

IN THE MATTER OF	:	BEFORE THE
<b>ESC TRIADELPHIA ROAD, LLC</b>	:	HOWARD COUNTY
Petitioner	:	BOARD OF APPEALS
	:	HEARING EXAMINER
	:	BA Case No. BA 26-008C

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**MOTION FOR ACKNOWLEDGMENT OF ADVERSARIAL PARTY STATUS**

Our family home is located at 3501 Garratt Court, Ellicott City, Maryland 21042 (“Our Home”). We have lived here and raised our family here for more than sixteen (16) years. Our Home is served entirely by a private potable groundwater well, which provides all the water used by our family for drinking, cooking, bathing, laundry, and every other daily household need. Before we purchased Our Home, we conducted extensive testing of both the quality and quantity of the available groundwater to ensure that the property could safely support our family. Since that time, we have regularly tested and actively maintained Our Home’s potable well system to protect our family’s health and safety.<sup>1</sup>

A commercial developer has petitioned for Conditional Use to build twenty-six (26) dwelling units at 12668 Triadelphia Road (the “Proposed Development”) concentrated on approximately four (4) acres located less than 0.24 miles from the well serving Our Home. In its Petition, the Developer has vaguely outlined that the Proposed Development would be served by “up to” five (5) shared wells. Although the Developer bears the burden of proving by competent,

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<sup>1</sup> Our Home’s wastewater is processed by our own septic system. We also service this system regularly.

material, and substantial evidence that the Proposed Development satisfies all prescribed standards and requirements, the record developed by the Developer presently fails to identify:

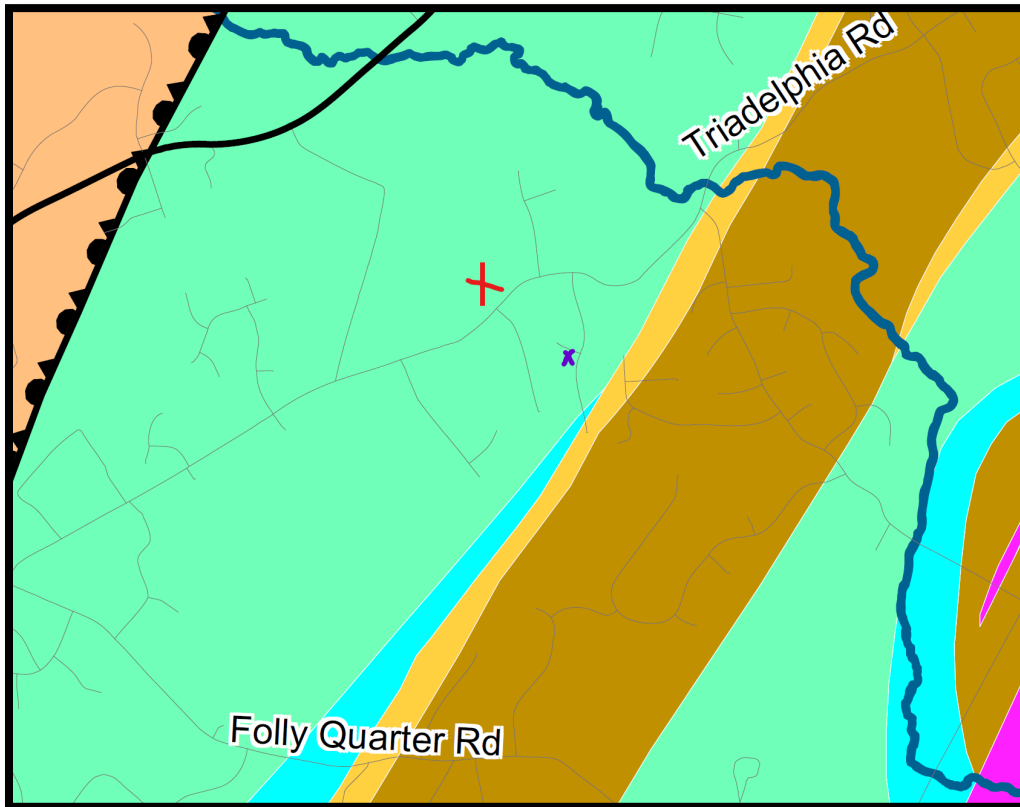
- the final number of wells,
- their final locations,
- the number of dwelling units to be served by each well,
- each well's anticipated depth,
- the anticipated groundwater withdrawal from each well or from the shared-well system as a whole,
- the anticipated cone of depression for each well, or
- the cumulative effect of overlapping cones of depression for closely-spaced wells.

Additionally, the Developer proposes a single community septic system for the entire development, which is also a cause for concern about its risks and potential impacts to groundwater.

Consequently, the current record advanced by the Developer in support of its Petition does not demonstrate how the Proposed Development could satisfy the DN-9 requirement of “balancing other priorities,” including “environmental concerns” and “maintaining rural character.” These are not immaterial details or minor paperwork matters – **this is about the groundwater that supplies Our Home!** In furtherance of our concerns, we have separately filed a Motion to Postpone Hearing, requesting that the Developer be required to develop a record sufficient to establish a *prima facie* basis for the relief requested in its Petition and to demonstrate compliance with the applicable standards governing the Proposed Development before proceeding with a Hearing on its Petition for Conditional Use.

Because the record presently lacks critical information, including details of the proposed well system and anticipated groundwater withdrawals, we have reasonably become fearful that, if the Proposed Development were built as currently outlined, it could adversely affect Our Home's private well. We seek recognition as Parties in Opposition so that we may examine witnesses, present evidence, and challenge whether the Developer has met its burden of proof.

Our interest in this proceeding is fundamentally different from that of the public generally. We are trying to protect the groundwater supply upon which Our Home depends every day. Publicly available geological mapping prepared by Howard County and derived from the Maryland Geological Survey's Geologic Map of Howard County places both Our Home and the Proposed Development within the Loch Raven Formation, a fractured-bedrock geologic unit from which local private wells obtain groundwater:



A copy of the Howard County Geologic Formations Map (Map Date 2004), derived from the Maryland Geological Survey's *Geologic Map of Howard County* (1993), from which this zoomed-in image was taken and marked (red "X" approximating the Proposed Development and purple "X" approximating Our Home), is attached as Exhibit 1.<sup>2</sup>

The Developer seeks approval to concentrate the groundwater demands of twenty-six dwelling units into a small number of shared wells located in the same mapped geologic formation that supplies groundwater to Our Home. We are alarmed that the proposed shared-well system may create drawdown, overlapping cones of depression, or well interference within that fractured-bedrock groundwater system. Because Our Home depends entirely upon our private well, we are gravely concerned that concentrated groundwater withdrawals associated with the Proposed Development may adversely affect the availability, yield, reliability, or quality of the water supply we currently have – and must continue to have – for Our Home.

The Proposed Development would concentrate an extraordinary number of dwellings on approximately four acres – more than eight (8) times the typical concentration in this area of the County. Unlike members of the public at large, whose interest may be limited to generalized concerns regarding growth and development, our interest arises from our ownership and use of a nearby family home that depends entirely upon a private groundwater well. The potential impact on Our Home, our water supply, and our property rights is personal and direct. If our potable well were no longer capable of supplying sufficient water to support our family's use of Our Home, we would be forced to incur substantial costs attempting to deepen the existing well, drill a replacement well, or pursue other remedial measures, none of which are guaranteed to restore a

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<sup>2</sup> <https://data.howardcountymd.gov/mapgallery/misc/Geology22x34countywide.pdf>

safe and adequate water supply as we have enjoyed for over 16 years. The continued availability of groundwater is therefore essential to our use, enjoyment, habitability, and value of Our Home.

We have actively participated throughout the review process of the Proposed Development, including the community meeting process, the Design Advisory Panel process, and the submission of written comments for both processes. At each stage, we have raised concerns about the impacts on the groundwater well on which Our Home relies.

Despite our efforts, our concerns have not been ameliorated. To the contrary, the Developer now appears to be trying an end-run around its burden of proof regarding a critical plan element: how that high-density Proposed Development would obtain the necessary water supply for all of these dwelling units. The Developer readily admits that its proposed shared-well design has not been approved by MDE, that the proposed well locations may change, and that the final number of wells remains unknown.

Recognizing us as Adversarial Parties in this proceeding is necessary so we may fully address groundwater-related issues through the examination of witnesses, presentation of evidence, and legal argument.

WHEREFORE, for the reasons set forth, we respectfully request that our Motion for Acknowledgment of Adversarial Party Status be granted.

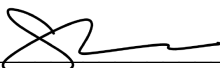
Respectfully submitted,



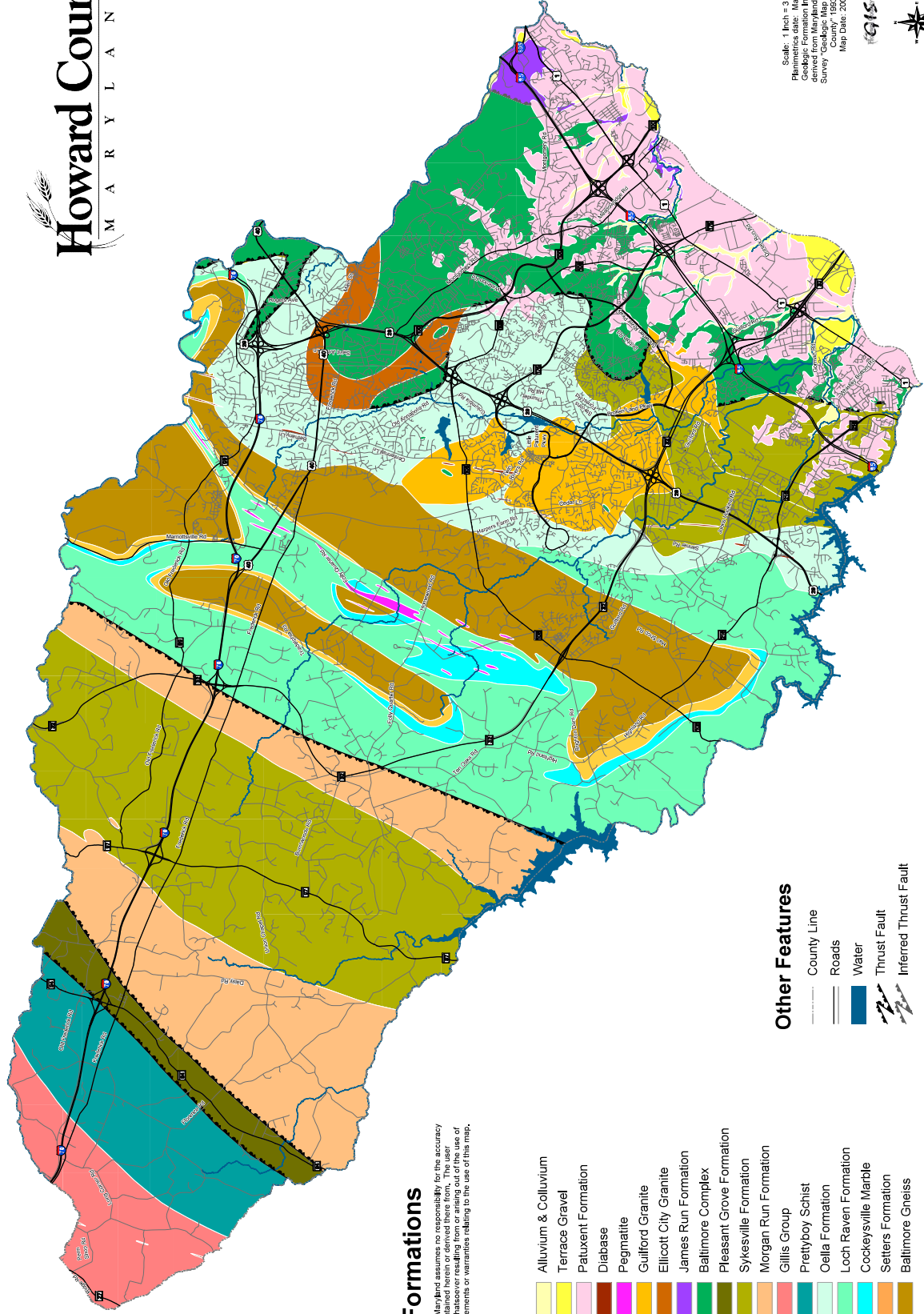
Susan M. Euteneuer and Christopher J. Euteneuer  
3501 Garratt Court, Ellicott City, Maryland 21042

**Certificate of Service**

I HEREBY CERTIFY THAT, on June 15, 2026, pursuant to Rule 7.5, a copy of the foregoing Motion for Acknowledgment of Adversarial Party Status was served via email to the Hearing Examiner, legal counsel for the Petitioner/Property Owner, and all known persons of interest. Any person interested in responding to this motion must file a written response with the hearing examiner within fifteen days of the date that the motion was filed.

  
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Susan M. Euteneuer

# **EXHIBIT 1**



Scale: 1 Inch = 3 Miles  
 The geologic map of Howard County, Maryland, is derived from Maryland Geological Survey "Geologic Map of Howard County, Maryland" (Map Date: 2004)



## Geologic Formations

DISCLAIMER: Howard County, Maryland, assumes no responsibility for the accuracy of this map or the information contained herein or derived therefrom. This use assumes all risks and liabilities whatsoever resulting from or arising out of the use of this map. There are no oral agreements or warranties relating to the use of this map.

## Formations

- Alluvium & Colluvium
- Terrace Gravel
- Patuxent Formation
- Diabase
- Pegmatite
- Guilford Granite
- Ellicott City Granite
- James Run Formation
- Baltimore Complex
- Pleasant Grove Formation
- Sykesville Formation
- Morgan Run Formation
- Gillis Group
- Prettyboy Schist
- Oella Formation
- Loch Raven Formation
- Cockeysville Marble
- Setters Formation
- Baltimore Gneiss

## Other Features

- County Line
- Roads
- Water
- Thrust Fault
- Inferred Thrust Fault