit C
    - i. Exhibit C(a)
  - d. Exhibits D through E(m)
  - e. Exhibits F through Q
  - f. Exhibits R through Z
  - g. Exhibits AA through LL
- 42. Notice of Hearing issued on September 30, 2025
- 43. Entry of Appearance from William J. Chen, Esq.
- 44. SHA's approval letter re: the Holton-Arms Traffic Impact Study
- 45. 11/3/2025-Staff Report
  - a. Final Forest Conservation Plans
  - b. Revised Transportation Management Plan
  - c. Redacted Community Response Emails
  - d. Plat No. 24741
  - e. Revised Statement of Justification and Summary of Proof
  - f. Board's Resolution
  - g. S-2503 Opinion of Board
  - h. Traffic Impact Study
- 46. 11/12/2025-Transmittal Letter to William J. Chen, Esq.
  - a. Exhibits NN to OO
- 47. 11/13/2025- Documents submitted by Meg VandeWeghe
  - i. Supplemental Cover Memo Filed on 4/1/2026
    - a. Examples of River Road Traffic
      - i. Supplemental Examples
    - b. Examples of Traffic Entrance to Holton Arms
      - i. Supplemental Examples
    - c. Examples of Holton Arms Cars cutting through Al Marah
      - i. Supplemental Examples
    - d. Examples of Royal Dominion Traffic
      - i. Supplemental Examples
    - e. Examples of Primary Day School and Parking Traffic
      - i. Supplemental Examples
    - f. Example of Police Presence
      - i Supplemental Examples
    - g. Additional Information Filed on 4/1/2026
- 48. 11/13/2025- Letter from Kim Brinkman to Hearing Examiner with Exhibits attached
  - i. Supplemental Cover Letter of Opposition Submitted on April 1, 2026

- a. Examples of Traffic at the intersection of River Road and Burdette Rd
  - b. Examples of Traffic at the intersection of River Road and Royal Dominion Drive
  - c. Examples of Traffic on Royal Dominion Drive heading to River Road
  - d. Examples of Holton Arms cars cutting through Al Marah
  - e. Examples of Parking Problems During An Event at Primary Day School  
(Submitted on 4/1/2026)
  - f. Photos of Royal Dominion Dr. Where Holton Arms Proposes Adding a Left-Turn Lane (Submitted on 4/1/2026)
  - g. Signage (Submitted on 4/1/2026)
49. Email from Lynn Robeson Hannan to parties of record; Re: Questions and Missing information to be addressed at the November 17<sup>th</sup> hearing.
50. 11/13/2025- Petitioner's Pre-Hearing Statement
- a. Mark Up of Existing Conditions Site
  - b. Holton Arms-Gorove Slade Exhibits (PDF)
  - c. Holton Arms-Gorove Slade Exhibits (PowerPoint)
51. Planning Board Transmittal Letter
52. Aerial Photos (Fields and Buffers)
53. Bike Rack Location
54. 2/18/26- Motion to Compel Immediate Filing of Amended Application and Related Relief submitted by William Chen, Esq.
55. 2/18/26-Letter to OZAH Hearing Examiner with two proposed alternative orders attached, submitted by William Chen, Esq.
56. 2/18/26- Email Exchange between Hearing Examiner and Soo Lee-Cho, Esq
- 57. Emails Endorsing Willing Chen, Esq's proposed orders and Motion in Exhibits 54 and 55**
- a. Meg VandeWeghe
  - b. Kim Brinkman
  - c. Wendy Kaufman
  - d. Julie Garcia
58. 2/19/26- Email Exchange between Lynn Robeson Hannan and Soo Lee-Cho; Re: Applicant filing response to Exhibits 54 and 55.
59. 2/19/26- Email Exchange between Lynn Robeson Hannan and Staff; Re: Applicant has not submitted revised documents for Forest Conservation Plan and Preliminary Plan Amendment.
60. 2/20/26-Email Exchange between Soo Lee-Cho, Esq. and William Chen, Esq. Re: Clarification to Staff's e-mail in Exhibit 59.
61. 2/20/26- Email from Lynn Robeson Hannan to Soo Lee-Cho, Esq; Re: Concern as to adequate time Staff must review amendment before Hearing
62. 2/20/26- Email from Soo Lee-Cho; Re: Response to Hearing Examiner in response to Exhibit 61.
63. 2/20/26- Email Exchange between Lynn Robeson Hannan and Soo Lee-Cho; Re: Planning Board Checklists
64. 2/20/26-Email from Lynn Robeson Hannan to Staff; Re: Timeline needed to review documents
65. 2/20/26- Email from William Chen to Lynn Robeson Hannan; Response to Soo Lee-Cho's e-mail regarding the Motion to Compel.

66. 2/20/26- Response to Motion to Compel submitted by Soo Lee-Cho
  - a. Proposed Order
67. 2/23/26-Email from Lynn Robeson Hannan to parties; Re: Timelines in submitting documents
  - a. Email from Lynn Robeson Hannan
68. 2/24/26-Email from Soo Lee-Choto Hearing Examiner Lynn Robeson Hannan; Re: Response to Exhibit 67
69. Email from Staff to Lynn Robeson Hannan; Re: Response to Exhibit 64 (dated 2/23/26)
70. 2/25/26- Email from William Chen to Lynn Robeson Hannan; Re: Review of Motion to Compel
71. 2/25/26- Order Revising Schedule for Pre-Hearing Submission
72. 2/26/26-Motion to Amend submitted by Soo Lee-Cho, esq
  - a. Stamped Board Opinions
73. 2/26/26- Proposed Order
74. 3/2/26- Letter to Board; Re: Correction of Referral Resolution to OZAH submitted by Soo Lee-Cho, Esq.
  - a. Board of Appeals Resolution to Refer Case to OZAH
  - b. Initial Spex Major Amendment Statement
  - c. Board of Appeals Opinion; Re: Consolidated Major Modification effective March 23, 2004
  - d. Petition to Modify Special Exception
75. 3/3/26- Petitioner's Pre-Hearing Submission submitted by Soo Lee-Cho, Esq (with new exhibits 76-88 enclosed)
76. Planning Department Supplemental Staff Memo, dated November 20, 2025
77. Petitioner's Revised Statement of Justification, dated March 3, 2026
78. Statement of Operations
  - a. Exhibit A
  - b. **Errata to Page 6 of the Statement of Operations**, Submitted on April 2, 2026
79. Land Use Report
80. SDAT Real Property Data Search result for tax account #07-00438856
81. Easement and Right of Way made June 30, 19975, Liber 4664, Folio 825
82. Confirmatory Easement and Right of Way made May 10, 1976, Liber 4780, Folio 255
83. Mark-Up of Plat No. 11136
84. Gorove Slade-Hearing Exhibits dated March 3, 2026
  - a. PowerPoint Presentation
- 85. Newly Surveyed, Existing Conditions Site Plan**
  - a. SP0.01
  - b. SP1.01
  - c. SP1.02
  - d. SP1.03
  - e. SP1.04
  - f. SP1.05
- 86. Forest Conservation Plan Amendment Plan Set for LATR Offsite Intersection Improvement**
  - a. Sheet 1
  - b. Sheet 2

- c. Sheet 3
- 87. Preliminary Plan Amendment Plan Set to Amend Condition #1 of Planning Board Resolution**
  - a. Sheet 1
  - b. Sheet 2
  - c. Sheet 3
  - d. Sheet 4
- 88. Expert Witnesses**
  - a. Joshua Sloan
  - b. Matthew Foster-Phoenix Noise & Vibration
  - c. Marie Cox-Galloway
- 89. Notice Motion to Amend
- 90. 3/6/26- Letter from William J. Chen to the Board of Appeals
- 91. 3/9/26- Email from Lynn Robeson Hannan to parties; Re: correspondence to the BOA can be sent without copying OZAH.
- 92. 3/13/26- Email with Response to Motion To Amend Attached, Submitted On Behalf of Opposition Parties By Attorney Bil Chen On March 13, 2026
  - a. Response To Motion to Amend
- 93. 3/16/26- Email Exchanged with Petitioner's Reply In Further Support of Motion To Amend Attached, Submitted By Attorney Soo Lee-Cho
  - a. Petitioner's Reply in Further Support of Motion to Amend
- 94. 3/18/26- Email With Sur Reply to Reply To Response To Motion To Amend Attached, Submitted On Behalf of Opposition Parties By Attorney Bil Chen
  - a. Sur Reply to Reply To Response To Motion To Amend
- 95. 3/20/26- Email with Response to Sur Reply Attached, Submitted on Behalf of Holton Arms, Inc. by Attorney Soo Lee-Cho on March 20, 2026
  - a. Holton Arms, Inc Response to Sur Reply
- 96. 3/23/26- Exhibit 96. Letter from Attorney William J. Chen to the Hearing Examiner Regarding a Misstated Word Attributed to Him and Referenced in the Petitioner's Response to Sur-Reply
- 97. 3/23/26- Opposition Supplemental Pre-Hearing Submission Filed by Attorney William J. Chen
  - a. Exhibits to Supplement Pre-Hearing Submission
- 98. 3/23/26- Email From Hearing Examiner Robeson-Hannan To Applicant's Attorney Lee-Cho With Question and Comments on the Information Submitted on March 3, 2026
  - a. Email Response From Applicant's Attorney to Hearing Examiner, Submitted on March 26, 2026
    - i. Natural Resources Inventory (NRI)/Forest Stand Delineation Map, Submitted on April 1, 2026
    - ii. **Redline Versions of the Existing Conditions Site Plan, Submitted on April 1, 2026**
      - 1. Existing Conditions SP0.01
      - 2. Existing Conditions SP1.01
      - 3. Existing Conditions SP1.02
      - 4. Existing Conditions SP1.03
      - 5. Existing Conditions SP1.04

6. Existing Conditions SP1.05

99. 3/25/26 Email Sent By Planner Grace Bogdan to the Hearing Examiner with Comments Regarding the Applicant's Resubmission and the Associated Forest Conservation Plan (FCP) Amendment Application
  - a. 3/26/26 Email from Rick Bowe to Planner with Attached Response about the FCP
    - i. Letter Attached
  - b. 3/26/26 Email's Response From Meg VanDeWeghe to Planner With Pictures Attached
    - i. Pictures Attached
  - c. 3/26/26 Email's Response From Steven Kaufman to Planner
100. 3/27/26 Email from Hearing Examiner Robeson-Hannan to Ellen Singer and Sean Cahill, Confirming them as Parties of Record for the Case
101. **Documents Submitted by Richard Bowe on April 1, 2026, to Be Referenced During His Testimony in the Upcoming Hearings**
  - a. Excerpt of OZAH Recommendations to the Board of Appeals (BOA) for Petitions CBA-1174-D, S-2467-A, S-2503-A
  - b. Burdette Rd and River Rd Intersection Map
  - c. Comprehensive Amendment to Bethesda-Chevy Chase Master Plan, April 1990
  - d. Traffic Congestion On Royal Dominion Waiting on River Road Signal
  - e. Holton Events Calendar 2025-2026
  - f. Michael Xydakis Letter and Attachment Sent to BOA on March 9, 2026
102. **Documents Submitted by Wendy Kaufman on April 1, 2026, to Be Referenced During Her Testimony in the Upcoming Hearings**
  - a. Cover Sheet
  - b. Example of Holton Arms School Traffic Cutting Through the Al Marah Neighborhood
  - c. Al Marah Neighborhood Petition Opposing Proposed Holton Arms Expansion
103. **Additional Hearing Exhibits to Be Used by Applicant's Expert Witnesses During Their Respective Testimonies, Submitted by Attorney Lee-Cho on April 1, 2026**
  - a. Site Photos With Key Map
  - b. Noise and Vibration
  - c. Holton Arms Traffic Impact Study (TIS) Analysis - Overview
  - d. Holton-Arms Neighbor Access (HAHA) Area
104. Board of Appeals (BOA) Resolution Referring Cases CBA-1174-E and S-2503-B to the Office of Zoning and Administrative Hearings (OZAH)
105. Email Exchanges between Kathleen Byrne and Soo Lee-Cho; Re: Clarification on Case Numbers for Holton Arms.
106. Notice of Public Hearing dated 09/30/25.
  - a. Email from Kathleen Byrne to OZAH Staff clarifying Exhibit 106 is the correct Notice.