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# Transcript of Public Hearing

**Date:** January 13, 2021

**Case:** Kenhowe Drive Community Sidewalk Proposal

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DEPARTMENT OF TRANSPORTATION  
FOR MONTGOMERY COUNTY, MARYLAND

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In Re:  
KENHOWE DRIVE COMMUNITY SIDEWALK PROPOSAL

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PUBLIC HEARING  
Rockville, Maryland  
Wednesday, January 13, 2021  
7:04 a.m.

Job: 347115  
Pages: 1 -  
Transcribed by: Pamela A. Flutie

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Public Hearing, conducted virtually.

Pursuant to agreement, before Jamie Lorete,  
Notary Public in and for the State of Maryland.

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A P P E A R A N C E S

Richard Dorsey, Hearing Officer

Tim Cupples, Chief of Division of Transportation  
Engineering

Frank Kingsley, Manager of Annual Sidewalk  
Program, Division of Transportation  
Engineering

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1 P R O C E E D I N G S

2 MR. DORSEY: It's Wednesday, January  
3 13, 2021, and it's approximately 7:04. My name  
4 is Richard Dorsey, Designee at this hearing for  
5 Montgomery County Department of Transportation.

6 Here with me this evening to conduct  
7 this public hearing is Tim Cupples, Chief of the  
8 Division of Transportation Engineering for  
9 Montgomery County Department of Transportation  
10 and Frank Kingsley, Manager of the Annual  
11 Sidewalk Program in the Division of  
12 Transportation Engineering.

13 Mr. Cupples will be providing you  
14 information and details regarding the proposed  
15 project.

16 Tonight's hearing is our fifth public  
17 hearing held virtually. We are still learning.  
18 Please bear with us. We are happy that you are  
19 joining us in this forum. Tonight's hearing  
20 will be recorded and a link of the recording  
21 will be posted on our website tomorrow.

22 Please note, your video camera is  
23 turned off by default this evening to reduce the  
24 bandwidth of this meeting. We request that you  
25 please do not turn your camera on. Likewise,

1 your microphones have been muted. Once the  
2 testimony portion of this public hearing begins,  
3 those who have signed up to testify will be  
4 called on and unmuted when it's their time to  
5 speak.

6 If you have not signed up to testify  
7 but wish to do so, please raise your hand by  
8 clicking the status icon at the top of your  
9 screen. It is the icon that looks like a person  
10 raising their hand. You can click on the drop-  
11 down menu portion of the icon and click raise  
12 your hand. If you are joining us via telephone  
13 only, you may raise your hand by pressing star  
14 pound (\*#) on your phone keypad. You may raise  
15 your hand at any time during the testimony  
16 portion. We will call you on you to provide  
17 your oral testimony and unmute your microphone  
18 when it's your turn to speak. Written testimony  
19 and comments may be submitted as well and will  
20 be considered with the same weight as oral  
21 testimony. Following the testimony portion of  
22 this hearing, we will hold a question and answer  
23 session. You may raise your hand and ask  
24 questions or you are welcome to type your  
25 questions in the question and answer chat box in

1 the bottom right corner of your screen. Thank  
2 you.

3           Tonight's hearing is being held  
4 pursuant to Section 4953 of the County Code.  
5 The purpose of this public hearing is to obtain  
6 testimony regarding the potential project to  
7 exist and determining if the project is in the  
8 best interest of the public and whether or not  
9 it should be authorized for construction in its  
10 entirety or any portion thereof.

11           This forum allows you to provide  
12 testimony either in support for or in opposition  
13 of the project. Your comments shall be focused  
14 entirely on the project, which is the topic of  
15 discussion. All interested persons are entitled  
16 to be heard in this hearing. However, the  
17 testimony portion of this hearing is not a forum  
18 for dialogue, question and answer, or cross  
19 examination. Please direct your remarks to the  
20 specific project that is the subject of this  
21 hearing. If comments stray into areas not  
22 related to these projects, I will ask that you  
23 refocus your comments to the subject project.

24           On conclusion of this public hearing,  
25 the record will remain open for three weeks to



1 allow any person who is unable to attend this  
2 hearing an opportunity to have their comments  
3 included in the public record and be fully  
4 considered. The official close date by which  
5 all comments and testimony must be received is  
6 Wednesday, February 3, 2021 at 6 p.m.

7 Submissions may be E-mailed or via regular mail  
8 and must be received or postmarked by the close  
9 of the hearing record. Written submissions will  
10 be considered with the same weight as oral  
11 testimony. Submissions should be sent to  
12 Ms. Main, whose contact information is listed  
13 below.

14 After the hearing is concluded and the  
15 record is officially closed, I, as the Hearing  
16 Officer, will review and weigh all information  
17 submitted into the public record and make a  
18 recommendation to the Director of the Department  
19 of Transportation, Chris Conklin, for his final  
20 decision as to whether the project has been  
21 shown in the best public interest and whether or  
22 not to authorize the project as proposed or any  
23 portion thereof.

24 And now, to discuss the sidewalk  
25 proposal for Kenhowe Drive, I give you Tim

1 Cupples.

2 MR. CUPPLES: [Inaudible] concrete  
3 sidewalk with a variable zero to three-foot  
4 green space along the following roadways: the  
5 west side of Kenhowe Drive from the existing  
6 sidewalk at 6422 Kenhowe Drive to 6504 Kenhowe  
7 Drive, the east side of Kenhowe Drive from the  
8 existing sidewalk at 6415 Kenhowe Drive to 6509  
9 Kenhowe Drive, both sides of the road from  
10 Kenhowe Drive to the entrance of the Merrimack  
11 Pool. For your convenience, we have posted a  
12 few downloadable displays that aid in the visual  
13 description of the project. They are:

14 Display A, an aerial project vicinity  
15 map of Kenhowe Drive showing the location of the  
16 proposed sidewalks relative to nearby pedestrian  
17 attractions such as the Merrimack Pool and the  
18 existing network of sidewalks. The proposed  
19 sidewalk is shown in red and the existing  
20 sidewalks in blue. The total length of new  
21 sidewalk construction will be approximately  
22 1,798 total linear feet.

23 Display B is a typical section of the  
24 [inaudible] public right-of-way, the roadway  
25 being 23 feet wide. Thus, there is

1 approximately 18.5 feet public right-of-way  
2 available on either side of Kenhowe Drive.

3 Display C is a typical section of the  
4 proposed sidewalks on Pyle Road, which have 60  
5 feet of public right-of-way, the roadway being  
6 26 feet wide. Thus, there is 17 feet of public  
7 right-of-way available on either side of Pyle  
8 Road.

9 I will now discuss the project  
10 specification. MCDOT evaluates requests for  
11 pedestrian facilities that will [inaudible]  
12 public use as well as their ability to enhance  
13 public safety. The main goal for installing the  
14 sidewalk is [inaudible] create a separate  
15 [inaudible] pedestrian and the roadway. New  
16 sidewalks on Kenhowe Drive and Pyle Road will  
17 remove pedestrians as well as disabled persons  
18 from the roadway. The sidewalks will establish  
19 safer access to all areas of the community  
20 including to the Merrimack Pool, Bannockburn  
21 Elementary School, parks in the existing network  
22 of sidewalks, and public transportation.  
23 Pedestrian safety will be improved for the  
24 entire community.

25 I will now discuss tree removal and

1 replacement. The removal of 11 trees on Kenhowe  
2 Drive [inaudible] to facility the construction  
3 of the sidewalks. [Inaudible] will be planted  
4 [inaudible] removed. [Inaudible] removed.  
5 Placement of the new trees is selected by the  
6 county's arborist. The Tree Protection Report  
7 can be downloaded from this webcast platform.  
8 The Tree Protection Report -- I'm sorry -- I  
9 duplicated that -- that sentence. Copies of the  
10 Kenhowe Drive and Pyle Road Tree Protection  
11 Report were mailed to residents with the  
12 sidewalk proposal on or about October 21, 2020.

13 I will now discuss costs and  
14 assessments. The estimated cost for installing  
15 the Kenhowe Drive and Pyle Road sidewalks is  
16 \$159,182. Estimated costs include construction,  
17 inspection, and administrative costs. Funding  
18 for these projects will be provided under the  
19 county's Annual Sidewalk Program, CIP Project  
20 Number 0506747. There are no properties which  
21 are considered to be specially benefited by the  
22 proposed improvement. Therefore, no properties  
23 are expected to be assessed.

24 I will now review the exhibits. As  
25 previously discussed, several exhibits are

1 incorporated into the public record binder for  
2 your information and consideration. These  
3 exhibits include: 1) Office of Management and  
4 Budget Sidewalk Program Minor Projects, E506747;  
5 2) Project Vicinity Map for Kenhowe Drive and  
6 Pyle Road; 3) Construction impacts for Kenhowe  
7 Drive and Pyle Road; 4) Arborist Tree Evaluation  
8 Reports for Kenhowe Drive and Pyle Road; 5)  
9 Correspondence and comment forms supporting the  
10 Kenhowe Drive and Pyle Road proposed sidewalks;  
11 6) Correspondence and comment forms opposing the  
12 Kenhowe Drive and Pyle Road proposed sidewalks;  
13 7) Written testimony regarding the Kenhowe Drive  
14 and Pyle Road sidewalk proposal provided prior  
15 to this hearing; 8) Washington Times newspaper  
16 and online advertisement proof; 9) a list of  
17 attendees to be added following this hearing;  
18 10) the hearing transcript, also to be added  
19 following this hearing.

20 Project-related data and files can be  
21 downloaded from this virtual hearing platform.  
22 Alternatively, you may download the proposal  
23 files from MCDOT's website. These files will  
24 continue to be available to the public until the  
25 record for this public hearing is officially

1 closed.

2 If the proposed sidewalks are  
3 approved, MCDOT will utilize a work order  
4 contract currently in place with the Division of  
5 Transportation Engineering to construct the  
6 sidewalks. If the proposed projects are  
7 authorized, we anticipate construction in the  
8 late summer or fall of 2021. The construction  
9 is expected to take approximately two weeks,  
10 weather permitting, if authorized as presented.

11 As previously stated here, with us  
12 today is Frank Kingsley, Manager of the Annual  
13 Sidewalk Program. We will be available after  
14 the hearing to answer any questions regarding  
15 the construction aspects of this project.

16 And now, I will turn things back over  
17 to you, Mr. Dorsey.

18 MR. DORSEY: All right. I'm unmuted  
19 now. All right. Thanks, Tim. We will now hear  
20 testimony from those in attendance who wish to  
21 testify. To testify, please click the status  
22 icon at the top of the menu bar and raise your  
23 hand. This icon looks like a person with their  
24 hand raised. Alternatively, if you are dialed  
25 in via telephone, star pound (\*#) from your phone

1 keypad is the way you raise your hand. Once  
2 you're given the right to speak, please clearly  
3 provide your name and address for the record  
4 prior to beginning your testimony.

5 Lori, are you going to call the names  
6 or should I?

7 MS. MAIN: I actually don't have the  
8 list in front of me. Do you have the list in  
9 front of you?

10 MR. CUPPLES: Lori, I have it, and I'm  
11 happy to kind of direct traffic.

12 MS. MAIN: Okay.

13 MR. DORSEY: Thanks, Tim. Thanks.

14 MR. CUPPLES: All right. So, these  
15 were the folks that signed up in advance of the  
16 meeting, and we'll go down in order, and then we  
17 will then move to the folks who raise their  
18 hands. So, first up was David Hecht, 411  
19 Kenhowe Drive.

20 MS. MAIN: David, if you're connected  
21 via your phone, can you tell us the last four  
22 digits of your phone number so we know who to  
23 unmute? Okay, there is he.

24 MR. CUPPLES: You'll handle all the  
25 muting and unmuting, correct Lori?

1 MS. MAIN: It's actually not letting  
2 me do it. It's not letting me do it. Can you  
3 do it, Tim?

4 MR. CUPPLES: Let me try, 3459. Let  
5 me drag him to his name.

6 MS. MAIN: It's the third from the  
7 bottom.

8 MR. CUPPLES: Yeah.

9 MR. DORSEY: Yeah, bear with us.

10 MR. CUPPLES: Okay. I've merged them.  
11 Now, I need to enable microphone. All right,  
12 Mr. Hecht. Let's try it now. Uh-oh. Lori, I  
13 merged him with his computer and then tried to  
14 unmute him.

15 MS. MAIN: Yeah. I mean, he's got a  
16 microphone beside his name. Okay. All right.  
17 David, can you --

18 MR. CUPPLES: Yes, I think I just  
19 heard him.

20 MS. MAIN: All right.

21 MR. HECHT: Are you able to hear me?

22 MR. DORSEY: Yes, we can hear you.

23 MR. HECHT: Okay. All right. Good  
24 evening. My wife, Ivanessa Pardo, and myself,  
25 David Hecht, are impacted homeowners at 6421



1 Kenhowe Drive and we would like to  
2 enthusiastically offer our support for this  
3 proposal. We're proud to support the effort to  
4 rebalance the design of the public right-of-way  
5 to include this safe and low-stress space for  
6 active and traditional modes of transportation.

7 We see that this sidewalk optimally  
8 with the greenspace buffer will provide safe  
9 passage most importantly for those who find it  
10 difficult to ensure their own safety in the  
11 roadway, namely children, some elderly, and  
12 those with disabilities, but really all of us  
13 when some of the conditions on this roadway make  
14 it dangerous to share the road with cars.

15 Although we are not aware of a tragedy  
16 having struck a pedestrian on our street, it has  
17 in the wider Bethesda community and we do not  
18 want to wait for direct proof that increased  
19 safety was required here.

20 More importantly, we also put forth  
21 that the increased neighborhood through traffic  
22 caused by GPS mapping apps combined with the  
23 increase in distracted driving behavior, which I  
24 actually experienced on our street today while  
25 walking it, means that our historical data and

1 experience of pedestrian safety and roadways may  
2 underrepresent the current risks we face today.

3 As you identified, this proposal  
4 covers an important stretch of the public right-  
5 of-way because it provides access to the  
6 Merrimac Pool and the elementary school. The  
7 school does not provide bus transportation to  
8 kids on this or the surrounding streets. The  
9 elementary school PTA has pointed out in their  
10 comments on this proposal the unsafe and limited  
11 visibility conditions for our vulnerable  
12 elementary school walkers that will be  
13 alleviated by installation of this sidewalk.

14 Providing safe passage on Kenhowe will  
15 also increase the amount of kids who can walk  
16 and bike to the elementary school, which  
17 Principal Bradley of the school has identified  
18 will help alleviate what can be, at times,  
19 dangerous car overcrowding conditions at drop-  
20 off and pick-up in the school's small lot.

21 This proposal also has immediate  
22 environmental benefits. It implements  
23 Montgomery County's Climate Action Plan Draft  
24 Recommendations, which are to reduce greenhouse  
25 gas emissions by 80 percent by 2027 through a

1 variety of means, one of which is to build  
2 walkable and cyclable communities with an  
3 emphasis on those around schools.

4           Although we regret the loss of any  
5 tree, data from North Carolina State University  
6 indicates that the 44-inch maple, which is the  
7 largest tree by far identified for removal in  
8 this project, stores the equivalent amount of  
9 CO2 each year as burning 3-4 gallons of fuel in  
10 the average car. Without considering the 3:1  
11 replacement tree plantings we put forth, the  
12 current proposed tree loss and subsequent loss  
13 of CO2 capture will be offset with reduced car  
14 trips in the neighborhood to and from the  
15 elementary school and the associated idling. We  
16 acknowledge there is more than just CO2 capture  
17 to consider when cutting down a tree, but we  
18 wanted to share this data with our neighbors.

19           In talking with the community about  
20 this proposal, we identified and submitted in  
21 our comment nine distinct community purposes  
22 that we believe this sidewalk meets, of which  
23 most were reflected in the supporting comments  
24 that came from the community's PTAs, the school  
25 principals, and the county's own desire to

1 combat climate change.

2 We want for the sidewalk program to do  
3 their best to incorporate everyone's input  
4 regarding construction design, especially with  
5 regard to saving mature trees in a neighborhood  
6 that clearly values them.

7 As a taxpayer-funded program, we are  
8 realistic regarding the fiscal constraints of  
9 what a sidewalk design will be able to  
10 accommodate, we, as impacted homeowners, accept  
11 the needed tradeoffs to install the sidewalk.

12 My wife and our two young children and  
13 I are very hopeful for the quality of life  
14 increase that comes from being able to step out  
15 onto a sidewalk in front of your house and into  
16 a stress-free active transportation network. We  
17 are here supporting this proposal because we  
18 believe that the benefits far outweigh the costs  
19 and we believe that this proposal is the best  
20 way to significantly improve the safety of our  
21 public right-of-way and a well-placed investment  
22 in the future of this neighborhood. Thank you  
23 for the opportunity to speak.

24 MR. CUPPLES: Okay. Thank you  
25 for your testimony. Next on the list is

1 Ivanessa Pardo, 6411 Kenhowe Drive, and was that  
2 a combined statement? Is that a combined  
3 statement or did she want to testify also?  
4 Combined statement, okay. Two for one.

5 All right. Next is Ross McSweeney,  
6 6401 Kenhowe Drive. And let's see here,  
7 McSweeney. I need to first mute -- let's see,  
8 is Mr. McSweeney -- I don't see a McSweeney.  
9 Mr. McSweeney, if you have called in instead of  
10 joining via the app, if you wouldn't mind  
11 putting the last four digits of your phone  
12 number into the text box. We'll try and do it  
13 that way.

14 In the meantime, next on the list is  
15 Suzanna Collin, 6401 Kenhowe Drive. Hmm, Lori,  
16 do you see Ms. Collin?

17 MS. MAIN: I don't see her. No.

18 MR. CUPPLES: All right. So, it's the  
19 same address, so I'm assuming they might be  
20 calling in from the same phone number. All  
21 right. Why don't we do this -- if either Mr.  
22 McSweeney or Ms. Collin are on the line and are  
23 able to type in in the chat box, just let us  
24 know -- let us know the last four digits of the  
25 phone number that you called in, and we'll

1 circle back and catch you so you can make your  
2 statement.

3           Otherwise, you know, we'll remind  
4 everyone that written testimony takes the same  
5 weight or has the same weight as oral testimony  
6 and in the event there's some sort of technical  
7 glitch that does prevent you from testifying  
8 this evening, please do submit your written  
9 testimony to Lori Main, and it will be  
10 incorporated into the official record and given,  
11 you know, the same exact weight as an oral  
12 testimony received here today.

13           Next on the list is Nicholas Yoon,  
14 6414 Kenhowe Drive.

15           MS. MAIN: Okay.

16           MR. CUPPLES: Probably Nick Y.

17           MR. YOON: Hello?

18           MR. CUPPLES: Yes.

19           MS. MAIN: Hello.

20           MR. YOON: Success. As I had  
21 mentioned, this is Nicholas Yoon. I live at  
22 6414 Kenhowe Drive, and my wife, Lauren Bates,  
23 will be submitting written testimony. She  
24 couldn't make it here tonight.

25           I just wanted to echo David's

1 testimony and mention that I'm -- sorry -- that  
2 I'm strongly in favor of the sidewalk. I  
3 actually, in fact, had applied for what I call  
4 the south side of the sidewalk a couple of years  
5 ago when I was walking along after a winter  
6 storm and you had to walk, you know, sort of 8  
7 feet into the street to navigate my way through  
8 the neighborhood.

9           Having looked at a lot of comments  
10 from other sidewalk proposals, I know that  
11 arguments for and against are, you know, kind of  
12 usually boiled down to the same two or three  
13 arguments. So, I figured I'd keep my comments  
14 relatively brief and talk more about what makes  
15 this stretch of road relatively unique.

16           First, this stretch of Kenhowe for  
17 anyone who -- from the county -- who has driven  
18 through it or walked by it is a, you know, sort  
19 of upline curve on a relatively steep incline  
20 that makes it particular dangerous for  
21 pedestrians as cars come around either up the  
22 hill and around the curve or down the hill and  
23 around the curve traveling on Kenhowe to Pyle  
24 Road. Cars can't see around that corner,  
25 particularly at night it makes it even more

1 dangerous.

2 As, you know, David had mentioned,  
3 there has also been an increase of traffic over  
4 the years through Kenhowe Drive as folks using  
5 GPS-enabled apps in their cars have used Kenhowe  
6 as a cut-through to make their way around  
7 traffic on River Road, Goldsboro Road, or  
8 McArthur Boulevard, which has made our street  
9 increasingly more busy over the years.

10 And finally, this is a walk zone for  
11 all the neighborhood schools. There are no  
12 buses that pick, up kids who are at the  
13 neighborhood schools, and I was pleased to see  
14 the comments submitted in testimony -- in  
15 written testimony submitted from each of the  
16 principals from Bannockburn Elementary School,  
17 Pyle Middle School, and Walt Whitman High School  
18 in favor of the sidewalk given how important it  
19 is to the safety of the kids going to and from  
20 school every day.

21 Finally, you know, I know speed is  
22 certainly an issue on Kenhowe Drive and folks  
23 have offered, you know, alternative arrangements  
24 that might make the street more safe focused on  
25 reducing the speed limit in order to sort of



1 tamp down on a lot of these commuter cars that  
2 rip through the neighborhood. I would mention  
3 that there are two signs currently on Kenhowe  
4 Drive alerting drivers of the winding sort of  
5 nature of Kenhowe Drive and reducing the speed  
6 limit to 15 miles an hour. One exists on the  
7 far end of Kenhowe Drive near Rannoch Road that  
8 commuters coming off of Goldsboro Road would  
9 encounter, and the opposite actually exists on  
10 this very stretch of road where we're trying to  
11 get the sidewalk. It's right there as Kenhowe  
12 meets Pyle Road.

13 I think the fact that despite these 15  
14 mile-an-hour large yellow signs, folks still  
15 have concern over the speed at which vehicles  
16 travel on Kenhowe as a testament to the fact  
17 that speed alone and speed limits or speed signs  
18 alone are not going to be an adequate  
19 alternative, you know. At the end of the day,  
20 we need sidewalks. The kids need to be safe  
21 traveling to and from school, to and from the  
22 pool. Commuters who use the bus stop at the end  
23 of Rannoch Road need to be safe walking to and  
24 from work. You know, folks with disabilities  
25 need an option that doesn't include trying to

1 roll a wheelchair through a front lawn or, you  
2 know, navigating parked cars in order to go into  
3 the middle of the street. And, like I said, at  
4 the end of the day, we just think that this is  
5 the right thing to do and appreciate folks  
6 taking the time today to hear out the community.  
7 Thank you.

8 MR. CUPPLES: Thank you for your  
9 testimony, and based off what you said in the  
10 beginning, your wife is Lauren Bates. She was  
11 signed up to testify, but I understand she is  
12 not present.

13 MR. YOON: That's correct.

14 MR. CUPPLES: So, she'll be -- she'll  
15 be submitting written testimony. Okay, just  
16 keeping track of my list here.

17 Next on the list is Marina Moehring.  
18 Hopefully, I've pronounced that correctly.  
19 We've got two addresses here, 6716 Selkirk Court  
20 and 6701 Pyle Road.

21 MS. MAIN: Marina, you've been  
22 unmuted.

23 MS. MOEHRING: Hi and good evening,  
24 everybody. My name is Marina Moehring and my  
25 mom, Ann Moehring, is here with me. Gee, I've

1     been a -- I've been in this community since I  
2     was 2 years old and I'm almost 59. My mom lives  
3     at 6701 Pyle Road, which is where I was raised,  
4     and of course, I walked to the pool many, many  
5     times -- thousands perhaps, who knows, and now  
6     we live at 6716 Selkirk Court the last 26,  
7     almost 27 years. So, I know this community and  
8     we love this community. I guess what I'm trying  
9     to say is I've got lots of concerns here and I'm  
10    not for this. I do apologize, but I'm not for  
11    this.

12                   First of all, let's look at the --  
13    let's look at this and break it down a little  
14    bit. Let's take, for instance, just the part  
15    that goes into Pyle Road. Is that okay with  
16    you? Are you okay with this?

17                   MR. CUPPLES: Go ahead.

18                   MS. MOEHRING: Okay. So, basically,  
19    if you look at that piece just alone. Take that  
20    piece alone. We now have a four-way stop --  
21    fantastic, always should have been there. There  
22    is no possibility a car is going to -- if they  
23    obey the signs -- create enough speed to cause  
24    any harm after making a proper stop. And also,  
25    going into the pool itself, which is a private

1 pool, not a public pool, there is now mentioned  
2 and proposed two sides of sidewalk. You don't  
3 need two sides -- one. Not only that, it's a  
4 very wide side. And also, no one has made  
5 mention at the ends of these, there are  
6 obstacles that the sidewalks cannot continue.  
7 So, again, what's the point? There are no  
8 photos that there is a gulley -- I can't  
9 describe it -- on one side and the other side,  
10 there's another obstacle. So, you're taking  
11 down trees and creating sidewalks which can't  
12 continue anyway. So, the pedestrian must enter  
13 the pool by going into the street and going  
14 along. Absolutely impossibility to continue a  
15 sidewalk into the pool for safe passage. And  
16 only that can't be -- it can't be fast passage  
17 anyway because there's a stop sign when cars are  
18 coming through the parking lot. It's also extra  
19 wide, the point. So, that's the first thing I'd  
20 like to point out.

21 The second is my mom lives on Pyle  
22 Road, which I grew up on, and if sidewalks are  
23 created, you're going to probably go for another  
24 set of sidewalks. And if you look on the left-  
25 hand side of Pyle Road where they're not

1 proposed now, the people living there, there's a  
2 few houses -- just two or three houses up --  
3 that don't have garages and they will not be  
4 able to have a future sidewalk ever that will  
5 allow them to park. Then they'll have to park  
6 on the street, which causes even more trouble.  
7 Not good.

8 Now, let's go along the other roads  
9 here that are proposed. Let's take Kenhowe  
10 Drive. I drive it all the time. I've driven it  
11 a thousand -- thousands upon thousands of times.  
12 Yes, it's windy. I don't speed on it. I like  
13 looking at the garden. Hence, let's get to the  
14 garden question. This whole thing is going to  
15 take away wonderful gardens and trees and do you  
16 really need two sides of sidewalk to get to  
17 Merrimack Pool, which is only open some of the  
18 months and Bannockburn? I went to Bannockburn.  
19 You don't need two sides of the sidewalk.

20 Let's talk about sidewalks. All  
21 right. My husband's an oral surgeon. Guess  
22 what happens when you're on sidewalks that are  
23 not well maintained -- and these are not well  
24 maintained, the existing ones -- there are lots  
25 of pitches between the roots and things growing

1 and the present sidewalks are not even safe as  
2 they are. Think about it. Trip, fall, bad.

3 So, and not only that, let's look at  
4 the Kenhowe Drive. You're not showing it on  
5 your -- on your exhibit here, but it stops.  
6 There is no safe passage -- passage to Goldsboro  
7 whatsoever. Goldsboro is where the bus stop is.  
8 It's impossible to have a sidewalk to Goldsboro  
9 at this time forever because that one lane --  
10 not one lane -- double-lane bridge that has no  
11 passage for traffic.

12 So, who is this really serving and how  
13 is it really serving? It needs to be really  
14 addressed and thought about.

15 We have heard already from, I believe,  
16 three members of the community that actually  
17 live on Kenhowe, but have they raised children  
18 on Kenhowe or just have young children on  
19 Kenhowe and have moved in now? Don't know the  
20 answer to that. But we have really mature trees  
21 and plantings, beautiful gardens for which I  
22 stop and look, especially one in particular --  
23 and I forget the address, I do apologize -- but  
24 it's on Kenhowe on the wonderful side and I  
25 adore their gardening, and I'm sad and dismayed

1 to even imagine that it will be ripped up, plus  
2 all the costs involved, and I understand that  
3 the budget for sidewalks just gets shifted to  
4 another budget if it's not used for sidewalks  
5 and can't be redistributed to other needy things  
6 like infrastructure, for which I'm very much  
7 involved and hope that the world would, you  
8 know, pay more attention to. But this is sad to  
9 me, really sad. And I have two adults that are  
10 living with us and they agree with us -- my mom,  
11 who has been living in her house for, oh gosh,  
12 goodness gracious, fifty-six -- fifty-seven  
13 years. We are all against this and my mom is  
14 disabled and she is also a current member of the  
15 pool. I'm not -- not anymore, but I used to be.

16 So, I do apologize, we are against  
17 this and we are very much for preserving the  
18 trees and no matter what an arborist tells you,  
19 it is impossible to truly assure that these  
20 trees will be preserved with the various  
21 techniques you're thinking about using. Why not  
22 just widen that Pyle Road just a tiny bit and  
23 put some paint down and say pedestrian area or  
24 some small on one side. I'm looking at the  
25 right side -- the sign that's on the right for

1 the pool side -- and just say pedestrian area  
2 and some sort of minor barrier. Major cost  
3 savings there and -- and you can reassess in one  
4 year.

5 Thank you very much for your time. I  
6 do apologize for my going on and on and I do --  
7 I'm very much against this.

8 MR. CUPPLES: Thank you very much for  
9 sharing that testimony. Next is Lisa Rosenthal,  
10 6417 Kenhowe Drive.

11 MS. MAIN: Lisa, can you type your --  
12 yeah -- your telephone digits. Okay. Okay,  
13 Lisa, you've been unmuted.

14 MS. ROSENTHAL: Hello.

15 MS. MAIN: Hello.

16 MS. ROSENTHAL: Oh, hi. Can you hear  
17 me?

18 MS. MAIN: Yes.

19 MR. CUPPLES: Yes, we can. Go ahead.

20 MS. ROSENTHAL: So, my name is Lisa  
21 Rosenthal, and I live at 6417 Kenhowe Drive, one  
22 of the properties that's going to be impacted by  
23 the proposal and I've lived here for well over  
24 twenty years and lived in the Bannockburn  
25 neighborhood for another twenty before that.



1           I opposed this sidewalk proposal as it  
2 is currently formulated because I believe the  
3 plan is far more extensive than it needs to be  
4 to serve the intended purpose.

5           First, I know that other forward-  
6 thinking and environmentally conscious  
7 localities are building narrower walkways out of  
8 material other than concrete. So, I ask that a  
9 narrower pervious walkway -- not concrete -- be  
10 considered in our case.

11           Second, one way to reduce the impact  
12 of the plan on our neighborhood would be to  
13 build the sidewalk only on one side of Kenhowe  
14 Drive and not the other side. I think this is a  
15 good idea, and I would support construction of a  
16 sidewalk on the east side of Kenhowe Drive,  
17 which is the side that I live on.

18           I also find it hard to see why the  
19 county would choose to install sidewalks on  
20 either side of the entrance to the Merrimack  
21 Pool. I know that a guiding principle of the  
22 sidewalk program is that the sidewalk should  
23 lead somewhere like a school. But a sidewalk on  
24 both sides of the pool entrance would lead only  
25 to a parking lot. There is no way you can get

1 to the pool without going into the parking lot.

2 There are currently wide grassy  
3 expanses on either side of this access way where  
4 people can and do walk. The fact that the pool  
5 is open only for six months a year makes this  
6 part of the current plan even more difficult for  
7 me to understand.

8 In conclusion, in keeping with the  
9 environmental goals of the state of Maryland and  
10 the environmental goals of Montgomery County, I  
11 ask the sidewalk program to consider building  
12 the sidewalk on one side of the street only,  
13 reviewing and possibly eliminating the part of  
14 the plan that calls for sidewalks on both sides  
15 of the entrance to the pool parking lot,  
16 considering a narrower path made of a permeable  
17 material -- not concrete -- which could skirt  
18 some of the trees that are now targeted for  
19 removal.

20 Thank you for allowing me to comment  
21 on the plan.

22 MR. CUPPLES: Okay. Thank you very  
23 much for submitting your testimony.

24 Okay, next Catherine Dohner, 6425  
25 Kenhowe Drive, another one that I don't see a

1 name -- oh, there. I do see a Robert Dohner  
2 though.

3 MS. MAIN: Number 10.

4 MR. CUPPLES: Yeah.

5 MS. MAIN: Oh yeah, we can just --  
6 okay, Robert, you can go ahead.

7 MR. DOHNER: This is -- this is Robert  
8 Dohner. Can you hear me?

9 MR. CUPPLES: Yes, we can.

10 MS. MAIN: Yes.

11 MR. CUPPLES: Good evening.

12 MR. DOHNER: Okay. I'm -- I'm Robert  
13 Dohner. I will be providing testimony for the  
14 two of us, Robert and Catherine Dohner. We live  
15 at 6425 Kenhowe Drive, also it's on the east  
16 side or the upper side of the map in a house  
17 that would also be affected by the installation  
18 of a sidewalk.

19 We have -- we were quite aware of the  
20 conflicting views of our neighbors on this  
21 issue, the desire for safety, and the desire to  
22 minimize environmental damage, and reduce water  
23 runoff. We think that these considerations  
24 should be balanced in any decision to move  
25 forward with this proposal.

1           Like Lisa Rosenthal, we believe that a  
2 narrower sidewalk should be installed if the  
3 proposal goes forward -- a sidewalk width of 4  
4 feet or less, and there are several reasons for  
5 this. One is that the -- the sidewalk proposal  
6 on Kenhowe is unusual in that it links to  
7 existing sidewalks -- to existing segments of  
8 sidewalks, each of 4-foot width. There is no  
9 ADA requirement for a 5-foot width sidewalk and,  
10 in fact, there is no way to reach the segments  
11 of sidewalks that are being proposed by a 5-foot  
12 width sidewalk. The installation of a 5-foot  
13 width sidewalk would create the unusual  
14 situation of having on two sides or two ends a  
15 sidewalk that suddenly widens from 4 feet, for  
16 no apparently reason, to 5 feet and then narrows  
17 once again.

18           The houses along this street -- at  
19 least where the sidewalks are not yet installed  
20 -- were designed without planning for the  
21 sidewalk, and the construction of the sidewalks  
22 has aesthetics implications. In our case, a 5-  
23 foot wide sidewalk would reduce our front lawn  
24 area by 20 percent. Reducing the width of the  
25 sidewalk, perhaps making it permeable, would

1 reduce the environmental damage -- it obviously  
2 would reduce the amount of concrete or material  
3 by 20 percent -- and therefore reduce the  
4 environmental damage possibly making it possible  
5 to skirt trees that were slated for removal.

6 We echo the observation that's been  
7 made that the segment of the proposal along Pyle  
8 Drive to Merrimack Pool has relatively limited  
9 safety benefits. It also parallels a water run-  
10 off area. There's an underground stream and  
11 that often is often very wet as water goes down  
12 Pyle Road largely underground through the  
13 Merrimack parking lot and into the stream and  
14 down to Goldsboro.

15 So, for our part, you know, we support  
16 and certainly share the desire to increase the  
17 safety of pedestrians and school children while  
18 walking along Kenhowe Drive. We also think that  
19 the environmental considerations should be taken  
20 into account. The proposal should be balanced  
21 with where it goes forward with the installation  
22 of a narrower sidewalk than proposed of width 4  
23 feet or less. If it's a 4-foot sidewalk, we  
24 support the proposal. If, on the other hand,  
25 the county must install a 5-foot wide sidewalk,

1 then, given the reasons that I've expressed, we  
2 oppose the proposal. Thank you.

3 MR. CUPPLES: Okay. Thank you for  
4 your testimony and I apologize for  
5 mispronouncing your name when I introduced you.

6 Next on the list is Kate Baldwin, 6422  
7 Kenhowe Drive, and let's see.

8 MS. MAIN: I see them but we're going  
9 to need, if they dialed in, the last four digits  
10 of their phone number.

11 MR. CUPPLES: Okay. So, either Kate  
12 Baldwin or Steve Baldwin -- oh, I see you're  
13 typing. So, we'll give you a second to type the  
14 last four digits of your phone number in and  
15 then we'll unmute you.

16 MS. MAIN: Okay, there we go. Okay.  
17 Go ahead.

18 MS. BALDWIN: Okay. Can you hear me?

19 MS. MAIN: Yes.

20 MR. CUPPLES: Yes, we can.

21 MS. BALDWIN: Okay. I'm Kate Baldwin.  
22 I'm speaking for both my husband and myself. We  
23 submitted a written testimony. So, I was not  
24 planning to make an oral -- I assumed we could  
25 only do one or the other. So, I am not -- not

1 planning to do an oral testimony. I'll just say  
2 we're in the opposition camp unless -- unless  
3 there's some serious revision of the plan.

4 MR. CUPPLES: Okay. Well, you're  
5 certainly welcome to both submit oral and  
6 written testimony, and was there anything else  
7 that you would like to add?

8 MS. BALDWIN: Well, I just -- we're  
9 not supposed to comment on other people's  
10 comments, right?

11 MR. CUPPLES: Yeah. It's not really a  
12 back-and-forth. It's kind of --

13 MS. BALDWIN: Okay, all right. You  
14 know, we've lived here a very long time --  
15 thirty-five plus years -- and I feel really  
16 strongly. We sit out every evening out on our  
17 front porch when the weather is warm and watch  
18 the traffic and the pedestrians and chat with  
19 people in the evening and, you know, watching  
20 was goes on and even where there are sidewalks,  
21 lots of people are walking in the street and  
22 really what's critical is getting the street  
23 speed down and there have been a number of  
24 accidents in the neighborhood that are terrible,  
25 but, in fact, the presence of a sidewalk is not

1 what would prevent it. It's getting the  
2 speeding the speed down, which is what would  
3 prevent accidents. Kids run in -- I watch the  
4 neighborhood kids running into the street all  
5 the time. So, that's what's critical. The  
6 sidewalk is kind of a false sense of security, I  
7 honestly believe. And I'll say our kids always  
8 were told to walk in the grass when they're  
9 going to the pool and to the school and that  
10 worked fine and all the kids in the neighborhood  
11 did that. And I don't see -- clearly, a  
12 sidewalk is going to help somebody with a  
13 wheelchair. There isn't currently anybody in  
14 the neighborhood using one, but -- and -- and it  
15 helps adults with strollers. But pedestrians  
16 can walk on the grass. It's very pleasant to  
17 walk on the grass. It's not a difficult thing  
18 to do. And so, it's not really all that urgent  
19 that they have a paved sidewalk, and they  
20 certainly do not need a 5-foot wide sidewalk on  
21 both sides of the street. Okay, and I'll let it  
22 go at that.

23 MR. CUPPLES: Okay. Thank you for  
24 your testimony. Was Steve Baldwin -- I'm  
25 assuming you're at the same phone number -- did



1 he wish to testify also?

2 MS. BALDWIN: No. No, I'm speaking  
3 for us both.

4 MR. CUPPLES: Okay. Thank you very  
5 much. I'm just kind of going down the list in  
6 order and making sure I got everybody.

7 MS. BALDWIN: Yeah. Thank you, yeah.

8 MR. CUPPLES: Okay. Next on the list  
9 is John Schreiber, 6416 Kenhowe Drive.

10 MS. MAIN: I see Christina, but can  
11 you guys -- oh, you have provided your phone  
12 number. Let's see.

13 MR. CUPPLES: Yeah, Christina is next  
14 on the list. So, I suspect we have another two-  
15 for-one combo again.

16 MS. MAIN: Okay. You've been unmuted.

17 MR. SCHREIBER: Okay, great. Hi, this  
18 is John Schreiber. We live at 6416 Kenhowe. My  
19 wife, Christina, will talk in a minute.

20 I'm -- we're both medical doctors.

21 I'm actually -- I'm a child neurologist at  
22 Children's National Hospital and Associate  
23 Professor of Neurology and Pediatrics at George  
24 Washington and I think what's important to also  
25 stress here is the real effects that these

1 injuries can have on people. I see the effects  
2 on kids. It's -- these kind of injuries can be  
3 devastating to kids and to families. And this  
4 notion that speeding is required to have a  
5 significant injury -- and the things that I see  
6 are traumatic brain injuries -- but the notion  
7 that speeding or high speed is required to  
8 sustain a significant traumatic brain injury is  
9 just -- it's just incorrect. I -- I've seen  
10 kids all too many times who have been struck by  
11 a motor vehicle, even at low speeds, and you  
12 have significant contusions, bleeding, strokes,  
13 brain injuries that leave them with disability  
14 for the rest of their lives and so, this concept  
15 that speed is a necessary component of injury is  
16 just -- it's just incorrect.

17 So, you know, I'm also a parent. We  
18 have three kids, 10, 8 and 6, and another one on  
19 the way, and it is not as easy as it seems to  
20 navigate this street. As our neighbor, Nicholas  
21 Yoon, has already said, you know, the traffic  
22 has gotten a lot worse over the years, and we've  
23 even seen it in the amount of time that we've  
24 been living here. I think there's many reasons  
25 for that but one is that yes, it is now a cut-

1 through when there is traffic on Goldsboro or  
2 McArthur. We find that more and more cars are  
3 actually coming through and sometimes rather  
4 fast as well.

5 So, and it's not as easy to walk in  
6 the grass when you have kids or strollers, as  
7 Kate Baldwin already said. It's not as simple  
8 to navigate that as some people make it seem.

9 So, and we love the garden next door.  
10 It really is -- it's beautiful. You know, we  
11 hate to see that have to go. But we -- the  
12 priority for us really is the safety of our  
13 kids. It's something I've seen all too often  
14 and that for us is really paramount. I'll yield  
15 to my wife here.

16 MR. CUPPLES: Okay, thank you for your  
17 testimony. And, for the stenographer, just for  
18 the record, this will be Christina Schreiber,  
19 6416 Kenhowe Drive.

20 MS. SCHREIBER: Thank you very much.  
21 I first wanted to say that we're very blessed to  
22 live on Kenhowe Drive. We've been shown  
23 kindness and generosity by our neighbors and we  
24 are grateful for all of our neighbors.

25 I am a family medicine physician and I

1 spent a large portion of my time doing  
2 preventative medicine, which is a focus on the  
3 health of individuals and community, and I want  
4 to express our support for the sidewalk. In a  
5 review of the literature about pedestrian  
6 safety, installation of a sidewalk is the single  
7 most effective way to improve safety. The CBC,  
8 Federal Highway Administration, American Academy  
9 of Pediatrics all recommend the installation of  
10 sidewalks to improve pedestrian safety.

11 As John mentioned, we have three young  
12 children and a fourth on the way and a sidewalk  
13 can provide us safety from oncoming traffic. I  
14 frequently have one child on a bike, one child  
15 on a scooter, and soon I'm going to be pushing a  
16 stroller, and a sidewalk is necessary to keep us  
17 all out of the middle of the road. I would much  
18 rather trip and fall on a sidewalk than trip and  
19 fall in the middle of the street with oncoming  
20 traffic.

21 I did want to give a side note. I do  
22 agree that there are lots of sidewalks that are  
23 in disrepair and just a side note for people  
24 that you can report this -- anybody can report  
25 this. We had an uneven sidewalk in front of our

1 house. I reported it at 12:30 a.m. and by 8  
2 a.m. that same day, a crew was out and fixed our  
3 sidewalk. I urge you all to do the same and I  
4 will be making special note of any uneven  
5 sidewalks so I can report them as well. It is  
6 our duty, and if we can improve all of the  
7 current sidewalks and it can be done in, you  
8 know, less than a day, I urge us all to do that.

9 In terms of, you know, why would we  
10 add certain sidewalks just to, you know, since  
11 the pool is only open, you know, for a few  
12 months, the children here are walkers to the  
13 school. So, you know, having a sidewalk will  
14 help them all year long and the pool is very  
15 aware that it is an unsafe parking lot and there  
16 are discussions about, you know, adding their  
17 own sidewalk so that the children can walk all  
18 the way from our house to the pool with a  
19 sidewalk and never have to enter the parking  
20 lots. So, that's exciting news to look forward  
21 to.

22 Just in closing, I just ask you to  
23 prioritize the health and safety of our  
24 community and proceed with the sidewalk  
25 installation. Thank you so much for having this

1 opportunity for us to speak.

2 MR. CUPPLES: Okay. Thank you for  
3 your testimony and congratulations on your  
4 expectant child. That's great news.

5 Next up is Jeffrey Huey and Janice  
6 Huey, 6434 Kenhowe Drive.

7 MS. MAIN: I see them but Mr. and Mrs.  
8 Huey, if you could provide the last four digits  
9 of your phone number.

10 MR. CUPPLES: I see the icon next to  
11 their name looks like it's the telephone with an  
12 arrow. So, I think they are in the midst of  
13 reconnecting via voice.

14 MS. MAIN: Okay, awesome.

15 MR. CUPPLES: So, we'll give them a  
16 second to see if they connect. It looks like  
17 they're there. Do you see them, Lori?

18 MS. MAIN: I don't see that phone  
19 number yet.

20 MR. CUPPLES: Yeah, I still see an  
21 arrow.

22 MS. MAIN: He hung up.

23 MR. CUPPLES: Oh, it's all right. It  
24 hung up on him. Okay. We'll give you a second  
25 to call back in. Don't worry, we'll get your

1 testimony. While you're dialing in, why don't  
2 we go to Christo Andonyatas. Hopefully, I  
3 haven't -- I've done that last name justice --  
4 6411 Kenhowe Drive.

5 MR. ANDONYATAS: Can you hear me?

6 MR. CUPPLES: We can hear you.

7 MR. ANDONYATAS: Okay. Yes, hi.

8 Christo Andonyatas, 6411 Kenhowe Drive. My  
9 wife, Nancy, is also listed to speak.

10 And as one of the requestors of this  
11 stretch of sidewalk, I can share a little  
12 history that some of you on this hearing know  
13 already. But regarding the one side versus two  
14 sides, Nick actually requested his side, and  
15 then about six months later without my knowing  
16 what he did, I requested both sides just because  
17 it seemed like an appropriate thing. And then  
18 as Lori knows, we've had quite a few E-mail  
19 conversations about our merged sidewalk request,  
20 which was originally on Nick's side -- the even  
21 side. In discussions with Lori, it was shared  
22 that the fast way to get a sidewalk is to get  
23 all impacted owners to agree. I tried to do  
24 that on that side and was not able to. I then  
25 asked Lori whether we could consider getting

1 unanimous consent on the odd side -- my side.

2 She said sure, so they did the impact analysis  
3 and I was not able to get unanimous consent for  
4 that side either.

5 So, in the end in communications with  
6 Lori, we decided to stick with the original even  
7 side. But to my surprise, when the proposal  
8 came out, it included both sides. Same thing  
9 with Pyle Road. I didn't request both sides on  
10 that one. That was a later add-on. It's a deal  
11 with the pool. So, in some sense, I am pleased,  
12 because I requested both sides. But I certainly  
13 understand and as Lori explained to me with the  
14 budget constraints, the policy typically was not  
15 to do two sides of the same block of the same  
16 street, which again is understandable. Make the  
17 dollars stretch. But it changed, maybe because  
18 COVID has stopped the number of sidewalks and  
19 there's a little extra money.

20 I'd also like to address the Merrimack  
21 Pool, of which I am a member, and for those of  
22 us who are members, we remember seeing a couple  
23 years ago the improvement plans, which they  
24 added some extra stuff, redid the fencing. And  
25 in that original plan, there was going to be a



1 walkway from the gate at Pyle Road along the  
2 fence separate from the parking lot cars that  
3 would allow people to get to the entrance, and  
4 that didn't end up getting built. But in my  
5 early discussions again as the requestor, I  
6 reached out to the pool board president and he  
7 mentioned that though they could not put in a  
8 letter of support because, you know, they're a  
9 private institution, I guess, and they didn't  
10 want to speak for their members, he did say that  
11 the board is going back to those plans about  
12 putting a walkway so that you could get from --  
13 a sidewalk. You do have to deal with that  
14 waterway that Bob mentioned, but you could then  
15 have a walkway that would go from the sidewalk,  
16 perhaps a little bridge over that waterway, and  
17 then walk right along the fence on the new  
18 Merrimack Pool walkway, which might be just  
19 painted.

20 I will also echo Christina's comment  
21 about the efficiency of the sidewalk repair  
22 program. I actually requested a repair after I  
23 saw a crew working on Rannoch Road and after  
24 having talked to Christina about her middle-of-  
25 the-night request. My request actually took, I

1 think, a full day until they showed up and took  
2 care of it, but they did. So, you know, for  
3 those of you who have walked that section on the  
4 6500 block on the even side, it was a very large  
5 puddle which was created on the sidewalk because  
6 a tree, of course, had pushed up a couple  
7 sections of sidewalk and the county very  
8 efficiently came in and they replaced I'm not  
9 sure how many, five, six, seven, eight, you  
10 know, of the 5-foot slabs and now we're waiting  
11 for rain, but that puddle will not be there and  
12 it won't be an ice slick in the future.

13           Regarding the trees, obviously trees  
14 will regrow; children will not if they're hit by  
15 a car. The county has promised three trees for  
16 each one that is removed. We have gotten  
17 further consideration from the county that those  
18 trees will go on Kenhowe Drive until it is full  
19 of trees and then they will go on neighboring  
20 streets in Bannockburn until they are full of  
21 trees and only then will they be planted in  
22 Hagerstown or wherever else they might be in the  
23 county.

24           Regarding the 5-foot versus 4-foot  
25 versus permeable, I have asked all those

1 questions of Lori. Permeable would be great,  
2 although I learned that a permeable sidewalk  
3 actually requires digging much deeper because  
4 you have to contain all the water that is not  
5 running off. So, it may -- it won't save a tree  
6 because you have to dig deeper to put a  
7 permeable sidewalk.

8           And on the 5-foot guidance, you know,  
9 Lori told me that was the county's  
10 interpretation of the ADA compliance so that you  
11 could have two wheelchairs pass each other. You  
12 know, if the county is willing to do 4-foot, I  
13 have no problem with that. I'm not in a  
14 wheelchair. I have a neighbor who is. But, you  
15 know, that's really not for me to say.

16           Regarding the gardens, yes, I love the  
17 Baldwin's garden, it's very pretty. It would be  
18 easily transportable back 10 feet on their  
19 property.

20           And, of course, speaking of property,  
21 as we started the meeting, 18-1/2 feet on either  
22 side of the curb is the county's property.  
23 That's where the sidewalk is installed in front  
24 of my house, that's where the sidewalk is  
25 installed on 80 percent of Kenhowe Drive.

1                   And to the notion that Kenhowe is a  
2 dead end, a sidewalk request has already been  
3 made for the other end of Kenhowe that touches  
4 Rannoch and goes down to Goldsboro where the bus  
5 stop is, and I'm hoping that that sidewalk will  
6 perhaps even be done at the same time as this  
7 sidewalk once we get approvals as it's the same  
8 street and certainly completes the path down to  
9 public transportation and, I mean, Goldsboro  
10 Road is not a pleasure to walk on, but the bus  
11 stops are right there and there are lots of  
12 people that walk down that hill without a  
13 sidewalk over that narrow bridge, which looks  
14 like it could take a sidewalk on one side  
15 probably.

16                   So, you know, if as the requestor, I  
17 am more than happy to go back to one side of  
18 Pyle to adjust what happens on Kenhowe, although  
19 I think both sides makes better sense. There  
20 are sidewalks on both sides of 80 percent of  
21 Kenhowe Drive. My kids are 7 and 4. In the  
22 pandemic, the pool, of course, has been  
23 restricted, but the parking lot is a very  
24 popular gathering place because it has a lot of  
25 room and it's not soggy wet when it rains.

1 Grass is very difficult to walk on when it is  
2 wet, certainly when it covered with snow and  
3 ice, and I think that covers that items I wanted  
4 to talk about. So, I will stop, and I think go  
5 back to you and I think my wife, Nancy, would  
6 like to speak as well.

7 MR. CUPPLES: Okay. Thank you for  
8 your testimony. For the record, Nancy Rosche,  
9 6411 Kenhowe Drive.

10 MS. ROSCHE: Yes, that's right. Thank  
11 you very much. I think that, you know, when our  
12 -- when our neighbors -- we'd just like to  
13 testify that when our neighbors in, you know,  
14 sort of discussion with us starting talking  
15 about the need for a sidewalk, I was definitely  
16 in favor, having walked through this  
17 neighborhood for the prior, you know, eight or  
18 nine years. But it wasn't until, you know,  
19 about a year and a half ago and then again a  
20 year ago when I witnessed, you know, the  
21 accident on Georgetown Road that involved a 17-  
22 year-old where he was killed and we saw this  
23 incident and then again in December, when there  
24 was the death of the young girl and I don't know  
25 that -- I don't mean to say that whether a

1 sidewalk was there or not is the core issue, but  
2 it's the loss, you know, the very sudden loss of  
3 these young people that has really struck me  
4 that, you know, it's -- if there's a good number  
5 of us who really feel that sidewalks will  
6 improve the safety that we ought to really give  
7 it serious consideration and ask for folks like  
8 you to, you know, to make your best judgment.

9           There's also Vision Zero, which, you  
10 know, is certainly looking at this issue across  
11 our county and state to reduce pedestrian deaths  
12 and so, I think what we're asking for her is,  
13 you know, in line with Vision Zero as well.

14           As Christa said, we do have the young  
15 children. We want to keep them safe. It is  
16 just simply easier to say hey, stay on the  
17 sidewalk. I think we're a little bit at this  
18 point in time with COVID, you know, not -- maybe  
19 not remembering as clearly all the heavy traffic  
20 that is present on a regular normal non-COVID,  
21 you know, 9:00 school morning with traffic, you  
22 know, really coming through Kenhowe Drive at a  
23 fairly high pace and people are trying to get  
24 kids out and in the nice weather, which we have  
25 a lot of, and have them walk to school. And as

1 I think the Bannockburn School principal's  
2 letter testified to, they don't really have the  
3 capacity there for the 20 percent of the 400  
4 families that do have to walk, they don't have  
5 the capacity for them to, you know, all be  
6 dropped off at the -- the short windows of time  
7 that we have to drop off and pick up at that  
8 school.

9 So, I probably have said enough.  
10 Again, we're -- we think that the neighborhood  
11 could look quite nice with the sidewalk -- any  
12 version of it that we decide to go with.  
13 Personally, I'm a bit in favor of having it on  
14 both sides so that after all this, our kids, you  
15 know, can continue on the sidewalk that's right  
16 in the front of their house, you know, down to  
17 the pool versus having to cross before they get  
18 there. But -- and I would feel badly about  
19 having it on our side and not the side where  
20 there actually are more children -- the west  
21 side. So, that's -- that would be, you know,  
22 something to consider as well. So, thank you  
23 very much for your time. I appreciate it.

24 MR. CUPPLES: Okay. Thank you for  
25 your testimony. Let's circle back and try Mr.

1 Huey again now. I think they are in.

2 MS. MAIN: It's not giving the option  
3 to unmute him.

4 MR. CUPPLES: All right. Let me try.  
5 So, he was --

6 MS. MAIN: 6023, but I don't see his  
7 phone number.

8 MR. CUPPLES: 6023, let me try this.

9 All right. Let me try -- okay. I have that  
10 it's his microphone is enabled. So, Mr. Huey,  
11 it looks like you want to try the computer mic.  
12 Do you want to -- are you able to -- let's try  
13 to say something and see if we can hear you.

14 The other option we can do is I see Janice Huey  
15 with the same address. Let me try and enable  
16 her microphone because it looks like she's  
17 through the phone. Okay. Mr. or Mrs. Huey, are  
18 you able to hear -- speak on either one of those  
19 devices? Yeah, I'm not able to hear either one  
20 on either one.

21 Okay, Lori, why don't we do this.

22 Let's -- we'll try again and give them a few  
23 moments maybe to try logging out and possibly  
24 logging back in. Maybe that might work or to --  
25 did you type, Lori, the directions for having



1 the computer call?

2 MS. MAIN: It is. They're right here  
3 on pod underneath the display. If you're having  
4 difficulty with your connection, you're going to  
5 want to hang up and dial 1-800-832-0736 and then  
6 you'll be prompted to enter the meeting room.  
7 You will enter 9081014 and press pound (3).

8 MR. CUPPLES: Okay. So, we'll give  
9 them an opportunity to try it that way. I  
10 apologize for the difficulties we're having  
11 there. One way or another, we'll get it.

12 In the meantime, the next on the list  
13 -- I'm out of order, bear with me -- Amy Conroy,  
14 6412 Kenhowe Drive. It looks like we also have  
15 Emmett Conroy signed up as well, 6412 Kenhowe  
16 Drive, and I'm assuming they'll be at the same  
17 phone number also.

18 MS. MAIN: Right. Amy or Emmett, can  
19 you please provide your -- the last four digits  
20 of your phone number in the chat? Okay. I  
21 don't see where you're logged on with your  
22 phone.

23 MR. CUPPLES: Yeah, I don't see that  
24 either. She's logged into the computer. So,  
25 let's try and do it that way. All right. I've

1 unmuted the computer. Are you able to -- can  
2 you try speaking, Ms. Conroy? Okay. Ms. Conroy  
3 is going to call in also. Okay. All right.

4 While she is doing that, it looks like  
5 the Hueys have dialed into the 800 number.

6 MS. MAIN: Okay. Their number was --

7 MR. CUPPLES: 6023.

8 MS. MAIN: Okay. Let me just merge  
9 them. All right. Mr. Huey, you have been  
10 unmuted.

11 MR. HUEY: Okay, hello?

12 MR. CUPPLES: Ah, success.

13 MR. HUEY: Great.

14 MR. CUPPLES: Thank you for your  
15 patience with us.

16 MR. HUEY: I apologize for the  
17 ineptitude. This is Jeff Huey. My wife and I,  
18 Janice, live at 6434 Kenhowe. We're on the  
19 corner. First off, we have submitted written  
20 testimony and we're going to let that stand. I  
21 just wanted to add a couple of things.

22 First off, we are in favor of the  
23 sidewalks on Kenhowe. We are not in favor of  
24 the sidewalk on Pyle for the reasons listed in  
25 our commentary, as well as we are very concerned

1 about the tree over on the other side.

2 One small thing, I think, just as a  
3 person who lives on the corner and watches the  
4 new four-way stops, it has helped but it is far  
5 from slowing everybody down. And the sad thing  
6 is the number of cars I see driving through at  
7 either slow speed or sometimes very high speed  
8 are local. They're not necessarily the  
9 commuters. I see the same cars blasting through  
10 the stop sign. So, that's an unfortunate thing.  
11 So, I say that as a way to say we may need to  
12 look at speed bumps at the intersection. But  
13 that is the main thing. I just wanted to bring  
14 up those same points and we did write an  
15 extensive written commentary and anybody can see  
16 that. So, that's all I really have to say.  
17 Thank you.

18 MR. CUPPLES: Okay. Thank you for  
19 your testimony. I do have one question. The  
20 court reporter wanted to clarify the spelling of  
21 your first name.

22 MR. HUEY: That is absolutely correct.

23 MR. CUPPLES: Okay, J-E-F-R-Y, is  
24 correct then?

25 MR. HUEY: That is correct. Yeah,

1 that's how I define what is junk mail. When  
2 it's not spelled that way, it goes away. Thank  
3 you.

4 MR. CUPPLES: Okay. Would -- did  
5 Janice Huey want to testify as well? I assume  
6 you're on the same phone number.

7 MR. HUEY: Yes, we are, but she does  
8 not want to. Thank you, though.

9 MR. CUPPLES: Okay, all right. Okay.  
10 So --

11 MR. HUEY: Oh, I'm sorry, hello?

12 MR. CUPPLES: Yes? Go ahead. Go  
13 ahead, Mr. Huey.

14 MR. HUEY: Sorry. Yes, there was one  
15 more thing I wanted to say and that is that we  
16 agree with the donors that we support the  
17 sidewalk if it can be reduced to 4-foot. We  
18 really think that the 5-foot is excessive plus  
19 everything I've read in the ADA says you can go  
20 to narrower width if you just provide passing  
21 areas, which makes a lot of sense, you know.  
22 So, that was the other thing. We're just big  
23 proponents of the narrower walk just for many  
24 different reasons. And that was the last thing,  
25 thank you.

1 MR. CUPPLES: Okay, thank you for your  
2 testimony.

3 Ms. Conroy -- do you want to try and  
4 circle back to her?

5 MS. MAIN: She is unmuted.

6 MS. CONROY: Hi. My name is Amy  
7 Conroy. I live at 6412 Kenhowe Drive. I live  
8 here with my husband, Emmett Conroy, who will be  
9 sending in his written testimony, and our three  
10 children. All of our three children regularly  
11 walk to school -- one to Bannockburn Elementary  
12 and two to the Pyle bus stop. I'm testifying on  
13 behalf of all of them.

14 I wholeheartedly support the extension  
15 of the Kenhowe Drive sidewalk. I'll keep it  
16 short because a lot of the reason I support are  
17 for the same reasons -- most importantly,  
18 safety.

19 Since I've lived here and before the  
20 decrease in traffic due to COVID, I've been  
21 shocked by the number of vehicles using Kenhowe  
22 as an outlet to River Road and Goldsboro Road  
23 and the speed at which they drive, as other  
24 people have mentioned before. I run daily in  
25 the morning in the neighborhood, and twice in

1 two years while running on the same side as  
2 incoming traffic against the traffic. Just  
3 reaching the crest of the hill where there is a  
4 blind spot, I have had to jump onto the grass  
5 twice to avoid being struck. This blind spot is  
6 incredibly dangerous. Vehicles, especially  
7 those who are unfamiliar with the road, due to  
8 these acts that others have mentioned, use the  
9 street and cut through and do not know about  
10 this blind spot as they come up to the top of  
11 the hill.

12 And as the county promotes walking for  
13 health, reducing car traffic would also -- and  
14 increasing walking would also reduce greenhouse  
15 gas emissions, which has many benefits for the  
16 environment, as we know.

17 With that said, I do recognize and  
18 feel deeply for our neighbors who would be  
19 impacted and who -- who would lose trees or  
20 shrubs or gardens, and I do understand their  
21 reservation. I adore our trees, our  
22 environment, and our wonderful neighborhood and  
23 neighbors. With that said, I'd be supportive of  
24 the sidewalk, as others have mentioned, that are  
25 narrower -- most definitely narrower -- and

1 those that would reduce minimal -- would  
2 minimize environmental impact and don't see a 5-  
3 foot sidewalk as necessary. As others have  
4 said, a 4-foot sidewalk would be much more  
5 aesthetically pleasing.

6 But in the end, no matter what, I  
7 choose to support -- I support safety above all  
8 else. We have over twenty children on our  
9 street, many of whom walk to Bannockburn or to  
10 the bus to attend school at Pyle or Whitman and  
11 I'm pleased -- I'm very pleased with people who  
12 have raised children without accidents. But it  
13 is undeniable that things have changed in the  
14 past -- even in the past few years. There is  
15 more traffic. As some have said earlier,  
16 drivers use Ways and other apps and people are  
17 busier, go faster, driving and checking their  
18 cell phones at the same time, and are in more of  
19 a rush. I could never live with myself if  
20 something happened to a child or pedestrian like  
21 the incident last year when the child was  
22 getting off a bus and was killed in our -- in  
23 the neighborhood adjacent, and I didn't do more.  
24 Thank you very much for the time.

25 MR. CUPPLES: Okay, thank you. And I

1 think I understood at the beginning that you  
2 were also testifying on behalf of Emmett Conroy.  
3 Is that correct?

4 MS. CONROY: Yes, yes.

5 MR. CUPPLES: Okay, all right. So,  
6 there's -- I'll give folks a preview -- two more  
7 folks on the list that signed up and then we'll  
8 get to the folks that have raised their hand or  
9 that did not sign up in advance of the meeting.  
10 We're going to go first to Abbie Meador and then  
11 just to give preview so you can start being  
12 prepared, Anthony Moya. Oh, I guess you guys  
13 are both at the same address -- Abbie Meador and  
14 Anthony Moya, 6506 Kenhowe Drive.

15 MS. MAIN: Abbie, you're unmuted.

16 MS. MEADOR: Okay. Thank you. Can  
17 you hear me?

18 MR. CUPPLES: Yes.

19 MS. MEADOR: Okay. My name is Abbie  
20 Meador. I live at 6506 Kenhowe and my comments  
21 are really to request that revisions be made to  
22 the sidewalk proposal to minimize the  
23 environmental impact. While we all wanted to  
24 make this neighborhood safer for pedestrians, we  
25 should also be aware of and work to minimize the



1 environmental impacts caused by the construction  
2 of new sidewalks. In this relatively small  
3 project, eleven trees have been listed by the  
4 county at risk for removal. This is in addition  
5 to several bushes and at least one private  
6 garden. It appears that no attempt has been  
7 made to consider alternatives by the county.  
8 Rather than automatically lining both sides of  
9 the road with a standard 5-foot wide sidewalk  
10 set 3 feet back from the road, my comments are  
11 to request that DOT consider all reasonable  
12 means to minimize the environmental impact  
13 including, but not limited to, placement of the  
14 sidewalk, material usage, alternative  
15 treatments, sidewalk relocation, narrowing the  
16 width of the road to place the sidewalk in the  
17 road, or narrowing the sidewalk.

18 All around the country, innovative  
19 solutions have been used including pervious  
20 surface placement combined with shallow digging  
21 methods to preserve mature trees during sidewalk  
22 construction.

23 Narrowing the roads has been shown as  
24 a highly successful means to slow traffic.  
25 Where possible, the sidewalk could be placed at

1 the back of the curb or a new sidewalk could be  
2 constructed with existing road space or use  
3 existing road space as the buffer space.

4 Climate change is the most critical  
5 environmental issue facing our planet.  
6 Temperatures are already driving changes in the  
7 climate around the globe including changes to  
8 precipitation patterns, the frequency and  
9 intensity of the extreme weather events, and  
10 rising sea levels. Failure to address climate  
11 change impacts all of our food and water  
12 security, human health, and safety. At its  
13 foundation, climate change is a human rights  
14 issue. It should be the goal and best practice  
15 of every DOT project to minimize the impacts on  
16 climate change, to reduce the paved surfaces,  
17 and minimize the impacts by protecting green  
18 space and trees, which can sequester carbon and  
19 cool air and surfaces.

20 The original proposal called for the  
21 removal of a 44-inch red maple at the vacant lot  
22 on 6507 Kenhowe Drive. Every possible  
23 alternative should be taken to preserve a  
24 specimen tree like this tree. It was only after  
25 I and several other members of the community

1 made phone calls and requested that the county  
2 work to save this tree that the proposal was  
3 altered to have the arborist do an air  
4 excavation and try to save the tree. I think  
5 this demonstrates the overly aggressive tree  
6 removal process of the county by including it as  
7 removal in the first place. A specimen tree  
8 like this cannot be replaced with three tree  
9 saplings as the ecosystem system services and  
10 wildlife habitat provided a tree this size  
11 cannot be replaced.

12 I also want to talk about the creation  
13 of an [inaudible] safety hazard. This project  
14 will direct student pedestrian traffic to  
15 Bannockburn traveling on the odd sides of the  
16 road to cross at the intersection of Bannockburn  
17 to Kenhowe. This is a dangerous intersection  
18 due to speeding traffic on Bannockburn Drive.  
19 Bannockburn Elementary School does not send  
20 safety patrols to this intersection and there is  
21 no four-way stop. Particularly in the morning  
22 rush, cars traveling on Bannockburn Drive whip  
23 around the corner onto Kenhowe Drive. I  
24 personally have walked my children to school for  
25 almost ten years and have witnessed many cars

1 speeding through this intersection in the  
2 morning commute. In fact, myself and other  
3 parents fought and advocated for the removal of  
4 the bus stop for Pyle and Whitman to a different  
5 intersection because of how dangerous this  
6 intersection is.

7 A safer crossing point for children  
8 traveling to Bannockburn should be at the  
9 Kenhowe and Pyle intersection where there is now  
10 a four-way stop and a crosswalk could and should  
11 be added.

12 Specifically, on the Pyle portion of  
13 the sidewalk construction proposal project, this  
14 is the entranceway to a private pool -- a dead  
15 end with nowhere to go other than the pool. One  
16 side of the sidewalk would dump pedestrians into  
17 the middle of a parking lot. The other side of  
18 the sidewalk -- proposed sidewalk would call for  
19 the elimination of three northern red oak trees.

20 One question I have for the county is  
21 whether this road is wide enough to place the  
22 sidewalk in the road and would the proponents of  
23 the project be satisfied with a sidewalk on only  
24 one side.

25 In conclusion, I'm extremely

1 disappointed with the way [inaudible] this  
2 project and their overly aggressive plan for  
3 tree removal. I do not believe you have  
4 adequately portrayed construction alternatives  
5 or examined ways to minimize the environmental  
6 impacts.

7 The burden to discover and lobby for  
8 these alternative impacts should -- alternative  
9 construction should not be on the [inaudible]  
10 but should be the best practice and standard  
11 operating procedure of the agency.

12 Again, I urge DOT to consider revising  
13 the request to minimize the environmental  
14 impacts. Thank you.

15 MR. CUPPLES: Okay. Thank you for  
16 your testimony. Was Anthony Moya also at the  
17 same address going to testify as well?

18 MS. MEADOR: No. His will be in  
19 writing.

20 MR. CUPPLES: His will be in writing,  
21 okay. All right. Thank you very much.

22 All right. So, that concludes the  
23 list of folks that have preregistered and if you  
24 -- I'm trying to make sure I kept track of  
25 everybody that put their intention to testify in

1 the question and answer pod and have also raised  
2 your hand. So, please go ahead and raise your  
3 hand, if you can. That will help me keep track,  
4 and let's see. The first one on the list in the  
5 raised hand is James Zwiebel.

6 MS. MAIN: James, you've been unmuted.

7 MR. ZWIEBEL: Hi, can you hear me?

8 MR. CUPPLES: Yes, go ahead.

9 MR. ZWIEBEL: Thanks for the  
10 opportunity to speak. First of all, let me --  
11 my name is James Zwiebel. I live at 6317  
12 Kenhowe Drive. I'm speaking mostly on behalf of  
13 my wife, Sandy Hershberg. We've lived here for  
14 thirty-five years, raised our kids, we've been  
15 members of Merrimack Pool, and I've served on  
16 the board. I am currently retired. I am a  
17 retired physician from the NCI.

18 I just want to say that I am fully in  
19 support of extending the sidewalk and also --  
20 would also ask that the -- as others have --  
21 that the environmental impacts are adequately  
22 addressed. I would say that we've heard a lot  
23 about the safety of children. We haven't heard  
24 about the safety of adults, like myself. Sandy  
25 and I walk very frequently, if not every day,

1 through our neighborhood. We -- we walk along  
2 Kenhowe Drive in both directions and as others  
3 have pointed out, there has been an alarming  
4 increase of traffic. In addition to commuter  
5 traffic, I think we've all noticed the large  
6 increase of UPS, FedEx, Amazon trucks that  
7 frequently ply their way through our community  
8 making deliveries in an even greater frequency  
9 over the last year or two. I'm also alarmed  
10 about the traffic coming through and at the  
11 speeds and, as mentioned before, you don't have  
12 to drive an SUV very fast to cause significant  
13 bodily harm to an unprotected pedestrian or a  
14 cyclist, like myself.

15 I would just emphasize that the blind  
16 steep curve coming down Kenhowe to Pyle Road is  
17 extremely dangerous, and I say that because  
18 first of all, it's blind, it's steep, and if  
19 you're coming up on either side, either as a  
20 pedestrian or a driver, visibility is extremely  
21 limited and when cars are parked on both sides  
22 of Kenhowe, you're left with a very narrow alley  
23 to drive through. Cars cannot possibly coming  
24 up that -- because I've driven it many times  
25 over the thirty-five years I've lived here

1 commuting to work -- you can't possibly see  
2 what's coming up the other side. And, as a  
3 pedestrian, you suddenly may encounter cars  
4 coming up from both sides. And I can tell you  
5 that walking in the street, that is the one spot  
6 in my walk where I have to pay much greater  
7 attention looking both ways and always concerned  
8 not only for myself but for my wife for our  
9 safety, as we have to negotiate that particular  
10 spot.

11 So, I think for all the reasons you've  
12 heard, safety being the primary reason, I think  
13 that this sidewalk is long overdue. I wish it  
14 was present when my kids were growing up here  
15 and my kids were members of the pool. My  
16 daughter dove for many years, as Steve and Kate  
17 Baldwin's kids have. In fact, Steve was the one  
18 who dragged me into becoming the dive team rep  
19 over all my objections.

20 But be that as it may, I think that --  
21 I think it's really time to have -- have  
22 sidewalks -- a sidewalk there. I don't really --  
23 - it doesn't really matter whether it's on one  
24 side or the other. I certainly sympathize with  
25 my neighbors, like the Baldwins, but I think at



1 this point, I think safety has to trump all  
2 other consideration. And so, I just wanted to  
3 end by saying that I fully support some sort of  
4 implementation of a sidewalk. Thank you.

5 MR. CUPPLES: All right. Thank you  
6 for your testimony.

7 Next is Ajay Sutaria.

8 MS. MAIN: Okay, Ajay, you've been  
9 unmuted.

10 MR. SUTARIA: Thank you. Can you hear  
11 me?

12 MR. CUPPLES: Yes.

13 MS. MAIN: Yes.

14 MR. SUTARIA: So, I too have submitted  
15 written testimony and just given how long it's  
16 been, I don't want to belabor things too much.  
17 So, I am the father of two kids ages 6-1/2 and -  
18 - sorry -- 7-1/2 -- he will kill me if he hears  
19 me say that -- and 5-1/2. We live on Callender  
20 Drive and so, I do share a lot of the safety  
21 concerns because my kids play with many of the  
22 twenty or thirty-odd kids on Kenhowe, so they  
23 are reverse commuters as it were, and I can tell  
24 you I would have no trouble whatsoever letting  
25 them go up the sidewalk from Callender Drive to

1 Kenhowe Drive, but I'd have a great deal of  
2 concern with them going out onto the street due  
3 to the -- the steep curve and the blind  
4 condition there. So -- and especially with  
5 parked cars present. That's something that our  
6 last speaker noted but many others have not.  
7 So, there are almost invariably parked cars  
8 there and that significantly increases the  
9 safety hazard. But I won't belabor that.

10 I think what I'd like to do is just  
11 spend a couple of minutes summarizing my  
12 perspective as a commuter for a long time in an  
13 effort to be environmentally conscious and  
14 friendly.

15 I actually commuted by taking the bus  
16 from the 29 bus stop down at Rannoch Road, so I  
17 walk that stretch quite a bit and it is quite  
18 dangerous. I've had some close calls,  
19 particularly during precipitation and/or in the  
20 evening. As you know, it gets dark very early  
21 and many people who commute have to work late,  
22 and I was sort of struck by the statistics that  
23 were mentioned by one of the early commenters,  
24 as important as trees are, promoting commuting  
25 is perhaps even more important. It takes, it

1 seems to me, only two or three round trips to  
2 equal all the carbon dioxide that the large 44-  
3 inch in diameter maple tree could take out of  
4 the atmosphere in an entire year. So, I think  
5 anything that would reduce use of burning of  
6 fossil fuels would have a greater net  
7 contribution to the environment than even the  
8 removal of eleven or thirteen trees that are at  
9 issue.

10 I know -- I know some folks have  
11 suggested walking on the lawns -- on the grass  
12 -- but I would just note it's often raining and  
13 that makes -- that makes the ground quite wet  
14 and muddy and difficult to negotiate, especially  
15 when you're carrying a full -- full set of  
16 equipment and in work clothes. But perhaps most  
17 dangerously is the snow. This year, so far, we  
18 haven't had any, but folks will remember the  
19 heavy snows of 2018, and I can tell you, having  
20 tried to commute through that, going through  
21 this particular stretch of Kenhowe in the snow,  
22 trying to get from the street to walk through  
23 deep snow banks, sometimes three or four feet  
24 high, with parked cars and cars moving at high  
25 rates of speed is particularly dangerous. And

1 so, I think that is something else that -- that  
2 everyone should keep in mind.

3 A couple of other points I just wanted  
4 to make, I've heard a lot of -- I've heard a lot  
5 of well, you can't make everything perfect, so  
6 we should just abandon this plan altogether, and  
7 I think the logical -- the logical concerns with  
8 that are quite obvious. Just because we can't  
9 make the entire route safe doesn't mean we  
10 shouldn't do something about the parts that we  
11 can. Though I was quite heartened to hear about  
12 Christo's request to extend the sidewalk all the  
13 way down to Rannoch Road. I would strongly  
14 support that.

15 And another thing I would note is that  
16 some folks have noted that the pool is a -- on  
17 the one hand, the pool is a private location.  
18 On the other hand, it's been made clear it is  
19 very popular, very common neighborhood gathering  
20 spot and having safe access would be very  
21 important. And, as I noted, for reverse  
22 commuters like my kids going to Kenhowe, that is  
23 a frequent direction of travel. So, having a  
24 sidewalk there would be safe.

25 I'll just conclude by saying in terms

1 of one side or both sides of the street, I think  
2 having sidewalks on both sides of the street  
3 will reduce crossing, particularly in that  
4 stretch of Kenhowe where there's a steep hill  
5 that's blind followed by a curb.

6 So, I'd strongly support a sidewalk.  
7 I'm perfectly happy with whatever width is  
8 available because, as everyone has noted, safety  
9 is paramount.

10 Thank you for your time, and  
11 otherwise, I'll stand on my written remarks.

12 MR. CUPPLES: Okay, thank you for your  
13 testimony. Is -- I'm assuming that Amanda  
14 Sutaria is at the same phone number?

15 MR. SUTARIA: She is.

16 MR. CUPPLES: She also has her hand  
17 raised. Does she wish to testify?

18 MS. SUTARIA: Yes, I'm right here.

19 MR. CUPPLES: Okay.

20 MS. SUTARIA: Yeah, I will make this  
21 brief, as I think most points have been raised.  
22 I am Amanda Sutaria and I live with my husband  
23 at 6514 Callander Drive with our two sons and I  
24 just wanted to strongly echo others' comments in  
25 support of the sidewalk.

1           As Ajay mentioned, both of our kids  
2 attend Bannockburn Elementary and have many  
3 friends that live on Kenhowe Drive and  
4 babysitters, and it's imperative to have a safe  
5 way to get from our house and from school to  
6 their babysitter's house. We often take long  
7 walks through our neighborhood as a family and  
8 those couple of blocks on Kenhowe and Pyle are  
9 terrifying to walk on, especially as a parent.  
10 The cars drive very quickly. As everyone has  
11 mentioned, the hills and the curves and  
12 visibility. There is a high volume of traffic  
13 and there are often cars parked on both sides of  
14 the street. So, without a sidewalk, it's only a  
15 matter of time before there is a serious  
16 accident.

17           We know that many children would  
18 prefer to walk to school, but they are forced to  
19 have their parents drop them off due to concerns  
20 about the lack of sidewalks. So, I just wanted  
21 to echo others' comments that it's imperative  
22 for everyone's safety that there be a safe route  
23 for pedestrians to walk.

24           And we understand -- I understand that  
25 the others have environmental concerns, which I

1 very much appreciate, but I don't think that  
2 those concerns should trump the safety of our  
3 community, our ability to safely walk, and to  
4 have our children be able to enjoy the wonderful  
5 neighborhood that we live in. And I'll leave it  
6 at that. Thank you.

7 MR. CUPPLES: Thank you for your  
8 testimony.

9 Okay, Susan Richmond.

10 MS. MAIN: Okay. Susan, you've been  
11 unmuted.

12 MS. RICHMOND: Thank you. Am I  
13 unmuted?

14 MR. CUPPLES: Yeah, we can hear you.

15 MS. MAIN: You are.

16 MS. RICHMOND: Okay. Thank you. I  
17 was waiting for you to ask me to put my number  
18 on the screen. Okay. I appreciate the  
19 opportunity to speak up and to align myself with  
20 the overarching methods that Bob Dohner started  
21 with, and that is basically there is a balance.  
22 I'm -- I live at 6510 Kenhowe. I'm in what some  
23 people call a teardown. We've always considered  
24 it a fixer-upper. When we came here, which was  
25 thirteen years ago, on either side of us were

1 best friends who had been here for ages. They  
2 had beautiful gardens and incredible trees. On  
3 one side, in fact, Abbie and I shared the common  
4 neighbor who had been here for a long time --  
5 forever -- and -- yeah.

6 My husband just -- I'm -- I'm -- I  
7 want to say something about safety. There --  
8 it's not an either or thing and, you know, I  
9 want to address something that Christo said.  
10 Trees will regrow; children will not. Safety is  
11 very -- is paramount and I want to align myself  
12 with what Abbie said about the warming climate.  
13 It's no longer some fringy kind of concept and,  
14 you know, people who say that, you know, the  
15 county can talk about zero -- I've been taking  
16 notes. I didn't write anything or submit  
17 anything in writing because my well-researched  
18 neighbors -- I'm speaking of Abbie Meador -- she  
19 really did an incredible research job on what's  
20 going on with the environment.

21 I'd like to just say that when my  
22 neighbor who has lived here forever and when her  
23 house came down, so did twenty trees, and one of  
24 those trees was more than two hundred years old,  
25 and you just can't put up a tree. These



1 replacement trees are twigs, you know. What was  
2 here was something that was magical and never  
3 will happen again, and you can't recreate that.  
4 But I would like to just keep up for the need to  
5 consider the environmental impact in the ways  
6 that many of my neighbors -- in fact, all of you  
7 -- have said that it's important to make --  
8 consider.

9           So, I'm just going to try to get to  
10 the point here and say I think that you can  
11 extend sidewalks while also protecting our  
12 increasingly rare tree canopy. And I want to  
13 address specifically that stretch of sidewalk  
14 from 6509 Kenhowe to the end of Pyle. It is the  
15 northeast strip that is a little trove of trees.  
16 It's public space that's as close to communal  
17 green space as we have around here. Now, people  
18 have been talking about how the kids play in the  
19 parking lot of where the pool is -- the pool I  
20 belong to and love walking to and I'm grateful  
21 to have sidewalks -- most of the sidewalk to  
22 walk to. But the green is not to be trifled  
23 with. I would respectfully ask for  
24 consideration that that northeast strip of  
25 sidewalk -- proposed sidewalk from 6509 Kenhowe

1 to Pyle Road just be eliminated. There's no  
2 need to place a sidewalk on what is essentially  
3 one person's house on the corner -- the corner  
4 house belongs to the Hustead/Rackstraws  
5 [phonetic] and then it is a small little park  
6 where people walk their dogs and neighbors  
7 convene in small little clusters and it's a nice  
8 little green space, and there seems to be --  
9 okay -- no reason to create a sidewalk out of  
10 that. I mean, I -- I support the need for a  
11 sidewalk on one side, and I would support what  
12 Bob said about having it reduced width and I  
13 think that's -- that's about -- oh yeah --  
14 that's almost everything I have to say.

15 The issue about the increasing traffic  
16 and the neighbors or the people driving through  
17 at increasing speeds, that is true, and I think  
18 that's an issue that we need to address not with  
19 sidewalks but discussions about, you know, not  
20 allowing drive-through traffic during rush hour.  
21 There are alternate solutions.

22 That's the end except I have one more  
23 question. How would this sidewalk plan be  
24 affected by the River Road detour onto Kenhowe,  
25 which just showed up?

1           Thank you for your time and patience,  
2           and I appreciate the full consideration of the  
3           desire to see a plan move forward with  
4           consideration to being selective and judicious  
5           not just clearcutting through. Thank you.

6           MR. CUPPLES: Thank you for your  
7           testimony.

8           Let's see, Beth Rogers, your hand was  
9           up and then I see it went down. Did you still  
10          wish to testify?

11          MS. MAIN: Beth, you've been unmuted.

12          MS. ROGERS: I put it down. So, I'm  
13          assuming you can hear me now.

14          MR. CUPPLES: Yes, we can.

15          MS. ROGERS: Hi. I'm going to try to  
16          make it short because I haven't eaten dinner  
17          yet. It's pushing 9:00. I can tell you that  
18          I've been -- first of all, I live on Brigadoon  
19          Drive. I've been in the neighborhood for thirty  
20          years. I was involved pretty heavily with  
21          getting a better crosswalk across River Road,  
22          which is under construction right now and was  
23          privy to all the acrimony that ensued in the  
24          neighborhood about doing something as simple as  
25          putting in a pedestrian crosswalk. So, I really

1 didn't want to get wrapped up in another  
2 acrimonious discussion with neighbors. But I  
3 can tell you I find the discussions pretty  
4 tedious. As a taxpayer and as a county  
5 resident, the first thing that my neighbor told  
6 me when I moved into the neighborhood is that  
7 the county owns the first 17 feet of property.  
8 Consequently, I've never planted to the corner.  
9 I've never planted out my yard to the edge of  
10 the street.

11           So, one of my thoughts is that the  
12 people on Kenhowe Drive who have young children,  
13 their voices should be given way greater weight.  
14 They are basically asking you for a solution and  
15 for the county to litigate every block inch by  
16 inch and take hours and hours of these hearings  
17 just is maddening to me. And I think about all  
18 the money and resources that go into these  
19 discussions and basically the county has a right  
20 to just put in sidewalks and all the new  
21 neighborhoods that are constructed now do have  
22 sidewalks. I think that sidewalks are critical  
23 to ensuring pedestrian safety.

24           We talk about greenhouse gases. The  
25 more you can encourage people to step away from

1 their cars, the greater good accrues to the  
2 environment. So, that's one thing that needs to  
3 be done.

4 In terms of the tree removal, I did  
5 have an issue, and I brought it up with Lori  
6 about the maple tree that everybody is talking  
7 about. I see absolutely no reason why a  
8 sidewalk with imperil that tree. I can say that  
9 if that tree were to die or if a sidewalk were  
10 to disease -- make that tree become diseased --  
11 and I really doubt it -- that it would be a  
12 long, slow process. So, I think -- I don't  
13 think -- I don't see why that tree needs to be  
14 removed. So, I do have an issue with that.

15 The other thing in terms of some of  
16 the gardens that people are talking about, some  
17 of the shrubbery that I've seen is something  
18 that appears in my mind to be easily  
19 transplanted and moved. So, it's not even big  
20 trees but more on the level of bushes that could  
21 be moved out of the path of a sidewalk. And the  
22 county's offer of a 3:1 replacement of trees, I  
23 think, is fairly generous. My request would be  
24 that the trees that are installed or planted out  
25 are native trees. So, we're trying to go native

1 in this neighborhood. And basically, I've been  
2 in numerous discussions with Lori and in the  
3 interest of keeping things brief, I'm signing  
4 off. Thank you.

5 MR. CUPPLES: Okay. Well, thank you  
6 for your testimony. It looks like there's still  
7 a couple people --

8 MS. ROGERS: But basically, the upshot  
9 is that --

10 MR. CUPPLES: Oh, go ahead.

11 MS. ROGERS: -- children need to --  
12 these streets need to be pedestrian friendly.  
13 Sidewalks, you know, it's kind of ludicrous that  
14 we're spending two hours here discussing a  
15 sidewalk. Let the children have their  
16 sidewalks. I think there should be sidewalks in  
17 most of these neighborhoods. I don't have one  
18 on my street. If somebody wants to put a  
19 sidewalk in on my block -- some of the people  
20 were asking for sidewalks, I know, are people  
21 that don't even walk around the neighborhood. I  
22 mean some of the people who were opposed to  
23 sidewalks, excuse me, or complaining about tree  
24 removal but have taken down trees themselves for  
25 various reasons, whether it's additions. So, we

1 could have a discussion as a neighborhood about  
2 we do about taking down these trees because  
3 we've got developers here tearing down all of  
4 our houses. But that's not a discussion to have  
5 with MCDOT. Thank you.

6 MR. CUPPLES: Okay. Thank you for  
7 your testimony.

8 Still, just to let folks know, so you  
9 can get an idea, there's only two people left  
10 with their hands raised at this point. Susanna  
11 Cowen, who I think we tried to call on earlier,  
12 but you may not have been logged in at that  
13 time.

14 MS. MAIN: Susanna, we need her to  
15 type her phone number in the chat so that we can  
16 merge it. I don't see a phone beside her.

17 MR. CUPPLES: Not your full phone  
18 number, just the last four digits. Thank you.

19 MS. MAIN: Yeah.

20 MR. CUPPLES: And for the record,  
21 that's 6401 Kenhowe Drive. And then, there's  
22 one other person with their hand up who we'll  
23 get to right after that then. Were you able to  
24 merge her numbers Lori?

25 MS. MAIN: I don't know what her phone

1 number is.

2 MR. CUPPLES: Oh, it's there. It's  
3 8562.

4 MS. MAIN: Oh, okay. Okay, Susanna,  
5 you're unmuted.

6 MS. COWEN: Okay. So, I'm on. Sorry  
7 that we missed our time earlier. Something came  
8 up. But I'm going to be very brief.

9 I just want to say we support the  
10 sidewalks because of our kids. I have 7-year-  
11 old twins, and we walk them -- or I'd try to  
12 walk them to and from school when it was in  
13 session, and the sort of crest of the hill right  
14 where the sidewalk ends is the hardest part for  
15 us and as someone, I think, said earlier, there  
16 are often cars parked on both sides of the  
17 street and just, you know, managing two kids  
18 over a hill where you can't see and cars are  
19 going fast and people speed through that stop  
20 sign even though it's been there for a while  
21 now. And so, for me, the sidewalk is just a  
22 safety issue and, you know, concern for my  
23 children. That's all. Thank you.

24 MR. CUPPLES: Thank you for your  
25 testimony.



1           And no sooner did I tell you guys how  
2 many people had their hands up and another one  
3 popped up. So, still two more left. I'm going  
4 to go first to Kevin Stalts because I don't  
5 think he's had an opportunity to speak yet, and  
6 then it looks like Steve and Kate Baldwin had  
7 their hand up after that.

8           MR. STALTS: Hi guys, this is Kevin  
9 Stalts. Hey, I live at 6307 Kenhowe, which is  
10 down near the end that Christo said doesn't have  
11 the other sidewalk. I'll be brief as well.

12           Three quick things. I've got kids who  
13 are 8, 10, and 13. They like to ride bikes, and  
14 it is -- I don't let my 8 and 10-year-old ride  
15 up to the school yet because there is no  
16 sidewalk placed there. It's the most dangerous  
17 portion of the road. I know that from driving  
18 on it. When I drive through, there's always  
19 cars parked on both sides, which is a separate  
20 issue, and contractors and different things, and  
21 I can't tell you how many times driving through  
22 you see a jogger, you know, somebody riding  
23 their bike, somebody getting out of their car.  
24 I mean, people who live along the road have  
25 hazard triangles out on their cars when they

1 park them there on the street because it is  
2 curvy and steep and dangerous. And again, I  
3 have sympathy who have, you know, built things  
4 out on the right-of-way. But again, from the  
5 standpoint of, you know, I'm just not going to  
6 have my kids ride their bikes up that hill or  
7 even walk it up that hill. Again, it's not a  
8 speed factor; 10 miles an hour coming around the  
9 corner hitting my daughter walking her bike is  
10 going to cause a real problem.

11 And so, again, understand the concerns  
12 of everyone and I am in favor of minimization of  
13 tree removal, minimum width and all that stuff.  
14 But I, you know, it's very important to me that  
15 the sidewalk, at least on one side, be  
16 contiguous so that when the kids go to the  
17 school, they're able to do that. So, that's it.  
18 Thanks.

19 MR. CUPPLES: Okay. Thank you for  
20 your testimony.

21 We did have a couple of other people  
22 also request to speak in the chat. So, we'll  
23 just continue on. Steve and Kate, I do see that  
24 your hand is raised up. I wonder if you would  
25 bear with me for just a second. I will -- will

1 circle back to you but there are a couple folks  
2 who raised their hands who have not testified.

3 First, I want to give them an opportunity.

4 Teoman Ozsan, and hopefully I've  
5 pronounced that correctly.

6 MR. OZSAN: Yes.

7 MR. CUPPLES: I apologize if not.

8 MR. OZSAN: Hey, you did great, thank  
9 you. I live with my family of four at 6811  
10 Rannoch Road. We have two elementary school  
11 kids, one 5 and one 7. We've learned over  
12 several years to love the neighborhood, even  
13 more now that everyone is at home most of the  
14 time, right, and getting out and about is  
15 important in this period, and I suspect we'll  
16 continue to it, which we love to walk the  
17 neighborhood.

18 Now, a neighborhood needs to be able  
19 to be walkable, right? I mean, just having a  
20 bunch of roads connected by cars and to houses,  
21 that's much less manageable for elementary  
22 school kids than having sidewalks. We have good  
23 friends down Kenhowe. We live the other side of  
24 the swimming pool. We love to bike there and  
25 visit them and we love to walk around the

1 neighborhood, and that's difficult when there  
2 isn't a sidewalk and particularly with lots of  
3 cars, which kind of, you know, guides you to  
4 walk in the road instead of actually walking on  
5 people's front lawns. So, we would love to see  
6 a sidewalk there and have it be continuous. I  
7 think it's super important for the safety of the  
8 kids in the neighborhood, many of which go to  
9 elementary school and many -- we're seeing on  
10 our road right now -- many of the homes are  
11 turning over and there are people with families  
12 moving into Bannockburn Elementary School. So,  
13 I think it's going to be -- it's a really  
14 important issue. So, great idea having this  
15 here.

16 MR. CUPPLES: Okay. Thank you for  
17 your testimony.

18 Okay. Steve and Kate Baldwin and it  
19 looks like Ravi Sutaria are the only folks left  
20 that have their hands up. Mr. or Mrs. Baldwin,  
21 did you want to amend your prior testimony?

22 MS. BALDWIN: Am I -- okay. I just  
23 wanted to add one thing. That is, you know,  
24 there's been a lot of talk about children's  
25 safety and obviously, that's critical. But I

1 want to point out that we put in at our own  
2 expense a sidewalk along the length of our  
3 property after the sidewalk, you know, built-in  
4 sidewalk gives out over ten years ago. And so,  
5 we were concerned about obviously everybody's  
6 safety and it's only 3 feet wide, but that is  
7 ADA compliant, and, you know, the county is  
8 planning to destroy that and destroy our garden  
9 when you have, you know, a legitimate sidewalk  
10 that's been there all along, and I feel -- we  
11 feel that we're kind of punished for making that  
12 effort that the county is not giving us any  
13 credit for. Anyway, sorry, sour grapes, but  
14 there it is.

15 MR. CUPPLES: Thank you for your  
16 testimony.

17 Okay. Ravi Sutaria.

18 RAVI SUTARIA: I support a sidewalk on  
19 Kenhowe. My name is Ravi Sutaria. I am 7 years  
20 old and I live on Callander Drive. My best  
21 friend, Declan, lives on Kenhowe, and I want to  
22 bike and walk to his house safely. That is why  
23 I want a sidewalk on Kenhowe. Please install so  
24 I can play with my friends. Thank you, Ravi  
25 Sutaria.

1 MR. CUPPLES: Thank you for your  
2 testimony, Ravi.

3 Okay. At this point, I don't see any  
4 hands raised. Lori, was there anyone that I  
5 missed?

6 MS. MAIN: I do not believe so.

7 MR. CUPPLES: All right. Mr. Dorsey,  
8 I want to turn that back over to you for the  
9 moment then, and then after the hearing  
10 concludes, we will -- there were some questions  
11 I saw in the pod and I'm happy to stick around  
12 and address those.

13 MR. DORSEY: Okay. So, thank you for  
14 all your testimonies. Seeing that everyone who  
15 wishes to speak has had an opportunity to do so,  
16 this concludes the oral testimony portion of  
17 this public hearing.

18 We will now have a question and answer  
19 session. Please click the icon to raise your  
20 hand if you wish to ask a question. You are  
21 also welcome to ask your questions in the chat  
22 box. Does anyone have questions, seeing that  
23 all questions have been answered or not, we'll  
24 field those questions at this time.

25 MR. CUPPLES: Okay. While we're

1 waiting for folks to formulate their questions,  
2 I can start my webcam for this part here. So,  
3 there -- there is one about an update on the  
4 status of a sidewalk request from Kenhowe Drive  
5 to Rannoch Road and Goldsboro Road.

6 MS. MAIN: The Rannoch Road -- the one  
7 from Kenhowe to Rannoch, that one was not  
8 updated recently because the field investigation  
9 has not yet been performed on that one.

10 MR. CUPPLES: Okay. So, we're still -  
11 - we're still waiting on the field investigation  
12 to be complete before getting back with the  
13 folks who initiated that particular request.

14 MS. MAIN: Yes.

15 MR. CUPPLES: Okay. I'm scanning  
16 through now. So, the next question in the chat  
17 box -- and then we'll get the folks who have  
18 raised their hands -- is will the county  
19 consider a 4-foot wide sidewalk. And I think,  
20 you know, it's an interesting proposal. It  
21 depends. Generally, there's a lot of discussion  
22 offered in folks' testimony about the Americans  
23 with Disabilities Act and what it requires and,  
24 you know, there's minimum requirements, which,  
25 you know, if you absolutely had to neck it down

1 to the absolute minimum possible, folks were  
2 correct. That is, you know, a 3-foot as long as  
3 you have certain passing zones every so often so  
4 that two wheelchairs could pass. There are also  
5 ADA best practices that are there as well and  
6 that the 5-foot is an ADA best practice. And  
7 so, we generally try and follow the best  
8 practice when we can unless there are, you know,  
9 circumstances that might prevent that for some  
10 reason. So, I think, you know, there's been a  
11 good deal of testimony offered to that effect  
12 this evening and I think, you know, that the  
13 hearing officer -- I don't want to speak for Mr.  
14 Dorsey -- I think he would consider that  
15 testimony in making your final recommendation to  
16 the director. Is that a fair statement?

17 MR. DORSEY: Absolutely. All  
18 comments will be considered.

19 MR. CUPPLES: Okay. Nick Y has a hand  
20 raised to ask a question.

21 MS. MAIN: Nick, you're unmuted.

22 MR. YOON: Hey. I'll be brief because  
23 I know folks have actual questions. I just  
24 wanted to say thank you to the folks from the  
25 county. I've lived in Montgomery County for



1 over ten years -- fifteen years now -- I've  
2 never really engaged with the county on items  
3 like this and I just wanted to say I appreciate  
4 you all. It's late at night, we're in the  
5 middle of a pandemic, you're doing this via  
6 webcam, and I particularly just wanted to thank  
7 Lori Main as well as sort of the public-facing  
8 person here on the program. She, you know,  
9 plays it down the middle, doesn't favor either  
10 side, but is incredibly response, and I just  
11 wanted to thank you all as kind of county  
12 employees and public officials for your time.

13 MR. CUPPLES: Thank you for those kind  
14 words, and I'll second that Lori does a great  
15 job.

16 Let's see, I'm skimming through the  
17 questions pod. I'm not sure I see any other  
18 specific questions. Was there anything that we  
19 missed, Lori?

20 MS. MAIN: I don't believe so, but it  
21 looks like two people are typing currently.

22 MR. CUPPLES: Okay. We'll give them a  
23 chance to type. Oh, there is a question there.  
24 Do you know how many trees would be impacted if  
25 permeable pavement would be used, and it's hard

1 to say without looking at it. I mean, there was  
2 a lot of discussion about permeable pavement and  
3 at times -- so, allow me to kind of explain how  
4 all that works, all right? So, it's a special  
5 design -- whether it's asphalt or concrete or  
6 we've even started experimenting with some other  
7 innovative materials recently. It allows water  
8 and air to flow through. The thing that you  
9 have to consider though is that, you know, in a  
10 normal concrete sidewalk, you're directing that  
11 whatever runs to the side into the curb and  
12 gutter and then into the storm drain, and in a  
13 pervious pavement, you're actually having it  
14 flow down through the concrete into the subgrade  
15 and it actually recharges the ground water. And  
16 so, there's, you know, great environmental  
17 benefits when you look at constructing a  
18 sidewalk that way. The problem with it is --  
19 not that it's a problem -- it's just a design  
20 consideration is probably a better way of  
21 phrasing it. The design consideration is the  
22 underlying soils, how quickly they percolate and  
23 we have a lot of marine clays in Montgomery  
24 County. You know, Montgomery County used to be  
25 at the bottom of the Atlantic Ocean and

1 especially the further east you go -- Prince  
2 George's County is all marine clays -- and they  
3 -- they don't infiltrate water all that well,  
4 and so, what you have to do is you have to  
5 excavate and put in stone underneath that. You  
6 know, you calculate how much water is going to  
7 end up there and you, you know, you put stone  
8 underneath the sidewalk with voids so there's a  
9 place for that water to go so that it doesn't,  
10 you know, just fill up the voids in the sidewalk  
11 and create puddles.

12 So, kind of a long-winded answer just  
13 to say that there's a lot of -- a little bit of  
14 engineering that has to go into figuring out,  
15 you know, how deep that additional excavation  
16 would be and what impact that would have on the  
17 tree roots. You know, you might -- where a 4-  
18 inch sidewalk with a little bit of stone, you  
19 know, if you start going down, you know, deeper,  
20 most of the tree roots are within the top 12  
21 inches of the soil for many of the species that  
22 we have in this area. So, it can be  
23 counterproductive for the tree impacts. But,  
24 you know, they were -- they were good comments  
25 for folks to make and certainly things that I

1 think the hearing officer and the project team  
2 can take a -- can revisit, take a good look at,  
3 and see what, you know, what kind of flexibility  
4 there might be. You know, it all -- everything  
5 is kind of a case-by-case basis, as it depends  
6 on the materials that are actually present on  
7 the given site.

8 MR. DORSEY: Does anyone else have  
9 questions?

10 MR. CUPPLES: Go ahead, Mr. Dorsey.

11 MR. DORSEY: Oh, I was just asking if  
12 there's any other additional questions. Hearing  
13 none, this will conclude our hearing.

14 We will keep the record open for three  
15 weeks. Comments and written testimony are due  
16 by Wednesday, February 3rd by 6 p.m. Additional  
17 written testimony may be submitted by E-mail,  
18 regular mail, and must be received or postmarked  
19 by the close of the hearing record. Submissions  
20 should be received and sent to Lori Main, Annual  
21 Sidewalk Program, Division of Transportation  
22 Engineering, Montgomery County Department of  
23 Transportation at 100 Edison Park Drive, 4th  
24 Floor, Gaithersburg, Maryland, 20878, fax number  
25 240-777-7277, or E-mail at

1 DTE.sidewalk@montgomerycountymd.gov or  
2 Lori.Main@montgomerycountymd.gov.

3           Again, I thank everyone for their  
4 comments and testimony. Thank you for  
5 participating in our public hearing, and this  
6 concludes the hearing.

7 [Whereupon the hearing was concluded.]

8 [Off the record at 9:17 p.m.]

9           CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC

10           I, Jamie Lorete, the officer before whom the  
11 foregoing proceeding was taken, do hereby  
12 certify that said proceedings were  
13 electronically recorded by me; and that I am  
14 neither counsel for, related to, nor employed by  
15 any of the parties to this case and have no  
16 interest, financial or otherwise, in its  
17 outcome.

18           IN WITNESS WHEREOF, I have hereunto set my  
19 hand and affixed my notarial seal this 13th day  
20 of January, 2021.

21 Jamie Lorete, Notary Public for the State of  
22 Maryland

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CERTIFICATE OF TRANSCRIBER

I, Pamela A Flutie, do hereby certify that the foregoing transcript is a true and correct record of the recorded proceedings; that said proceedings were transcribed to the best of my ability from the audio recording and supporting information; and that I am neither counsel for, related to, nor employed by and of the parties to this case and have no interest, financial or otherwise, in its outcome.



\_\_\_\_\_  
Pamela A. Flutie

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