

From: [Byrne, Kathleen](#)
To: [Meg VanDeWeghe](#); [O'Neil, Patrick L.](#)
Cc: [Ndou, Livhu](#); [Jay, Barbara](#); vivianriefberg@gmail.com; [Jason Smolen](#); [Meza, Nicole](#)
Subject: RE: Concerns about CASE NO. CBA-1174-E (Holton Arms proposed expansion)
Date: Monday, May 19, 2025 10:36:00 AM

Ms. VanDeWeghe and Mr. O'Neill,

I am responding directly to your email below and am also directing my response to Mr. Patrick O'Neil, attorney for the Applicant. Please note I have removed Councilmember Freidson's Office and Council President Stewart's Office from this email thread. Due to rules governing ex parte communications with Councilmembers while a land use matter is pending before OZAH, the Councilmembers cannot have direct communication with any party, participant or constituent regarding those matters. I've copied Ms. Livhu Ndou, Senior Legislative Attorney for the Council, so she is aware of the email and my response to you. Additionally, I have copied the Barbara Jay, the Board of Appeals Executive Director, Ms. Riefberg and Mr. Smolen. Ms. Riefberg and Mr. Smolen previously requested to be included in any hearing scheduling discussions.

While OZAH has received several emails and letters from neighbors regarding the pending application, none of those individuals requested that they be considered "parties of record." OZAH Rule 3.1 describes "parties of record" to include applicants for a zoning action or a conditional use, individuals and organizations testifying at an OZAH public hearing and those who have requested and been approved by the Hearing Examiner to be parties of record. Anyone may testify at the OZAH public hearing and will be automatically considered a party of record.

In your email below you specifically request a postponement of the July 17, 2025 hearing until September when more residents are available to testify at the hearing. Per OZAH Rule of Procedure 3.9 any preliminary motion made before a hearing, like the one you have made for a postponement, must be sent to all "parties of record" and must include a certification of the date mailed. The rule further requires that those parties of record that receive the motion must respond to it within 10 days of the certified mailing date. Mr. O'Neil, as the attorney for the Applicant, a party of record, must have an opportunity to respond to your request for a postponement.

While your request was not "mailed", as the assigned Hearing Examiner, I will accept the postponement request and treat it as a preliminary motion. Via this email, I am requesting Mr. O'Neil respond to your motion before I make any decision regarding a postponement. Thank you.

Katy Byrne

Kathleen E. Byrne
Director/Hearing Examiner

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From: Meg VanDeWeghe <meg.vandeweghe@gmail.com>
Sent: Friday, May 16, 2025 6:24 PM
To: Byrne, Kathleen <Kathleen.Byrne@montgomerycountymd.gov>
Cc: Friedson's Office, Councilmember <Councilmember.Friedson@montgomerycountymd.gov>; Stewart's Office, Councilmember <Councilmember.Stewart@montgomerycountymd.gov>
Subject: Concerns about CASE NO. CBA-1174-E (Holton Arms proposed expansion)

[EXTERNAL EMAIL]

Dear Ms Byrne,

My husband and I are residents of Al Marah (a community in Bethesda across from the Holton Arms School). We and our neighbors are quite concerned about the Holton Arms proposed expansion which would increase enrollment by 30% (some 200 students). We believe that the proposal not only would cause logistical nightmares for our neighborhood (which ONLY can be accessed using the portion of River Road affected by Holton Arms traffic), but would decrease property values in our neighborhood.

Unfortunately, Holton Arms has not been providing information to local residents (despite our repeated requests that they do so), and the hearing on this matter has now been set for July 17 (a date when many of our neighbors will be out of town). We request that you postpone the hearing until September when more residents will be in town and will be able to attend the hearing in person to explain our concerns about traffic along River Road and through our community.

Thank you for your help in this matter.

Meg VanDeWeghe