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October 27, 2025

VIA ELECTRONIC DELIVERY

Ms. Khandikile Sokoni, Esq.
Office of Zoning and Administrative Hearings
100 Maryland Avenue, Suite 200
Rockville, Maryland 20850

Re: Objections to Qualification of Mr. Daniel Wilhelm as an Expert
Notley Road - Local Map Amendment No. H-159 (the “Application”)

Hearing Examiner Sokoni,

On behalf of Notley Assemblage LLC (the “Applicant”), we are submitting this objection to the qualification of Mr. Daniel Wilhelm as an expert. The “Pre-Hearing Submission Filed on Behalf of the Greater Colesville Civic Association and Kyle Smiddie” (Exhibit 57) indicates that Michele Rosenfeld, Esq. on behalf of her clients, the Greater Colesville Civic Association and Kyle Smiddie (collectively, the “Opposition”), intends to have Mr. Daniel Wilhelm testify as an expert at the OZAH hearing on the above-referenced Application. The Opposition does not specifically identify what field they plan to qualify Mr. Wilhelm as an expert in. But in reviewing Mr. Wilhelm’s CV, he does not appear to have any necessary qualifications, specialized training or experience necessary to qualify as an expert in this land use proceeding.

Mr. Wilhelm’s educational background and professional experience is in electrical engineering and program management. He has no educational or professional experience in land planning, city planning, urban planning or related fields like architecture, civil engineering or transportation engineering. While it certainly is laudable that Mr. Wilhelm has been engaged in his community, that does not provide him with the requisite specialized knowledge or expertise to opine on these issues as an expert. For example, while Mr. Wilhelm’s participation in master plan Citizen Advisory Committees may have afforded a more organized mechanism for him to provide input during the development of the respective plans, it does not give him any greater qualification for interpreting master plans than any other citizen who was highly engaged in the outreach and planning process (e.g. attending listening/visioning sessions, participating at worksessions and hearings etc.). The same is true of the other committees and task forces Mr. Wilhelm has participated in. We see nothing on Mr. Wilhelm’s resume that would qualify him to speak as an expert regarding the adequacy of the roadway network or public safety issues.

Similarly, while the “Maryland Citizen Planner Award” recognizes Mr. Wilhelm’s contributions to his community, it does not confer any professional accreditation. Mr. Wilhelm may certainly offer his lay opinion on these matters, but he may not speak to them as an expert, without the necessary qualifications, subject matter expertise or professional experience.

In sum, we object to Mr. Wilhelm being qualified as an expert in this proceeding and request that the Hearing Examiner issue a ruling to make the limits of Mr. Wilhelm’s participation clear. Thank you in advance for your consideration.

Sincerely,


Elizabeth C. Rogers


Erin E. Girard