



March 5, 2025

Board of Appeals Staff  
Board of Appeals for Montgomery County, Maryland  
100 Maryland Avenue, Suite 217  
Rockville, MD 20850

**RE:** Pepco – Brighton Substation STATCOM Expansion Project  
1300 Brighton Dam Road, Brookeville, MD 20833

Dear Board of Appeals Staff,

Dewberry Engineers, on behalf of our client Potomac Electric Power Company (PEPCO), submits this letter of request to the Board of Appeals (BOA) for an Administrative Modification to the Special Exception SE # S-213.

**Applicant:**

Potomac Electric Power Company (PEPCO)  
Kennedy Hurks – Project Manager  
701 9<sup>th</sup> Street NW  
Washington, DC 20068-0001

The subject property is located at 1300 Brighton Dam Road which consists of 231.76 acres located in the RC Zone. PEPCO owns and operates an aboveground electrical substation and overhead electric transmission lines on the property with an access road off Brighton Dam Road. PEPCO plans to expand the existing substation, construct a secondary access point internal to the property, and install new electrical transmission equipment. The expansion area will increase the overall footprint of the substation on the property from 12.5 acres to 18.5 acres. The same type security fence previously reviewed by the Board as part of security enhancements will be reinstalled around the expansion area and several small bioswales are proposed along the perimeter to meet stormwater requirements. Within the substation expansion area, there will be two retaining walls and one new building to house the electrical equipment. No setback requirements will be impacted due to the project and all work is set back more than 1,000ft from any adjacent property or County road. The existing use as a substation will not change with this project and the project does not represent a departure from the existing character of the site.

This project is related to the Brandon Shores Generating Station retirement and is mandated by PJM as described below. The Brandon Shores Generating Station, owned by Talen Energy, a 1,282 megawatt (MW) Maryland-based coal-fired generating station, announced on April 6, 2023, their intention to retire the station by June 1, 2025. As a result of the planned retirement of the Brandon Shores Generating Station, PJM, the regional transmission organization responsible for the movement of wholesale electricity, determined that transmission system upgrades are required to maintain grid reliability before Brandon Shores' deactivation. Given the power plant's critical role in serving the central Maryland region, PJM has directed Exelon's Utilities (i.e., PEco, BGE, and PEPCO) to construct transmission projects that together will ensure regional grid reliability and will enable the retirement of the Brandon Shores Generating Station. Moving to emissions-free generation resources is a crucial step for the state of Maryland to meet its greenhouse gas (GHG) emissions reduction goals by 2031 and 2045.

Separate from the expansion area, several existing equipment foundations need to be replaced. This work will occur during the same construction period as the new expansion area and is therefore included in this application.

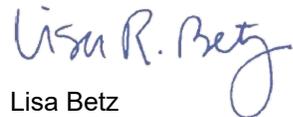
Montgomery County Board of Appeals  
Brighton Substation STATCOM Expansion  
March 6, 2026

We believe these changes, as described and shown, follow the 2004 Zoning Ordinance: that the proposed amendment is such that the terms or conditions could be modified without substantially changing the nature, character or intensity of the use and without substantially changing the effect on traffic or on the immediate neighborhood.

Thank you for your consideration of this request. Should you or a member of your staff have questions or need additional information, please feel free to contact me.

Sincerely,

Dewberry

A handwritten signature in blue ink that reads "Lisa R. Betz". The signature is written in a cursive style with a large, looped 'y' at the end.

Lisa Betz  
Associate Vice President, Senior Project Manager  
[lbetz@dewberry.com](mailto:lbetz@dewberry.com) | 410.645.1402



pepco<sup>®</sup>

AN EXELON COMPANY

March 5, 2025

To: Montgomery County Board of Appeals (BOA@montgomerycountymd.gov)

From: Potomac Electric Power Company (PEPCO)

RE: Administrative/Minor Modification of a Special Exception SE #S-213

Dear Montgomery County Board of Appeals,

Regarding the Administrative/Minor Modification of a Special Exception SE #S-213 located at 1300 Brighton Dam Road, Brookeville, MD 20833. Dewberry Engineers has been contracted to provide engineering and consulting services for this project. As owners of the special exception, we authorize Dewberry Engineers to apply for the modification on our behalf.

Please contact us if you have any questions.

Sincerely,

 Recoverable Signature

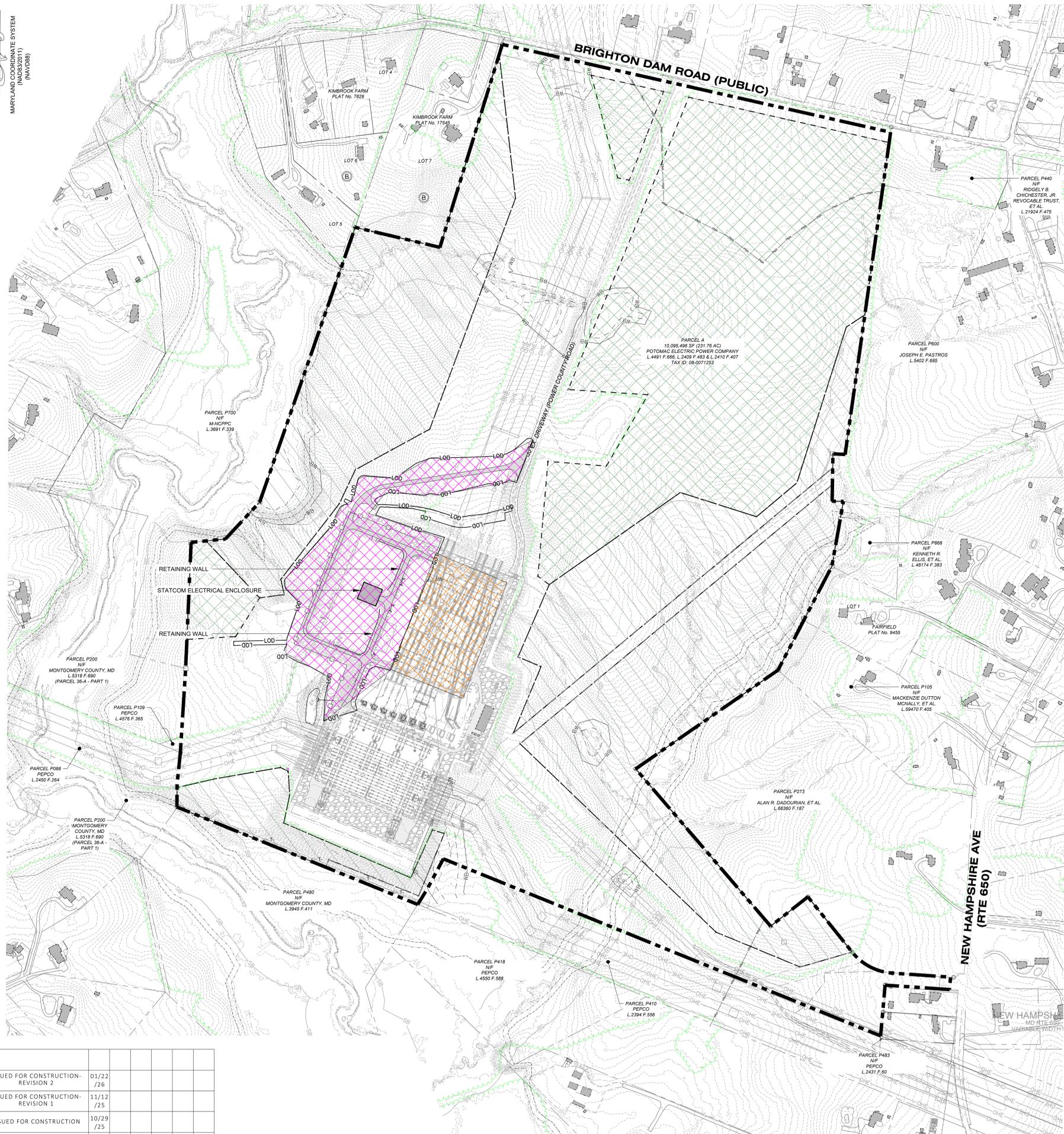
**X** Kennedy Hurks

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Kennedy Hurks

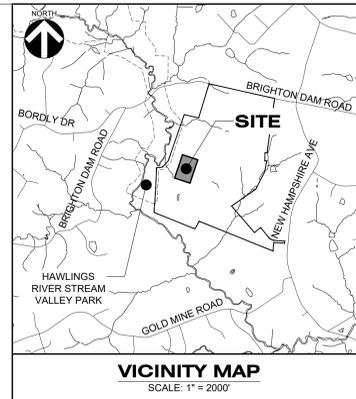
Project Manager - Brighton Substation Expa...

Signed by: Hurks, Kennedy



LEGEND

- EXISTING PROPERTY LINE
ADJACENT PROPERTY LINE
LIMIT OF DISTURBANCE
EXISTING MAJOR CONTOUR
EXISTING MINOR CONTOUR
EXISTING UNKNOWN UTILITY
EXISTING GROUNDING WIRE
EXISTING STORM DRAIN
EXISTING OVERHEAD UTILITY
EXISTING FENCE
FOREST CONSERVATION AREA
MODIFIED FOREST CONSERVATION AREA
PROPOSED STATCOM EXPANSION (APRIL 2026 - JAN 2028)
PROPOSED ELECTRICAL EQUIPMENT DEMO & REPLACEMENT (MARCH 2027)
EXISTING ROAD
EXISTING BUILDING
EXISTING TREELINE
EXISTING WETLAND
EXISTING 25' WETLAND BUFFER
EXISTING STREAM
EXISTING 25' STREAM BUFFER



OWNER/APPLICANT:

PROPERTY OWNER:
POTOMAC ELECTRIC POWER COMPANY
1300 BRIGHTON DAM ROAD
BROOKVILLE, MD 20833

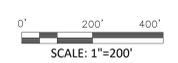
CONSULTANT:

PLAN PREPARED BY:
DEWBERRY
10461 MILL RUN CIRCL, SUITE 300
OWINGS MILLS, MD 21117
ATTN: LISA BETZ
PHONE: 410.645.1402
EMAIL: LBETZ@DEWBERRY.COM

GENERAL NOTES:

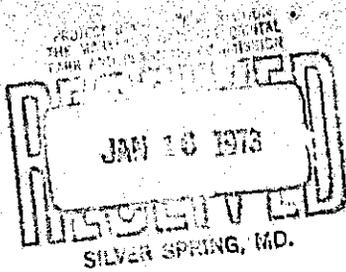
- 1. THE TAX IDENTIFICATION NUMBERS ASSOCIATED WITH THIS PLAN ARE: 00712536.
2. SITE ADDRESS: 1300 BRIGHTON DAM ROAD, BROOKVILLE, MD 20833
3. OWNER NAME AND ADDRESS: POTOMAC ELECTRIC POWER COMPANY, 701 9TH STREET NW, WASHINGTON, D.C. 20068-0001
4. TOTAL ACREAGE: 231.76 ACRES ±
5. TAX MAP: JU123
6. ZONING: RC (RURAL CLUSTER)
7. WSSC GRID: 227'N02/228'W02
8. ELECTION DISTRICT: 8
9. COUNCILMAN DISTRICT: 7
10. POLICE DISTRICT: 4D
11. PROPERTY BOUNDARIES ON THIS PLAN SHOWN PER A BOUNDARY SURVEY PERFORMED BY DEWBERRY ENGINEERS, INC. IN MARCH AND APRIL 2024.
12. THE TOPOGRAPHY SHOWN ON THIS PLAN IS FROM AN AERIAL SURVEY PERFORMED BY MCKENZIESNYDER, INC. ON MARCH 8, 2024 AND SUPPLEMENTED BY A FIELD SURVEY PERFORMED BY DEWBERRY ENGINEERS, INC. IN MARCH AND APRIL 2024, AS WELL AS READILY AVAILABLE GIS DATA FROM MONTGOMERY COUNTY. THIS DRAWING IS IN MARYLAND COORDINATE SYSTEM NAD83 (2011) HORIZONTAL DATUM AND NAVD88 VERTICAL DATUM.
13. THE WETLAND AND STREAM INFORMATION ON THIS PLAN IS FROM A STUDY PREPARED BY ECO-SCIENCE PROFESSIONALS AND DATED APRIL 2024.
14. THIS SITE IS LOCATED IN A TIER II CATCHMENT AREA AND CONTAINS A TIER II WATERBODY AS DEFINED IN COMAR 26.08.02.04. THIS SITE IS NOT LOCATED IN AN IMPAIRED WATER BODY WITH A TOTAL MAXIMUM DAILY LOAD (TMDL) ALLOCATED FOR SEDIMENT, WHICH ARE AFFORDED SPECIAL PROTECTION UNDER MARYLAND'S ANTI-DEGRADATION POLICY. ACCORDING TO MARYLAND DEPARTMENT OF THE ENVIRONMENT TIER II HIGH QUALITY WATERS (2022), THE WATERBODY HAS ASSIMILATIVE CAPACITY FOR NEW DEVELOPMENT.
15. THIS SITE IS LOCATED WITHIN THE ROCKY GORGE DAM MDE 12 DIGIT WATERSHED 021311070942. THE WATERSHED USE IS CLASS IV.
16. THIS SITE IS LOCATED WITHIN A STRONGHOLD WATERSHED AS ESTABLISHED BY THE MD DNR.
17. FEMA FLOODPLAIN MAP PANELS #24031C0210D, #24031C0216D, AND #24031C0220D SHOW THAT 100 YEAR FLOODPLAIN EXISTS ON THE PROPERTY, BUT NOT WITHIN 100' OF THE ANTICIPATED LIMITS OF DISTURBANCE.
18. THE PROPERTY IS NOT A REGISTERED HISTORIC SITE ACCORDING TO MONTGOMERY COUNTY DESIGNATED HISTORIC SITES AND DISTRICTS INTERACTIVE MAP.
19. THIS PROPERTY IS WITHIN A PRIMARY MANAGEMENT AREA OF THE HAWLINGS RIVER, BUT IS NOT LOCATED WITHIN ANY SPECIAL PROTECTION AREAS.
20. ALL DESIGNS WILL BE IN ACCORDANCE WITH MDE AND MC DPS.

Table with 7 columns: REV, DESCRIPTION, DFT, ENG, APV, APV, APV. Contains revision history for construction documents.



1 SHEET 1 OF 1
S2025-0355

Dewberry logo and contact information. pepco logo and 'AN EXELON COMPANY'. Project title: BRIGHTON SUBSTATION NO. 066, 500/230 KV SUBSTATION IFC CONSTRUCTION DOCUMENTS, SITE PLAN. Includes a small table with columns: DISCIPLINE, SCALE, CLASS, SITE-01, REV. NEW.



See 7-72063

PRELIMINARY SUBDIVISION PLAN CHECK SHEET  
Montgomery County

TITLE Pepco Substation No. 66 FILE NO. 1-73013 NO. LOTS 1  
~~OWNER~~ Potomac Electric Power Company FEE \$31.00 DATE PAID 1-16-73  
ENGINEER Matz, Childs & Associates ZONE RA REVISED \_\_\_\_\_  
TAX MAP \_\_\_\_\_ 200 SHEET 228 NW-2-D KLINGE \_\_\_\_\_ TOPO ATLAS \_\_\_\_\_

REFERRALS Date Submitted Action Taken FIELD INSPECTION COMMENTS

Hgy. Dpt. \_\_\_\_\_  
✓ SRG 1-22-73 (App 1-17-73) See letter \_\_\_\_\_  
✓ Health Dpt. 1-22-73 \_\_\_\_\_  
✓ DEW 1-22-73 (App 2-13-73) See letter \_\_\_\_\_  
✓ WSSC 1-22-73 (App 1-26-73) \_\_\_\_\_  
B of E 1-17-73 (App 1-10-73) \_\_\_\_\_  
✓ SCS 1-22-73 \_\_\_\_\_  
(Other) \_\_\_\_\_  
✓ Gas Co 1-22-73 (App 4-14-73) \_\_\_\_\_  
STAFF COMMENTS \_\_\_\_\_

STAFF RECOMMENDATION TO MONTGOMERY COUNTY PLANNING BOARD

Approval \_\_\_\_\_  
Disapproval \_\_\_\_\_  
Discussion \_\_\_\_\_

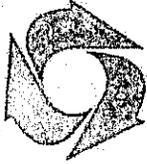
COMMISSION ACTION: DATE 517-83  
Approval 6-7-73  
Disapproval \_\_\_\_\_  
Hold \_\_\_\_\_

RF# 517-83

14







**Maryland Department of Transportation**

State Highway Administration

Harry R. Hughes  
Secretary  
James J. O'Donnell  
Acting Administrator

February 7, 1973

Maryland National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20907

RE: Montgomery County  
Route 65  
Papco Substation  
Prel. Plan # 1-73013

Attention: Mr. Broda

Dear Mr. Broda:

Returned herewith is a copy of the subject preliminary plan located on the west side of Route 650 just south of Brighton Rd., Brighton Vicinity, Montgomery County.

This office has reviewed the plan and finds that it does not conflict with the proposed Highway Improvement Plans of this administration.

Therefore, we have no objection to the recordation of this plan, subject to the dedication of the frontage on Route 650, (60' from centerline) to public use.

Thank you for the opportunity of reviewing this property.

Very truly yours,

Charles Lee, Chief  
Development Engineering Section

*C. Mills*  
BY: C. Mills  
Asst. Development Engineer

cc: Mr. Caltrider  
Mr. Koller

GL:GM:EJS

MONTGOMERY COUNTY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
ROCKVILLE, MARYLAND

M E M O R A N D U M

May 30, 1973

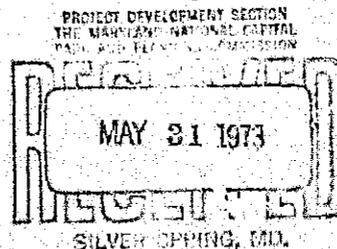
TO: Maryland-National Capital Park & Planning Commission  
FROM: Director, Department of Environmental Protection *H. Clayton*  
SUBJECT: Status of Preliminary Plan # 1-73013 Pepco Substation #66 (1 parcel)

This is to notify you that the status of the above named subdivision plan which was received in this office on 1-23-73 is as follows:

- ( ) Inactive. We have not heard from the owner or his agent.
- ( ) Inactive. Owner has indicated no further interest in this plan.
- ( ) Under negotiation.
- ( ) Approved for testing.
- ( ) Approved for testing with the following reservations:

Approved.

( ) Approved with the following reservations.



( ) Rejected for the following reasons:

cc: Owner  
Surveyor



Department of Public Works

## MONTGOMERY COUNTY, MARYLAND

DANAC BUILDING, 2351 SHADY GROVE ROAD, ROCKVILLE, MD.  
MAILING ADDRESS: COUNTY OFFICE BUILDING, ROCKVILLE, MD. 20850 770-2520

February 13, 1973

Mr. John J. Broda  
Maryland-National Capital Park  
and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland

Re: Preliminary Plan No.  
1-73013 - Brighton  
Substation

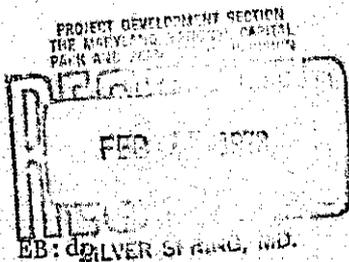
Dear Mr. Broda:

We return herewith one copy of the above referenced plan recommended for approval subject to:

1. Necessary slope and drainage easements and other comments as noted in green thereon. Slope easements are to be as determined by grade study or to the building restriction line.
2. Necessary dedication for future widening of Brighton Road and New Hampshire Avenue.
3. Show fifty-year flood plain with building restriction line on the record plat. Limit of flood plain is to be dimensioned from property lines.
4. Public Improvements Agreement will not be required.

Very truly yours,

Edward Borysiewicz, Chief  
Bureau of Staff Services



Enclosure

cc: Matz, Childs & Associates  
Potomac Electric Power Co.

MONTGOMERY COUNTY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
ROCKVILLE, MARYLAND

MEMORANDUM

February 27, 1973

TO: Maryland-National Capital Park & Planning Commission  
FROM: Director, Department of Environmental Protection *H. Clayton*  
SUBJECT: Status of Preliminary Plan # 1-73013 Pepco Substation No. #66 (1 parcel)

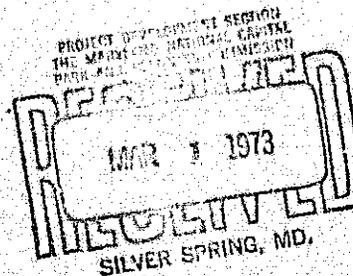
This is to notify you that the status of the above named subdivision plan which was received in this office on 1-23-73 is as follows:

- Inactive. We have not heard from the owner or his agent.
- Inactive. Owner has indicated no further interest in this plan.
- Under negotiation.
- Approved for testing.
- Approved for testing with the following reservations:

Stake out and provide two sets of shallow and deep (2 $\frac{1}{2}$ ' & 15') test holes in each lot as indicated on plan returned to the Surveyor.

- Approved.
- Approved with the following reservations.

Rejected for the following reasons:



cc: Surveyor  
Owner

COLUMBIA GAS TRANSMISSION CORPORATION



ADDRESS REPLY TO  
POST OFFICE BOX 467  
HERNDON, VIRGINIA 22070

February 16, 1973

Mr. John J. Broda  
Development Coordinator  
The Maryland-National Capital Park & Planning Comm.  
Regional Headquarters Building  
8787 Georgia Avenue  
Silver Spring, Maryland 20907

RE: Pepco Substation No. 66  
File No. 1-73013

Dear Mr. Broda:

I have received your letter of January 22, 1973 and copy of the preliminary plan for the above referenced substation dated October 2, 1972. The plan indicates two gas pipeline rights of way for Atlantic Seaboard Corporation. The northern most right of way as shown on the plan now belongs to Washington Gas Light Company and the southern most gas pipelines right of way belongs to Columbia Gas Transmission Corporation, the successor to Atlantic Seaboard Corporation.

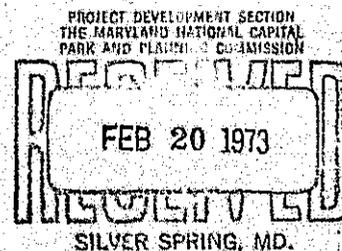
As the preliminary plan shows no proposed construction over the Columbia Gas Transmission Corporation right of way, we offer no objections to the plan.

Thank you for your consideration.

Very truly yours,

*William P. Diehl, Jr.*

William P. Diehl, Jr.  
Area Superintendent



February 20, 1973

Mr. Marshall M. McAdoo, Supervisor-Mains Planning  
Transmission and Distribution Dept.  
Washington Gas Light Company  
6801 Industrial Road  
Springfield, Virginia 22151

Re: PEPCO SUBSTATION No. 66  
Our File No. 1-73013

Dear Mr. McAdoo;

A proposed subdivision plan for one lots has been submitted to this office for consideration. This plan is located at south side Brookeville-Brighton Rd., west of Md. Rte. 650.

Before presenting this proposed plan to the Montgomery County Planning Board for action, it is being referred to you for recommendations and/or comments. A print of the plan is enclosed.

We would appreciate hearing from you at an early date.

Very truly yours,

John J. Broda  
Development Coordinator

Enclosure

Jan. 17, 1973

Our File: 1-73013

Montgomery County Board of Education  
Rockville, Maryland

Attention: Site Acquisition Division

Re: Peppo Substation No. 66 - 1 Lot  
(Subdivision Title)

Gentlemen:

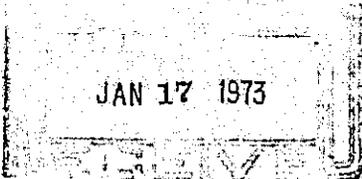
Application has been made for approval of the attached preliminary subdivision plan by the Montgomery County Planning Board. An indication as to your plans for acquisition of property or other comments is requested.

BOARD OF EDUCATION  
SITE ACQUISITION DIVISION

Very truly yours,

/s/ John J. Broda

John J. Broda  
Land Planning Engineer



ROCKVILLE, MARYLAND

Present studies indicate that part or all of the land included in this plan may be needed for school purposes. Action of the Board of Education will be necessary before negotiations for acquisition of the land can proceed. You will be promptly advised of their action.

Present studies indicate no need for acquisition of any of the land included in this plan.

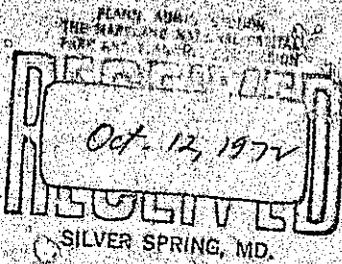
Remarks:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: 1/17/73

Montgomery County Board of Education  
By: Jordan

228 NW-2-R



File No. 7-72063

PRE-APPLICATION SUBMISSION

In accordance with Section 101-15 of the Subdivision Regulations, the attached plan is submitted for informal consideration by the planning staff and/or the Montgomery County Planning Board, prior to formal submission of a preliminary plan.

Name of Property Potomac Electric Power Company Substation No. 66

Geographical Location South side of Brighton Road approx. 900 ft. west of Maryland

Zoning R-A R-A Route 650 No. of Lots Proposed 1  
Existing Proposed

Proposed Sanitary Facilities None Required None Required  
(Water) (Sewage Disposal)

Owner Potomac Electric Power Company  
(Name)  
1900 Pennsylvania Avenue, N. W., Washington, D. C. 20006  
(Address)

Engineer Matz, Childs & Associates, Inc. Date October 10, 1972

Remarks Special Exception - Electric Power Substation

Staff Recommendation \_\_\_\_\_

Montgomery County Planning Board Action \_\_\_\_\_

Date: \_\_\_\_\_

10-19-72

DPW  
WSSC  
HD  
SCS  
Park  
B.J. Ed



Department of Public Works

## MONTGOMERY COUNTY, MARYLAND

DANAC BUILDING, 2351 SHADY GROVE ROAD, ROCKVILLE, MD.

MAILING ADDRESS: COUNTY OFFICE BUILDING, ROCKVILLE, MD. 20850 770-2520

November 8, 1972

Project Development Section  
Maryland-National Capital Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland

Attention: Mr. John J. Broda

Re: Pre-Preliminary Plan No. 7-72063  
PEPCo Substation

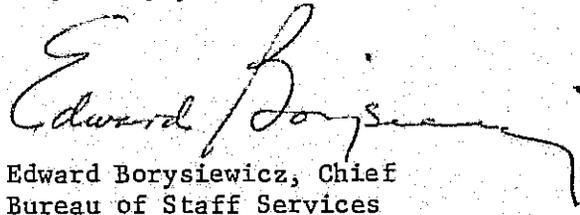
Dear Mr. Broda:

The above referenced pre-preliminary plan has been reviewed by this office. It is recommended that a record plat, prepared in accordance with Section 104-25 of the Subdivision Regulations, be submitted for review.

The following conditions for platting are tentatively set forth:

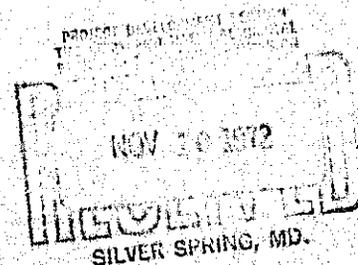
1. Dedication for future widening of Brighton Road in accordance with the master plan.
2. Necessary slope and drainage easements.
3. Show 50 year flood plain with building restriction line on the record plat. Limits of flood plain to be dimensioned from property lines.
4. Public Improvements Agreement will not be required.

Very truly yours,

  
Edward Borysiewicz, Chief  
Bureau of Staff Services

EB:dp

cc: Matz, Childs & Associates  
Potomac Electric Power Co.



January 22, 1973

Mr. J. E. Fisher, Assistant Manager  
Columbia Gas Transmission Corp.  
P.O. Box 467  
Herndon, Virginia 20070

Re: PEPCO SUBSTATION No. 66  
Our File No. 1-73013

Dear Mr. Fisher:

A proposed subdivision plan for 1 lots has been submitted to this office for consideration. This plan is located at West of Route 650 on Brookeville-Brighton Road.

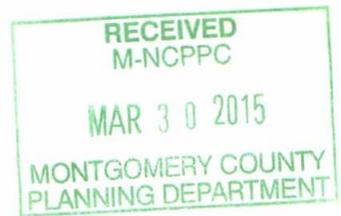
Before presenting this proposed plan to the Montgomery County Planning Board for action, it is being referred to you for recommendations and/or comments. A print of the plan is enclosed.

We would appreciate hearing from you at an early date.

Very truly yours,

John J. Broda  
Development Coordinator

Enclosure



**BOARD OF APPEALS  
for  
MONTGOMERY COUNTY**

Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, Maryland 20850  
[www.montgomerycountymd.gov/content/council/boa/index.asp](http://www.montgomerycountymd.gov/content/council/boa/index.asp)

(240) 777-6600

**Case No. S-213 and S-214**

**PETITION OF POTOMAC ELECTRIC POWER COMPANY**

**RESOLUTION TO MODIFY SPECIAL EXCEPTION**

(Resolution Adopted March 4, 2015)

(Effective Date of Resolution: March 26, 2015)

Case Nos. S-213 and S-214 are special exceptions that the Board of Appeals granted to Potomac Electric Power Company, effective November 26, 1972, under Section 59-164 of the Zoning Ordinance, to permit an electric substation and over-head electric power and energy transmission lines. Effective January 22, 1988, the Board granted Case No. S-213-A, to modify the substation, and Case No. S-1413 to allow construction of 3.5 miles of overhead transmission lines from the substation to the Howard County line. The Board has granted administrative modifications of Case Nos. S-213 and S-214 effective November 26, 1974, January 21, 1976, February 9, 1977, March 11, 1993 and August 14, 2008.

The subject property is Parcel A on Plat 10802 entitled 'Potomac Electric Power Company Brighton Substation #66,' contains 12.5 acres, located on a 231 acre tract, at 1300 Brighton Dam Road in the RC Zone.

The Board of Appeals has received a letter, dated February 12, 2015, from John Sekarak, of Stantec Consulting, on behalf of Potomac Electric Power Company (PEPCO). Mr. Sekerak requests administrative modification of the electrical substation special exception to allow certain security improvements. Specifically, PEPCO requests the following changes:

- Installation of a new, 20-foot tall, high strength, heavy gauge steel fence.
- Addition of a guiderail along the east side of on-site entrance drive.
- Addition of structural walls to a number of transformers to provide ballistic shield protection.
- Installation of security cameras along the new fence.
- Installation of bollards at strategic locations outside the fence to deter all-terrain vehicle trespass.

- Installation of a series of small bioretention facilities just outside the new fence.

Mr. Sekarak explains that the changes are requested to comply with a standard promulgated by the North American Reliability Corporation (NERC). The new standard, NERC CIP-014 was developed in response to an attack on the Metcalf Substation in California on April 16, 2013.

The Board of Appeals considered the modification request at its Worksession on March 4, 2015. Mr. Sekarak and Walter Merkle, of PEPCO Holdings, Inc. appeared at the Worksession. Mr. Merkle stated that NERC is empowered by the Federal Electric Reliability Commission as PEPCO's federal regulator. He stated that compliance with NERC CIP-014 is a federal requirement for PEPCO.

In response to a Board question about adjoining properties, Mr. Sekarak pointed to the site plan [Exhibit No. 138(a)], and stated that the nearby "residential properties are much further removed [compared to the PEPCO substation in Case No. S-581]. Exhibit 138(a) indicates that the closest off-site structure is at least 1600 feet away from the special exception fence.

Section 59-G-1.3(c)(1) of the Montgomery County Zoning Ordinance provides, pertaining to modification of special exceptions:

If the proposed modification is such that the terms or conditions could be modified without substantially changing the nature, character or intensity of the use and without substantially changing the effect on traffic or on the immediate neighborhood, the Board, without convening a public hearing to consider the proposed change, may modify the term or condition.

Based upon Mr. Merkle's description of PEPCO's obligation to comply with federal NERC CIP-014, the Board finds that the modification must be granted. The Board further finds that the requested changes will not substantially change the nature, character or intensity of the use or its effect on traffic or on the immediate neighborhood, and the modification can be granted administratively. The fence will be set back 1600 feet or more from structures on abutting properties.

Therefore, on a motion by Stanley B. Boyd, seconded by Carolyn J. Shawaker, Vice-Chair, with John H. Pentecost, Edwin S. Rosado, and David K. Perdue, Chair, in agreement:

**BE IT RESOLVED** by the Board of Appeals for Montgomery County, Maryland that the record in Case No. S-213 and S-214 is re-opened to receive John Sekarak's February 12, 2015 letter, with attachments; and

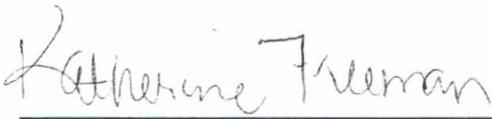
**BE IT FURTHER RESOLVED** by the Board of Appeals for Montgomery County, Maryland that the request to modify the special exception is granted; and

**BE IT FURTHER RESOLVED** by the Board of Appeals for Montgomery County, Maryland that all terms and conditions of the original special exception, together with any modifications granted by the Board of Appeals, remain in effect.



David K. Perdue  
Chair, Montgomery County Board of Appeals

Entered in the Opinion Book  
of the Board of Appeals for  
Montgomery County, Maryland  
This 26<sup>th</sup> day of March, 2015.



Katherine Freeman  
Executive Director

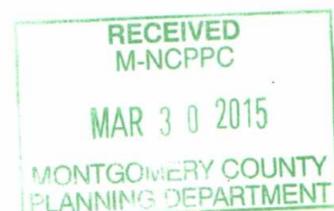
**NOTE:**

Any party may, within fifteen (15) days of the date of the Board's Resolution, request a public hearing on the particular action taken by the Board. Such request shall be in writing, and shall specify the reasons for the request and the nature of the objections and/or relief desired. In the event that such request is received, the Board shall suspend its decision and conduct a public hearing to consider the action taken.

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book (See Section 59-A-4.63 of the County Code). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure. It is each party's responsibility to participate in the Circuit Court action to protect their respective interests. In short, as a party you have a right to protect your interests

Montgomery County, in accordance with the Maryland Rules of Procedure. It is each party's responsibility to participate in the Circuit Court action to protect their respective interests. In short, as a party you have a right to protect your interests in this matter by participating in the Circuit Court proceedings, and this right is unaffected by any participation by the County.



**BOARD OF APPEALS  
for  
MONTGOMERY COUNTY**

Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, Maryland 20850  
<http://www.montgomerycountymd.gov/boa/>

(240) 777-6600

**Case No. S-213 [S-214]**

**PETITION OF POTOMAC ELECTRIC POWER COMPANY**

**RESOLUTION TO RE-OPEN THE RECORD**

(Resolution Adopted January 8, 2020)

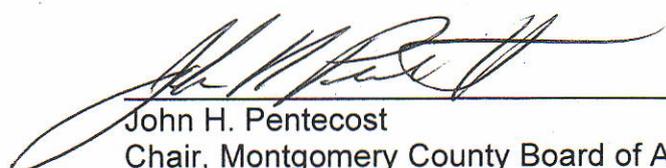
(Effective Date of Resolution: January 17, 2020)

The Board of Appeals has received a letter dated December 9, 2019, from Eric L. Yeh, Manager, Transmission Reinforcement, with the Potomac Electric Power Company (PEPCO). Mr. Yeh encloses the Ten- and Twenty-Year Plans for electric service, in accordance with the provisions of Condition "C" of the Board's Resolution dated November 26, 1973.

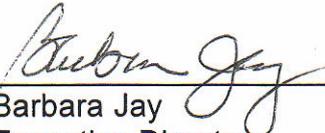
The subject property consists of a twelve and five-tenths (12.5) acre area within a two hundred and thirty-one (231) acre tract located approximately five hundred (500) feet west of the New Hampshire Avenue/Brighton Dam Road intersection.

The Board of Appeals considered Mr. Yeh's letter at its Worksession on January 8, 2020. On a motion by John H. Pentecost, Chair, seconded by Katherine Freeman, with Bruce Goldensohn, Vice-Chair, and Mary Gonzales in agreement and with Jon W. Cook necessarily absent:

**BE IT RESOLVED** by the Board of Appeals for Montgomery County, Maryland that the record in Case No. S-213 [S-214], Petition of Potomac Electric Power Company, is re-opened to receive Eric Yeh's letter of December 9, 2019, with the Ten- and Twenty-Year Plans.

  
\_\_\_\_\_  
John H. Pentecost  
Chair, Montgomery County Board of Appeals

Entered in the Opinion Book  
of the Board of Appeals for  
Montgomery County, Maryland  
this 17<sup>th</sup> day of January 2020.

  
Barbara Jay  
Executive Director

**NOTE:**

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book. Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure. It is each party's responsibility to participate in the Circuit Court action to protect their respective interests. In short, as a party you have a right to protect your interests in this matter by participating in the Circuit Court proceedings, and this right is unaffected by any participation by the County.

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**Case No. S-213 [S-214]**

**PETITION OF POTOMAC ELECTRIC POWER COMPANY**

**RESOLUTION TO RE-OPEN THE RECORD**

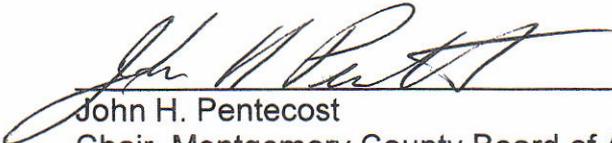
(Resolution Adopted January 9, 2019)  
(Effective Date of Resolution: January 18, 2019)

The Board of Appeals has received a letter dated December 17, 2018, from Amber C. Young, Manager, Transmission Planning, with the Potomac Electric Power Company (PEPCO). Ms. Young encloses the Ten- and Twenty-Year Plans for electric service, in accordance with the Board's Resolution dated July 15, 1976.

The subject property consists of a twelve and five-tenths (12.5) acre area within a two hundred and thirty-one (231) acre tract located approximately five hundred (500) feet west of the New Hampshire Avenue/Brighton Dam Road intersection.

The Board of Appeals considered Ms. Young's letter at its Worksession on January 9, 2019. On a motion by John H. Pentecost, Chair, seconded by Katherine Freeman, with Stanley B. Boyd, Vice-Chair, and Bruce Goldensohn in agreement:

**BE IT RESOLVED** by the Board of Appeals for Montgomery County, Maryland that the record in Case No. S-213 [S-214], Petition of Potomac Electric Power Company, is re-opened to receive Amber C. Young's letter of December 17, 2018, with the Ten- and Twenty-Year Plans.

  
\_\_\_\_\_  
John H. Pentecost  
Chair, Montgomery County Board of Appeals

Entered in the Opinion Book  
of the Board of Appeals for  
Montgomery County, Maryland  
this 18<sup>th</sup> day of January 2019.

  
Barbara Jay  
Executive Director

**NOTE:**

Any request for rehearing or reconsideration must be filed within fifteen (15)<sup>d</sup> days after the date the Opinion is mailed and entered in the Opinion Book. Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure. It is each party's responsibility to participate in the Circuit Court action to protect their respective interests. In short, as a party you have a right to protect your interests in this matter by participating in the Circuit Court proceedings, and this right is unaffected by any participation by the County.

**BOARD OF APPEALS  
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100 Maryland Avenue, Room 217  
Rockville, Maryland 20850

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(240) 777-6600

**Case No. S-213 [S-214]**

**PETITION OF POTOMAC ELECTRIC POWER COMPANY**

**RESOLUTION TO RE-OPEN THE RECORD**

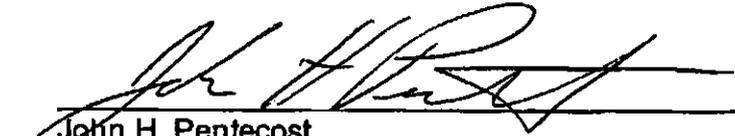
(Resolution Adopted April 17, 2024)  
(Effective Date of Resolution: May 2, 2024)

The Board of Appeals has received a letter dated March 31, 2024, from Eric L. Yeh, Manager, Transmission Region Planning, with the Potomac Electric Power Company (PEPCO). Mr. Yeh encloses the Ten- and Twenty-Year Plans for electric service, in accordance with the provisions of Condition "C" of the Board's Resolution dated November 26, 1973. Also included is a map showing the locations of PEPCO substations in the County.

The subject property consists of a twelve and five-tenths (12.5) acre area within a two hundred and thirty-one (231) acre tract located approximately five hundred (500) feet west of the New Hampshire Avenue/Brighton Dam Road intersection.

The Board of Appeals considered Mr. Yeh's letter at a Worksession held on April 17, 2024. On a motion by John H. Pentecost, Chair, seconded by Caryn Hines, with Richard H. Melnick, Vice Chair, Alan Sternstein, and Amit K. Sharma in agreement:

**BE IT RESOLVED** by the Board of Appeals for Montgomery County, Maryland that the record in Case No. S-213 [S-214], Petition of Potomac Electric Power Company, is re-opened to receive Eric Yeh's letter of March 31, 2024, with the attachments.

  
John H. Pentecost  
Chair, Montgomery County Board of Appeals

Entered in the Opinion Book  
of the Board of Appeals for  
Montgomery County, Maryland  
this 2<sup>nd</sup> day of May 2024.

  
\_\_\_\_\_  
Barbara Jay  
Executive Director

**NOTE:**

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book. Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure. It is each party's responsibility to participate in the Circuit Court action to protect their respective interests. In short, as a party you have a right to protect your interests in this matter by participating in the Circuit Court proceedings, and this right is unaffected by any participation by the County.

Montgomery County  
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MAY - 8 2024

Planning Department