



Howard County Board of Appeals

George Howard Building
3430 Court House Drive
Ellicott City, Maryland 21043-4392

MINUTES

October 1, 2026

BA 823D – David Marc, et al.

Hybrid Hearing (Banneker Room and Webex)

Board Members Present:

Lynn Foehrkolb, Vice Chair
Robbyn Harris
Marisa McCurdy
Felita Phillips

Staff:

Kel Berg
Gary Kuc
Aaron Weiss

Call to order at: 9:03 a.m.

Administrative Matters

Approval of Hearing Minutes – August 27, 2026

Motion – Felita Phillips, 2nd Marisa McCurdy

*Unanimously approved. **The motion passed.***

Approval of Closed Meeting Minutes – August 27, 2026

Motion – Felita Phillips, 2nd Marisa McCurdy

*Unanimously approved. **The motion passed.***

Approval of Hearing Minutes – September 17, 2026

Motion – Felita Phillips, 2nd Marisa McCurdy

*Unanimously approved. **The motion passed.***

BA 823D – David Marc, et al.

Appeal of Hearing Examiner's Decision and Order dated June 22, 2026, which denied the appeal of Division of Land Development's decision letter dated June 23, 2025, which approved an alternative compliance and an alternative variance for WP-25-076 (6135 Old Washington Road, Elkridge, MD 21075).

All members present confirmed that they completed a site visit of the subject property.

Preliminary Matters:

- Motion to Dismiss filed by Chris DeCarlo, Esquire on behalf of interested party Maryland International School (MDIS) on September 15, 2026. Mr. DeCarlo withdrew the Motion to Dismiss.
- Mr. DeCarlo requests a recess after testimony by Mr. David Marc if his witness, Mr. Robert Vogel has not yet returned from a prior meeting. Ms. Votaw and the Board had no objections.
- Ms. Votaw asked procedural questions regarding testimony sign-up and the viewing of exhibits for online attendees which were answered by the Board Administrator.
- Ms. Foehrkolb stated that with 4 Board members there is the possibility for a split decision vote, which would result in a dismissal. She offered a postponement of the hearing to the Appellants.

Recess

Appellants will proceed with their case.

Opening statements by Alex Votaw, Esquire on behalf of Appellants.

Opening statements by Christopher DeCarlo, Esquire on behalf of interested party Maryland International School (MDIS).

Appellants' case.

Witnesses for the Appellants:

David Marc

Direct examination of David Marc by Alex Votaw.

Appellants Exhibits:

Exhibit 1 – Howard County Interactive Map with colored outlines

Exhibit 2 – DPZ Alternative Compliance Application

Exhibit 3 – DPZ Decision Letter – June 23, 2025

Exhibit 4 – Technical Staff Report – February 22, 2023

Exhibit 5 – Neighborhood Contour Maps with colored outlines

Exhibit 6 – Howard County Interactive Maps of slopes

Exhibit 7 – Howard County Interactive Map of stream buffer

Exhibit 8 – Howard County Interactive Map of soils

Exhibit 9 – Howard County Interactive Maps of forest cover

Exhibit 10 – Howard County Interactive Map of forest conservation easement

Exhibit 11 – Court Order – September 2, 2025

Exhibit 12 – Google Distance Maps (*marked for identification but not admitted*)

Exhibit 13 – Maryland Aviation Administration website information (*marked for identification but not admitted*)

Recess

Cross-examination of Mr. Marc by Christopher DeCarlo.

Interested Party (MDIS) Exhibits:

Exhibit 1 – BA 22-023C&V Decision and Order – November 14, 2024

Exhibit 2 – Photo of Specimen Tree

Exhibit 3 – Proposed Site Plan

Redirect examination from Alex Votaw.

Board member questions for Mr. Marc.

Recess

End of Appellants case.

Begin Interested Party (MDIS) case.

Mr. DeCarlo requested a Motion to Dismiss. Ms. Foehrkolb stated that the Motion to Dismiss will be taken under advisement by the Board and the hearing will continue.

Witnesses for Interested Party (MDIS):

Robert Vogel

Direct examination of Robert Vogel by Christopher DeCarlo.

Cross-examination of Mr. Vogel by Alex Votaw.

Redirect examination from Christopher DeCarlo.

Board member questions for Mr. Vogel.

End of Interested Party (MDIS) case.

The next hearing date to continue the case is October 15, 2026 at 9:00 a.m. The hearing will begin with closing summations.

The Board adjourned at 2:30 p.m.

MINUTES APPROVED

Kel L. Berg 10/15/2026