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Office of Zoning and Administrative Hearings
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Subject: Second Supplement to Opposition to Proposed Amendment of Special Exception for Holton-Arms School (Case No. CBA-1174-E) and Refutation of Staff Report (Exhibit 45, Montgomery County Planning Department, Nov. 3, 2025)

Dear Hearing Examiner,

As residents of 8311 Burdette Road, we write to supplement our prior opposition letters dated April 14, 2025, and November 7, 2025, in which we oppose Holton-Arms School's proposed major modification of its special exception (CBA-1174-E). 8311 Burdette Road is a uniquely situated property abutting the School along three boundaries totaling over 550 linear feet (over 700 feet when the fourth boundary shown in the Staff Report is considered). Our residence is within a few steps of Field 1, bus parking, delivery zones, driveway, and the lower-school drop-off location. As such, we would bear a disproportionate and unique burden due to the School's proposed changes.

Our previous letters documented the current detrimental impact that Holton-Arms School imposes on our daily life. They showed the school is already in violation of the prior Zoning Ordinance §59-G-2.19(a)(1), which requires that the use "not create a nuisance due to traffic, number of students, noise, type of physical activity, or any other element". They detailed the School's ongoing noise issues and its nighttime misuse of Field 1. Such behavior raises serious concerns about the credibility of the School and any assurances it may make regarding future use limitations or its consideration of impacts on neighboring residents. Furthermore, given the current situation, they establish with high probability (under *Miller v. Kiwanis Club*, 29 Md. App. 285) that the School's proposed changes will have increased detrimental effects.

The purpose of this second supplement is to clearly refute the Staff Report's assertion (Exhibit 45, Montgomery County Planning Department, Nov. 3, 2025) that noise impacts are, or can be, mitigated. It further demonstrates that the School's proposal violates §59-G-1.21(a)(5), which prohibits substantial adverse effects on surrounding properties beyond those inherently associated with a private educational institution, particularly where site conditions and terrain contours exacerbate impacts. Finally, it draws upon established precedent to support denial of the School's proposed modifications, namely the Bullis School (S-687-H, 2023) and Rochambeau French International School (S-862-C, 2018–2021) cases, which constrained similar outdoor intensifications near abutting residences.

As we previously stated, current operations already generate excessive noise at our home. These are sufficient to already violate §59-G-2.19(a)(1). The Staff Report (Exhibit 45, p. 22) asserts sufficient noise protection through existing vegetation and proposed conditions. As Figures 2-6 below show, there is virtually no buffering along the School's boundary with 8311 Burdette Road. Much of what is present is on Yano property. Furthermore, the claim that buffering provides a meaningful acoustic benefit is scientifically unfounded. Studies have shown that vegetation provides virtually no meaningful physical attenuation for the impulsive, high-frequency sounds dominant on athletic fields—whistles, horns, shouts, cheering, ball impacts, and amplified announcements.

USDA Forest Service Agroforestry Note 42 (May 2011): "Using Agroforestry to Buffer Noise" [available at <https://www.fs.usda.gov/nac/assets/documents/agroforestrynotes/an42w05.pdf>] states that:

"The noise buffer must completely block the line of sight. If any light can be seen through the buffer, it is providing no appreciable noise reduction. When only trees and shrubs are used for the buffer, this means the planting must be at least 100 feet wide with evergreen species for year around reduction. Even with wide and dense vegetative buffers noise reduction above 3 to 5 dBA is not likely."

Additionally, the Staff Report ignores specific site conditions. A large embankment along the edge of Field 1 parallels Burdette Road and rises upward approximately 20 feet (see Figure 1 below). Such topography reflects sound back toward adjacent properties. This must be regarded under (§59-G-1.21(a)(5)) for its non-inherent adverse effects.

In similar cases, Montgomery County has consistently rejected or conditioned outdoor intensifications near abutting homes to protect residential character. In each instance, abutting residents raised concerns virtually identical to ours:

- **Bullis School (S-687-H, 2023):** In approving modifications that included converting an existing grass field to artificial turf, the Hearing Examiner and Board of Appeals imposed restrictions specifically to protect abutting homes, including: (1) no private outside use of the Lower School turf field; (2) no Middle or Upper School inter-school competitions on that field; and (3) no amplified music, loudspeakers, or other amplified sound. These conditions were imposed because abutting residents testified to concerns over noise disturbances, vehicle emissions, and potential property value impacts. Moreover, the Bullis decision depended on buffering far more substantial than anything possible around 8311 Burdette Road: a 65-foot setback from the nearest residential property line and a dense Leyland Cypress hedge, supplemented with additional plantings, that substantially blocked the line of sight to the field. Even so, that hedge almost certainly falls short of the USDA's width requirements for meaningful noise attenuation. No comparable setback, hedge, or screening exists at 8311 Burdette Road, where Field 1 extends nearly to the property line with clear sight lines to our home, and where the School's driveway and parking areas run directly along our boundary.

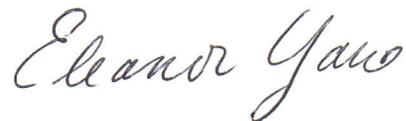
- **Rochambeau French International School (S-862-C, 2018-2021):** The Board of Appeals decision set stringent operational limits to protect abutting residences, including prohibitions on interscholastic or league competitions on playgrounds, bans on amplified sound, restrictions on outdoor play, limits on special events, and noise monitoring. These measures indicate that where school facilities directly abut homes, physical buffers alone are insufficient; enforceable restrictions are essential to prevent excessive noise, emissions, and incompatible effects on surrounding properties. The situation at 8311 Burdette Road is more severe than in Rochambeau: Field 1 extends virtually to our property line, the driveway runs adjacent to our southern side-yard boundary, and bus/delivery areas are just steps away from our home.

Holton-Arms is seeking conditions far more permissive than those the Board found tolerable in either the Bullis or Rochambeau cases. Considering both the Staff Report's errors and precedent, we respectfully request that the Hearing Examiner recommend denial of CBA-1174-E.

Please include this letter in the record under Rule 3.2. We reserve our right to testify at any hearing under Rule 3.1(a).

Thank you for your consideration.

Sincerely,



Eleanor Yano



John Harris



Figure 1 Field 1 20-foot high Embankment Running Parallel to Burdette Road acts as acoustic reflector back towards 8311 Burdette Road.



Figure 2 Field 1 border extends virtually to property line. Refutes staff report regarding buffering and setbacks.



Figure 3 Clear, broad, line of sight opening to Field 1 taken from a spot approximately 30 ft from bedroom and family room refutes Staff Report claims of existing or possible sound mitigation.



Figure 4 Wider angle view shows sparseness of trees along boundary and clear sight lines.

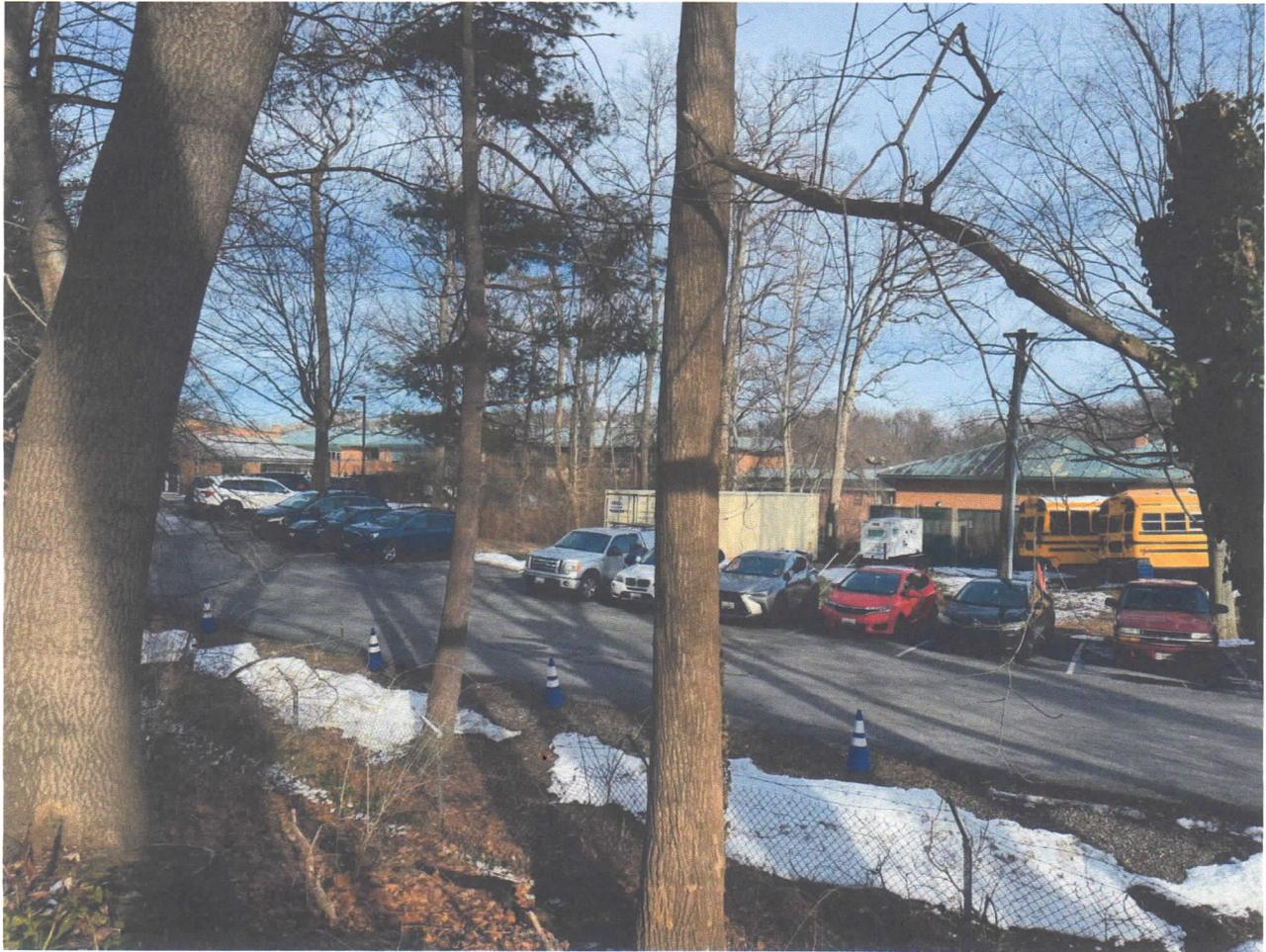


Figure 5 School driveway adjacent to 8311 Burdette Road bedrooms along southern property border. Fence is virtually on property line. Refutes Staff Report claims of adequate buffering. Also buffering provides ineffective sound mitigation. Clear lines of sight.

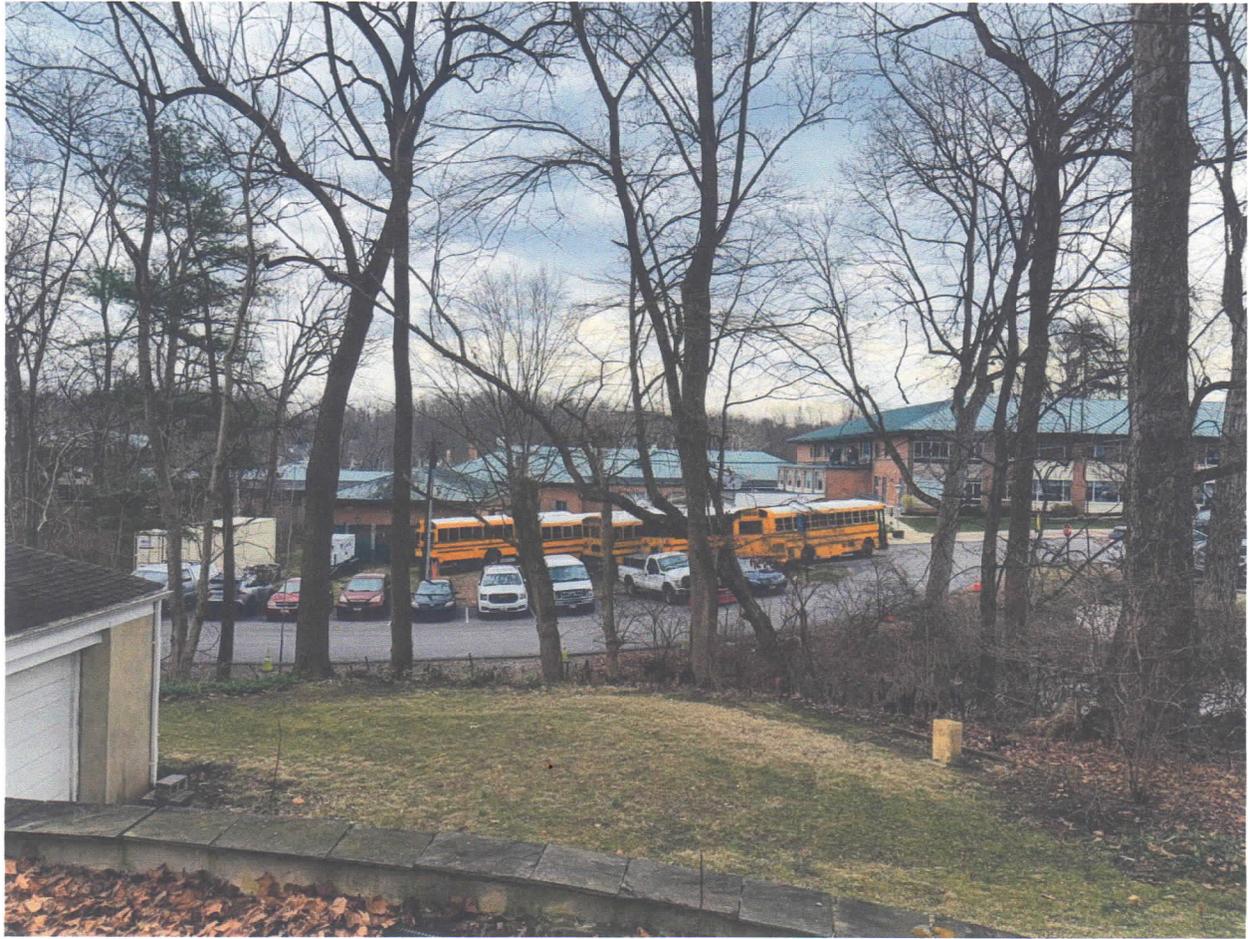


Figure 6 School driveway, parking, bus parking, and delivery area adjacent to 8311 Burdette Road. Refutes Staff Report claims of adequate buffering. Also buffering provides ineffective sound mitigation. Clear lines of sight.