

Sean Patrick Hughes

From: Kohler, Andrew <Andrew.Kohler@montgomerycountymd.gov>
Sent: Tuesday, August 5, 2025 12:56 PM
To: Samuel Avera
Cc: Sean Patrick Hughes
Subject: RE: Network Tower Proposed Telecommunications Tower / 14335 Cape May Road / Water Quality Plan Determination

Samuel,

Montgomery county code chapter 19 requires a sediment control plan when there is more than 5,000 square feet of disturbance and or more than 100 cubic yards of earth movement. Since the amount you are at in the email below is less than 5,000 square feet, an engineered sediment control plan is not required at this time. If you were to go over 5,000 square feet, a Water Quality Plan and Engineered Sediment Control plan would be required. Keep in mind this work is within the Upper Paint Branch Special Protection area and may have existing requirements for zoning and imperviousness, however without a sediment control plan I do not think I am the lead agency on that item (at this time).

If a Water Quality Plan is eventually needed then we will need to have a Water Quality Preapplication meeting, which I would coordinate.

Thanks,
Andrew Kohler, CPESC
Senior Permitting Services Specialist, Water Resources
Department of Permitting Services
2425 Reddie Drive, 7th Floor
Wheaton, Maryland 20902
240 777 6275 (office)
Andrew.Kohler@montgomerycountymd.gov

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CU 26-02

Exhibit 28
OZAH Case No: CU 26-02



DPS

Montgomery County
Department of Permitting Services

YOUR PROJECT PARTNER

From: Samuel Avera <savera@nttowers.com>
Sent: Tuesday, August 5, 2025 11:06 AM
To: Kohler, Andrew <Andrew.Kohler@montgomerycountymd.gov>
Cc: Sean Patrick Hughes <sphughes@mmcanby.com>
Subject: Network Tower Proposed Telecommunications Tower / 14335 Cape May Road / Water Quality Plan Determination

[EXTERNAL EMAIL]

Andrew –

Thank you very much for the phone call this morning to discuss our project and the possibility of a Water Quality Plan.

As discussed, we are proposing a new telecommunications tower and associated facility located at 14335 Cape May Road, on County-owned property. We've been coordinating with Greg Ossont on this site. The proposed land disturbance for the project totals approximately 4,763 sq. ft., and I've attached our site drawings for your reference.

We are currently working with the Planning Department on our Conditional Use Permit application. As part of the review process, one of the comments requires us to reach out to DPS to determine whether a Water Quality Plan is required for the project. Based on our previous conversation, it sounded like a Water Quality Plan would not be necessary but wanted to follow up and allow you an opportunity to review the plans and confirm whether or not a WQP is needed. If you could please confirm whether a WQP would be need or not, that would be greatly appreciated.

Thank you in advance and I look forward to hearing from you.

Sam Aversa

Land Use Manager

NETWORK TOWERS

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