

OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
Stella B. Werner Council Office Building
Rockville, Maryland 20850
(240) 777-6660

IN THE MATTER OF

TELECOM CAPITAL GROUP

Applicant

Mark Fisher
Narendra Mangra
Marc Marzullo

For the Application

Edward Donohue, Esq.

Attorneys for the Applicants

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Arthur Taylor, Neighbor
– Appeared in Opposition

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Kristine Poptanich, Neighbor
– Appeared Opposition

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Before: Kathleen E. Byrne, Hearing Examiner

OZAH Case No. CU 24-17

ERRATA TO HEARING EXAMINER’S REPORT AND DECISION

On September 9, 2024, the Hearing Examiner issued a Report and Decision approving a conditional use for a Telecommunications Tower under Section 59-3.3.5.2.C.2.c of the Montgomery County Zoning Ordinance. The subject property is identified as 22900 Old Hundred Road, Barnesville, Maryland 20838, Parcel P653 on tax map 11-00916938. Exhibit 1.

The Hearing Examiner issues this Errata solely to correct errors and to clarify her Decision regarding conditions of approval. The changes to the Report and Decision are as follows:

1. All references to the Applicant's expert witness Mr. Mazullo should be changed to Mr. Marzullo.
2. On page 11, line 2, at the end of the sentence and prior to T.44, insert Footnote 1 with the following text. "Testimony of the Applicant's expert approximated the area as being 10,000 square feet, but on pg. 50 of the transcript the expert specifically identified the leased area as being 80' x 80' and the compound area as being 60' by 60'. Further Exhibit 21a depicts the limits of disturbance as being 16,000 square feet."
3. On page 12, line 17, after the word "additional", the following text should be added "trees between the tower and Old Hundred Road."
4. On page 17, line 8, the reference to SEC, should be changed to FCC.
5. On page 34, line, 2, the reference to 100-foot monopole, should be changed to 160-foot monopole.
6. The grant of this conditional use is subject to only those conditions specifically listed on page 34 of the Hearing Examiner's Report and Decision dated September 9, 2024.

This correction does not affect the Hearing Examiner's conclusions or final decision in this case.

Issued this 13th day of September 2024.



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Kristine Poptanich
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