



**September 13, 2024**

**Kathleen Byrne, Director**

Montgomery County Office of Zoning and Administrative Hearings  
Stella B. Werner Council Office Building  
100 Maryland Avenue, Room 200  
Rockville, MD 20850

Subject: Request for a Conditional Use for a Cable Communication Systems and Public Utility Structure, located at the Dickerson Power Plant, Dickerson 20842  
Conditional Use CU202413

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**Dear Director Byrne:**

At its regular meeting on September 5, 2024, the Montgomery County Planning Board reviewed Conditional Use Application CU202413, for Cable Communications Systems and Public Utility Structure uses. The Applicant, Terra Energy LLC, proposes to establish Cable Communications Systems and Public Utility Structure uses on approximately 758 acres, located at the Dickerson Power Plant, in the IH and AR Zones, and within the 1980 *Preservation of Agriculture & Rural Open Space Functional Master Plan* area. The Conditional Use Plan generally shows the proposed Cable Communications Systems and Public Utility Structure uses, and the Applicant will seek modifications of the Conditional Use Plan with each more detailed Site Plan for each phase of development under the initial, general approval.

In its Staff Report dated August 23, 2024, technical staff recommended approval of the Conditional Use with conditions.

The Planning Board concurred with the findings and recommendations of the staff report. The Planning Board agreed with staff's conclusion that the use is consistent with the recommendations of the 1980 *Preservation of Agriculture & Rural Open Space Functional Master Plan*. The application satisfies the applicable requirements and regulations of the approval of a conditional use for Cable Communication Systems and Public Utility Structure uses. The Applicant has also met the burden of proof by showing that operating these uses at this location will not be a detriment to the neighborhood and will not adversely affect the public interest.

Exhibit 27  
OZAH Case No: CU 24-13

Kathleen Byrne, Director  
September 13, 2024  
Page Two

On a motion by Commissioner Hedrick and seconded by Vice Chair Pedoeem, and with Chair Harris and Commissioner Linden voting in favor of the motion, the Planning Board voted 4-0 (Commissioner Bartley absent) to transmit a letter recommending that the Hearing Examiner approve the Conditional Use CU202413 with the conditions listed in the Staff Report.

The Planning Board appreciates the opportunity to review this project and looks forward to working with your staff on subsequent reviews. If you have any questions, please contact Mark Beall at 301-495-1330 or [mark.beall@montgomeryplanning.org](mailto:mark.beall@montgomeryplanning.org).

Sincerely,

A handwritten signature in blue ink that reads "Artie L. Harris". The signature is written in a cursive, flowing style.

**Artie L. Harris**

Chair

Enclosure