

OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS  
FOR MONTGOMERY COUNTY

-----X  
: APPLICATION OF BRANDYWINE :  
: SENIOR LIVING AT POTOMAC, LLC : Case No. CU 16-01  
: :  
: :  
-----X

A hearing in the above-entitled matter was held on November 6, 2015, commencing at 9:37 a.m., at the Stella B. Werner Council Office Building, 100 Maryland Avenue, Second, Floor, Rita Davidson Memorial Hearing Room, Rockville, Maryland 20850 before:

Martin L. Grossman

Hearing Examiner

A P P E A R A N C E S

On Behalf of the Petitioner:

Erin E. Girard, Esq.

Stephen Z. Kaufman, Esq.

Linowes and Blocher LLP

7200 Wisconsin Avenue, Suite 800

Bethesda, Maryland 20814

On Behalf of the Opposition:

William J. Chen, Jr., Esq.

Chen & McCabe, LLP

200A Monroe Street, Suite 300

Rockville, Maryland 20850

Exhibit No. (Continued)

Marked/Received

90A	11 x 17 Version of Aerial Photo of Existing Site	125
91	Planning Board Resolution Approving Preliminary Forest Conservation Plan	134
92	Turnaround Detail Exhibit	141
92A	11 x 17 Version of Turnaround Detail Exhibit	141
93	BOA Opinion Granting Special Exception in S-1289, Manor Care, 11/25/86	166
94	Google Untouched Aerial View	284
94A	11 x 17 Version of 94 A	284

C O N T E N T S

Witnesses:	Direct	Cross	Redirect	Recross
Brenda J. Bacon				
By Ms. Girard:		41		
By Mr. Uhre:			57	
By Mr. Chen:			73	
Joshua Sloan				
By Ms. Girard:	117			216
By Mr. Chen:		171		221
By Mr. Uhre:			188	
Hal Bolton				
By Ms. Girard:	225			283
By Mr. Chen:		251		285
By Mr. Uhre:			279	

E X H I B I T S

Exhibit No.		Marked/Received
1-87		Premarked
88	Affidavit of Posting	11
89A	Support Letter of Gary Williams	53
89B	Support Letter of Gail Davis	53
89C	Support Letter of Irving and Carol Yoskowitz	54
89D	Support Letter of Jim McWhorter	54
90	Aerial Photo of Existing Site	122

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

2 MR. GROSSMAN: This is a public hearing in the  
3 matter of Brandywine Senior Living at Potomac, LLC. It's  
4 Conditional Use 16-01. They're petitioning for a  
5 conditional use under Zoning Ordinance Section  
6 59.3.3.2.E.2.C. Sorry, that's the way they, they label it.  
7 To establish a residential care facility consisting of 140  
8 beds for seniors needing assisted living and memory care.  
9 The subject site constitutes a 4.02 acre property identified  
10 as Parcel A of the Potomac Tennis Club located at 10800  
11 Potomac Tennis Lane, approximately 600 feet north of the  
12 intersection with Maryland 189, Falls Road in Potomac,  
13 Maryland. It is in the RE-2 Zone.  
14 This is a hearing conducted by the Office of  
15 Zoning and Administrative Hearings, and I, as the Hearing  
16 Examiner, my name is Martin Grossman, I will render a report  
17 and decision in the case.  
18 Will the parties identify themselves, please, for  
19 the record?  
20 MR. KAUFMAN: Good morning, Mr. Examiner. I'm  
21 Steve Kaufman with the law firm of Linowes and Blocher.  
22 MR. GROSSMAN: Mr. Kaufman.  
23 MR. KAUFMAN: And with me, a person you know, is  
24 my law partner, Erin Girard. Erin will present the case to  
25 you today on behalf of our client, Brandywine.

Page 6

1 MR. GROSSMAN: All right. Sir.  
2 MR. CHEN: Good morning, Mr. Examiner. My name is  
3 Bill Chen. I'm legal counsel for Dr. and Mrs. Ronald Paul,  
4 adjacent property owners.  
5 MR. GROSSMAN: All right. Sir, you are?  
6 MR. CHEN: This gentleman is one of our witnesses.  
7 MR. GROSSMAN: I see.  
8 MR. CHEN: And this is Dr. and Mrs. Paul.  
9 MR. GROSSMAN: All right. Is Mr. Uhre, here?  
10 Sir, will you step forward, please, and grab a chair at the  
11 end. Mr. Uhre, will you state your full name and address  
12 for the record?  
13 MR. UHRE: Yes. My name is Curtis Uhre. I live  
14 at, I live at 8513 Brickyard Road in Potomac, Maryland.  
15 MR. GROSSMAN: All right. And you are here today  
16 on behalf of?  
17 MR. UHRE: I'm here today on behalf of myself,  
18 individually, and later intend to give narrative testimony  
19 on behalf of the Brickyard Coalition, --  
20 MR. GROSSMAN: Okay.  
21 MR. UHRE: -- Inc., if that's permitted by the  
22 Examiner.  
23 MR. GROSSMAN: Yes. And you are the president of  
24 the Brickyard Coalition?  
25 MR. UHRE: Now the chairman.

Page 7

1 MR. GROSSMAN: Chairman. Okay. All right.  
2 And I see that we also have a lot of people in the  
3 audience. I'd like to know if there are others here who  
4 wish to give testimony? I see a hand in the back. Madam.  
5 MS. LEE: Good morning. My name is Suzanne Lee.  
6 I'm the current president of the West Montgomery County  
7 Citizens Association and I'll be presenting their testimony.  
8 MR. GROSSMAN: All right. West Montgomery County  
9 --  
10 MS. LEE: Citizens Association.  
11 MR. GROSSMAN: Citizens Association. And how do  
12 you spell your last name, Ms. Lee?  
13 MS. LEE: L-E-E.  
14 MR. GROSSMAN: Okay. Are you for, opposed or just  
15 commenting?  
16 MS. LEE: We're opposed.  
17 MR. GROSSMAN: Okay. Anybody else in the audience  
18 who wishes to speak today? Seeing no hands --  
19 MR. UHRE: Mr. Examiner.  
20 MR. GROSSMAN: Yes, sir.  
21 MR. UHRE: There, there are two other people. I  
22 think one through Ms. Conway or Mrs. Conway wrote to your  
23 staff saying that she had an incident with a child and may  
24 be able to testify later today. And a Mr. Duncan also can't  
25 be here this morning, but may, but will likely be here this

Page 8

1 afternoon and would like to give brief testimony.  
2 MR. GROSSMAN: I'm not excluding anybody. If they  
3 are here while the hearing is going on, --  
4 MR. UHRE: Okay.  
5 MR. GROSSMAN: I'm sure we'll be able to fit them  
6 in, assuming we, I'm not even sure we'll finish today, but,  
7 but we certainly accommodate members of the community. In  
8 fact, often with the consent of the applicant who usually  
9 goes first in these matters, if there are citizens who are  
10 here who wish to offer testimony, have a tight schedule and  
11 want to do it out of order, we usually accommodate that.  
12 Would that, Ms. Girard, would that be --  
13 MS. GIRARD: That's fine.  
14 MR. KAUFMAN: That's fine.  
15 MR. GROSSMAN: All right. So any of the citizens  
16 here who wish to go first? No. Okay. All right.  
17 Let me deal with some preliminary matters. Let me  
18 explain a little bit about the nature of these proceedings.  
19 It's a combination of formality and informality. It's  
20 formal in the sense that we operate pretty much the way a  
21 courtroom operates. Each witness is sworn in and is subject  
22 to cross-examination. We have Rules of Evidence. We have a  
23 court reporter who takes everything down and a transcript of  
24 these proceedings will be available on our website. So we,  
25 we operate pretty much that way. We're just a little bit

Page 9

1 more relaxed than a courtroom.  
2 This is a case, an application for a conditional  
3 use. For many years under the old Zoning Ordinance, it was  
4 called a special exception, which is a kind of misnomer  
5 because it's really not a special exception which implies a  
6 variance. A conditional use is a use that's permitted under  
7 the Code if certain conditions are met and they are  
8 specified in the Code. And I'm not here to decide whether  
9 or not there is some better use that could be put to this,  
10 this property than is being proposed here. Whether it be  
11 tennis courts or houses or anything like that. I'm here to  
12 evaluate whether or not the proposed use here meets the  
13 requirements of the Zoning Ordinance. And some of those  
14 requirements are general and they apply to all special, all  
15 conditional uses and others are specific to this type of  
16 conditional use.  
17 All right. Let me get to some more specific  
18 things. Ms. Girard, as you, as we had a little email  
19 exchange which I sent to the other parties, I would like you  
20 to have a witness who will identify your north directional  
21 on the last exhibit that you, you filed, the rendered aerial  
22 photo. So I don't quite understand how that is supposed to  
23 work.  
24 Secondly, if there are any new plans, comments or  
25 whatever that are introduced today, electronic copies must

Page 10

1 be supplied in Word or a text searchable PDF for any text  
2 documents and in PDF for any other kinds of images although  
3 you could use for photos you could use JPG.  
4 The Technical Staff Report, that is, the report of  
5 the Technical Staff of the Maryland National Capital Park  
6 and Planning Commission is automatically part of this record  
7 as is the Planning Board's letter to me. The Minutes and  
8 the testimony before the Planning Board are not  
9 automatically part of our record.  
10 Okay. And my last matter that I wanted to raise,  
11 I would like, Ms. Girard, for you to address the various  
12 points that the, your witnesses address, the various points  
13 raised by the opposition. Not only the Brickyard Coalition,  
14 but by the numerous individuals who filed letters in this  
15 case.  
16 MS. GIRARD: Um-hmmm.  
17 MR. GROSSMAN: Are there any other preliminary  
18 matters? First, Ms. Girard.  
19 MS. GIRARD: Just, I wanted to submit the  
20 Affidavit of Posting.  
21 MR. GROSSMAN: Okay. Thank you. An Affidavit of  
22 Posting is an affidavit that the applicant submits to  
23 demonstrate that it has complied with the requirement of  
24 having a sign posted in the appropriate location noting the  
25 pendency of this application. This will be Exhibit 88.

Page 11

1 Affidavit of Posting.  
2 (Hearing Exhibit No. 88 was  
3 marked for identification.)  
4 Anything else?  
5 MS. GIRARD: No.  
6 MR. GROSSMAN: All right. Mr. Uhre, do you have  
7 any preliminary matters you wish to raise?  
8 MR. UHRE: Was, was there a new letter of  
9 authorization filed? I thought there was a request for a  
10 new letter of authorization.  
11 MR. GROSSMAN: Yes. There was a, an affidavit  
12 filed by Helen --  
13 MS. GIRARD: Marshall.  
14 MR. GROSSMAN: Marshall. Indicating that she is  
15 the sole owner of the, or that she is the, the sole  
16 stockholder, I guess, in the, the entity that owns the  
17 property and she authorizes these proceedings.  
18 MR. UHRE: Okay. Thank you.  
19 MR. GROSSMAN: And that's Exhibit 83, I think.  
20 MS. GIRARD: Yes. 83. Yes.  
21 MR. GROSSMAN: Yes. 83A is the affidavit itself.  
22 All right.  
23 Mr. Chen, any preliminary matters?  
24 MR. CHEN: Yes. Mr. Examiner, I've got several  
25 actually. I'm going to handle these in a, in a what I hope

Page 12

1 is a logical order, but --  
2 MR. GROSSMAN: That'll be refreshing for a hearing  
3 room.  
4 MR. CHEN: It's refreshing for me. But seriously,  
5 these preliminary matters, Mr. Grossman, will be in the  
6 nature of either a summary disposition on, on at least one  
7 issue, but one also would be, I think, analogous to a motion  
8 in limine that are more common in a judicial proceeding.  
9 But I think they, it would be applicable in this proceeding.  
10 Let me get into it and I, I'll explain as I go along on  
11 that.  
12 MR. GROSSMAN: All right.  
13 MR. CHEN: A while back you denied a request by  
14 Brickyard, I think it was Brickyard or Mr. Uhre,  
15 individually. I'm not sure whether it was both, but --  
16 MR. GROSSMAN: I think individually.  
17 MR. CHEN: -- it, it was on the occasion of the  
18 filing of what I believe on September 15th was Exhibit 54.  
19 I, I think I'm right on that. It was a series of exhibits  
20 that were filed by the applicant.  
21 MS. GIRARD: 39.  
22 MR. CHEN: I think it was --  
23 MS. GIRARD: 39.  
24 MR. CHEN: Maybe it's 39. Yeah, I think it was  
25 that filing that precipitated Mr. Uhre's opposition and

Page 13

1 request for a postponement in light of it. That date,  
2 frankly, is significant for what I'm about to say. At that  
3 time, I, about then I entered my appearance and my cover  
4 letter said we joined with Mr. Uhre's position on that.  
5 MR. GROSSMAN: Yes.  
6 MR. CHEN: I bring to your attention that that  
7 filing was on September 18th. Now, you have had a filing  
8 recently. I think it was on the 29th of October of a, an  
9 exhibit that is, I'm just trying to pull something out here.  
10 It's a site, it's, it's an extended site section. Okay.  
11 Now, there was --  
12 MR. GROSSMAN: Is that the one showing the  
13 distance to the Paul's residence? Is that what you're  
14 talking about?  
15 MR. CHEN: Well, yeah. It, it has some notations  
16 on it. I don't know if I would agree with the word  
17 distance, but it, it purports to depict a section with the  
18 distances. I don't know whether you've got it as an  
19 exhibit, but I sent a letter to Ms. Girard about that  
20 document because it was filed pertaining to my clients and  
21 no one else. No other parties. No other properties. It  
22 purports to show a, a depiction of some relationship,  
23 accurate or not, but it's directed to my clients. I sent a  
24 letter to Ms. Girard and I want to put this in the record.  
25 What's your next number?

Page 14

1 MR. GROSSMAN: The next number is 89, but I may  
2 already have it. If you sent a copy to us, it would be in  
3 our file. So.  
4 MR. CHEN: Okay. This would be, I haven't looked  
5 at my list, but it was a letter of October 29. I did copy  
6 your office, OZAH, with it.  
7 MR. GROSSMAN: Yes. Letter, letter, it's Exhibit  
8 77.  
9 MR. CHEN: Thank.  
10 MR. GROSSMAN: Letter from Mr. Chen to Ms. Girard  
11 requesting clarification on the horizontal and vertical  
12 scale of the extended site section --  
13 MR. CHEN: Got it.  
14 MR. GROSSMAN: Attachment A, and elevation,  
15 Attachment B, sent with this letter of 10/21/15 and the date  
16 submitted to the Planning Department. And whether the  
17 graphic scale contained in the new elevation submitted on  
18 10/28/15 to Mr. Grossman indicates both horizontal and  
19 vertical measurements.  
20 MR. CHEN: Thank you.  
21 MR. GROSSMAN: That's the letter?  
22 MR. CHEN: Yes. Thank you.  
23 MR. GROSSMAN: My staff is very good about taking  
24 these things down.  
25 MR. CHEN: I received on October 29 a response to

Page 15

1 my letter and what is significant about it is the first time  
2 I saw anything like this was at the Planning Board hearing  
3 about a week ago. And I was flummoxed because I had been  
4 through your record and thought, you know, I'd gotten copies  
5 of a lot of the exhibits and I hadn't seen it. And I think  
6 a transcript of the proceeding before the Planning Board  
7 would reflect my confusion. As a, and it was cleared up.  
8 But that precipitated my letter because it hadn't been in  
9 your file and it was being considered by not only the staff  
10 in their report and analysis, but the Planning Board and my  
11 experience if it's before them, it's got to be before you.  
12 And so they're going to be looking at it.  
13 Now, in response to my letter, Ms. Girard said  
14 that the profile was filed with the Staff on September 9th.  
15 Now that's before this major filing at Exhibit, I guess,  
16 it's 39. And it wasn't included in that. And so, I get it  
17 on the 29th. And by the way, just as a minor footnote, the  
18 document that was before the Planning Board and the Staff is  
19 not quite exactly the same as the document that you've got  
20 which is Exhibit, oh, dear, I apologize Madam Reporter, but  
21 I've got to get over here to my case.  
22 MR. GROSSMAN: This is the site section --  
23 MR. CHEN: Yeah.  
24 MR. GROSSMAN: -- in the document that was  
25 supposed to be filed?

Page 16

1 MR. CHEN: Yes. It was Exhibit 79 I.  
2 MR. GROSSMAN: Okay. Yes.  
3 MR. CHEN: Now, I've got to get ready for a  
4 hearing today. I get this document a week ago. I'm trying  
5 to deal with this document. Now I, you made a comment  
6 earlier today about whether we're going to conclude today,  
7 but I'm raising this issue preliminarily that, and I'm  
8 telling the Examiner for the record that it is, and I've  
9 tried, by the way, to contact consultants on behalf of my  
10 clients to deal with this document. Meaning by that, when I  
11 say deal with, to interpret it and, frankly, to see what  
12 service they can provide my clients in responding to this  
13 document and where I'm going with this and it also goes with  
14 the other, a couple other matters that I can't deal with  
15 this today and at the very least, because I know you're not  
16 going to dismiss the application based on this, I'm going to  
17 need some time to deal with this. I don't think it's fair  
18 to give it in this file a week ago. And I heard it just  
19 Thursday before that. Because this deals specifically with  
20 my client and I need an opportunity to respond to it. So  
21 that's, that's number one.  
22 MR. GROSSMAN: Well, what in, what kind of  
23 response are you talking about? It is, just so everybody  
24 knows what we're talking about.  
25 MR. CHEN: Yeah.

Page 17

1 MR. GROSSMAN: This is extended site section --  
2 MR. CHEN: Yeah.  
3 MR. GROSSMAN: -- showing a distance from the  
4 Pauls' residence to the property line and then to the  
5 building.  
6 MR. CHEN: Yes.  
7 MR. GROSSMAN: And you're talking about  
8 challenging the distance that's measured or, or what?  
9 MR. CHEN: I'm, I'm going to be challenging, or  
10 no, I think I'm going to be able to successfully challenge  
11 the accuracy of what that document purports to depict.  
12 MR. GROSSMAN: Okay.  
13 MR. CHEN: Okay. And I'm, I'm trying to find  
14 services for that. And what I'm saying to you, this is  
15 prejudicial to my client unless my client has an opportunity  
16 to respond to it. And if we're not going to finish today,  
17 we're probably fine. But if you're going to close the  
18 record on this day, I am noting objection to going forward  
19 without affording my client a reasonable time to respond to  
20 it.  
21 MR. GROSSMAN: Well, let me hear from applicant's  
22 counsel on this point specifically.  
23 MS. GIRARD: Sure. The, yes, I did respond as to  
24 when we had submitted it. The first submission was in  
25 September at the request of Staff. Coming out of a meeting,

1 they asked for a cross-section to give them a sense of  
 2 relationship. We submitted that to them. I've never  
 3 understood the case to be that absolutely everything that  
 4 Staff requests needs to go into the formal record with the  
 5 Hearing Examiner. Be that as it may, we did submit it  
 6 formally. We actually put the distance on there at the  
 7 request of Ben Berbert's staff. We submitted to it. And it  
 8 appeared as attachment to his October 5th Staff Report. So  
 9 it has been a matter of public record since October 5th.  
 10 Around that same time, our client reached out the Paul's  
 11 directly to see if they wanted to sit down and talk about  
 12 the relationships and talk about the cross-section. And  
 13 that, that offer was rebuffed. So for Mr. Chen to, to say  
 14 that he needs time to review this when it's actually been  
 15 out over a month, is a little disingenuous.  
 16 MR. GROSSMAN: Well, let me turn back to Mr. --  
 17 MS. GIRARD: The other thing is, can I just  
 18 finish.  
 19 MR. GROSSMAN: Sure.  
 20 MS. GIRARD: He also purports at least in his pre-  
 21 filing statement that he was going to call an expert  
 22 engineer. So I don't understand why, if it's a matter of  
 23 measurement, why the engineer can't just scale it off. I  
 24 mean our, certainly our, our consultants can speak to that  
 25 and the accuracy of it, but it is gone to scale. It should

1 just be a pretty easy computation.  
 2 MR. GROSSMAN: Mr. Chen, you want to respond to  
 3 those two replies.  
 4 MR. CHEN: Well, first of all, the scale from the  
 5 preliminary information that I had received from an engineer  
 6 is that it's not accurate with the scale. Okay. But  
 7 leaving, leaving that aside for a moment. I do acknowledge  
 8 that Ms. Girard and Mr. Kaufman wanted to assuage my  
 9 clients' concerns. They were not rebuffed. You know. It  
 10 was quite simply we have a disagreement. My clients had  
 11 seen the situation, what is proposed, and the proposal was  
 12 screening. And from my clients' point of view, that was not  
 13 going to assuage their concerns. So, you know, it was that  
 14 simple back and forth. My understanding is that if the  
 15 Technical Staff and the Planning Board is going to rely upon  
 16 information to make a recommendation to either the Examiner  
 17 or the Board of Appeals that that information has to be in  
 18 the OZAH record. And it has to be timely in the OZAH  
 19 record. And this information was not timely in the OZAH  
 20 record. I will tell you that the document that was on that  
 21 original Staff Report was very similar to what was finally  
 22 filed, but it was not identical to what was finally filed.  
 23 In fact, as I recollect, there were two different versions  
 24 and I refer to them as A and B in my letter to Ms. Girard.  
 25 And the point that I am making is that even accepting her

1 date, that is not sufficient time. My clients are  
 2 prejudiced because part of the issue involved here and quite  
 3 frankly, if you recall my comment to you about your use of  
 4 the word distance, it is that in order to properly depict  
 5 the relationship, you need a survey. That information is  
 6 not off a survey. And in my search for a consultant to  
 7 respond to this, first of all, good luck finding one in  
 8 Montgomery County. I mean, as the Examiner may know --  
 9 MR. GROSSMAN: Well, let's, let's not too far  
 10 afield here.  
 11 MR. CHEN: Yeah. Aside from that.  
 12 MR. GROSSMAN: Let's, let's stick to the issue.  
 13 MR. CHEN: The timing on getting a survey crew out  
 14 there, you're probably looking at three to four weeks, I  
 15 understand from my inquiries to have this document analyzed.  
 16 So, you know, it doesn't make any difference. My clients  
 17 are still on the timing on this thing, on this filing  
 18 prejudiced. So if we don't finish today, I don't think  
 19 there's, knock on wood, I hope it will not be a problem.  
 20 But if we're finishing up today, my clients are prejudiced  
 21 by this filing. Now it is a late filing and I think that's  
 22 all I have to demonstrate. That, to show the prejudice to  
 23 my clients.  
 24 MR. GROSSMAN: Okay. Let me say a couple of  
 25 things. One is that if the Technical Staff and the Planning

1 Board rely on something in, in their, reaching their  
 2 findings and conclusions, yes, it does have to be part of  
 3 our record.  
 4 Secondly, Ms. Girard, are you referring to  
 5 Attachment 20 as being, to the Technical Staff Report as  
 6 being the prior filing of this? The, that it was available,  
 7 the Technical Staff Report was issued on October 2.  
 8 MS. GIRARD: Yes.  
 9 MR. GROSSMAN: Okay. And, and I presume, Mr.  
 10 Chen, that the difference that you're suggesting between the  
 11 two documents, Exhibit 79 I has a scale on it and shows the  
 12 distances whereas the extended site section that's attached  
 13 to the Staff Report does not. Is that correct?  
 14 MR. CHEN: Yes. You got it. That, that's part  
 15 of, that's why my, my letter was worded the way it was.  
 16 MR. GROSSMAN: Okay.  
 17 MR. CHEN: Trying to figure out what, what's going  
 18 on there.  
 19 MR. GROSSMAN: All right.  
 20 MR. CHEN: Yeah. You've got it. That, that,  
 21 excuse me. That is, you have identified my concern between  
 22 the two documents.  
 23 MR. GROSSMAN: I'll make sure that, that the  
 24 record remains open for a reasonable time after this hearing  
 25 if it terminates today so that you can file something in

Page 22

1 reply.

2 MR. CHEN: In that same letter, among the reports

3 that you have is the reference to, I think it's in one of

4 VIKA's, I think it's VIKA's Environmental Report, is a

5 concept sediment control plan. My understanding is we got

6 that last week. Ms. Girard kind of said, you know, here it

7 is. I'll bring it, you know, I don't see the importance of

8 it. Well, VIKA respond, relies on it. Talks about it. I'm

9 reading the report a week ago, trying to understand it.

10 Trying to understand what's going on. And that's why I sent

11 my letter. We have another filing that comes in a week

12 before the hearing. Now, and, and on that one, I'm hoping

13 we can deal with that during the course of the hearing.

14 I'm, I understand the interest in trying to conclude

15 matters. I respect that. But this is, this is not fair to

16 people who are concerned, the opposition. It, it echoes

17 what Mr. Uhre was saying that things come in, you know,

18 during the course. They may be minor revisions that the

19 Staff wants or Park and Planning. It doesn't matter. I

20 mean people who are concerned about it try to address a

21 moving target. And, you know, that is my, my problem with

22 this type of filing. Be that as it may, we're going to try

23 to work, and I know Mr. Uhre feels the same. We're going to

24 try to work with the process, but this is a concern.

25 MR. GROSSMAN: Okay. Let me hear, Ms. Girard, do

Page 23

1 you want to say anything on this point?

2 MS. GIRARD: Right. I just, that's fine. It was

3 an oversight on our part that it was even mentioned in the

4 Engineering Reports. I, I, it's a pretty simple exhibit. I

5 agree with, I hope we can deal with it in these proceedings.

6 Certainly the engineer can talk through it. Answer any

7 questions. I just don't see that that's going to, an

8 exhibit, that that's straightforward, is going to

9 necessitate the record being held open much longer.

10 MR. GROSSMAN: Mr. Uhre, do you have anything to

11 say about these two points?

12 MR. UHRE: Well, I would agree with Mr. Chen that

13 the documents are obviously different and I think that it

14 does, if I were sitting in Dr. and Mrs. Paul's shoes, I

15 would be very concerned about it because I think they're the

16 ones that are going to have the greatest risk in this whole

17 proposal. I just feel, I would add to that this whole

18 traffic information that was placed into the record by the

19 Planning Office --

20 MR. GROSSMAN: Well, that's a separate point. I

21 want to, I want to --

22 MR. UHRE: Right. Okay. On this particular

23 point?

24 MR. GROSSMAN: Yes.

25 MR. UHRE: Yeah. I would, I would agree with,

Page 24

1 with Mr. Chen in the sense that the document is a bit

2 different. I think they're very important and I think

3 there's some other documents that, there's some other areas

4 of this where documents haven't been provided. But as to

5 that point, I would agree with Mr. Chen.

6 MR. GROSSMAN: Okay. I don't want to leave Ms.

7 Lee out of this. Ms. Lee, did your organization file

8 anything in reference to this case with my office?

9 MS. LEE: No we have not.

10 MR. GROSSMAN: Okay. Well, then I'm not going to,

11 I was going to invite you to counsel table, but I'm not

12 going to for that, for that reason. Okay. Because usually

13 there, under the Rules, if an organization is going to

14 appear here, I usually, there's requirement of advance

15 notice. Not for individuals. Individuals can just show up

16 at the day of hearing and can testify and make their points.

17 I'm not ruling you out as a witness. We'll reach that point

18 later when, you know, we get to that point if you want to

19 offer testimony. And we'll see if there's any objection to

20 it. But in terms of your participating at counsel table in

21 the way that I have Mr. Uhre, I'm going to make that

22 distinction.

23 MS. LEE: If I might just, I did specifically ask

24 about that because when I read the Rules, I wanted to make

25 sure that we were in compliance with them, but I was

Page 25

1 reassured that if we were not bringing witnesses that we

2 were not going to be participating in any way for cross-

3 examination. I'm just presenting narrative testimony that I

4 need to as a witness. And that, I apologize if I need to do

5 more than that.

6 MR. GROSSMAN: Okay. You're saying that my staff

7 reassured you that, that you didn't have to file anything at

8 all if you were going to be presenting narrative on behalf

9 of an organization?

10 MS. LEE: That's correct. That I could just come

11 today and, and I specifically asked because at, at the

12 Planning Board and at the Council they have very strict

13 requirements about timing, the numbers of copies and I

14 wanted to make sure that I was consistent with those

15 requirements and obviously we'll do whatever we need to do

16 today.

17 MR. GROSSMAN: All right.

18 MS. LEE: Thank you.

19 MR. GROSSMAN: Thank you. Okay. Yes. Mr. Chen.

20 MR. CHEN: Moving on. Unless --

21 MR. GROSSMAN: All right. Yes. As far, was that,

22 the question of whether or not the concept sediment control

23 plan timing is an issue, as you said, we'll develop during

24 their, and I'll, I will certainly make sure that all sides

25 have a fair opportunity to comment on, on evidence.

1 MR. CHEN: This next issue really is in the  
 2 nature, I think, of summary disposition. And I think it's a  
 3 very serious issue and it flows into what I also think is  
 4 probably accurately described as a motion in limine type of  
 5 motion. Two matters. There's no factual dispute before you  
 6 this morning that the entire presentation application is  
 7 premised upon the existence of the special exception for the  
 8 tennis club. All of the decisions are, I think it's Exhibit  
 9 54 in the record. I could be mistaken on that. But when I  
 10 went through your file, they're all there. There's the  
 11 decision, the base decision, I think, on the swimming pool,  
 12 which is associated with that special exception, is a  
 13 separate special exception and I don't think the base  
 14 decision on that is included in that exhibit. I, if you  
 15 want, we'll give it to you, but all, my understanding is  
 16 that, and I don't know who filed them, but all of the  
 17 special exception opinions on the tennis club have been  
 18 filed and are in the record. And the presentation, you  
 19 know, Mr. Uhre made a comment about the traffic. That's a  
 20 good example. It compares the proposed traffic from this  
 21 conditional use with the existing traffic at the special  
 22 exception. The storm water management plan talks about how  
 23 they're improving by, is very careful about how they're  
 24 improving the setting by moving things from the tennis  
 25 court, existing operation to the other side of the property

1 to my clients' side. That's a phantom. As a matter of law,  
 2 the analysis of this conditional use should ignore the  
 3 tennis court special exception because, and the applicant is  
 4 very candid about this, I think, upon approval of this  
 5 conditional use that is before you, the tennis court is  
 6 gone. It's going to, the word is it's going to supplant  
 7 that existing land use. Accordingly, the analysis to what  
 8 is going on now on the site by the tennis court special  
 9 exception is irrelevant to the implication and the impact of  
 10 the proposed special exception on the neighborhood. And in  
 11 this regard, the analysis should be the base RE-2 Zone on  
 12 the subject property and what is there was a permitted use  
 13 on the site because this special exception which is now the  
 14 base for the evaluation that is before you and has been  
 15 submitted, it's going to, as I say, it's a phantom. It's  
 16 going to be gone. It's not a realistic evaluative context.  
 17 So that virtually this whole presentation, and it's not an  
 18 issue of fact, this is straight law is irrelevant to the  
 19 application and it should either dismissed or, you know, the  
 20 applicant, and I hate to say this, be afforded an  
 21 opportunity to amend and, and make the proper evaluation.  
 22 But, please, I --  
 23 MR. GROSSMAN: Are you talking about, let, let me  
 24 understand which evaluation you are talking about. You're  
 25 talking about the traffic evaluation?

1 MR. CHEN: I'm talking about everything that  
 2 they're, they're --  
 3 MR. GROSSMAN: Because I don't think there's any  
 4 dispute that the tennis court and the, the present existing  
 5 special exception is irrelevant in terms of the  
 6 compatibility issues that arise for this building.  
 7 MR. CHEN: Yeah.  
 8 MR. GROSSMAN: So that's most of their  
 9 presentation, I suspect. So your point does not go to that  
 10 really.  
 11 MR. CHEN: Well, it does go to that. Well --  
 12 MR. GROSSMAN: Your point really goes --  
 13 MR. CHEN: -- I include that. Excuse me, I  
 14 apologize.  
 15 MR. GROSSMAN: But it, but doesn't go to that  
 16 because there's no comparison made with the present special  
 17 exception in terms of compatibility. In terms of  
 18 compatibility, this proposed use must be compatible with the  
 19 neighborhood under the terms of the, of the Zoning  
 20 Ordinance. Traffic is a little different because the LATR.  
 21 That's the Local Area Transportation Review standards. And  
 22 they way they've been applied in the past is to look at  
 23 whether or not the proposed use will be an increase or a  
 24 decrease from the current use and what that amount will be.  
 25 And that's how they determine what the impact on traffic

1 will be from the current traffic. So I understand your  
 2 point in that context. I don't understand it in any other  
 3 context.  
 4 MR. CHEN: I believe that the compatibility in  
 5 information that has been presented in the filing for, for  
 6 the application all relate to the tennis court use. The  
 7 improvements, the comparison. And that's where I'm coming  
 8 from. That, that that, and, and I'm, please, I'm talking  
 9 specifically about the compatibility as well as traffic.  
 10 And, and, by the way, as far as traffic is concerned, again,  
 11 the defect, and I think this is where Mr. Uhre was going, is  
 12 it's not on the generation by the tennis court special  
 13 exception. The analysis should be on this site, most  
 14 generously to the applicant would be to detached residences  
 15 because it's got four acres and it's an RE-1 Zone, RE-2  
 16 Zone. Same thing with compatibility. Everything has been  
 17 hearkening in back when you read the reports to the existing  
 18 special exception uses. And respectfully, that is not the  
 19 proper analysis. It should be, if that property were bare,  
 20 if it was the 4.02 acres was nothing there but the land  
 21 itself, and that's where we're coming from. That everything  
 22 that is before you is, is not based upon that type of an  
 23 analysis. It's based upon what is existing there now. And  
 24 respectfully, as a matter of law, that is not correct. And  
 25 that's why it has to either be dismissed or, and --

Page 30

1 MR. GROSSMAN: Well, it doesn't have to be, I  
2 think that, I understand your point and appreciate your  
3 raising it at a preliminary stage so I can consider the  
4 evidence in light of your point. But it's not a basis for  
5 dismissing an application or ordering any changes to it at  
6 this point. It is a basis for considering the evidence and  
7 evaluating your legal point in the context of the whole  
8 case. And so, and I will do that.  
9 MR. CHEN: Okay. Thank you. Moving along.  
10 MS. GIRARD: Do, can we respond to that before we  
11 --  
12 MR. GROSSMAN: You can.  
13 MS. GIRARD: Okay.  
14 MR. GROSSMAN: Sure. Ms. Girard.  
15 MS. GIRARD: Thanks. I just wanted to note a few  
16 things. One, if we start looking at uses as if they don't  
17 exist when we, if we go back to only what's allowed in the  
18 zone and, and I think we need to remember special exceptions  
19 or conditional uses as they are now called, as, as the  
20 Hearing Examiner pointed out at the beginning, are permitted  
21 as long as certain conditions are met. So we can't pretend  
22 that they're not there. And it's been there for a long  
23 time. And I think that it would be changing the way the  
24 County does business to, to start saying well, we can only  
25 look at what is permitted by rights, only residential if

Page 31

1 that's the zone. But aside from that, we don't rely, our,  
2 our whole case does not rely on the existing tennis club.  
3 We will prove beyond a shadow of doubt that there's, that  
4 proposed use is compatible with the adjacent neighborhood  
5 and we don't need the tennis court to do that. We  
6 absolutely will prove that, that we can do that.  
7 The other thing is the storm water that Mr. Chen  
8 mentioned, I mean when Staff looks at this, they don't care  
9 that the tennis courts are in the existing stream valley  
10 buffer. They look at it as if there's a law you can't be in  
11 the stream valley buffer. Pull out. So we're not using  
12 that to cut any corners. In fact, but it is important to  
13 recognize, the existence of the tennis court to recognize in  
14 that the Board in previous cases has found that certain  
15 aspects of the tennis club were compatible with the  
16 surrounding neighborhood. So that part of the context is  
17 relevant, but we are in no way relying on that to prove that  
18 we meet the standards of approval of this conditional use.  
19 And as far as the traffic is concerned, it, it's all  
20 codified how we're doing it. So there's really no --  
21 MR. GROSSMAN: All right. You can introduce that,  
22 by the way, in, in your case.  
23 MS. GIRARD: And we will.  
24 MR. GROSSMAN: Mr. Uhre, do you have any comment  
25 on that particular point?

Page 32

1 MR. UHRE: Well, I think I would strongly agree  
2 that we believe in the event, I think the applicant had a  
3 choice. They could have filed the amendment to the current  
4 conditional use or special exception. They chose not to do  
5 that. They chose instead to say we're extinguishing the,  
6 the current special exception and we're going to start all  
7 over again.  
8 MR. GROSSMAN: Well, they couldn't, they couldn't  
9 amend the special exception to, to have a, a completely  
10 different use. That's not a, that's not a possibility.  
11 MR. UHRE: Well, well, in any event, specifically  
12 as to the traffic, I believe, or we believe in reading the  
13 requirements of the LATR that you can only use an existing  
14 use if it's a renovation or if it's an expansion. This is  
15 neither. By their own definition, it is neither. It's a  
16 whole brand new thing. So I think particularly on the  
17 traffic issue that the page 17 that they rely on in the  
18 Regulations is not applicable.  
19 MR. GROSSMAN: Okay. We will certainly look at  
20 that at the appropriate time. Mr. Chen.  
21 MR. UHRE: Thank you.  
22 MR. CHEN: Just, just responding. Mr. Uhre, I,  
23 you said that there's a law against discharging into the  
24 stream valley buffer.  
25 MS. GIRARD: No. Improve, not discharging.

Page 33

1 Existing improvement. There now is a law. At the time that  
2 the tennis courts were built --  
3 MR. CHEN: Okay.  
4 MS. GIRARD: -- they were allowed within it --  
5 MR. CHEN: Thank you. Right.  
6 MS. GIRARD: -- what has not been established as a  
7 buffer.  
8 MR. CHEN: So that they were lawful when  
9 installed.  
10 MS. GIRARD: Correct.  
11 MR. CHEN: And if the special exception were to  
12 remain, they'd still be lawful.  
13 MS. GIRARD: Correct.  
14 MR. CHEN: Thank you. Okay. And I'm going to  
15 come back to Mr. Uhre in a second.  
16 Just another issue. The grading plan. You also  
17 have in the record my letter asking for the grading plan  
18 because the, the Zoning Ordinance requires filing a grading  
19 plan. What, what I was referred to by Ms. Girard was  
20 Exhibit 39 E, which is the conditional use plan. I think  
21 that's been updated to now be Exhibit 79 A I.  
22 MS. GIRARD: It's not really an update. It's just  
23 that they're stamped and, and sealed.  
24 MR. CHEN: Okay. That plan, the conditional use  
25 plan shows finished grade with the conditional use building.

Page 34

1 Respectfully, I think rough grading, that's the words used  
2 in the Zoning Ordinance, require a, a, exhibit, rough  
3 grading plan showing the site as it would be graded to  
4 accommodate the proposed conditional use. And that we don't  
5 have in this case a rough grading plan. We have a document  
6 that, as I understand, purports to show the finished grade  
7 with the existing building.

8 MR. GROSSMAN: Ms. Girard, do you want to respond  
9 to that?

10 MS. GIRARD: Only that the, oh, God, I'm going to  
11 have to cite the Code reference, 7.3.1.B.K.4 references the  
12 rough grading plan that we're talking about and the, subset  
13 K, says if plan to the proposed development showing rough  
14 grading. So rough grading is shown on those plans. There's  
15 no requirement for a separate grading plan. In fact,  
16 there's, if you read it that way, you'd need a separate plan  
17 to show where the open spaces are and a separate plan for  
18 sidewalks. So there's nothing against including the rough  
19 grading on the conditional use plan and that's what we did.

20 MR. CHEN: Respectfully, that's not rough grading.

21 And --

22 MR. GROSSMAN: Well, you can, we can argue about  
23 that at a later time. These are really preliminary matters.

24 Mr. Uhre, do you have a comment on that? You  
25 don't have to comment. It's not necessary you comment on

Page 35

1 everything. I'm just trying to be fair and give you the  
2 opportunity.

3 MR. UHRE: I understand. I have no comment to  
4 make.

5 MR. GROSSMAN: All right.

6 MR. CHEN: Now, my, thank you, Mr., my last point  
7 actually goes to Mr. Uhre. What he was saying and my  
8 mentioning of a motion in limine. If you look at Section  
9 7.3.1.E, it's entitled Necessary Findings. And sub 1 says  
10 to approve a conditional use application, the Hearing  
11 Examiner must find that the proposed development (a)  
12 satisfies any applicable previous approval on the subject  
13 property, or, if not, and I think we're in the if not  
14 situation, that the previous approvals must be amended. Now  
15 I heard what you just said a moment ago and, and I'm not  
16 quarreling with you, but I, I have to respectfully fall back  
17 on the law. And the law is the law. And I understand there  
18 may be logic that would argue something different, but, and  
19 I think this is where Mr. Uhre was coming from, you have to  
20 make a determination. That's what this says. I think you  
21 have to lay out very early on, Mr. Examiner, how you're  
22 going to approach this case in light of that ordinance  
23 provision. Again, this is not a motion for summary  
24 disposition on this point. I think it really is in the  
25 nature of an in limine motion that you've got to inform all

Page 36

1 the parties on how you're going to approach the legal  
2 analysis of this application. Indeed, and I know you, this  
3 one part you, you already know about, but if we're talking  
4 about an amendment to the existing special exception as at  
5 least the language in the ordinance says, you then go to  
6 7.3.1.K, which talks about amendments. And I, sub 1.A, or  
7 excuse me, sub 1 talks about major amendments and it would  
8 seem to me if we're, we're dealing with an amendment, it  
9 certainly would be in the nature of a major amendment, but  
10 again, I'm deferring to you because under the law, you have  
11 to make the determination. I just want to know on behalf of  
12 my clients the approach under the law that you're going to,  
13 going to take on this and, and that's why it's an in limine  
14 motion.

15 MR. GROSSMAN: All right. Ms. Girard.

16 MS. GIRARD: If I'm, if I'm following Mr. Chen,  
17 the, the provision he's citing is satisfies any applicable  
18 previous approvals on a subject site or if not, then the  
19 previous approval must be amended.

20 MR. GROSSMAN: What's the cite to the provision  
21 again? What's the cite to the provision again?

22 MS. GIRARD: I was hoping not to have to do that  
23 again. 7.3.1.E.1.A.

24 MR. GROSSMAN: Okay. Yes. Satisfies any  
25 applicable previous approval on the subject site or if not,

Page 37

1 the previous approval must be amended.

2 MS. GIRARD: That's the basis of your argument,  
3 right, Mr. Chen?

4 MR. CHEN: Yeah.

5 MS. GIRARD: I would just note the word applicable  
6 there. I mean I don't think it's applicable that there's an  
7 existing tennis club and we're coming in with a residential  
8 care facility.

9 MR. GROSSMAN: Okay.

10 MS. GIRARD: I, it would be completely  
11 unprecedented to say that in order to have a new special  
12 exception, you have to amend the old one. It just doesn't  
13 make any sense.

14 MR. GROSSMAN: Mr. Uhre, do you have any comment  
15 on that?

16 MR. UHRE: It appears to me in looking at the  
17 whole scheme that the counsel has set forth for us that they  
18 never intended to have two live different conditional uses  
19 on the same segment of the property. Clearly you can have  
20 two uses on different segments. But in essence, this is the  
21 same segment of the property. And I suspect that because of  
22 the way the contract is drafted that they chose to go this  
23 route as opposed to coming in with an amendment. I would  
24 agree with Mr. Chen and I would carry it a step further.  
25 The Planning Staff or the Planning Board in their

Page 38

1 recommendations, I think in 6, condition 6 is recommending  
2 that you provide a condition that says they can't use or  
3 occupancy permits until the other is extinguished. I  
4 seriously question whether again because of the structure  
5 here and because of what the Code says as to what the Office  
6 of, what DPS can do, I'm not sure that that's an enforceable  
7 condition on DPS. And I think we're getting into some very  
8 slippery slopes here when we put conditions that appear to  
9 have at least conflict with existing code. Because I just,  
10 I'm just not sure it would be an enforceable condition. We  
11 don't have the current owner of the property and the one who  
12 has existing special exception or conditional use is not a  
13 part here. You've recognized that certainly in the other,  
14 the, the emails that have been sent back and forth. So I'm  
15 not sure exactly, it seems to be that you're, we're trying  
16 to take all of this and shift it over to DPS to enforce it,  
17 but once you enter an opinion, it's live and I'm not sure  
18 that you can condition DPS to say you can't do anything  
19 until the existing special condition is eliminated. So I  
20 look at that from a practical standpoint. I'm just, from a  
21 legal, enforceable standpoint, I'm just not sure that that  
22 scheme works with the Code as it exists. I would agree with  
23 Mr. Chen. From a practical standpoint, I understand. I  
24 understand why the applicant may want to do it, but I didn't  
25 write the Code. I'm just saying the way I look at the Code,

Page 39

1 I'm not sure that what, what is happening here would stand  
2 up if, you know, that there's Code that conflicts with what,  
3 what, what the attempt is.  
4 MR. GROSSMAN: Let me address the very first part  
5 of what you said. Once again you repeated the idea that,  
6 that there could be an amendment to the existing special  
7 exception. That's not possible to substitute one  
8 conditional use for another that exists. That would not be  
9 possible. Hearing the arguments on both sides and since Mr.  
10 Chen wants an advance ruling on this, I agree with Ms.  
11 Girard that the term applicable in the, the provision you're  
12 talking about is what governs here. The existing special  
13 exception is not an applicable previous approval because  
14 under all circumstances here if there is an approval of the  
15 conditional use proposed here, that existing special  
16 exception will go away as a condition somehow phrased in an  
17 appropriate way and I will certainly listen to any  
18 suggestions from the participants here as to an appropriate  
19 way to phrase that if I were to find that the conditional  
20 use is appropriate. And anybody can submit, if they, if  
21 they challenge the way the Technical Staff suggested it be  
22 phrased, you can suggest an alternative way. With the  
23 understanding that if the conditional use application is  
24 denied, then there won't be any conditions proposed. All  
25 right.

Page 40

1 I guess that exhausts your, your preliminary  
2 matters. You now hold the record for the longest set of  
3 preliminary matters I think we've, we've had in hearings of  
4 this kind.  
5 All right. Let's go to the case itself. And the  
6 parties may make opening statements if they wish. Ms.  
7 Girard, do you have an opening statement you wish to make?  
8 MS. GIRARD: You know, I think I'm just in the  
9 interest of time, I think we'll just go right into it. And  
10 I'll save my time for a closing statement.  
11 MR. GROSSMAN: Does anybody else wish to make an  
12 opening statement?  
13 MR. CHEN: No.  
14 MR. GROSSMAN: Is there, all right. Then Ms.  
15 Girard, you may proceed with your first witness.  
16 MS. GIRARD: There. You made up some time. My  
17 first witness, I would like to call Brenda Bacon, please.  
18 MR. GROSSMAN: All right. You know, I think with  
19 a crowd this size, it might be better to have the witnesses  
20 up here. Could we move a microphone and, and have the  
21 witness up here? I think that's probably better and there  
22 may be more people arriving also. And everybody should be  
23 careful to watch for the cords if there are any that cross  
24 the, the area here. We'll just ask Ms. Girard to speak up.  
25 That's all.

Page 41

1 MS. GIRARD: No one has ever said that to me.  
2 They always say why are you talking so loud?  
3 MR. GROSSMAN: All right. Ma'am, you may have a  
4 seat.  
5 MS. BACON: Thank you.  
6 MR. GROSSMAN: And state your full name, please.  
7 MS. BACON: Brenda J. Bacon.  
8 MR. GROSSMAN: All right. Would you raise your  
9 right hand, please? Do you swear or affirm to tell the  
10 truth, the whole truth and nothing but the truth under  
11 penalty of perjury?  
12 MS. BACON: Yes, I do.  
13 MR. GROSSMAN: All right.  
14 You may proceed, Ms. Girard.  
15 DIRECT EXAMINATION  
16 BY MS. GIRARD:  
17 Q. Ms. Bacon, you already said your name, but can you  
18 include your business address and occupation, please?  
19 A. I am the president and CEO of Brandywine Senior  
20 Living. Our corporate address is 525 Fellowship Road, Suite  
21 360 in Mount Laurel, New Jersey.  
22 Q. And what is your educational professional  
23 background?  
24 A. I have a bachelor's degree from Hampton University  
25 in, in Sociology and I have an MBA from the Wharton School

Page 42

1 of the University of Pennsylvania.

2 Q. And how have you been spending the time since you

3 graduated with those degrees?

4 A. I have spent my career in both the public and the

5 private sector, but always in the healthcare field. Working

6 with hospitals, skilled nursing communities and assisted

7 living communities. And we started Brandywine in 1996.

8 Q. And are you a member of any boards or

9 associations?

10 A. I am the chair of Argentum, which is formerly the

11 Assisted Living Federation of America. So it's a national

12 group for the senior living industry. I'm on the board of

13 the, board of trustees of Rowen University and I'm on the

14 board of FTI Consulting, which is a New York Stock Exchange

15 Public Company.

16 Q. And can you review your experience with the design

17 and construction of residential care facilities?

18 MR. GROSSMAN: Are you calling this witness as an

19 expert?

20 MS. GIRARD: No. No. But I think it's important

21 to establish that she knows what she's doing in, in, with

22 these facilities.

23 MR. GROSSMAN: I'm going to give you some leeway.

24 I'm not sure why that's important to establish if she's not

25 an expert, being offered as an expert here, but I'll give

Page 43

1 you leeway then.

2 MS. GIRARD: Okay.

3 MR. GROSSMAN: For background.

4 BY MS. GIRARD:

5 Q. You can go ahead.

6 A. My, my, I'll make it brief. We've, we've built,

7 we, we currently operate 27 senior living communities.

8 We've built about 14 of those and made extensive renovations

9 to others that we've acquired. We currently, we just this

10 summer opened three new communities and we have one under

11 construction now and two, two others under development. So

12 we spend a lot of time in the design and development of our,

13 our buildings.

14 Q. And what jurisdictions does Brandywine operate in?

15 A. Connecticut, New York, New Jersey, Pennsylvania,

16 and Delaware.

17 Q. And is Brandywine in good standing in all those

18 jurisdictions?

19 A. We are in, in good standing with the regulators in

20 all of those jurisdictions and enjoy advance standing status

21 in the State of New Jersey.

22 MR. GROSSMAN: Advance standing --

23 THE WITNESS: Advance standing.

24 MR. GROSSMAN: What does that mean?

25 THE WITNESS: It means that you not only meet all

Page 44

1 of the regulations, but you go beyond those regulations in

2 establishing quality standards in the care that you provide

3 in your communities. So you have to, the, the State Health

4 Department surveys you several years in a row and if it

5 determines that you continue to exceed the standards you can

6 be deemed advance standing.

7 MR. GROSSMAN: I see. Okay.

8 BY MS. GIRARD:

9 Q. And this is your first foray into Maryland?

10 A. It is.

11 Q. And why did you --

12 A. I, I'm from Maryland, but this is my first

13 business community in Maryland.

14 Q. And can you review why you chose this location in

15 particular?

16 A. We chose this location because it, in reviewing

17 the local needs and, and where communities need exist, need

18 to exist to help families take care of their aging loved

19 ones, Potomac is an area that is particularly in need of

20 these services. I believe the master plan that was created

21 did talk extensively about the need for these services. It

22 is a community that is very much like other communities and

23 Potomac is a very special community, but, but it has many

24 adult children who want their parents to be near them or to

25 be able to remain in the community as they age but no longer

Page 45

1 want them to be alone. Both for socialization as well as

2 protection in terms of you want somebody standing by when

3 they're taking their shower or making sure they're eating

4 properly. And so we look at the demographics of the area.

5 We look at what services are available and, and we, we

6 decided that Potomac was a place that we'd like to bring

7 Brandywine's services to. And as I said, I've always wanted

8 to come back and do something in Maryland, you know, as I,

9 as our, our company grew.

10 Q. And when you were looking at this property in

11 particular, did you look at the surrounding area, the

12 adjacent uses?

13 A. Yes.

14 Q. And you are right next door to Manor Care. Is

15 that, that wasn't a deterrent?

16 A. No. Not at all. Because we provide different and

17 complementary services. Manor Care is a 24-hour skilled

18 nursing community. So patients who live in Manor Care are

19 there either for intensive short-term therapy after an event

20 like a broken hip or a heart event and they need around-the-

21 clock. So they may need IV-therapy. They may need feeding

22 tubes. All kinds of things where you need a nurse or

23 several nurses there 24 hours a day. While we do have a

24 nurse in our community 24 hours a day, which is not like

25 other senior living communities, we don't provide that level



Page 50

1 concierge will greet them and, and handle receiving whatever  
2 is being delivered. If it is a large delivery like a food  
3 order which we'll get two or three times a week, they will  
4 come to the side. Deliver the food into our, our loading  
5 dock area and then come, go right back out.  
6 Q. And trash removal? How often do you think that  
7 would occur?  
8 A. Three times a week.  
9 Q. Okay. And that was a point of discussion in front  
10 of the Planning Board and, and you --  
11 A. Yes.  
12 Q. -- agreed to limit the hours that that could  
13 occur. Correct?  
14 A. Yes. From 7:00 a.m. to 7:00 p.m. daily is the  
15 only time that the trash could be collected.  
16 Q. Move ins/move outs, how long do you think it would  
17 take till the project was stabilized? In, in other words,  
18 till occupancy?  
19 A. The full occupancy is considered about 92 percent  
20 occupancy in our industry because you have turnover all the  
21 time so you have to account for that. So we usually  
22 estimate 27 months. Some companies do 36 months, but our  
23 experience has been 26, in, in the, 27. And sometimes it's  
24 faster than that. In the three communities we opened this  
25 summer they're all filling up a lot faster than that. One

Page 51

1 is at 50 percent in, in two and a half months. So it really  
2 depends on the, the needs of, of the community, the  
3 desirability of the property. All of those things go into  
4 of course how long it takes to fill up.  
5 Q. And once it's filled up, about how many move  
6 ins/move outs do you get a, a month?  
7 A. On a community this size, I would say an average  
8 of five, four or five. You know, during, during a month.  
9 Q. And we, there's been some discussion and I know  
10 it's in the statement, but can you explain the car service  
11 you provide for the residents?  
12 A. We provide a chauffeured, well, it used to be a  
13 Town Car, but they stopped making Town Cars, the lengthy,  
14 the long Town Cars. I understand they're going to start  
15 again next year. But we provide a chauffeur with a Town Car  
16 for our residents to take them to doctor's appointments or  
17 to any specific appointments that they may have in the  
18 community. We also have a 16-passenger van that will handle  
19 handicapped, you know, if somebody is using an assisted  
20 device like a walker. If we're going on trips or going  
21 grocery shopping or to the theater, or whatever, so we have  
22 both those, those means of transportation.  
23 Q. But your residents don't typically drive?  
24 A. Rarely do our residents drive. It's, we do  
25 occasionally have one or two residents that will still

Page 52

1 drive. That's usually a case where their, their adult  
2 children are trying to find another answer to that.  
3 Q. Take their cars away. Their keys away.  
4 A. And I, and I think residents, our experience has  
5 been that our residents like being driven to the doctor  
6 rather than having to drive themselves. So it's, it usually  
7 works out well for us.  
8 Q. And as part of your development of your plans for  
9 this property, did you do some outreach in the neighborhood  
10 to, to try to figure out what the community wanted?  
11 A. We did. We met with those at, those in charge of  
12 the Manor Care, of course. We met with the Bullis School,  
13 the Headmaster of the Bullis School. We, we met with Dr.  
14 Paul and we asked for a second meeting, but we weren't able  
15 to get that. We met with the West Montgomery County  
16 Citizens Association. We met with several local business  
17 owners and, and vendors so we've spent some, we always spend  
18 quite a bit of time getting to know the community because we  
19 become very, very involved in the community once we move in,  
20 you know. If we, if we're, if we go forward because we have  
21 again schools and the local healthcare system and, you know,  
22 whether it's the Boy Scouts or the Boys and Girls Club or  
23 the chorale choir or whatever are always in our buildings.  
24 We sponsor local soccer teams and do a lot of things. We,  
25 we become very much a part of the community. So we like to

Page 53

1 get to know it very well. We also want to be able to answer  
2 anyone's questions when they say what does that mean, a  
3 senior living community? You know. And try to explain  
4 exactly what we are.  
5 Q. Right.  
6 MS. GIRARD: And at that point, I, its, did you,  
7 are you aware that there were certain letters of support  
8 that were received at the Planning Board that we noticed  
9 were not in the record here? If we could pause and submit  
10 those?  
11 MR. GROSSMAN: Have you a copy for counsel and Mr.  
12 Uhre? This will be Exhibit 89 A.  
13 (Hearing Exhibit 89 A was  
14 marked for identification.)  
15 MR. CHEN: Mr. Examiner, are you going to give us  
16 those numbers as you get them all?  
17 MR. GROSSMAN: Yes. As, as they, I'll identify  
18 the letter. 89 A is support letter from Gary Williams. 89  
19 B us a support letter from Davis, Ms. Gail Davis  
20 Endodontics?  
21 MR. CHEN: Is that 89 B?  
22 MR. GROSSMAN: B- as in boy.  
23 (Hearing Exhibit 89 B was  
24 marked for identification.)  
25 MR. GROSSMAN: This is Dr. Gail M. Davis. 89 C is

Page 54

1 a support letter from Irving and Carol Yoskowitz.  
2 (Hearing Exhibit 89 C was  
3 marked for identification.)  
4 And Exhibit 89 D is a support letter from Jim  
5 McWhorter, M-C-W-H-O-R-T-E-R.  
6 (Hearing Exhibit 89 D was  
7 marked for identification.)  
8 All right.  
9 MS. GIRARD: Thank you.  
10 BY MS. GIRARD:  
11 Q. Are you aware of the concerns raised by the  
12 Brickyard Coalition and others regarding pedestrian access  
13 to the site? Particularly for employees trying to access  
14 the site via bus stops on Falls Road?  
15 A. I am.  
16 Q. And how does Brandywine accommodate employees that  
17 like to use transit?  
18 A. What we do in our other communities is that we  
19 will rent a shuttle from our community to pick our employees  
20 up. In one of our communities, for example, in  
21 Philadelphia, right outside of Philadelphia on the main  
22 line, there's a train that arrives. That comes in and it's  
23 about a mile away from our community. So we will pick our  
24 employees up and, and, and take them back.  
25 Q. So in this case, would you look at, how would you

Page 55

1 handle that in this instance? Would you check to see  
2 whether your employees want to use the transit or --  
3 A. We would see what, what their, what their, how  
4 they intended to get back and forth to work. Sometimes they  
5 carpool if they're from the same area. But if they decide  
6 that they're going to, you know, take the Metro and we're  
7 looking at the nearest Metro station or the bus. I, I  
8 understand there are two buses that will stop fairly close.  
9 Then we would pick them up on, on schedule.  
10 Q. Okay. And are you familiar with the conditions of  
11 approval recommended by the Planning Board in its review of  
12 the application?  
13 A. Yes.  
14 Q. And including the one we talked about with the  
15 trucks?  
16 A. Yes.  
17 Q. And is the applicant willing to accept these  
18 conditions?  
19 A. Yes.  
20 Q. In light of your testimony based on your  
21 familiarity with the plans and the expert report submitted  
22 with the application, do you believe the proposed  
23 conditional use will be in harmony with the character of the  
24 surrounding neighborhood?  
25 A. I do.

Page 56

1 MR. CHEN: Objection.  
2 BY MS. GIRARD:  
3 Q. And why --  
4 MR. GROSSMAN: And, and how is this witness  
5 qualified to answer that question?  
6 MS. GIRARD: I don't know why she can't give her  
7 personal opinion as to that. I'm not, I didn't --  
8 MR. GROSSMAN: Because usually opinion evidence  
9 comes from experts, doesn't it?  
10 MS. GIRARD: I don't see why she can't based on  
11 her testimony as to why they, how they looked at the site  
12 and designed the facility.  
13 MR. GROSSMAN: Isn't, isn't the question of  
14 harmony a land use expert kind of question rather than --  
15 MS. GIRARD: And we'll get, we will have land use  
16 experts. I would, I would, it would go to the weight of  
17 the, of the, the weight of her testimony.  
18 MR. GROSSMAN: I'm tempted to sustain the  
19 objection. I'm going to hear what it is and I'll decide  
20 later on when I, when I decide the case whether to give any  
21 weight to this evidence given this objection. But let's --  
22 MR. CHEN: I just might add this, this lady is not  
23 even a resident of the area. She's the CEO and president  
24 from New Jersey at a site in Maryland. I think she was  
25 originally from Maryland, she said, but --

Page 57

1 MR. GROSSMAN: Yes. I, I agree with the sentiment  
2 of the objection and I'm concerned about it, but I'm going  
3 to hear what she has to say and then I'll decide later  
4 whether to give any weight to it in my evaluation.  
5 MS. BACON: Well, she's not going to say much now.  
6 MR. GROSSMAN: You may proceed.  
7 THE WITNESS: I would just say that we purposely  
8 work with our architects to design a community that very  
9 much fits into the existing community. Each one of our  
10 buildings looks different because of that effort that we go  
11 through there.  
12 BY MS. GIRARD:  
13 Q. Okay. And is there anything else you'd like the  
14 Hearing Examiner to consider?  
15 A. Nothing.  
16 Q. Okay. That's it.  
17 MR. GROSSMAN: All right. Mr. Uhre, you have any  
18 questions of this witness?  
19 MR. UHRE: Thank you. Yes.  
20 CROSS-EXAMINATION  
21 BY MR. UHRE:  
22 Q. As I understand, you're an officer of Brandywine  
23 Senior Living?  
24 A. Yes.  
25 Q. And you're the CEO of that company. Is that

Page 58

1 correct?  
2 A. Yes.  
3 Q. And the proposal has been made, I believe, by  
4 Brandywine Senior Living at Potomac. How does, is that a  
5 separate company?  
6 A. No. It's the, it's an affiliate, a subsidiary.  
7 Every one of our communities has a separate company that,  
8 that governs that community. But it all rolls up into  
9 Brandywine Senior Living Company.  
10 Q. I think I understand what you're saying, but I  
11 just want to be clear. Are you saying that Brandywine  
12 Senior Living at Potomac is a separate company? Correct?  
13 A. It's a subsidiary of Brandywine Senior Living.  
14 Q. I understand, but a subsidiary as a separate  
15 corporation? As an LLC? What --  
16 A. It's an LLC, I believe.  
17 MR. KAUFMAN: Well, you can only answer based on  
18 what you, if you're not, you could say --  
19 MR. GROSSMAN: Well, wait a minute. Hold it, hold  
20 it.  
21 MS. GIRARD: Wait. Yeah. You can't --  
22 MS. BACON: Okay.  
23 MR. GROSSMAN: Sir.  
24 MR. KAUFMAN: She's looking at me. That's why I  
25 was, and I didn't want to, you know --

Page 59

1 MR. CHEN: Oh, no, you can't --  
2 MR. GROSSMAN: I, I would appreciate no, no  
3 contributions from the audience. People who are not sworn  
4 in.  
5 THE WITNESS: I could certainly have our Chief  
6 Corporate Officer testify as to the legal structure, but it  
7 is one company, Brandywine Senior Living.  
8 BY MR. UHRE:  
9 Q. So are you also an officer of Brandywine Senior  
10 Living at Potomac?  
11 A. Yes.  
12 MR. GROSSMAN: The LLC itself. You --  
13 BY MR. UHRE:  
14 Q. The LLC? Yes.  
15 A. Yes. Yeah.  
16 Q. Separate?  
17 MR. GROSSMAN: Okay.  
18 BY MR. UHRE:  
19 Q. So you'd be officers both companies then?  
20 A. Um-hmmm. Um-hmmm. Yes.  
21 Q. And is Brandywine Senior Living the parent company  
22 then owned by another company?  
23 A. No.  
24 Q. The separate company not owned by any other  
25 company?

Page 60

1 A. No. I, I own most of Brandywine Senior Living.  
2 Q. Okay. And there are just other private  
3 shareholders then --  
4 A. They're, the other shareholders --  
5 MS. GIRARD: Can we ask what the relevance of this  
6 is?  
7 MR. GROSSMAN: What is the relevance of this?  
8 MR. UHRE: I'm simply following up a newspaper  
9 story to see. I'm trying to get the accuracy because I --  
10 MS. GIRARD: Newspaper story. She didn't testify  
11 as to --  
12 MR. GROSSMAN: All right. Well, hold on, hold on.  
13 Let him finish answering the question. What's the  
14 relevance?  
15 MR. UHRE: That they, that Brandywine Senior  
16 Living was some time ago sold to a larger corporation and  
17 maybe it's a company named the same, but I was trying to  
18 understand whether they were owned by a, whether this  
19 company, in fact, was owned by another company is all.  
20 MR. GROSSMAN: And what is the relevance of that  
21 to this proceeding?  
22 MR. UHRE: I'm just trying to understand the  
23 structure of the organization and the, and the ability to,  
24 I, I'll, I can withdraw if you'd like. This is --  
25 MR. GROSSMAN: Well, no. I just, I want to give

Page 61

1 you an opportunity to tell me why it's relevant. Whether  
2 there is another company involved, but --  
3 MR. UHRE: Because I think, I think our community,  
4 we're looking at a company that is based outside of the  
5 State of Maryland that wants to enter into the community of  
6 Potomac that I think we have a right to know what the  
7 ownership is and what maybe the past characteristics of that  
8 company might be. So I was just simply trying to find  
9 whether or not they were --  
10 MR. GROSSMAN: I, I, I question whether or not it  
11 is within my purview to do that kind of analysis, but I  
12 will, I think she's already answered the question.  
13 MR. UHRE: Right.  
14 MR. GROSSMAN: It is not owned by, so I don't, I  
15 don't, I don't know that you have to go any further, but I'm  
16 not going to cut you off on it, but I --  
17 MR. UHRE: Okay. Thank you.  
18 MR. GROSSMAN: All right.  
19 BY MR. UHRE:  
20 Q. And I believe you said you own how many sites in  
21 different states? 27.  
22 A. 27 operating communities at this time and there's  
23 one under construction.  
24 Q. And of those 27 sites, what is the, what is the  
25 smallest number of beds in any of those sites?

Page 62

1 A. 52.  
2 Q. And the largest?  
3 A. 182.  
4 Q. Does the 52, I take it that 52 beds is  
5 economically feasible to operate?  
6 A. Those are 52 memory care beds for, it's a  
7 community that is just for dementia. So when you have a  
8 community that is just for residents with, with Alzheimer's  
9 or with dementia, it, it, it helps to have a smaller  
10 community. It certainly costs more to run that community.  
11 It costs more for residents to reside in that community and  
12 it is marginally economically viable.  
13 MR. GROSSMAN: So what's the smallest facility  
14 you, you have, what's the most number of beds you have in a  
15 facility that combines both memory care and non-memory care?  
16 THE WITNESS: 106.  
17 MR. GROSSMAN: Okay.  
18 BY MR. UHRE:  
19 Q. In the type of client that you're seeking for your  
20 care, can you tell us a little bit? I noted in some of the  
21 filings that this is a luxury assisted living center having  
22 butlers in some instances and other types of services.  
23 Could you tell me a little bit about the profile of the  
24 client that you're seeking?  
25 A. The client is usually average is about 85 or 86.

Page 63

1 Seventy-five percent of our residents are women. Women  
2 still outlive men by, by a great degree. They are usually  
3 residents of the community where we've, we've built the  
4 property. Or their adult children are. So you might have  
5 a, a couple when they retire decide to go to Arizona or  
6 Florida. They may spend, you know, their active retirement  
7 years down there playing golf and, and doing all of the  
8 things that one might want to do. And then usually when  
9 they, in their 80s or 90s, they start to need more  
10 assistance. The adult daughter may call mom and all of a  
11 sudden, you know, there's, she's not liking the way she  
12 sounds. She goes down and looks like maybe she's not eating  
13 properly. And so we provide a situation where mom can  
14 maintain her independence by living with us in a senior  
15 living setting. She has her own suite. Her own privacy.  
16 Her own decisions about when she eats. What she eats. What  
17 she does with her day. But we are there with the supportive  
18 services and the engagement that, that is helpful to, to  
19 have her wake up every morning and look forward to the day.  
20 Q. What would be the average cost per month for a  
21 client?  
22 A. We, we have not set an average cost in, in, in  
23 this community. I can tell you how we set our costs as do  
24 most assisted living communities, senior living communities.  
25 You have a base rate for room and board which would be, and

Page 64

1 that is highly dependent on what kind of accommodations you  
2 choose. You can have, you can have a suite, a deluxe suite,  
3 one bedroom, two bedroom. You can be on the Serenade Unit  
4 which is the butler, butler unit. You can be in the Memory  
5 Care Units and have different size rooms as well. It  
6 depends on how much care you need or how much supportive  
7 care. So if you're pretty independent, you might be a level  
8 1 is what we call a minimum supportive services like  
9 queueing and, and just some general assistance. As you age  
10 in place and, and perhaps need more services, then we would  
11 continue to assess you periodically. And if you need now,  
12 for example, help getting dressed, you need help taking a  
13 shower, you might be a level 3 or a level 4. And if you  
14 are, have the beginning signs of, of dementia, and you know,  
15 dementia is a long, has a long range of, of, of, of, you  
16 know, involvement and you might be a level 5 or 6 and then  
17 so you're charged based on that. We, we also charge  
18 medication rates. If we are, we are administering your  
19 meds, if we are administering less than seven meds a day,  
20 it's a basic medication plan. If it's seven or more, it's a  
21 deluxe medication plan. Or if we were doing insulin and  
22 things of that sort. It's very much customized to what the  
23 resident needs. And like, you know, literally we have 100  
24 year olds dancing around our communities that need very,  
25 very little services and we may have someone who has

Page 65

1 advancing Parkinson's, but does not need to be in a skilled  
2 nursing community.  
3 Q. Could you give me a range? The lowest range of  
4 cost per month and the highest range of cost.  
5 A. In any of our communities? I would say our lowest  
6 range per month, lowest range would be \$150 a day. And the  
7 highest would be over \$300 a day.  
8 Q. So most of your residents would not be considered  
9 low income --  
10 A. No.  
11 Q. -- or either moderate income. They'd be upper  
12 income residents?  
13 A. Well, you know, that's interesting because for  
14 senior living you don't really pay for senior living with  
15 your income because most seniors live on Social Security or,  
16 or a pension, you know, at, at a certain age. You, what  
17 usually happens with our families is that the home that  
18 they're living in that maybe they've been living in for 40  
19 or 50 years and at this point in their lives, they're  
20 probably just living in a couple of rooms of it because they  
21 don't want to climb the stairs anymore and they don't use  
22 the stove anymore. Usually they use the proceeds from  
23 selling that home to have their new home. To be able to pay  
24 for their new home. And we are a, a lease model, month by  
25 month. We don't require a big amount of buy-in when you

1 first move in so it helps them preserve their, their assets  
2 and, and have complete choice. If they're not happy, they  
3 can move out with 30 days' notice. So it's really the  
4 assets that people use to afford their senior years more  
5 than it is their income.

6 Q. But this is a for-profit business and it's seeking  
7 probably upper level people meeting your age criteria. It's  
8 not lower income, Medicare, Medicaid type of services.

9 A. It is private pay and, and the markets that we, we  
10 operate in are usually very affluent markets.

11 Q. Okay. Thank you. Shifting for a second to the  
12 number of employees, as I understood, or maybe I didn't  
13 understand. The, the, did I, the evening shift would have  
14 seven employees? Is that what I understood?

15 A. Depends on how many people or how many residents  
16 we have, but on your evening shift after dinner and you're  
17 say, your dining staff is gone. Your, most, your activity  
18 staff is gone. Your housekeepers are gone. And so you're  
19 going to have three or four care managers and a couple of  
20 nurses in the building. That's pretty much going to be  
21 what's in the building at night.

22 Q. So seven would be a reasonable average number  
23 then?

24 A. Seven to 10.

25 Q. Seven to 10.

1 A. Um-hmmm.

2 Q. And then you were talking about a maximum of 40  
3 then for the other two shifts. Would that be --

4 A. No. I, there's, there's no time, there's no whole  
5 shift that has 40 people there. It would peak around noon  
6 when you have all department, now I'm going to assume all  
7 department heads are in and they come in on a staggered  
8 shift. Some department heads may come in at 7:00. Some may  
9 come in at 8:00. Some at 10:00. Because we want department  
10 heads to be there a little bit into the evening through,  
11 through dinner. And you've got care managers that are  
12 giving care. What we call Escapades for Life staff who are  
13 doing activities. The driver is there. Your housekeepers  
14 are there. So you've got just about every department  
15 staffed up at that point for, for the daytime area. Then at  
16 3 o'clock that starts to wane off again.

17 Q. But as I understood you said the total employees  
18 would be 110? Is that correct?

19 A. So seven, seven day a week, operation 24 hours a  
20 day. So you need 110 people to, to staff that kind of a  
21 situation because, you know, during that week you're  
22 normally going to have somebody work five days a week. That  
23 may be Tuesday through Saturday or Monday through Friday or  
24 whatever schedule it is and whatever we need. So that why  
25 it sounds like, and it's full- and part-time. So it may

1 sound like a lot to you, but it's because it's a seven day a  
2 week operation.

3 Q. Shifting for a second to the bus services that we  
4 were talking about and the, there is a bus location located  
5 near the Bullis School which is about 1,500 feet away  
6 thereabouts from the Brandywine proposed site.

7 A. Right.

8 Q. You're talking about in addition supplying a bus  
9 service for anyone that may want to use Metro. Is that what  
10 I understood there?

11 A. You know, it depends on what our, our employees,  
12 our team members need. So if, if, say seven or eight are  
13 coming in for the day shift and, and they're coming in to  
14 the, the Metro, we could, we could go and get them and bring  
15 them back. Now I know traffic down here, you know, is  
16 challenging and, and I don't know whether our employees  
17 would be using the bus, carpooling or using Metro. It'll  
18 depend. We'll, we will figure that out as we hire people  
19 and see where our workforce is coming from. And our  
20 workforce will come fairly locally, but how they will  
21 actually get to us will determine and we will help them get  
22 to us. We, we would not want our employees walking, you  
23 know, on, on a street, you know, without a sidewalk in the  
24 dark or in the snow trying to get to a bus. They, you know,  
25 we, they work very hard and we'd like, we'll help them get

1 there.

2 Q. So you'll do, okay. You do acknowledge the fact  
3 that walking along Falls Road would be not the best  
4 circumstances for an employee moving from the bus stop down  
5 to your site?

6 A. I, I, I would prefer not to have my, my staff  
7 doing that. Yeah.

8 Q. Okay. And switching for a second to deliveries.  
9 I was trying to understand, I understand I think you said  
10 there were three trash and three food deliveries, but the  
11 turnover you were talking only about five move ins and five  
12 move outs a month. Is that what I understood you to say?

13 A. Right. Uh-huh. Right.

14 Q. But I thought you said you were only at 92 percent  
15 occupancy which would suggest something maybe like 10  
16 turnovers a month. I'm just trying to understand how, how  
17 do those two numbers relate to each other. I --

18 A. Well, I'm giving you an average of five, four or  
19 five move outs and move ins per month. That could be seven  
20 or eight. It could be three. It depends on a lot of  
21 different things. But I, I said that 92 percent is  
22 considered to be the stabilized occupancy of a building.  
23 That doesn't mean it's always like that. Sometimes, you  
24 know, the building is going to be 95 percent occupied.  
25 Other times it's going to be, you know, 90 percent occupied.

Page 70

1 Q. And the move in and move outs, do they typically  
2 use a moving truck to then come and they would use the  
3 loading dock? Is that the, on this particular side. Is  
4 that how the --  
5 A. The, the, the, the move, the move outs are usually  
6 because they need a higher level of care. So they need to  
7 move to a skilled nursing environment. So that's usually  
8 by, you know, a medical transport. And in this case,  
9 they'll probably be going next door to Manor Care. Move  
10 ins, many times either we're supplying the furniture or  
11 they're family comes and moves them in and they would bring  
12 them in through the side door. Sometimes through the front  
13 door. It depends on, on what they're moving in.  
14 Q. Okay. Turning for a second to the master plan.  
15 You gave a statement and I'll ask the question what exactly  
16 did you say about senior living in the Potomac Master Plan?  
17 A. The Potomac Master Plan, and I don't have it here  
18 in front of me, does address the need for senior living  
19 units in the area. And I think, if I recall, the number was  
20 a need for about 750. Now there have been a couple that  
21 have been built since then, since the Master Plan came  
22 about, but I believe there still a shortage of 200 to 300  
23 units needed in this, in, in the Potomac area.  
24 Q. But doesn't the Master Plan suggest senior, it  
25 doesn't, it's not speaking about assisted living facilities

Page 71

1 or even any assisted kind of care facility. It's talking  
2 about an overall need for senior care, including totally  
3 unassisted apartment living or, or adult living. It, it --  
4 MR. GROSSMAN: Are you asking the witness whether  
5 that's what it says?  
6 BY MR. UHRE:  
7 Q. Yeah, I'm asking whether that's her  
8 interpretation. I mean you're, you're saying, you've quoted  
9 this number, but are you saying that you think the Master  
10 Plan says that those number of units are all assisted in  
11 some way, shape or form?  
12 A. No. I believe that senior housing can be in many  
13 forms. You know, whether it's independent living or it's  
14 living, you know, in, in an assisted living community. You  
15 need housing for seniors. And that's what we do.  
16 MR. GROSSMAN: Just for the record, the reference  
17 in the Master Plan in question, which is the Potomac  
18 Subregion Master Plan approved and adopted April 2002  
19 discusses housing for the elderly on page 36. Also goes  
20 over to page 38.  
21 BY MR. UHRE:  
22 Q. Have you reviewed the Master Plan? Have you read  
23 the entirety of the Master Plan on elderly care?  
24 A. I have read sections of the Master Plan. Yes.  
25 Q. Okay. So you're also aware that on page 38, the

Page 72

1 Master Plan says a reasonable target might be a target of 40  
2 units per year?  
3 THE WITNESS: Thank you.  
4 MR. GROSSMAN: Let the record reflect that counsel  
5 is providing the witness with a copy, I presume, of the  
6 quotes from the Master Plan.  
7 MS. GIRARD: The relevant sections. Yes.  
8 MR. GROSSMAN: Okay.  
9 BY MR. UHRE:  
10 Q. This would be the first sentence on page 38.  
11 A. Okay. So I'm reading prior to that that at the,  
12 at the time that the plan was done, 450, the, the community  
13 was 450 units short of this demand and that will increase  
14 significantly by 2020. By, over the next 20 years, 750  
15 units will be needed. Okay. So then on the top, a  
16 reasonable senior housing target for the subregion for the  
17 next 10 to 15 years might be an average of 40 units per year  
18 that will probably be built in larger increments every few  
19 years. Is that --  
20 Q. Correct. That's correct.  
21 A. Okay.  
22 MR. GROSSMAN: I mean, Mr. Uhre, the Master Plan  
23 speaks for itself on this.  
24 MR. UHRE: Okay.  
25 MR. GROSSMAN: I'm not sure what purpose --

Page 73

1 MR. UHRE: I think you're --  
2 MR. GROSSMAN: -- discussing this with this  
3 witness as to what it says.  
4 MR. UHRE: I think you're correct. I have no more  
5 questions.  
6 MR. GROSSMAN: All right. Mr. Chen, do you have  
7 any questions?  
8 MR. CHEN: Yes. I have a few.  
9 CROSS-EXAMINATION  
10 BY MR. CHEN:  
11 Q. Has anybody died at this facility?  
12 A. People, yes, do die of old age. Yes.  
13 Q. Residents of the facilities that you operate?  
14 A. They, yes. Just like someone may pass at home.  
15 They would, they, this is their home so they could, yes.  
16 Q. How often does that occur?  
17 A. How often does it occur?  
18 MR. GROSSMAN: Well, what's the point of that  
19 question?  
20 MS. GIRARD: Right.  
21 MR. CHEN: I want to know where they come in and  
22 out. Where they take the bodies?  
23 BY MR. CHEN:  
24 Q. Do they come through the lobby?  
25 MR. KAUFMAN: I object to the --

Page 74

1 MS. GIRARD: I --  
2 MR. GROSSMAN: I just think that it's not a --  
3 MR. CHEN: I beg, I beg your pardon.  
4 MR. GROSSMAN: I just think it's not a legitimate  
5 --  
6 MR. KAUFMAN: We object to this question.  
7 MR. CHEN: Well, this question is relevant. It  
8 goes to the activities on the site. My clients live at the  
9 delivery point. Now are they bringing the gurney in through  
10 the front door? They're taking the elevator. Or are they  
11 bringing the ambulance down the side of the service road and  
12 taking the gurney out into --  
13 MR. GROSSMAN: I think it's a real stretch. I'm  
14 going to let you ask the question, but I think it's a real  
15 stretch.  
16 BY MR. CHEN:  
17 Q. I just want to know how often do you have deaths  
18 at this, this facility.  
19 A. I really can't predict how often deaths occur. We  
20 can go months without a death and then we can, you know,  
21 have two or three in a month. We certainly, with all  
22 respect to the family and, and to the residents, the funeral  
23 home will usually come and it's a very discreet process.  
24 Q. So they use the, the side entrance?  
25 A. Mostly. Yes. Um-hmmm.

Page 75

1 Q. Okay. So they're not, they're going to be using  
2 the service drive on this particular facility?  
3 A. The service drive that would be probably that door  
4 is right there.  
5 Q. Yes.  
6 A. Okay. So --  
7 MR. GROSSMAN: Right. So the witness --  
8 THE WITNESS: -- but that's screened all through  
9 there. The Pauls' house is, Dr. and Mrs. Paul's house is  
10 here. So if that would occur --  
11 MR. GROSSMAN: Ms. Bacon, let, let, you have to  
12 identify for the record --  
13 THE WITNESS: Oh, I'm sorry.  
14 MR. GROSSMAN: Where you're pointing to because  
15 the, the record won't indicate where specifically you think  
16 --  
17 MS. GIRARD: And she's referring to Exhibit 75 B.  
18 THE WITNESS: Exhibit 75 B. This is, this would  
19 be our community. This is the Manor Care. This is the  
20 Pauls' --  
21 MR. GROSSMAN: Hold on one second. Where is,  
22 where is north on this exhibit?  
23 MS. GIRARD: You're facing south. So north is  
24 towards you.  
25 MR. GROSSMAN: Wait a minute. So on the exhibit,

Page 76

1 is south on the top of the exhibit, is what you're saying  
2 essentially?  
3 MS. GIRARD: Yes.  
4 MR. GROSSMAN: Okay. So --  
5 MR. CHEN: Excuse me. I thought the record was  
6 that my client's residence is due west.  
7 MR. GROSSMAN: Yes. I think that's the case.  
8 MS. GIRARD: It is. You're flipped upside down.  
9 MR. GROSSMAN: It's upside down.  
10 THE WITNESS: This is the client, it is your  
11 client's residence.  
12 MR. GROSSMAN: The, the, for some reason the  
13 applicant's people have a fondness for upside down exhibits.  
14 From the --  
15 MS. GIRARD: And they will defend themselves, but  
16 --  
17 MR. GROSSMAN: Of the, of the, as the common  
18 parlance is usually we look to the north as being on top.  
19 So we'll have to adjust our brains to that. But I just want  
20 to make sure that the, that it, the record is clear as to  
21 where the witness is indicating. So Ms. Bacon, would you  
22 indicate where you were pointing and, and as to what --  
23 THE WITNESS: So this is our community here.  
24 MR. GROSSMAN: Okay.  
25 THE WITNESS: Our proposed community. This is

Page 77

1 where the tennis club is currently.  
2 MR. GROSSMAN: And this is the rendered aerial.  
3 THE WITNESS: Yes.  
4 MR. GROSSMAN: That is that the, I presume, by  
5 rendered aerial what you mean is that you've taken an aerial  
6 photograph and then added the picture of what you intend as  
7 the proposed use.  
8 MS. GIRARD: Correct.  
9 THE WITNESS: That's --  
10 MR. GROSSMAN: Including its proposed landscaping.  
11 MS. GIRARD: Correct.  
12 THE WITNESS: Um-hmmm.  
13 MR. GROSSMAN: Okay. And now you're pointing, go  
14 ahead to --  
15 THE WITNESS: This is the side driveway.  
16 MR. GROSSMAN: All right. And --  
17 THE WITNESS: Which if you continue this driveway  
18 --  
19 MR. GROSSMAN: And that's on the southern side of  
20 the, of the property.  
21 MS. GIRARD: Yes.  
22 MR. GROSSMAN: From what has been described.  
23 THE WITNESS: Okay. Yes. So the driveway goes,  
24 it ends here and turns around. And this is screened. But  
25 if the driveway were to just continue, it would go, as you

Page 78

1 can see, kind of straight out into here.  
2 MR. GROSSMAN: Okay. Into here being across --  
3 THE WITNESS: And here into --  
4 MR. GROSSMAN: -- towards the west, northwest.  
5 THE WITNESS: Um-hmmm. Into the woods, not, not  
6 to the, not to the Pauls' house.  
7 MR. GROSSMAN: Okay.  
8 MS. GIRARD: And your point was that the loading,  
9 I think we --  
10 MR. KAUFMAN: Where's the loading dock?  
11 MS. GIRARD: Where the loading dock --  
12 THE WITNESS: Right here.  
13 BY MR. CHEN:  
14 Q. And that would be the location for the ambulance  
15 to come for the party who has passed?  
16 A. Most likely.  
17 Q. Now is your testimony all these trees that are  
18 shown on this Exhibit 75 B are in place?  
19 A. No. We will add some of those trees. There,  
20 there are, there are significant trees there now, but we're  
21 going to add a lot of trees. We always heavily landscape  
22 our properties.  
23 Q. And are the, do you know the size of these trees  
24 that are shown on your exhibit?  
25 A. I do not, but I'm sure one of our, our architect

Page 79

1 or landscape engineer can give you that.  
2 Q. Do you know the type of trees that, that are going  
3 to be planted?  
4 A. I can't give you every species, but there will be  
5 evergreens as well as, as other types of trees.  
6 Q. Do you know what species of trees will be planted  
7 along the driveway between my clients' property and the  
8 building?  
9 A. Well, your clients' property is here and here's  
10 the building.  
11 MR. GROSSMAN: That's --  
12 THE WITNESS: So this area right here.  
13 MR. GROSSMAN: -- pointing due west, due west of  
14 the, of the facility.  
15 THE WITNESS: Due west of the facility. So right  
16 here we can certainly have one of our experts testify as to  
17 the species and size of those trees.  
18 MR. GROSSMAN: Right here being, right, just so  
19 the record is clear.  
20 THE WITNESS: Personally, yeah --  
21 MR. GROSSMAN: Right here being the location  
22 between the, the, the property, the subject property and the  
23 Pauls' residence.  
24 THE WITNESS: Right. I don't have that in front  
25 of me. No, sir, Mr. Chen.

Page 80

1 BY MR. CHEN:  
2 Q. Do you know the size of the landscaping that'll be  
3 planted in that area?  
4 MS. GIRARD: He, he just asked that question.  
5 MR. CHEN: No, I didn't. I asked the species.  
6 MR. GROSSMAN: Right.  
7 MR. CHEN: I didn't ask size.  
8 MR. GROSSMAN: No. You asked the size. Earlier  
9 you asked the size.  
10 MS. GIRARD: You asked the size. Yeah.  
11 MR. CHEN: I didn't get an answer.  
12 MR. GROSSMAN: She was --  
13 THE WITNESS: Yeah.  
14 MR. CHEN: Okay.  
15 MR. GROSSMAN: But you can certainly ask that, I  
16 think it's a legitimate, very legitimate question, but I  
17 think this witness may not have that answer.  
18 MR. CHEN: That's what I'm trying to establish.  
19 MR. GROSSMAN: Right. Right. I, it's very --  
20 BY MR. CHEN:  
21 Q. You don't, you don't know. Is that right, ma'am?  
22 A. I do not know, I cannot give you the species and  
23 the size. I can tell you that we spent a considerable  
24 amount of time talking about it. As we do with all of our  
25 properties to make sure that we're heavily screened. Um-

Page 81

1 hmmm.  
2 Q. Okay. Just that you don't know.  
3 MR. KAUFMAN: I don't know.  
4 BY MR. CHEN:  
5 Q. I, I mean is there a reason why you can say you  
6 don't know?  
7 MR. GROSSMAN: She said she doesn't know the size  
8 and the species, but she knows that it's heavily screened.  
9 That's what she said.  
10 MR. KAUFMAN: She, she didn't use those words.  
11 MR. CHEN: That's okay.  
12 MR. KAUFMAN: You can't answer for her, Mr. Chen.  
13 BY MR. CHEN:  
14 Q. Move in and move outs. Where does, how do they  
15 move in? What location?  
16 A. What door do they enter?  
17 Q. Yes, ma'am.  
18 A. They usually move in through the front door.  
19 Q. And the side entrance is used for deliveries?  
20 A. For the large deliveries, yes.  
21 Q. Okay. When you say move in and moves out are  
22 usually front doors, I take it that means not all move ins  
23 and move outs go, use the front door.  
24 A. Well, I think you've referred to someone who may  
25 pass away. And that is --

Page 82

1 MR. GROSSMAN: No, I think he's talking about --  
2 THE WITNESS: Just, just people moving in and out.  
3 They will use the front door.  
4 BY MR. CHEN:  
5 Q. Exclusively.  
6 A. Yes.  
7 Q. Okay.  
8 A. That's been our, that's been our pattern. Yes.  
9 Q. And the deliveries. Please identify all the  
10 deliveries that'll be coming to the site using the service  
11 drive.  
12 A. The service drive will probably only have large  
13 food deliveries that, that come in that drive because they  
14 need to go into the storage area and into the freezer. The  
15 normal deliveries, like I said, like mail or Fed Ex or  
16 things that would be delivered by a panel truck, it could  
17 even be something from Amazon Prime, would come in the front  
18 door.  
19 Q. When you say large food deliveries, what do you  
20 mean by that?  
21 A. We have food delivery three times a week.  
22 Sometimes, depending on what they're delivering, it can be  
23 in a panel truck. Sometimes it's a little larger. It's  
24 unloaded and out of there probably within 20 minutes or so.  
25 So, so 20 minutes three times a week.

Page 83

1 Q. And when you say large, what do you mean by that?  
2 A. It depends on the size of the food delivery.  
3 Q. What the largest truck that'll come down and use  
4 that area?  
5 A. Certainly not, and, and, you're, I can't describe,  
6 I don't know how to describe the size of trucks. Certainly  
7 not the big 18 wheelers that you see on a highway. Nothing  
8 like that.  
9 Q. And they, they will be putting the food into a  
10 storage area that's, I take that's Terrace Level? Is that  
11 considered at Terrace Level? I may be mistaken. I'm just  
12 --  
13 A. Terrace Level is on the other side of the building  
14 here.  
15 Q. What level --  
16 MR. GROSSMAN: On the north side of the building?  
17 THE WITNESS: Yes. On the north side of the  
18 building.  
19 BY MR. CHEN:  
20 Q. What level will they be delivering the food to?  
21 A. They will be delivering the food in the loading  
22 dock and it'll go into the storage. That's on the lower  
23 level.  
24 Q. Thank you very much. And that's where, I take it  
25 that's where the freezer is as well?

Page 84

1 A. I believe the walk-in freezer is on the lower  
2 level. There, there is a freezer upstairs in the kitchen as  
3 well, but the storage, walk-in freezer, I believe is on the  
4 lower level.  
5 Q. Okay. Now I take it your testimony is that is the  
6 only delivery that'll be utilizing the service road?  
7 A. I would say yes. Even when we bring in the  
8 furniture when we initially furnish the building, we come in  
9 the front door.  
10 Q. And what times during the week do they come?  
11 A. Food delivery?  
12 Q. Yes, ma'am.  
13 A. It would be by, by agreement between 7:00 a.m. to  
14 7:00 p.m.  
15 Q. Okay. And are there any occasions for an  
16 ambulance to utilize the service road other than people  
17 passing?  
18 A. Really. If we have a true 9-1-1- situation. You  
19 know. An ambulance would respond just like they would  
20 respond to your home. But that's, that's a very rare  
21 situation.  
22 Q. Do you have any information about how often you  
23 have a 9-1-1- situation?  
24 A. I don't have a stat for you, but I could, I could  
25 probably get that. But it's rare. It's, it's, most of our

Page 85

1 residents, because we have a nurse on-site 24 hours a day,  
2 we, if we have a transport to the hotel, I mean to the  
3 hospital, it's usually a non-emergent transport. We, we  
4 have a contract with an emergent, with a transport company,  
5 healthcare transport company that will take our residents to  
6 the hospital if they need to. We will take them. It's only  
7 when you've got a true 9-1-1- situation. I would say, and  
8 I've thought, you know, I, I, we talked to our local fire  
9 and emergency companies when we enter a community and talk  
10 to them about that and they check with other companies and  
11 we have a very rare call to 9-1-1-.  
12 Q. You gave us a lot of information about your  
13 business and the locations and number and types. Am I  
14 correct that notwithstanding how extensive your operation  
15 is, you cannot provide any statistical information based  
16 upon your experience, your business experience as to people  
17 passing. How often that occurs and how often you have  
18 ambulances coming to the site?  
19 A. I can't predict when people will pass. I can give  
20 you an average of people that we, we lose, that lived with  
21 us so long that they pass away when they're living with us.  
22 And no, I cannot give you, I don't want to give you false  
23 information, Mr. Chen, about, or guesswork about the  
24 incidence of ambulance. I can just tell, of a 9-1-1- call.  
25 I can tell you it's rare.

Page 86

1 Q. Okay. You mentioned also, excuse me, I think you  
2 said you have an average. Did I mishear that? But you used  
3 the word average a moment ago.  
4 A. I, I could, I could go back and look at data and,  
5 and come up with an average for you across 27 different  
6 communities of people who have passed in the past year. I,  
7 I, you know, over 27 locations, if you, you would want that  
8 data.  
9 Q. What percentage of this facility will house,  
10 excuse me, will have people with dementia?  
11 A. I believe we have 30, somewhere between 30 and 35  
12 units that will be for people with various stages of  
13 dementia, which usually means they, they need to be in a  
14 secured environment so that they can be redirected as  
15 needed.  
16 Q. You'd provide round the clock service for those  
17 people. Is that correct?  
18 A. Absolutely.  
19 Q. Is there any limitation on visiting by family or  
20 friends?  
21 A. We, we have a concierge on our front desk from  
22 8:00 a.m. to 8:00 p.m. so we encourage visiting during that  
23 time. If there were a family member that wanted to come see  
24 their mom because they just got in at, just got off the  
25 plane at 10 o'clock at night they would, our doors would be

Page 87

1 locked, but they could call ahead and speak to our nursing  
2 supervisor and she would let them in.  
3 Q. What is the routine or the procedure that is  
4 utilized if someone requires medical care?  
5 A. Depends on what kind of medical care, but the way  
6 we do this is that we work with local hospital systems and  
7 physicians come and visit our residents on-site. They're,  
8 they have private physicians, but we provide a, a medical  
9 exam room in our buildings so that the residents can have  
10 their privacy to see their physician in, in our community if  
11 they want to or they can go out to the doctor as they want  
12 to. So it's, it's very much still a very private  
13 relationship between the resident and their personal  
14 physician.  
15 Q. What if there's an incident, a medical incident  
16 that is not a, a planned appointment? Someone who needs a  
17 physician's care say at 10 o'clock at night. What is the  
18 procedure when that happens?  
19 A. The procedure is that the nurse on duty would,  
20 would be aware of the situation, would call the physician  
21 and, and, and reach him. The physician would give, you  
22 know, instruction like change her medication, stop the  
23 medication, come see me in the morning or if he said, you  
24 know, I think you need to take her to the hospital, we would  
25 call the medical transport, not a 9-1-1-, and get her to the

Page 88

1 hospital.  
2 Q. Okay. Is the family notified?  
3 A. Absolutely.  
4 Q. So that, as I understand your procedure, you  
5 would, making two contacts. One would be to the physician  
6 that would be that resident's physician and a family member  
7 or a guardian, I assume, member. Is that correct?  
8 A. Yes.  
9 Q. Okay. And as I understand your testimony, if  
10 there's a need to transport the resident to a hospital, you  
11 have an ambulance service on, on contract?  
12 A. Yes.  
13 Q. By the same token, are there occasions when the  
14 physician and/or the family come to the facility?  
15 A. At 10 o'clock at night? Is that what you're  
16 asking me?  
17 Q. Yeah. If there's a, if there's a medical  
18 incident. Yes.  
19 A. Could the family want to come and accompany mom to  
20 the, to the hospital? Yes. That, that can happen.  
21 Q. Do you have --  
22 A. Usually the family meets, meets their parent at  
23 the hospital. They're headed, you know, from their home to  
24 the hospital as we're headed.  
25 Q. And are there occasions when the physician may

Page 89

1 choose to come to the facility rather than have the resident  
2 transported to a hospital?  
3 A. I would love to find physicians that would at 10  
4 o'clock at night come to our community or come to your home.  
5 But they're, they're rare.  
6 Q. Okay.  
7 MR. GROSSMAN: Ms. Bacon, when the, when your  
8 privately contracted ambulance comes, does it use the front  
9 door or the side door?  
10 THE WITNESS: Front door.  
11 MR. GROSSMAN: Okay.  
12 BY MR. CHEN:  
13 Q. Okay. My train of thought just got interrupted,  
14 but so that as I understand your testimony, the loading dock  
15 would only be used, it would be, the word I'll use is  
16 exclusively used for food deliveries, large food deliveries.  
17 MS. GIRARD: This has been asked and answered at  
18 least three times since --  
19 MR. GROSSMAN: Yes. I sustain that objection.  
20 BY MR. CHEN:  
21 Q. Are there any other uses for the loading dock  
22 other than for food deliveries?  
23 MR. GROSSMAN: It's the same question.  
24 MS. GIRARD: It is the same.  
25 MR. CHEN: No, it isn't the same.

Page 90

1 MR. GROSSMAN: I think she's, well, all right.  
2 I'll let her ask. Are there any other uses for the loading  
3 dock other than food deliveries?  
4 THE WITNESS: No.  
5 MR. GROSSMAN: Okay.  
6 BY MR. CHEN:  
7 Q. Okay. Now aside from the food deliveries, as I  
8 understand it, the service drive would be utilized for trash  
9 pickups. Is that right?  
10 A. That's right.  
11 Q. How does that operate?  
12 A. Trash is picked up three times a week.  
13 Q. When?  
14 A. Sometime between 7:00 a.m. and 7:00 p.m.  
15 Q. And --  
16 MR. GROSSMAN: Is that timeframe agreeable with  
17 you if this conditional use were approved?  
18 MR. CHEN: I don't know.  
19 MR. GROSSMAN: All right. Go ahead then.  
20 MR. CHEN: I don't know. I mean you're asking me  
21 a question in the middle of a hearing and, you know, I'm not  
22 prepared to, to give you an answer to that question.  
23 MR. GROSSMAN: It's up to you.  
24 MR. CHEN: Thank you. I may before we're done.  
25 I'm just at, you know, at 11:30 --

Page 91

1 MR. GROSSMAN: I said it's up to you.  
2 MR. CHEN: -- at 11:30 in the middle of cross-  
3 examination, I'm not prepared to make --  
4 MR. GROSSMAN: Do you have, you said in the  
5 middle. I have to give the people here a break, a morning  
6 break. How much longer do you think, I was hoping to finish  
7 this witness, first, but how much longer do you think your  
8 cross-examination would be?  
9 MR. CHEN: I haven't gotten to my notes yet.  
10 MR. GROSSMAN: Okay. Well, then let's take that  
11 morning break now and come back at 11:40, at least on that  
12 clock. Yes. That's about right.  
13 (Off the record.)  
14 (Off the record discussion.)  
15 (On the record.)  
16 MR. GROSSMAN: All right. Everybody is ready.  
17 Let's go back on the record.  
18 Mr. Chen, you were in your cross-examination.  
19 BY MR. CHEN:  
20 Q. Ms. Bacon, just, maybe this may save a little bit  
21 of time. I'm hoping that. I take it as far as the  
22 buffering and the lighting on that service area near my  
23 client's property, there will be another witness that'll be  
24 addressing those matters?  
25 A. Yes.

Page 92

1 Q. Okay. Thank you. That, that does help. Let's go  
2 back to the service drive. I think we were, before I was  
3 interrupted by the Examiner, talking --  
4 MR. GROSSMAN: RHIP.  
5 BY MR. CHEN:  
6 Q. I think I was talking about trash trucks and I,  
7 and I apologize if I'm repetitive, but I just want some,  
8 some clarity on it. You said that there would be three  
9 times a week a trash pickup would occur. And it would be  
10 between the hours of 7:00 a.m. and 7:00 p.m. Correct?  
11 A. Yes.  
12 Q. And I take it that between pickups, trash would be  
13 kept in the trash enclosure area that's identified on the  
14 plan. Is that correct?  
15 A. Yes.  
16 Q. What, if you know, and again, I'm, maybe this is  
17 not your area, but you were offered for operations. What  
18 will be, what will that physically consist of? That trash  
19 enclosure area. I think that's the terminology you use on  
20 the plan so I just need --  
21 A. I, I think our architect and engineers can  
22 probably testify to the, you know, specific dimensions and  
23 attributes, but in all of our buildings, we have a, a  
24 screened trash enclosure area, you know, with the dumpsters  
25 are closed. We, that area is kept very clean and we don't

Page 93

1 have any problems with it. It is very routine. It's very  
2 well designed and, and routine.  
3 Q. How large, do you know the size of the dumpsters?  
4 A. I do not.  
5 Q. Okay. So as I understand your testimony, the  
6 service drive, is that acceptable or accurate terminology?  
7 I've used the word service drive. I've seen that somebody  
8 puts it as service alley. What would be the proper word to  
9 use?  
10 A. I, I don't know your definition between a drive  
11 and an alley. It's --  
12 Q. I apologize. I've seen the word literally alley  
13 was used. I, I'm not springing a word on you.  
14 A. Right.  
15 Q. I just want to get the right terminology.  
16 A. I think service drive is fine.  
17 Q. Okay. Thank you. Okay. So, as I understand your  
18 testimony, and where I'm going so you understand, is I'm  
19 trying to get a good understanding of the use for the  
20 service drive.  
21 A. Um-hmmm.  
22 Q. And you told us that it would be used for the food  
23 deliveries that you've described and the trash pickups that  
24 you've described. I think you said there might be occasions  
25 that, you don't have any numbers, but there may be occasions

Page 94

1 when an ambulance would be using it as well. Correct?  
2 A. A, an ambulance to take someone to the hospital or  
3 when we have a, when we lose someone. Is that what you're  
4 talking about?  
5 Q. Yes. I think you've described that.  
6 A. Well, you know, we have an underground garage also  
7 in, in this, in the design of this building. And so, you  
8 know, there would be occasion when we might have, you know,  
9 have something happen inside in the underground garage in  
10 terms of that. Like, for example, if it was, I can think of  
11 one thing. Say we were preparing for a big snowstorm or  
12 blizzard and we wanted to keep a lot of salt on property.  
13 We might store that downstairs in the garage and that might  
14 get delivered through the side door.  
15 Q. And I take it an ambulance would be able to enter  
16 that area if, if necessary if someone passed or some other  
17 medical situation.  
18 A. And, and usually if there's a situation where  
19 someone has passed, it's not an ambulance with the lights  
20 and, you know, and noise going on. It's, it's a medical  
21 transport situation.  
22 Q. Now other than those three types of use though,  
23 what other use will there be for the service drive?  
24 A. If there, I, I guess for a fire lane if there were  
25 a fire.

Page 95

1 Q. Any other use?  
2 A. Not that I can recall.  
3 Q. How about employees?  
4 A. Employees would not normally use that. If they,  
5 if, you know, the, the entrance to the underground garage.  
6 They, if they were parking in the, in the, in the garage  
7 would use it, but not, not normally. There would be no  
8 reason for them to. I mean they won't be delivering product  
9 to the building.  
10 Q. No, no. I'm, I'm not talking about delivering  
11 product. I'm talking about the use of the service drive.  
12 You know, I, I assume that aside from what we've been  
13 through already, that your employees would use the service  
14 drive also to go to the parking.  
15 A. To go to the parking.  
16 Q. Yeah.  
17 A. To go to the underground parking.  
18 Q. Yeah.  
19 A. Yes.  
20 Q. Okay. Please I'm, just --  
21 A. That, that doesn't go all the way back to where, I  
22 think I was focusing on where you were talking about with  
23 the trash and whatever.  
24 Q. Just so we're clear, I'm trying to understand all  
25 activity that'll occur in the service drive. You know, I'm,

Page 96

1 there's some that have been described in the papers that  
2 have been filed and, and I can talk and ask you about them,  
3 but I'm going to get to the point where I'm going to say  
4 other than this, what other uses will the service drive be  
5 there for or accommodated for. Okay. But let's, let's just  
6 now talk about the employees. They will be using the  
7 service drive for their vehicles to get to the indoor  
8 parking area. Is that correct?  
9 A. If they, if they use the indoor parking area.  
10 We've got extensive parking out here as well.  
11 MR. GROSSMAN: Out here being on the --  
12 MS. GIRARD: Oh, here.  
13 MR. GROSSMAN: -- eastern side of the facility.  
14 THE WITNESS: On the eastern side of the facility  
15 in the front of the community is parking.  
16 BY MR. CHEN:  
17 Q. How many indoor parking spaces are there?  
18 A. You know, we can have our parking and traffic  
19 experts and engineers testify to, to, to how many spots are  
20 underground, how many spots are above ground. I would be  
21 more comfortable if they did that.  
22 Q. Okay. But you do in have indoor parking for your  
23 employees?  
24 A. We have a few spaces of indoor parking. Yes.  
25 Q. Okay. Whatever number it is, we'll hear from

Page 97

1 somebody else, but what --  
2 A. You will.  
3 Q. Whatever the number is the service drive will be  
4 used for those employees who would use the --  
5 A. Could be.  
6 Q. Let me, please.  
7 A. I'm sorry.  
8 MR. GROSSMAN: Let him finish. Let him finish the  
9 sentence.  
10 BY MR. CHEN:  
11 Q. There is indoor parking available for employees.  
12 Is that correct?  
13 A. That is correct.  
14 Q. Okay. Accordingly, the employees that'll be using  
15 indoor parking will use the service drive to get to those  
16 indoor parking spaces.  
17 A. That's correct.  
18 MR. GROSSMAN: Ms. Bacon.  
19 THE WITNESS: Um-hmmm.  
20 MR. GROSSMAN: Where on the facility is the  
21 entrance to the indoor parking?  
22 THE WITNESS: Can you all look for me? Is it  
23 right here?  
24 MR. GROSSMAN: It's about halfway down the access  
25 drive? Well, no, he can't help you --

Page 98

1 MS. GIRARD: Correct.  
2 MR. GROSSMAN: Just, just testify as to what you  
3 know. If you don't know, just say so.  
4 THE WITNESS: I believe, I believe it's right in  
5 here. And I believe --  
6 MR. GROSSMAN: Okay. So it's in the southern  
7 side. It's not all the way down at the end --  
8 THE WITNESS: No.  
9 MR. GROSSMAN: -- of the, of the access drive.  
10 THE WITNESS: No, the only, exactly. The only  
11 thing that comes all the way down here. The trash truck  
12 would come to turn maybe there. But the employees would not  
13 be going that far on.  
14 MR. GROSSMAN: Okay.  
15 THE WITNESS: And we even, we even looked at what  
16 would be the light flow, you know, on, on that. And they,  
17 you know, it goes out, you know, over the trees this way.  
18 Not into a residential home.  
19 MR. GROSSMAN: Okay.  
20 BY MR. CHEN:  
21 Q. Notwithstanding where the entrance way is into the  
22 indoor parking, there would, there's nothing that would stop  
23 an employee from traveling down to the trash area for some  
24 reason. Isn't that right? There's no barrier or anything  
25 like that.

Page 99

1 A. There's no barrier.  
2 Q. Yeah.  
3 A. There's no destination either. But there's no  
4 barrier.  
5 Q. Well, I appreciate that. But the, my point is an  
6 employee could drive down to the trash area.  
7 A. Yes.  
8 Q. Okay. Thank you. So we have the employees. Are  
9 there any other uses for that service drive?  
10 A. I can think of none, Mr. Chen.  
11 Q. Where are the generators kept?  
12 A. The, I don't know the exact location of the  
13 generator. We'd have to have, we have to have our engineer  
14 show you that. Or the architect. They will be able to  
15 testify and show you the exact location.  
16 Q. Is there any need for maintenance vehicles to  
17 service this, this, service this facility?  
18 A. Such as?  
19 Q. HVAC system.  
20 A. The, yes. They usually, if we have an HVAC  
21 service, it's usually a panel truck. You know, it's a small  
22 panel van our HVAC people usually come in.  
23 Q. Do you know where the HVAC equipment is?  
24 A. Some, most of its going to be probably on the roof  
25 and in the mechanical areas in the basement.

Page 100

1 Q. Okay.  
2 A. In the Terrace Level.  
3 Q. Okay. Is there any linen service provided?  
4 A. We usually wash the linen on-site. We have a  
5 commercial, have the ability to have, we have a commercial  
6 washer and dryer in, within the community. So we wash our,  
7 you know, most of our linens on-site.  
8 Q. And, and where is that laundry?  
9 A. I'd have to get a floor plan and show you that.  
10 It would probably be on the Terrace Level.  
11 MR. GROSSMAN: What difference exactly would that  
12 make if it's located inside the facility?  
13 MR. CHEN: Well, I didn't, first of all, I didn't  
14 know where it was located until I heard the answer just now.  
15 But it, depending upon where it's located, Mr. Examiner,  
16 does influence the possibility, and so I'm trying to plumb  
17 of the use of the service drive.  
18 MR. GROSSMAN: No, but if they're washing their  
19 linen in-house, what difference --  
20 MR. CHEN: Oh, I'm sorry. I apologize.  
21 MR. GROSSMAN: What difference does it make  
22 whether they have their linen washing facility on Terrace  
23 Level or other level to you?  
24 MR. CHEN: Well, for the reason I just stated.  
25 That the initial question was because you, as I think you

Page 101

1 indicated just now you could have linen service and that was  
2 why I asked the initial question. The second, the follow-up  
3 question when she said that they, they laundered on-site was  
4 I wanted to know where that equipment is located because you  
5 get to the issue of maintenance of that equipment.  
6 MR. GROSSMAN: Well, if it's on-site and it's  
7 maintenance of that equipment, your question really goes to  
8 where the maintenance truck would, would access. Is that  
9 really, isn't that --  
10 MR. CHEN: I, yeah, I'm --  
11 MR. GROSSMAN: It's not a question of where it is,  
12 where the, the linen service is located inside the building.  
13 That's irrelevant really to you or to me.  
14 MR. CHEN: Well, let me tell you why I, if it's on  
15 the Terrace Level and I think the witnesses are very candid  
16 to say there are occasions when the vehicles would come  
17 inside into that area, which I respect and I, I think that  
18 makes sense. Where I'm coming from on that is is if that is  
19 where the commercial laundry area equipment is located, I  
20 think this same answer would apply. That they would have it  
21 right there. I think that's a germane question.  
22 MR. GROSSMAN: In what way? How does that impinge  
23 on your clients?  
24 MR. CHEN: For maintenance.  
25 MR. GROSSMAN: No, but maintenance, does

Page 102

1 maintenance make any difference to the outside world other  
2 than from your standpoint where the truck enters?  
3 MS. GIRARD: Right.  
4 MR. CHEN: It's, the, it is relevant to my clients  
5 and that's correct. And that's why I wanted to know where  
6 it was located.  
7 MR. GROSSMAN: But only, the only question that's  
8 relevant there is where the truck is. Isn't that true?  
9 MR. CHEN: I haven't gotten there yet.  
10 MR. GROSSMAN: Okay. I understand you haven't  
11 gotten there. That's part of the problem.  
12 MR. CHEN: Yeah.  
13 MR. GROSSMAN: You're taking --  
14 MR. CHEN: Well --  
15 MR. GROSSMAN: -- a long way around to get there.  
16 MR. CHEN: Well, that's okay.  
17 MR. GROSSMAN: Let's, let's try to direct it into  
18 things that are really relevant to what I have to consider,  
19 which is the extent to which this proposed use would impinge  
20 on the community and specifically on your client.  
21 MR. CHEN: Well, let's talk about that just for a  
22 minute. Okay. We have a very sophisticated witness here.  
23 She has a very big business. She's the major owner of it.  
24 She's been very careful on her answers. Now, I have a right  
25 to cross-examine. And, and --

Page 103

1 MR. GROSSMAN: You've been given more than a right  
2 to cross-examine, Mr. Chen.  
3 MR. CHEN: Yeah. I understand that.  
4 MR. GROSSMAN: As you know. But you've gone into  
5 detail to, which to some extent is not relevant and I'm  
6 pointing that out to you.  
7 MR. CHEN: Okay. And --  
8 MR. GROSSMAN: Let's keep it to the relevant area.  
9 MR. CHEN: I appreciate that. I appreciate that.  
10 But sometimes a direct route is not the best route. Okay.  
11 That's all I'm saying.  
12 MR. GROSSMAN: I don't care what the best route is  
13 for you. What I care about is getting to relevant areas so  
14 that this hearing is not unduly extended.  
15 MR. CHEN: I, I understand that.  
16 MR. GROSSMAN: Okay.  
17 BY MR. CHEN:  
18 Q. So as I understand it, on that equipment, that  
19 commercial laundry equipment, where would the vehicles be to  
20 be, if they had to come to the site for maintenance, where  
21 would they go?  
22 A. Probably into the underground garage.  
23 Q. Okay. Are there any other types of maintenance  
24 equipment that would require, excuse me, I apologize. Is  
25 there any other equipment that would require that type of

Page 104

1 maintenance personnel or vehicle to come to the site?  
2 A. Not on, I mean none of this would come to the site  
3 on a regular basis. It would just be if something were  
4 broken.  
5 Q. Yes. I understand that.  
6 A. So I guess if you think about your home, but just  
7 think about something larger than that, what could possibly  
8 break and you would call, you know, call a person to come,  
9 you know, and fix it.  
10 Q. Okay. So those types of visits as with a home  
11 might be irregular at any given point in time?  
12 A. Right.  
13 Q. Could you please identify any types of irregular  
14 visits to the site utilizing that service drive? And again,  
15 it may not be routine. It may be not on a regularized  
16 basis, but as with a home, what type of service might this  
17 facility require that would necessitate that a panel truck  
18 or some other vehicle would have to come to the site and go  
19 to that Terrace Level?  
20 A. I don't know.  
21 Q. How about window washers? Exterior window  
22 washers.  
23 A. We usually wash our own windows.  
24 Q. Okay. Is there any other equipment other than the  
25 HVAC, the, I guess the generators, which I understand

Page 105

1 another witness will talk about and commercial laundry. Is  
2 there any other equipment on the site that would necessitate  
3 some type of periodic maintenance?  
4 A. Our maintenance staff, and, and we use, use a  
5 program called TELS (phonetic sp.), we do a lot of  
6 preventive maintenance ourselves on-site and obviously, you  
7 know, we can't do everything, but, but we rarely have, have  
8 to call an outside service. Especially in a building that  
9 will be, this will be a silver LEED building and it's going  
10 to be built to very efficient specifications and it's going  
11 to be brand new so I would expect that there would be very  
12 little need for, for repair and maintenance.  
13 MR. GROSSMAN: Since you used the term silver  
14 LEED, would you explain for the record what that means?  
15 THE WITNESS: It means that we're building the  
16 building according to standards that are environmentally  
17 friendly and progressive. Thinking about the building  
18 materials that we use. The electrical and heating systems  
19 that we use to make sure that they're efficient. And, you  
20 know, that the building does, we do our part, if you will,  
21 to, as they say, reduce the carbon footprint.  
22 MR. GROSSMAN: Okay.  
23 BY MR. CHEN:  
24 Q. The, and just so I'm clear on this. Your  
25 explanation is as to the employees' shifts, it sounds as if

Page 106

1 it's not an, an occasion when your shift employees show up  
2 at 7:00 a.m. all at once and leave at 3:00 p.m., for  
3 instance. It sounds like it's, it's more, there is shifts  
4 for employment purposes, but there's no hard and fast rule  
5 about when the employees would appear for their job. I  
6 mean, you know, the sense I received from your testimony was  
7 yeah, we have shifts, but we have part-time employees. We  
8 have full-time employees and they, they come in for their  
9 shift as appropriate. Is that a fair statement?

10 A. They, they, they are, there are a firm, everybody  
11 has a firm work schedule. But it doesn't coincide to always  
12 a 7:00 and 3:00 and a 3:00 to 11:00. And, and let me just  
13 take a minute to explain why. Most, most, we need more  
14 services in-house when our residents are getting up in the  
15 mornings and may need help with showering. We're preparing  
16 breakfast. They're getting morning medications. So you  
17 have a period of time of say 6:00 to 10:00 in the morning  
18 when there is a heavy use of, you know, just getting  
19 everybody ready for the day. Making their beds, cleaning  
20 the rooms, those kinds of things. Then you have lunch. So  
21 you're preparing lunch. Breakfast and then you're preparing  
22 lunch and then you're starting to prep on dinner so your  
23 dining staff peaks towards the middle of the day. And  
24 toward the end of the day, when you're kind of doing the  
25 reversal when residents are finishing their evening

Page 107

1 activities, getting their evening meds, whatever they may  
2 need and going to bed, the staff wanes down. So it's not  
3 like, you know, a, a bunch of people arrive at one time and  
4 stay. It, it, it goes up and it goes down. So somebody may  
5 work, may work a 5:00 a.m. to 9:00 a.m. schedule. Somebody  
6 may work a, a 10:00 to 4:00 schedule. It depends on what we  
7 need where.

8 Q. Okay. But none, nonetheless, what we are talking  
9 about is during the course of a day, 110 employees?

10 A. Not in the course of a day. In the course, 110  
11 full-time employees over the course of seven days. That's  
12 an average. That, that's how many employees we would have  
13 on payroll, would be 110. But you would not have, because  
14 you've got a seven day week. No employee can work seven  
15 days. They work five days.

16 MR. GROSSMAN: But I take it that at no time  
17 you're going to more than 40 staff on-site?

18 THE WITNESS: That's right.

19 MR. GROSSMAN: Maybe overlapping on shifts or  
20 whatever, but --

21 THE WITNESS: Exactly.

22 MR. GROSSMAN: -- at no point will there be more  
23 than 40 on on-site.

24 THE WITNESS: That's correct.

25 MR. GROSSMAN: Okay.

Page 108

1 BY MR. CHEN:  
2 Q. But they're not all the same people. I mean  
3 they're, if there's 40 people on-site, all right, is it your  
4 testimony that the same 40 people are on-site throughout the  
5 24 hour period?

6 A. No.

7 MR. GROSSMAN: No.

8 MS. GIRARD: What is the relevance of that?

9 MR. CHEN: No.

10 MR. GROSSMAN: She didn't say that and, and what  
11 difference would that make?

12 BY MR. CHEN:  
13 Q. That, well, it, it, it's relevant to the number of  
14 vehicles using the site. Particularly for employees using  
15 the parking. Because let's assume for the moment, and  
16 correct me if I'm mistaken, that while there may be a  
17 maximum of 40 people on the site during the day, they're not  
18 the same 40 people. You may have someone there who is there  
19 from say 7:00 to 10:00 during that maximum breakfast period.  
20 And that person would leave. Isn't that correct?

21 A. Could be.

22 Q. Okay. And then somebody else though may be  
23 arriving at 10 o'clock to pick up to work from say 10:00  
24 through the noon hour rush to 1 o'clock. Isn't that  
25 correct?

Page 109

1 A. But you peak at 40 in the middle of the day.  
2 Q. Oh, yes.  
3 A. Okay. You don't, you, so, so if you're there at 2  
4 o'clock in the morning, you're probably going to have seven  
5 or eight people in the building. If you're there at 10  
6 o'clock at night, seven or eight people. So it, it ratchets  
7 up to 40 and then goes back down in the middle of the day.  
8 Q. Yes. I, I understand that. And what I'm just  
9 trying to get clarification on is when you talk about  
10 ratcheting up and, and going down, you have people coming  
11 and going. And there are different people coming and going,  
12 but your testimony is at any point in time during the day  
13 there's never more than 40.

14 A. Right.

15 Q. Okay. Do you, do you know, do you know how many  
16 different employees come to the site during the course of  
17 the day?

18 A. I would say maybe 60. Something like that.

19 Q. Okay.

20 A. It depends again on what, what the occupancy is  
21 and what's going on.

22 Q. Right. But at full occupancy, we're, you're,  
23 you're, that would be probably about 60?

24 A. Um-hmmm.

25 Q. Okay. Other than physicians, do the residents

Page 110

1 have any other personal assistants?  
2 A. Personal assistants meaning what?  
3 Q. An aide, a therapist maybe or --  
4 A. The care, care managers work for us. Those are  
5 the employees we're talking about, that we have been talking  
6 about. We do usually work with a, one of the local hospital  
7 systems for physical therapy on-site so there may be a  
8 therapist there.  
9 Q. Yes. And --  
10 A. One, one therapist. Yeah.  
11 Q. Okay. And my, my question then, and I apologize  
12 if maybe I wasn't clear, but as I understand your testimony,  
13 the residents of this facility while they have available to  
14 them your employees that have services. Nurse that can  
15 provide services. They also, however, have the ability to  
16 have a private physician come to the site to examine them  
17 and I assume they also have the right to have other  
18 specialized individuals, such as a therapist come to the  
19 site to provide their services. Is that correct?  
20 A. No. They would use our therapist that we, that we  
21 --  
22 Q. Okay.  
23 A. -- would have with the hospital.  
24 Q. Okay. So that are there any other private aides?  
25 Maybe that's a better word. That a resident has the ability

Page 111

1 to utilize other than their personal physician?  
2 A. Rare, rarely.  
3 Q. Okay.  
4 A. Um-hmmm. Rarely.  
5 Q. Just so I've got clarification on this now. And  
6 I'm, please, I'm focusing, remember I, I told --  
7 MR. GROSSMAN: Well, don't, you don't need a  
8 prelude. Just ask the question.  
9 MR. CHEN: Okay.  
10 BY MR. CHEN:  
11 Q. Other than the food trucks, trash trucks, employee  
12 vehicles and periodic maintenance vehicles, are there any  
13 other uses for the service drive?  
14 MS. GIRARD: Objection. We have asked and  
15 answered this.  
16 MR. GROSSMAN: Sustained.  
17 MR. CHEN: Okay.  
18 MR. GROSSMAN: Asked and answered.  
19 MR. CHEN: Okay. Just for the record, I don't  
20 think that that, that question has been answered, but that's  
21 okay. I'll abide by the rule.  
22 BY MR. CHEN:  
23 Q. Do you have any information about the noise to be  
24 generated by any of these vehicles?  
25 A. I don't know that we did a noise study, but they

Page 112

1 don't, in all of our other communities we, we don't have any  
2 noise issues.  
3 Q. And do you have any information about the lighting  
4 that would be resulting from the use of these vehicles?  
5 A. You'll have testimony about that from the experts,  
6 but it's low. It's low voltage lighting.  
7 MR. GROSSMAN: There is a photometric study in the  
8 record of that.  
9 MR. CHEN: I saw that. Yes.  
10 MR. GROSSMAN: Okay.  
11 BY MR. CHEN:  
12 Q. Does your business own the 16-passenger bus?  
13 A. Yes.  
14 Q. And where is that kept?  
15 A. In this case it will be kept in the garage.  
16 Q. How will it get to the garage?  
17 A. It will use the service drive.  
18 Q. Okay. We didn't mention that, but --  
19 A. We didn't.  
20 MR. CHEN: Well, I, I think, Mr. Examiner, I've  
21 got to ask my, my question again.  
22 THE WITNESS: I think that's like an employee. It  
23 would be an employee driving it. It's like an employee  
24 would park it there.  
25 BY MR. CHEN:

Page 113

1 Q. I understand that, but this is a 16-passenger bus.  
2 Isn't that right?  
3 A. Yes. A van. Yeah.  
4 Q. Van.  
5 A. Um-hmmm.  
6 Q. Okay. You also mentioned that there's limousine  
7 service. Is that correct?  
8 A. He, he would normally park up front.  
9 Q. Do the limousines park inside the building at any  
10 occasion?  
11 A. No. He would park out front.  
12 Q. Is there a gas pump on-site?  
13 A. I don't think so.  
14 Q. Okay. Does the facility have any non-vehicle  
15 equipment, such as a Bobcat or anything like that?  
16 A. No.  
17 Q. Okay. Some facilities have like a golf cart that  
18 they use. Anything like that used?  
19 A. No.  
20 Q. Okay. Who is using the underground parking area  
21 other than the employees who would park their vehicles?  
22 What other employees are used in the area?  
23 A. What other employees besides --  
24 MR. GROSSMAN: Is it what other --  
25 THE WITNESS: -- the employees?

Page 114

1 BY MR. CHEN:  
2 Q. Yeah. In that area, what --  
3 MR. GROSSMAN: No, you said, you said --  
4 MR. CHEN: I apologize.  
5 MR. GROSSMAN: -- other than employees. Then you  
6 said what other employees. So you've used employees twice.  
7 MR. CHEN: I apologize.  
8 BY MR. CHEN:  
9 Q. Aside from the, that, I think you refer to it as a  
10 Terrace area. Is that correct?  
11 A. Yes.  
12 Q. Okay. Other than using that area for parking for  
13 employees, what other use is that area devoted to?  
14 A. The parking garage?  
15 Q. Well, the Terrace, I'm talking about the, as I  
16 understand your testimony, and I, I apologize if I'm  
17 mistaken, but I understood you to say that the off street or  
18 the employee parking is, is at the Terrace Level. Is that  
19 correct?  
20 A. Yes.  
21 Q. Okay. And my, my question is other than utilizing  
22 that level, the Terrace Level, for the parking, is there any  
23 other use or any other activity in that --  
24 A. Oh, you want to know what, what else is located on  
25 that level?

Page 115

1 Q. Yes, ma'am.  
2 A. In the building.  
3 Q. Yeah.  
4 A. The, the indoor therapy pool is located there.  
5 The fitness room. I believe the, the theater is on that  
6 level. Our architect can go through --  
7 Q. Okay.  
8 A. -- the exact floor plan with you, but that's my  
9 recollection of what's on that level.  
10 Q. Okay.  
11 MR. CHEN: I'm done.  
12 MR. GROSSMAN: Any redirect?  
13 MS. GIRARD: No.  
14 MR. GROSSMAN: All right. Thank you, Ms. Bacon.  
15 Appreciate it.  
16 THE WITNESS: Thank you. Thank you.  
17 MR. GROSSMAN: All right. Your next witness.  
18 MS. GIRARD: Our next witness is Josh Sloan.  
19 MR. CHEN: I have a, just a question. During the  
20 course of Ms. Bacon's testimony, you accepted Exhibits 89 A  
21 through D.  
22 MR. GROSSMAN: I marked them for the record.  
23 Yeah.  
24 MR. CHEN: My understanding, these were  
25 independent submissions that Ms. Girard gave to the

Page 116

1 Examiner.  
2 MR. GROSSMAN: Right.  
3 MR. CHEN: Is there going to be a witness to  
4 respond to any questions about these letters?  
5 MR. GROSSMAN: I don't know. But --  
6 MR. CHEN: Okay. Okay. Okay. That's fine.  
7 MR. GROSSMAN: -- ordinarily we, we receive  
8 letters, --  
9 MR. CHEN: I understand that.  
10 MR. GROSSMAN: -- as you know, --  
11 MR. CHEN: Yeah.  
12 MR. GROSSMAN: -- for which there is no, --  
13 MR. CHEN: Yeah.  
14 MR. GROSSMAN: -- as we're required to do, which,  
15 for which there is no --  
16 MR. CHEN: Okay.  
17 MR. GROSSMAN: -- witness often. We do require  
18 that they always be signed if we, not just an email. We'll  
19 take emails from, after we've established a, a relation with  
20 an attorney or whatever, but for submissions from people we  
21 don't have any authentication from any office, we require  
22 that they get a signed letter.  
23 MR. CHEN: Okay.  
24 MR. GROSSMAN: So. All right. Mr. Sloan, would  
25 you state your full name, please?

Page 117

1 MR. SLOAN: Joshua Sloan.  
2 MR. GROSSMAN: All right. Raise your right hand,  
3 please. Do you swear or affirm to tell the truth, the whole  
4 truth, and nothing but the truth under penalty of perjury?  
5 MR. SLOAN: I do.  
6 MR. GROSSMAN: All right. You may proceed.  
7 DIRECT EXAMINATION  
8 BY MS. GIRARD:  
9 Q. Mr. Sloan, have you qualified as an expert in land  
10 planning and landscape architecture in front of this body?  
11 A. I have.  
12 Q. Do you remember most recently?  
13 A. The most recent case was the conditional for the,  
14 the re-zoning for the Montgomery Village Golf Course  
15 Development Plan Amendment.  
16 MR. CHEN: Mr. Examiner, if it would save some  
17 time, I know it's just not --  
18 MR. GROSSMAN: DPA 1501 is the case you're  
19 referring to there.  
20 MR. CHEN: I'm aware Mr. Sloan has been accepted  
21 as an expert witness in that field before you, but I don't  
22 think, I don't need any voir dire or running through his  
23 credentials.  
24 MR. GROSSMAN: You have no objection to his  
25 qualifications as an expert in land planning and landscape

Page 118

1 architecture?  
2 MR. CHEN: No. I can, we're okay with that.  
3 MR. GROSSMAN: All right. Mr. Uhre, do you have  
4 any questions regarding this witness's expertise as a land  
5 planner and landscape architecture?  
6 MR. UHRE: No, sir.  
7 MR. GROSSMAN: Okay. In light of that, do you  
8 feel a need to go any further?  
9 MS. GIRARD: No. I do not.  
10 MR. GROSSMAN: All right then.  
11 MS. GIRARD: I will move his admission.  
12 MR. GROSSMAN: I, I also am familiar with his  
13 prior testimony as an expert in this area and I accept Mr.  
14 Sloan as an expert in land planning and landscape  
15 architecture.  
16 MS. GIRARD: Great.  
17 BY MS. GIRARD:  
18 Q. Mr. Sloan, are you familiar with the subject  
19 property, the surrounding area and Application No. CU 16-01?  
20 A. I am.  
21 Q. And are you familiar with the approved and adopted  
22 Potomac Master Plan and its recommendations with respect to  
23 the subject property, surrounding area and the provision of  
24 senior housing in the subregion?  
25 A. I am.

Page 119

1 Q. Are you familiar with the requirements of the  
2 Zoning Ordinance with respect to conditional uses and  
3 residential care facility conditional uses in particular?  
4 A. I am. I spent several years while at the  
5 Montgomery County Planning Department working on it.  
6 Q. So you're, you're more than familiar?  
7 A. I am quite familiar with it. Yes.  
8 Q. And can you review for us the, the findings and  
9 conclusions of your land planning analysis?  
10 A. Okay. The NRI that I'm going to speak to first is  
11 I don't know which exhibit. The NRI being the Natural  
12 Resources Inventory, Forest Stand Delineation.  
13 MR. GROSSMAN: Yeah. I don't think you had to  
14 reproduce, that one was already sealed, I believe.  
15 MS. GIRARD: Yes.  
16 MR. GROSSMAN: and so it's one of your --  
17 MS. GIRARD: Initial ones.  
18 MR. GROSSMAN: -- or an initial ones. Let's see.  
19 It might have been 39. Let me see. Let's identify it for  
20 the record.  
21 MR. CHEN: Was that 37? Is it 37B?  
22 MR. GROSSMAN: 26. I'm sorry. 37?  
23 MR. CHEN: B.  
24 MR. GROSSMAN: B. Okay. Let's see.  
25 MR. CHEN: Is that it?

Page 120

1 MR. GROSSMAN: Copy of NRI/FSD.  
2 MS. GIRARD: Yes.  
3 MR. GROSSMAN: All right. 37B as in boy. All  
4 right.  
5 THE WITNESS: So we start with the --  
6 MR. GROSSMAN: And where is north on this, this  
7 diagram?  
8 THE WITNESS: North on this diagram?  
9 MR. GROSSMAN: Yes.  
10 THE WITNESS: This is, this is actually, actually  
11 turned, so north is straight up.  
12 MR. GROSSMAN: All right. North is up on this  
13 one.  
14 THE WITNESS: North is up on this one. So we  
15 start with the existing site and, of course, it's improved  
16 with the several tennis courts, the large tennis bubble  
17 areas and, and some buildings, structures. We have a, a new  
18 exhibit, I believe, which is an aerial view of the existing  
19 site so you can get a better sense of the tennis courts, the  
20 bubbles, the structure, which is all in the center, the  
21 parking area.  
22 MR. GROSSMAN: And what, and that exhibit you're  
23 referring to now is --  
24 MS. GIRARD: This is --  
25 THE WITNESS: This is an aerial view of the

Page 121

1 existing property.  
2 MR. GROSSMAN: Okay.  
3 MS. GIRARD: This is similar to 75, the, the  
4 rendering, but without --  
5 MR. GROSSMAN: Right.  
6 MS. GIRARD: -- the Prospective.  
7 MR. GROSSMAN: Without the rendering. Okay.  
8 MR. GIRARD: The, just with the existing --  
9 MR. GROSSMAN: And so this has not been --  
10 MR. CHEN: What number is that?  
11 MR. GROSSMAN: This has not been in, in the record  
12 yet?  
13 MR. KAUFMAN: No. It has to get a new number.  
14 MS. GIRARD: Correct.  
15 MR. GROSSMAN: All right. So let's give that, and  
16 I believe on this one, once again north is on the bottom  
17 rather than on, on the top. Is that correct?  
18 THE WITNESS: North is reversed.  
19 MR. GROSSMAN: Yes.  
20 THE WITNESS: It, it gives us a best view of the  
21 --  
22 MR. GROSSMAN: Is there, is there a key on that  
23 map, by the way, that, on that photo? Is there a key? A  
24 north/south key?  
25 THE WITNESS: No. I can put one on.

Page 122

1 MR. GROSSMAN: Yes, please do.  
2 MR. KAUFMAN: This would be 90, I believe.  
3 MR. GROSSMAN: This would be 90.  
4 (Hearing Exhibit 90 was marked  
5 for identification.)  
6 MS. GIRARD: And we do have smaller hard copies  
7 for everyone.  
8 MR. GROSSMAN: All right.  
9 MR. CHEN: Is it 90?  
10 MR. GROSSMAN: Yes. Exhibit 90 is aerial photo of  
11 existing site.  
12 MR. UHRE: You know for those of us who are older,  
13 whatever he wrote, I can't read.  
14 MS. GIRARD: He, he wrote Exhibit 90.  
15 THE WITNESS: I just says Exhibit 90.  
16 MR. UHRE: Can you write it in big letters,  
17 please?  
18 MS. GIRARD: Exhibit 90.  
19 MR. GROSSMAN: Well, or you can go up and look at  
20 it. You can, you know. He wrote Exhibit 90.  
21 And I presume you put a map key on there showing  
22 the direction of north. Correct?  
23 THE WITNESS: I, I put the north on the bottom  
24 left.  
25 MR. GROSSMAN: Yeah. Yeah. As a general rule,

Page 123

1 I'd like to see a map key on, on every diagram that's shown  
2 or photograph of this sort. And where is this? What's the  
3 origin of this particular exhibit, this photograph?  
4 THE WITNESS: This is a, a Google Earth view.  
5 MR. GROSSMAN: Okay. And when was this taken?  
6 THE WITNESS: It was taken from the, from the Web  
7 within the last, from the Internet within the last, last  
8 two, last week or so.  
9 MR. GROSSMAN: Do we know when the photo was taken  
10 itself?  
11 THE WITNESS: No, I do not.  
12 MR. GROSSMAN: Do we know if it accurately  
13 portrays the area in question at this point?  
14 THE WITNESS: It, it, it portrays everything that  
15 we have indicated on the Natural Resources Inventory. The  
16 three tennis courts are represented here. The drive area  
17 right by Potomac Tennis Lane is, is here. The two large  
18 white tennis poles are indicated on the NRI in the center of  
19 the site and, and towards the back of the site. The drive  
20 aisle that goes down the south, southwest portion is  
21 indicated.  
22 MR. GROSSMAN: Okay.  
23 MS. GIRARD: Just so it's easier for him. Let me  
24 see if we can --  
25 MR. GROSSMAN: All right. What, what's the height

Page 124

1 of the tennis bubble there?  
2 THE WITNESS: I believe the tennis bubble is about  
3 30 feet. So when we, we examined the site and got an  
4 approved Natural Resources Inventory from M-NCPPC as it  
5 shows on the plan, there is minimal planting. Most of the  
6 site is paved, improved with tennis courts, with a tennis  
7 bubble at the structure's surface parking. There's actually  
8 a drive aisle that runs from Potomac Tennis Lane down the  
9 southwest directly on the property line with Manor Care and  
10 with the Pauls' residence. There is a stream valley buffer  
11 in the northwest portion of this site that was indicated and  
12 approved that protects the stream that is just off site to  
13 the north. And there are also wetlands within that stream  
14 valley buffer area, both on the golf club, golf club's  
15 course and on the Pauls' residence. And all of those  
16 buffers have been indicated as approved by Park and  
17 Planning. Most of the tree canopy is actually provided by  
18 trees off-site. Within the golf course, on Manor Care and  
19 on the Pauls' property there's very little vegetation on-  
20 site. It's almost, it's quite impervious in nature.  
21 MR. GROSSMAN: And as I recall, there's no forest  
22 on the site.  
23 THE WITNESS: There is no forest on-site. There's  
24 a little bit of forest off-site. There are some  
25 conservation easements actually on the Manor Care property.

Page 125

1 Although today they wouldn't qualify as forest.  
2 MR. GROSSMAN: I'm going to mark the 11 x 17  
3 version of the new exhibit as Exhibit 90 A just so we have a  
4 small version in the file.  
5 THE WITNESS: Okay.  
6 (Hearing Exhibit No. 90 A was  
7 marked for identification.)  
8 MR. KAUFMAN: 98?  
9 MR. GROSSMAN: A as in Albert. Yeah.  
10 MS. GIRARD: That's your small version. I don't  
11 think you want --  
12 MR. KAUFMAN: Oh, you don't want this separately  
13 then?  
14 THE WITNESS: No, no, no.  
15 MS. GIRARD: That's 90 and that's 90 A.  
16 MR. GROSSMAN: No. I mean that's Exhibit 90.  
17 This is 90 A.  
18 MR. KAUFMAN: Understood. Sorry.  
19 MR. GROSSMAN: Just, just the 11 x 17 version of,  
20 of 90.  
21 THE WITNESS: Currently all of the water drains to  
22 a system of catch basins that is piped directly out at the  
23 base onto the Pauls' property onto the golf course. There  
24 are improvements. The tennis court structure's retaining  
25 walls within the stream valley buffer. And there are

Page 126

1 several significant specimen trees off-site.  
2 MR. GROSSMAN: I take it, Ms. Girard, you're going  
3 to have an engineer testify about storm water management and  
4 that sort of thing?  
5 MS. GIRARD: Yes.  
6 MR. GROSSMAN: Okay.  
7 MS. GIRARD: Yes.  
8 THE WITNESS: So then after description of the,  
9 the actual site itself, we talk a little bit about the, the  
10 neighborhood. And we worked with Planning Staff to define  
11 the neighborhood. And now I'm looking at conditional use  
12 application submission, the surrounding area map.  
13 MR. GROSSMAN: Which is?  
14 MS. GIRARD: It's Exhibit 13.  
15 THE WITNESS: Exhibit 13.  
16 MR. GROSSMAN: And where is north on this exhibit?  
17 THE WITNESS: North on this exhibit is also  
18 straight up.  
19 MR. GROSSMAN: Thank you.  
20 THE WITNESS: The site is the triangle in the  
21 center of this drawing. The limits of the neighborhood are  
22 indicated with a dash line that incorporates all of the  
23 Bullis School, the golf club, the Manor Care facility and  
24 all of the residential neighborhoods that are directly to  
25 the southwest of the property.

Page 127

1 MR. GROSSMAN: Did you, did you suggest the  
2 defined neighborhood limits?  
3 THE WITNESS: The defined neighborhood limit  
4 includes all of the properties in the, the golf course, the  
5 Bullis School, Manor's, Manor's, Manor Care, the, and all of  
6 the residents on the two closest roads off of Democracy,  
7 which are Normandy to Farm Drive and Lockland Road.  
8 MR. GROSSMAN: Yes. But I was asking was this,  
9 was this part of your suggested --  
10 THE WITNESS: Yes.  
11 MR. GROSSMAN: -- as to, as to defining the  
12 neighborhood.  
13 THE WITNESS: Yes.  
14 MR. GROSSMAN: And did the Technical Staff of the  
15 Planning Board accept that as the defined neighborhood?  
16 THE WITNESS: They did.  
17 MR. GROSSMAN: Okay.  
18 THE WITNESS: Okay. So that's the site and the  
19 location. So now I'm going to discuss the project  
20 description. And I'm using the, the site plan illustrative,  
21 which is an illustrative plan created early in the process  
22 --  
23 MR. KAUFMAN: Let's get the exhibit number.  
24 MS. GIRARD: 69 B, I believe.  
25 MR. GROSSMAN: I'm sorry?

Page 128

1 MS. GIRARD: 69 B.  
2 MR. GROSSMAN: 69 B. Okay. And where's north on  
3 that one?  
4 THE WITNESS: North on this one is to the right.  
5 MR. GROSSMAN: Okay. Is that indicated on the key  
6 on, on there?  
7 THE WITNESS: It's indicated on the key on the  
8 bottom right.  
9 MR. GROSSMAN: Okay.  
10 THE WITNESS: Along with the scale.  
11 MR. GROSSMAN: Okay.  
12 THE WITNESS: So when we started working with,  
13 with the site and, and the project, the project program, the  
14 first thing I did, of course, was I visited several of the  
15 sites that, that Brandywine operates and was, was struck by  
16 a number of things. One, they're, they're very well  
17 detailed and appointed. Two, they're also very serene  
18 environments. And, and three, they're, they provide certain  
19 facilities that you would see sort of in a, in a nice house.  
20 The other thing that I was working with was the  
21 architecture, which we'll speak to later. And the  
22 architecture has a feeling that reminded me in many cases  
23 of, of the early 20th Century estate gardening.  
24 MR. CHEN: Objection. I, this whole line is, you  
25 know, I don't, I think it's outside the expert in its

Page 129

1 relevancy.  
2 MR. GROSSMAN: Okay. Do you want to respond to  
3 that?  
4 MS. GIRARD: Sure. It goes to the design of the  
5 facility and compatibility.  
6 MR. GROSSMAN: I agree with that. It goes to the  
7 compatibility.  
8 MR. CHEN: I, okay.  
9 MR. GROSSMAN: So, well, I'll overrule the  
10 objection.  
11 THE WITNESS: I mean as, as, as the landscape  
12 architect on the project, really the, the design of it now  
13 incorporated the necessary screening, the elements, the  
14 amenity spaces, parking layout, and things like that. I'll  
15 speak to the, to working with the building, with the site  
16 itself. So the building has a, a very particular feel of,  
17 of the estates that are found throughout Potomac. And we  
18 wanted to really work on that residential feel with the,  
19 with the landscape. So we provided the parking, of course,  
20 on the, on the eastern portion of the site which is directly  
21 near the access, which is in the southeast of the site,  
22 right off of Potomac Tennis Lane where the existing access  
23 point is. The drive aisle that currently goes down the  
24 property between Manor Care and the poles on the existing  
25 site was set back with a landscape buffer. There were new

Page 130

1 provisions put into the Code during the write that was  
2 adopted, the rewrite adopted in 2014 specifically addressing  
3 what kind of screening should be provided between  
4 conditional uses and residential zoned properties. And so  
5 we accommodated that along the entire length.  
6 BY MS. GIRARD:  
7 Q. Can you just expand on that? But, so how is that  
8 different from what exists today?  
9 A. So what exists today is basically you've got a,  
10 and I'm looking now at the aerial view existing again,  
11 parking in a drive aisle, it's directly on or very close to  
12 the property line all the way down the, the western property  
13 boundary to a, an existing turnaround down by a structure in  
14 the corner in a parking area. So what we did is we  
15 basically took those things, worked with the grade --  
16 MR. GROSSMAN: That's really the southern  
17 boundary, right? Not the western? Am I correct?  
18 THE WITNESS: Southern, south, yeah, southwestern.  
19 Okay. We, we moved all of that an appropriate distance  
20 away. Work the grading in. So much of this service aisle  
21 is actually below the grade of the adjacent Manor Care  
22 property, which sits up higher. And it's not until you get  
23 down close to the end of the building where the grade  
24 changes and where it actually starts sloping down towards  
25 the Pauls. And there is the area that's shown sort of an,

Page 131

1 an opening on the landscape illustrative where the wetland  
2 is. And that's primarily a wetland because it takes all of  
3 the drainage from Manor Care, which is --  
4 MR. GROSSMAN: And that's the lighter green on the  
5 western side of the property. Right?  
6 THE WITNESS: Right. All of the drainage from  
7 Manor Care basically comes through this and created a  
8 wetland that then joins the stream valley.  
9 BY MS. GIRARD:  
10 Q. That's actually on the adjacent property. Right?  
11 A. On the adjacent property. So working with those  
12 things, working with the grade, we had also the ability to  
13 move the parking up and under the building at a point closer  
14 to the entrance so that the, anyone going in and out of the  
15 parking would be turning in and coming out directly across  
16 from Manor Care rather than, rather than further down. We  
17 worked a very quiet sitting area to the southern portion of  
18 the, within the southern portion of the building. There are  
19 two courtyard areas out, exterior, well, there are three.  
20 One is internalized for the Memory Care patients. The other  
21 areas are to the south courtyard and the north courtyard.  
22 So we have a very formal, typical of an estate kind of  
23 garden in the south courtyard. And the north courtyard,  
24 it's a little bit more open. There's an area for outdoor  
25 dining, seating. There's a, a more flexible lawn area. And

Page 132

1 then a, a little path to a, a gazebo that overlooks the, the  
2 stream valley buffer that's going to be reforested. So we  
3 took the reforestation requirements related to that,  
4 mitigation trees that are required for, for taking down or  
5 disturbing specimen trees, and incorporated that into a  
6 Forest Conservation Plan that the Planning Board recently  
7 approved at the hearing. And I think we want to submit that  
8 for the record. The approval.  
9 Q. Right.  
10 MS. GIRARD: I wasn't sure if that was in the  
11 record or not.  
12 MR. GROSSMAN: I think they mentioned it in the  
13 letter, but it, that they sent, but I'm not sure that the  
14 actual resolution approving the Forest Conservation Plan is  
15 in. Let me see.  
16 MR. UHRE: This is, looks like, is this in the  
17 record already?  
18 MS. GIRARD: That's what we're looking for. It  
19 was hard to tell by one of the descriptions in the Exhibit  
20 List.  
21 MR. UHRE: Okay.  
22 MR. GROSSMAN: Which exhibit are you talking about  
23 in the description so I can check it?  
24 MS. GIRARD: 74 C.  
25 MR. GROSSMAN: Okay.

Page 133

1 MS. GIRARD: Preliminary Forest Conservation Sign.  
2 And I don't know whether that's the plan or --  
3 MR. GROSSMAN: All right. Let me check that out.  
4 74 C.  
5 MR. KAUFMAN: Okay. So 91 would be the  
6 resolution.  
7 MS. GIRARD: Yeah. If it's not already in.  
8 MR. GROSSMAN: No. 74 C is really a copy of, it  
9 looks like another copy. It was an attachment to the  
10 letter, but it's not the resolution. A copy of the plan, it  
11 looked like. Or maybe it's the Forest Conservation, not the  
12 plan, but the, the Staff Report on the Plan.  
13 MS. GIRARD: Oh.  
14 MR. GROSSMAN: That's what it looks like. So  
15 let's receive this resolution in.  
16 THE WITNESS: Are we at 91?  
17 MR. GROSSMAN: Hold on one second.  
18 MS. GIRARD: Yeah, 91.  
19 MR. KAUFMAN: That would be 91.  
20 MR. GROSSMAN: Yeah, just one sec. They mention  
21 the preliminary Forest Conversation Plan approval in the  
22 letter, Exhibit 74, from the Planning Board here, but the  
23 actual resolution I don't think is in. So, all right. You  
24 got the Exhibit List here. Exhibit 91 is the Resolution by  
25 the Planning Board approving the Preliminary Forest

Page 134

1 Conservation Plan. Okay. I note that there's a footnote to  
2 Exhibit 91 saying unless specifically indicated otherwise,  
3 the Board has reviewed the Preliminary Forest Conservation  
4 Plan and sets forth conditions under which the Staff can  
5 approve the Final Forest Conservation Plan without further  
6 Board action.

7 (Hearing Exhibit No. 91 was  
8 marked for identification.)

9 THE WITNESS: Right. What we're going to be  
10 working with them on, if we reforest, we're going to be  
11 reforesting and removing all improvements from the stream  
12 valley buffer and most of this area is, about 90 percent of  
13 that is going to be put into a forest conservation easement.

14 MR. GROSSMAN: This area being?

15 THE WITNESS: This area being the stream valley  
16 buffer area to the northwest corner of the property  
17 extending almost halfway along that, the northern property  
18 line.

19 MR. GROSSMAN: Okay.

20 THE WITNESS: And we're going to be working with  
21 them on placing some individual trees actually off-site  
22 probably to, to try to get this back as close to a natural  
23 state as possible. This area will all be protected fenced  
24 area, the forest conservation area. So we have a fence that  
25 runs along that and then at the tip of the western point, we

Page 135

1 are running a privacy fence on the, just off the property  
2 line all the way to the end of the property line at Potomac  
3 Tennis Lane. So there'll be a privacy fence in addition to  
4 the plantings that we're providing here that the Code  
5 requires. And actually we're doing more planting than the  
6 Code requires. And we've also worked --

7 MR. GROSSMAN: What's the height of that privacy  
8 fence?

9 THE WITNESS: The height is limited to six feet,  
10 six inches and I think we have a, about, about that six foot  
11 fence detailed. Board on board privacy fence.

12 Because we are really focusing most of the  
13 community living space up around the courtyards and the  
14 entry of the building and we've also provided a community  
15 garden space because a lot of the residents at the other  
16 places we visited liked having a little, little garden plots  
17 and, and planters and things. We've actually got a  
18 community garden up at the eastern portion of the site near  
19 the parking area.

20 Since we concentrated these uses around these open  
21 spaces, all of the outdoor site lighting actually ends by  
22 the time we get to the western portion of the courtyards.  
23 And there's no site lighting beyond that in the western  
24 portion of the triangular site. This allowed us to one,  
25 make these safe and nice areas for the residents, but also

Page 136

1 limit our foot candles quite easily to the Code requirement  
2 of .01 foot candles at the property line with the  
3 residential use. So we met that. We're also using in line  
4 with the, with the LEED planning that we're doing at least  
5 partially cut off pictures so that there's no glare. That  
6 means your, your bulb is recessed and the light is focused  
7 down. There's no side or, or up lighting. So there's --

8 MR. GROSSMAN: So if I understand you correctly,  
9 there are no lights along the site from about the halfway  
10 point all the way to the west of the site?

11 THE WITNESS: There are no site lights necessary  
12 here. There's really no need for anyone to be down here  
13 during the --

14 MR. GROSSMAN: Well, that's on the southern. How  
15 about on the --

16 THE WITNESS: On the southern.

17 MR. GROSSMAN: And the corner and along, also  
18 along the northern side.

19 THE WITNESS: That's, that's correct.

20 MR. GROSSMAN: No site lights at all. Okay.

21 THE WITNESS: The first lights, they're shown in  
22 orange here, is up by the gazebo --

23 MR. GROSSMAN: Okay.

24 THE WITNESS: -- on the north and they're sort of  
25 hanging, sort of chandelier like lights underneath the

Page 137

1 pergola in this, in the courtyard itself.

2 MR. GROSSMAN: All right. If somebody heads on, I  
3 guess it's along the drive aisle from the front of the  
4 facility towards the back with headlights on, will those  
5 headlights be visible outside of the property?

6 MR. CHEN: Objection.

7 MR. GROSSMAN: That's okay. He has a right to  
8 object to my questions.

9 MR. CHEN: Land planner/landscape architect. You  
10 know, I don't know that this gentleman has any kind of  
11 expertise whatsoever about the effect of headlights on, on  
12 adjacent property. He could say if it's going to be there,  
13 but the terminology --

14 MR. GROSSMAN: That's my question, I thought. I  
15 thought my question was will it be visible off of the  
16 property. Did I --

17 MR. CHEN: It's visible. It works for me.

18 MR. GROSSMAN: Okay. I thought that's what I'd  
19 asked, but maybe I didn't. Okay. So will headlights --

20 MR. CHEN: And I may have, I may have missed it  
21 too, but I, visible I don't have a problem with that term.

22 MR. GROSSMAN: Okay. Well, that was the intent of  
23 my question. If somebody heads along the drive aisle from  
24 the front of the building towards the back, will, and has  
25 headlights on will they be visible off the property? Would

Page 138

1 that, would the privacy fence and the screening that is  
2 being proposed.  
3 THE WITNESS: The privacy fence and screening  
4 proposed will block a significant amount of light. I don't  
5 know that I would say that no light is visible. But  
6 certainly the, the beams are directed to the northwest.  
7 That's the way the drive aisle is situated. And in other  
8 configurations that we looked at, we liked this better  
9 because coming around and down, you'd actually be pointing  
10 the drive aisle towards the residents and we didn't want  
11 that.  
12 MR. GROSSMAN: Well --  
13 THE WITNESS: But the --  
14 MR. GROSSMAN: -- will the beams themselves be  
15 visible as opposed to any ambient light that's created by  
16 them?  
17 THE WITNESS: No. Those shouldn't be visible.  
18 Those will be pointing directly northwest and blocked by all  
19 of the screening and the six foot fence.  
20 MR. GROSSMAN: Okay.  
21 THE WITNESS: We're further looking at putting an  
22 additional six foot fence so you'd actually have two layers  
23 of fencing so we can deal with any grade issues at the top  
24 of the storm, storm water management facility that is in  
25 the, the western corner. And since, I think I may get

Page 139

1 asked, the, the species that, that are directly in this area  
2 --  
3 MR. GROSSMAN: This area being the extreme west?  
4 THE WITNESS: The area to the west.  
5 MR. GROSSMAN: Yeah.  
6 THE WITNESS: Directly along the property line.  
7 The species where the turnaround is near the western  
8 property line, or southern property line, however you want  
9 to put it, the one that is abutting the Pauls' residence,  
10 are American Holly and Rhododendron Maximum, which are both  
11 native evergreen species. The first, the Ilex, the American  
12 Holly grows to typically about 30 plus feet in landscape  
13 conditions. The Rhododendron Maximum is a native evergreen  
14 that grows typically to about 15 feet in landscape  
15 conditions. Naturally grow quite larger. When we put them  
16 in, there's a fine line between putting in something that's  
17 too big and has a lower survivability rate and something  
18 that'll have immediate impact. So we typically put American  
19 Hollies in somewhere between eight to 12 feet. And we can  
20 check the plant schedule to see exactly what we're  
21 proposing. And the, the Rhododendrons, we would put those  
22 in typically, I like to put them in about 48 inches high.  
23 It seems to be their best, best survivability rate at about  
24 that size. It gets them established quickly and growing  
25 quickly.

Page 140

1 BY MS. GIRARD:  
2 Q. Mr. Sloan, when you referenced the fence that the,  
3 you said we're looking at putting in a fence. Can you  
4 explain why that's not shown on the plan currently?  
5 A. It is not shown on the plan currently. So as we  
6 work with Technical Staff and looked at the same questions  
7 about lighting, noise, anything like that, visibility, we  
8 suggested adding a fence to the top of the storm, storm,  
9 storm water management facility. And I think we did an  
10 exhibit, but --  
11 Q. So that would be something that we're proffering  
12 now and we'd have to submit amended plans if that were  
13 desirable?  
14 A. We will. I think I have an exhibit of it.  
15 MR. KAUFMAN: The board, the second board. No,  
16 no, no. The board behind it.  
17 THE WITNESS: Just a moment. Take your time. We  
18 did a lot of plans for this project.  
19 BY MS. GIRARD:  
20 Q. Why don't we just speak to it then?  
21 A. So this is a, a new exhibit that we prepared. So  
22 we will labeling it Exhibit 92?  
23 MR. GROSSMAN: 92. And what do we call this?  
24 THE WITNESS: This is the proposed turnaround  
25 detail exhibit.

Page 141

1 MR. GROSSMAN: Okay. Turnaround detail exhibit.  
2 And I'll label the 11 x 17 version as 92A. All right.  
3 (Hearing Exhibit Nos. 92  
4 and 92 A were marked for  
5 identification.)  
6 THE WITNESS: I've indicated north in the bottom  
7 right. Of course, this is a plan view and a sectional view  
8 so. What we've done is look more closely at the section --  
9 MR. CHEN: Excuse me.  
10 THE WITNESS: -- between the property line with  
11 the --  
12 MR. GROSSMAN: I'm sorry. Did you say, want to  
13 say something, Mr. Chen?  
14 MR. CHEN: Well, no.  
15 MR. GROSSMAN: Okay.  
16 THE WITNESS: The property line with the Pauls and  
17 the building, about midway through the end of the turnaround  
18 closest to the property line. So in plain view, you can see  
19 that from the building, we go past the Utility Area.  
20 There's been a 14 foot masonry wall. It surrounds that  
21 Utility Area. The turnaround drive area, the trash  
22 enclosure --  
23 MR. GROSSMAN: Okay. Hold on. I'm sorry. Where  
24 is the 14 foot --  
25 THE WITNESS: It runs in an L-shape.

Page 142

1 MR. GROSSMAN: Okay.  
2 THE WITNESS: On the western and southern portion  
3 of an area for utilities.  
4 MR. GROSSMAN: I think actually since north is,  
5 that would be the northern portion since north is up on this  
6 map.  
7 THE WITNESS: North is to, no, yeah, north is to  
8 the, is still to the right.  
9 MR. GROSSMAN: Well, not on the, not on the  
10 version I was just handed.  
11 THE WITNESS: It, it's incorrect and I scribbled  
12 it out. Sorry about that.  
13 MR. CHEN: Yeah, that's --  
14 MR. GROSSMAN: All right.  
15 MR. CHEN: That's --  
16 MR. GROSSMAN: All right. And these are all, --  
17 MS. GIRARD: As if we didn't have you confused  
18 enough.  
19 MR. GROSSMAN: -- seem to be good reasons for VIKA  
20 to listen to actually doing their plans when, when it's  
21 feasible with north in one direction and not flipping it in  
22 three different ways. All right. So north is which way?  
23 THE WITNESS: North is to the right of the sheet.  
24 MR. GROSSMAN: Okay. I'm going to change that on  
25 here and indicate on 92A what you've done on 90. Okay. So

Page 143

1 now looking at the, the wall, you say --  
2 THE WITNESS: It's on the western southern portion  
3 of an area that'll have --  
4 MR. GROSSMAN: Okay.  
5 THE WITNESS: -- the chillers. And that's 14 feet  
6 high masonry.  
7 MR. GROSSMAN: Okay.  
8 THE WITNESS: Then we have the driveway area that  
9 goes past the trash enclosure, which is labeled on here 11  
10 feet --  
11 MR. GROSSMAN: If nobody has an objection, I'm  
12 going to mark on this 92A and I would ask you to do it on  
13 there because I don't, I don't see anything that says that  
14 that's a 14 foot masonry wall.  
15 THE WITNESS: I believe that's labeled on the  
16 landscape plan, but I can label it here also.  
17 MR. CHEN: Mr. Examiner.  
18 MR. GROSSMAN: Yes.  
19 MR. CHEN: I have no problem with what you're  
20 doing. I would just like to see what you're putting, what  
21 you are putting on your copy so I could duplicate it on my  
22 copy.  
23 MR. GROSSMAN: Sure. Absolutely.  
24 MR. CHEN: Including the directional.  
25 THE WITNESS: Okay. So I've indicated the 14 foot

Page 144

1 wall. We're in the driveway area. The trash enclosure is  
2 shown, 11 feet by 21.5 feet. That will also be enclosed by  
3 a masonry wall and that masonry wall is eight feet tall.  
4 Actually I should label that also. It's also labeled and  
5 detailed on the Landscapes --  
6 MR. GROSSMAN: And that's eight feet tall?  
7 THE WITNESS: Right.  
8 MR. CHEN: Can I look over your shoulder, Mr.  
9 Examiner? Do you mind if I step up and just look over your  
10 --  
11 MR. GROSSMAN: No. You may step up. Certainly.  
12 MR. UHRE: I'm sorry. Was that the trash that was  
13 eight feet?  
14 THE WITNESS: Yes.  
15 MR. GROSSMAN: The trash, the wall around the  
16 trash.  
17 MR. UHRE: Thank, thank you.  
18 MR. GROSSMAN: So I was just saying eight, eight  
19 foot --  
20 MR. CHEN: Yeah.  
21 MR. GROSSMAN: Masonry wall. And here I'm just  
22 saying 14 foot masonry wall. And here I just changed the,  
23 crossed out the, that north point and put it that way.  
24 MR. CHEN: Yeah. It's to the numbers. It should  
25 be skewed to the right or, yeah. Okay. You got it. Okay.

Page 145

1 Thank you.  
2 MR. GROSSMAN: Okay. You're welcome.  
3 THE WITNESS: So then at the end of the drive  
4 aisle, the closest point to the property line, there's a  
5 storm water management facility that collects water draining  
6 down the driveway and we'll speak to that a little bit later  
7 with our engineer. But then it goes through and you can see  
8 where it goes through the, the plantings all along the  
9 property line where the Hollies and the Rhododendron as well  
10 as some other, other plantings are. So I, I think this,  
11 this area is a, is complicated and it was a good point that  
12 as we go from a situation where we are lower than adjacent  
13 property to where we are higher than the adjacent property,  
14 it's, it's actually quite steep now on this property and we  
15 are going to be decreasing that slope to what's more typical  
16 of a, of a residential landscape of going three feet  
17 horizontally for every one foot vertically rather than the  
18 existing condition which, which I think is, is probably  
19 closer to two to one. And where the fence is, the actual,  
20 the chain link fence of the Pauls is actually falling down.  
21 So what this gave us the opportunity to do was actually use  
22 the storm water management facility as a retaining wall  
23 toward this area, get plantings higher in elevation along  
24 that drive aisle, and then we're proposing to add an  
25 additional six foot privacy fence along the outside of that.

Page 146

1 So that will screen anything for those, you know, 20 second  
2 times when the truck turns around before it heads out.  
3 MR. GROSSMAN: Okay. So a number of locations on  
4 this diagram use the initials MBP. Is that Micro bio  
5 retention or something? Or what does that stand for? MBP.  
6 THE WITNESS: The MBP is --  
7 MS. GIRARD: Isn't it Micro bio planters?  
8 THE WITNESS: That's a planter. Right. Yes. The  
9 MBP is right here. Micro-, Micro bio planter.  
10 MR. GROSSMAN: Right. Well, there are a number of  
11 them throughout --  
12 MS. GIRARD: He's asking what it stands for.  
13 MR. GROSSMAN: What does it stand, what do the  
14 initials stand for?  
15 THE WITNESS: Yes. I think that's Micro bio  
16 planter.  
17 MR. GROSSMAN: Okay. And so the location you  
18 pointed to as it goes through the screening trees, that's  
19 part of the, the storm water management process?  
20 THE WITNESS: Yes.  
21 MR. GROSSMAN: Okay.  
22 THE WITNESS: So that's the additional, additional  
23 screening that we were proposing for that area.  
24 MR. GROSSMAN: With everybody's permission, I'm  
25 going to put a little key here for MBP is Micro bio-

Page 147

1 retention planter. Okay.  
2 Mr. Chen, I, I added that key on to the bottom  
3 here. Micro bio-retention planter. Okay.  
4 Let me stop you for a second. I want to make sure  
5 that people have a chance to eat something. If they want to  
6 eat something from our cafeteria, I think we should probably  
7 break at 1 o'clock or thereabouts.  
8 MS. GIRARD: There's no easy stopping, we still  
9 have quite a bit to go. So might as well just --  
10 MR. GROSSMAN: Okay. All right. So we might as  
11 well stop now so people will get something before everything  
12 runs out there. And we'll come back at 1:45. Is that  
13 agreeable?  
14 MR. KAUFMAN: Sure.  
15 MR. GROSSMAN: Okay.  
16 MR. KAUFMAN: At least to us it is. I know.  
17 MR. GROSSMAN: Pardon me?  
18 MR. KAUFMAN: It is to the applicant.  
19 MR. GROSSMAN: All right.  
20 (Off the record.)  
21 (Lunch Break.)  
22 (On the record.)  
23 AFTERNOON SESSION  
24 MR. GROSSMAN: All right. Back to Mr. Sloan.  
25 BY MS. GIRARD:

Page 148

1 Q. Mr. Sloan, I think you've gone through your  
2 analysis with regard to the site layout. You were going to  
3 continue on about your, your analysis in your land planning  
4 report.  
5 A. Right. So another thing that we looked at, of  
6 course, was, was the Master Plan. And under the Master  
7 Plan, there is the recommendation to provide senior housing  
8 within the community over the next 20, or the 20 years from,  
9 from 2002 to provide approximately 750 new units. This has  
10 already been discussed. About an average of 40 per year in,  
11 in larger sums, one of the sums, one at a time. And, and  
12 this seemed quite in keeping with that recommendation.  
13 There are no specific recommendations with this parcel with  
14 respect to its use that was existing then, the Potomac, the,  
15 the tennis club. So, so we looked at that. Analyzed that  
16 and found that it was in conformance with the Master Plan  
17 recommendations.  
18 MR. GROSSMAN: Do we know how many senior units  
19 have been provided during that period of time other than  
20 this proposal?  
21 THE WITNESS: We, we do. We have about a deficit,  
22 I believe, of 300 and change if you don't count a  
23 particular, a life care facility. But with a life care  
24 facility counted, all of the units that, and beds that have  
25 been approved, there's still a deficit of 160.

Page 149

1 But then along with any, any conditional use or it  
2 was then called a special exception, we look to, to the  
3 other Master Plan recommendations about over-concentration,  
4 things like that. Since we're not increasing the number of  
5 conditional uses, we're replacing one, there is no, there is  
6 no change in the, in the concentration of conditional uses.  
7 And then we look at the, the intensity really of, of the use  
8 under the Master Plan to make sure that it is, is  
9 compatible. In this case, with traffic we have a decrease  
10 as we've discussed. With net trips to and from the site,  
11 with, I think, a little bit more in the, in one of the peak  
12 hours and, and a little, and, and less and in the other.  
13 And our transportation planner will address that.  
14 We'll be looking at environmental compatibility,  
15 plantings, forests, tree cover, the storm water issues that  
16 we have on-site now, the degradation and erosion that we  
17 want to repair. Whether there is going to be increased  
18 outdoor noise, the, the activity, the lighting and in all  
19 those cases, we worked very hard on a plan to decrease those  
20 impacts and mitigate where necessary. And then in the  
21 details of the actual, you know, compatible, compatibility  
22 issues, I think I've gone over quite a bit. But I brought  
23 up the, the conditional use plan now, which is, let me see  
24 which exhibit number it is.  
25 BY MS. GIRARD:

Page 150

1 Q. Which one? I'm sorry.  
2 A. The conditional use plan itself.  
3 MR. GROSSMAN: I think that's 79 A I. I think if  
4 I recall. Yes. The conditional use plan itself is 79 A I.  
5 MS. GIRARD: We got it. 79 A --  
6 MR. GROSSMAN: The conditional use plan is 79 A I.  
7 I'm sorry.  
8 THE WITNESS: Oh, A I. I thought you said 79 or  
9 81. Sorry.  
10 MR. GROSSMAN: No.  
11 THE WITNESS: Okay. 79 A I. A lot of this has to  
12 do with the architecture. And our architect will speak  
13 about that in terms of massing articulation of the building  
14 form, the style. But also with the landscape itself, and  
15 that's one of the reasons why I brought up the land, the  
16 landscape style and, and sort of the research and work we  
17 did on that. It's because it's a very residential style of,  
18 of design. The, the plantings, the gardens are, are much  
19 more like an estate garden situation rather than an  
20 institutional use. And, in fact, the applicant really  
21 pushed us to make it, to reduce any kind of institutional  
22 feel. They wanted a residential feel. It's very important  
23 to them and to their residents. And in walking around and  
24 visiting their sites, you get that sense. They, they like  
25 to have garden spaces. So you're providing, providing that,

Page 151

1 that feel, that, that ambience around the landscape.  
2 Working with the grades, we were very carefully,  
3 as I noted, a little bit before, took up a lot of grade on,  
4 on the western, the southern drive service alley. And then  
5 flattened in the back. But this allowed us to step the  
6 building so that we are only two stories of, of living space  
7 above the parking garage and, and most of our height and  
8 massing is on the eastern portion of the site facing the  
9 golf course and Potomac Tennis Lane. And also this allowed  
10 us to get down to the parking garage rather quickly before  
11 flattening it out, which I noted before allowed us to deal  
12 with a lot of the existing grading issues, which, you know,  
13 since I've looked at it now more closely, reach slopes of  
14 one to one, one vertical foot up for, for one vertical, or  
15 one horizontal foot over. And that's why there's a,  
16 actually a large staircase leading down the back of the  
17 property now. But this also got the parking garage. And we  
18 worked back and forth with the architect on how to figure  
19 this out. The parking garage elevation is actually four  
20 feet below the elevation at the property line that it's  
21 directly facing. And then we, again, we have the additional  
22 six feet above that. So you're really able to contain and  
23 deal with a lot of the issues, compatibility issues, if we  
24 typically look at, at this phase of design. The --  
25 MR. GROSSMAN: How does the elevation compare from

Page 152

1 the, the elevation level, or ground level at the location of  
2 the building, the west most portion of the building versus  
3 the elevation level at ground level at the Pauls' residence?  
4 THE WITNESS: At the Pauls' residence. I don't  
5 know that we have the topography. So I'm, I'm looking at  
6 now the surrounding area map.  
7 MR. GROSSMAN: Right.  
8 THE WITNESS: And, and that roughly shows the 380  
9 contour at about where their, their house is. But we also,  
10 as we provided before the, or talked about before we  
11 provided this section, they went from the, the Pauls' house  
12 to, to the residents.  
13 MR. GROSSMAN: So it's 380 elevation near the  
14 Pauls' residence, is what you're saying?  
15 THE WITNESS: Nearly. Their, their elevation is  
16 actually 378 is what we --  
17 MR. GROSSMAN: Okay. 378.  
18 THE WITNESS: -- get from the, calculate from the  
19 GIS. And then where we are at the building, the garage  
20 entry and that whole finished floor elevation of that is  
21 300-- 398. So it's quite flat until it gets to the end. It  
22 slips down at four percent grade. And then, then it drops  
23 more quickly.  
24 MR. GROSSMAN: Can you point to the garage entry  
25 again for me?

Page 153

1 THE WITNESS: The garage entry is --  
2 MR. GROSSMAN: All right. So it's about --  
3 THE WITNESS: The back quarter of the building.  
4 MR. GROSSMAN: -- about three-quarters of the way  
5 --  
6 THE WITNESS: Right.  
7 MR. GROSSMAN: -- from the front to the, to the  
8 end or so.  
9 THE WITNESS: The points where the Manor Care  
10 property ends and the Pauls' residence picks up is, if you  
11 do a perpendicular to our property line, that ends right at  
12 about the corner of our building.  
13 MR. GROSSMAN: Okay.  
14 THE WITNESS: And where, this is a 30 scale  
15 drawing. We're up about 10 feet from the areas where the  
16 parking garage is.  
17 MR. GROSSMAN: So what's the, what's the elevation  
18 there?  
19 THE WITNESS: The elevation is 396 at the parking  
20 garage. And then it's 398 to 400 across the parking garage  
21 entrance at the property line. So it's up two to four feet  
22 here and then it starts sloping as you go along the further  
23 portion of our southern property line down to a low point  
24 of, of 380 where we're starting to get by the wetlands and  
25 the stream valley buffer, the stream.

Page 154

1 MR. GROSSMAN: Okay. I was just trying to get a  
2 sense of the, the building, how imposing the new building  
3 would be from the site of the, of the Pauls' residence.  
4 THE WITNESS: Understood. So I think our  
5 architect can speak more to it. The face of the building  
6 towards the property, directly facing their property.  
7 That's, you know, roughly, 60 feet across.  
8 MR. GROSSMAN: And how high is it at that point?  
9 The building itself.  
10 THE WITNESS: The building itself, the, the  
11 highest point of the, of the peaked roof is 432.  
12 MR. GROSSMAN: The peaked roof. Which peaked  
13 roof? The --  
14 THE WITNESS: There's basically a --  
15 MR. GROSSMAN: I'm looking, I'm looking now at  
16 Exhibit, Exhibit 79 I, which is the extended site section.  
17 THE WITNESS: Okay.  
18 MR. GROSSMAN: And --  
19 THE WITNESS: So there's --  
20 MR. GROSSMAN: -- you have, you have at the point,  
21 the furthest, closest extension of the proposed building to  
22 the property line directly in line with the Pauls'  
23 residence.  
24 THE WITNESS: Um-hmmm.  
25 MR. GROSSMAN: You have one, the building that

Page 155

1 seems to be a lower height than the main part of your  
2 facility.  
3 THE WITNESS: Correct.  
4 MR. GROSSMAN: So when you say peak, which peak  
5 are you talking about?  
6 THE WITNESS: There, the peak actually at that  
7 point. So although this is a, a flat roof, there is,  
8 there's, I don't want to play architect, but it basically,  
9 it looks to me, I'd call it a mansard roof.  
10 MR. GROSSMAN: Right.  
11 THE WITNESS: Around the edge to peak the  
12 residential feel of the peaked roofs that are seen in the  
13 area. So you go up from the parking garage to two living  
14 levels and then there is a, a mansard roof that, that runs  
15 around this otherwise flat roof area.  
16 MR. GROSSMAN: And yes, what is the height at the  
17 peak of the mansard roof?  
18 THE WITNESS: From, from there to grade?  
19 MR. GROSSMAN: Yes.  
20 THE WITNESS: 432 minus --  
21 MR. GROSSMAN: Because I wasn't sure whether you  
22 were talking about --  
23 THE WITNESS: 396.  
24 MR. GROSSMAN: -- which peak, I thought you might  
25 be talking about the peak on the main building --

Page 156

1 THE WITNESS: No.  
2 MR. GROSSMAN: -- to the right of the back, the  
3 peak, okay.  
4 THE WITNESS: It's, it's, it's 36 feet tall.  
5 MR. GROSSMAN: All right. So the, you're saying  
6 to the --  
7 THE WITNESS: No. This --  
8 MR. GROSSMAN: From ground level to the peak of  
9 the mansard roof is 36 feet?  
10 THE WITNESS: Correct. And that height is  
11 maintained all the way through this back portion of the  
12 building until we get to the, the front wings where it's,  
13 where with grade it's stepping up and again, it's, it's  
14 three stories with a, with a mansard roof. Or in that, in  
15 this case it's got the full gable, gable roof.  
16 MR. GROSSMAN: No. As I, as I recall, the  
17 applicant was going to reduce the roof level somewhat. Was  
18 that in both areas, the, the portion that has the flat roof  
19 as well as the portion that is the front of the building?  
20 Or where was it going to be reducing the roof?  
21 THE WITNESS: I assume if I misspeak, it'll be  
22 corrected on the record, but I believe we only changed the  
23 elevation of the gables and the roof elements on the front.  
24 MR. GROSSMAN: Okay.  
25 THE WITNESS: To address any concerns of

Page 157

1 visibility from Falls Road.  
2 MR. GROSSMAN: Okay. So ultimately, the specific  
3 area that we have concern about with regard to the Pauls'  
4 view, is 36 feet tall from ground to the top of the mansard  
5 roof?  
6 THE WITNESS: Correct.  
7 MR. GROSSMAN: Okay.  
8 THE WITNESS: And, and that's, that's really what  
9 we looked at, you know, in terms of compatibility. You  
10 certainly have residential uses next to residential uses and  
11 then the golf course, not being a residential use, so use-  
12 wise we feel it's compatible. Size and bulk-wise you have  
13 60 feet and 36 feet of height. 150 is allowed in the zone.  
14 It's quite compatible.  
15 MR. GROSSMAN: Sixty feet from --  
16 THE WITNESS: Sixty feet across the back of the --  
17 MR. GROSSMAN: Oh, I see. Sixty feet in width.  
18 THE WITNESS: -- roughly, the back across the, end  
19 up width of the building.  
20 MR. GROSSMAN: Right.  
21 THE WITNESS: At that height. Our final, our sort  
22 of final look at, at dealing with the issues of  
23 compatibility, we're really looking again back to the Code  
24 that increased its requirements for screening for  
25 conditional uses against residential uses, the lighting.

Page 158

1 And we went above and beyond those for, for this project.  
2 And then, I, I, in our, in our report we talked a  
3 bit about the public facilities. We, we have, have, as I  
4 noted, have the decreased net traffic impacts. There are no  
5 school impacts. We have water and sewer serving the  
6 property that are adequate. We also have gas and electric  
7 and telecommunications provided. And we have an approved  
8 fire and rescue access plan. And one thing I'll note about  
9 the fire and rescue access plan, what we have is an ability,  
10 and we've run all the movements and gotten this approved by  
11 the Fire Marshall, for fire trucks, ambulances, emergency  
12 vehicles to come in from Potomac Tennis Lane. They will  
13 turn then down in front of the building. There's a  
14 turnaround at the end, the northern point of the triangle  
15 where they can turn around and exit. We've got our Fire  
16 Department connectors and our hydrants and everything in the  
17 front. And then we have a walkable path around the service  
18 aisle in the back of the building that we worked very  
19 closely and negotiated back and forth on how to deal with  
20 environmental issues along with that walkable path. So most  
21 of the building is served by the walkable path to run  
22 firehouses from the trucks, which will use this front area  
23 and then any kind of turnaround they need all happens in  
24 front of the building.  
25 BY MS. GIRARD:

Page 159

1 Q. Is it your testimony then that fire trucks will  
2 not be using that service drive on the south side of the  
3 parking lot?  
4 A. Correct. They don't need to. And they, they  
5 won't, they can't turn around. I think that pretty much  
6 covered everything we, we had in our, in our land planning  
7 report.  
8 MR. GROSSMAN: Did the Fire, Fire Department  
9 approve that? I can't recall. Approve the turnaround.  
10 MS. GIRARD: Yes.  
11 MR. GROSSMAN: Okay.  
12 MS. GIRARD: It's in the, their approval is --  
13 MR. KAUFMAN: What about this?  
14 MS. GIRARD: Bear, in one second. I've got to  
15 answer his questions.  
16 MR. GROSSMAN: Mr. Sloan, since --  
17 MS. GIRARD: 39B.  
18 MR. GROSSMAN: Oh, I'm sorry. I noticed that Mr.  
19 Sloan is the one who signed and sealed the, the conditional  
20 use plan. So is he the one to explain the, the north/south  
21 arrow issue?  
22 THE WITNESS: Yes.  
23 MR. GROSSMAN: I think, I think his fellow  
24 professionals are anointing him as the one to --  
25 MR. CHEN: It's a nice handoff.

Page 160

1 THE WITNESS: Did you want to look any further at  
2 the fire access? That's pretty straightforward.  
3 MR. GROSSMAN: No.  
4 MR. CHEN: He wants to talk about the north arrow.  
5 MR. GROSSMAN: Yeah. I'm, I'm north arrow  
6 directed here. I just want to know why it is that you felt  
7 it necessary to switch from the earlier plans you did. The  
8 NRI/FSD and the neighborhood view plan both have the north  
9 arrow going up and then you switched on almost all of the  
10 remainder of the plans to have the north arrow pointing to  
11 the right. And then you switched again with the photograph,  
12 the aerial photograph, to have north pointed, pointed  
13 towards the bottom, although it's not clear from the key  
14 that you, and you're going to explain that too in a second.  
15 So why did you find it necessary to make that change here?  
16 THE WITNESS: Quirks of a designer doesn't really  
17 work, right? The --  
18 MR. GROSSMAN: I just, it just seems strange to  
19 me.  
20 THE WITNESS: It's --  
21 MR. GROSSMAN: I didn't make anybody re-draw  
22 anything, but I just, it, it seems to me strange for X, for  
23 expository purposes to keep on switching around the  
24 direction shown as north unless you have to to fit things  
25 in. But this is an equilateral triangle. So it seems to me

Page 161

1 it would work as well in any direction you had it. Why flip  
2 it like, like that?  
3 THE WITNESS: We, the, what I'll call analysis  
4 inventory drawings, the, the NRI, the surrounding area map,  
5 those are basically depictions of existing conditions.  
6 They're, they're meant only to convey information about  
7 what's there. What's around the site. When we started  
8 designing the site, we switched to the north arrow on the  
9 right because it, in my mind, it, it tells the story about  
10 what's happening better. You approach and you feel like you  
11 were in front of the building. In front translates to an up  
12 so we just in designing it, I would never have laid the  
13 drawing, the plans out on my drawing board with it any other  
14 way to design it. And, and once, and I, my guess is the  
15 architect felt the same way. Really to think about the  
16 design, we laid it out this way and it carried through to  
17 the plans because not only thinking this way and designing  
18 this way made sense, but also conveying the information to  
19 people looking made more sense. It looks very strange when  
20 you put the finished design on its side. It feels like it's  
21 on the side and you want to kind of look at it with your  
22 head tilted. And, and so, rather than risk neck injury, we  
23 kept it this way.  
24 MR. GROSSMAN: All right. I, I understand your,  
25 your point about that, although I still feel that

Page 162

1 understanding across the board most people are like me and I  
 2 have to tell you, frankly, most of the professionals who  
 3 have appeared before me with maps where the north was  
 4 pointing somewhere other than where you would expect it,  
 5 constantly make the mistake of where west and east is and  
 6 they have to be corrected so that the record is not totally  
 7 confused. So apparently I'm not the only one.  
 8 THE WITNESS: No.  
 9 MR. GROSSMAN: But then let's get to the, the  
 10 aerial.  
 11 THE WITNESS: The aerial.  
 12 MR. GROSSMAN: Which had a, a key on it that I do  
 13 not understand. And I emailed counsel yesterday, I believe  
 14 it was, to explain that to me. And her response was that  
 15 the north arrow and the black thing did not, was not  
 16 supposed to point north. And I didn't really understand  
 17 that. Can you explain that to me? This is Exhibit 79 H.  
 18 This is your aerial rendering.  
 19 THE WITNESS: 79 H.  
 20 MR. GROSSMAN: That's essentially what you have  
 21 up, up there now.  
 22 THE WITNESS: Well, this is the existing  
 23 conditions, but it's the same --  
 24 MR. GROSSMAN: Right. Except that, yes. It's the  
 25 same view.

Page 163

1 THE WITNESS: In, in that view --  
 2 MS. GIRARD: This is what, it's not on, and the  
 3 architect prepared the exhibits so he may be the better  
 4 person to explain, but --  
 5 THE WITNESS: So the aerial in the yellow triangle  
 6 is what you're asking about?  
 7 MR. GROSSMAN: No. Well, the arrow, there's an  
 8 arrow that, in a black circle.  
 9 THE WITNESS: Oh, right.  
 10 MR. GROSSMAN: That has an N on it, which I  
 11 presume that the arrow is pointing north.  
 12 THE WITNESS: It does for the key.  
 13 MR. GROSSMAN: Is there something else on, on this  
 14 photograph that would tell me where north is?  
 15 THE WITNESS: For the, for the aerial itself, no.  
 16 No. It, it does not.  
 17 MR. GROSSMAN: All right. Well, that's what I had  
 18 asked about, I guess, a few weeks ago.  
 19 THE WITNESS: So --  
 20 MR. GROSSMAN: And the response I got back, well,  
 21 we'll add the key, directional key for you so you can  
 22 understand it. Then when I looked it over in preparation  
 23 for this hearing, I said wait a minute. This is backwards  
 24 from everything else or it's at least 90 degrees off, where  
 25 the north arrow is at least 90 degrees off. So I don't want

Page 164

1 to waste my time trying to figure out where up is. Okay. I  
 2 mean it just, it seems to me to be, at the very least, when  
 3 something is submitted have a key on it that shows where  
 4 north is. Hopefully, it'll be towards the top, but if it's  
 5 not, at least I want to know. All right.  
 6 THE WITNESS: I understand. The, the key plan has  
 7 the north for the key and then the view so you have to do a  
 8 two-step process to get to actually which way you're facing.  
 9 In this case, it's really, it's shown this way because it  
 10 shows the best relationship to the existing uses. The, the  
 11 view is to the, you know, the view towards the golf course  
 12 really didn't show us the relationship we wanted to show as  
 13 much.  
 14 MR. GROSSMAN: I understand, but in any event, put  
 15 a key on that tells us where north is. Okay.  
 16 BY MS. GIRARD:  
 17 Q. Did you conclude with walking through?  
 18 A. Yeah.  
 19 Q. In, in preparing your, your testimony and your  
 20 analysis did you have occasion to look at any of the  
 21 approvals for any of the other special exceptions that are  
 22 approximate to this location?  
 23 A. I did. I thought, you know, of course the, the  
 24 Manor Care approval which is just to our southwest is, was,  
 25 was interesting because that was a special exception for a

Page 165

1 similar related use and read that, that opinion very  
 2 carefully.  
 3 Q. And that opinion would be Case No. S-1289?  
 4 A. Right.  
 5 MS. GIRARD: We'd like to submit a copy of that to  
 6 the record.  
 7 MR. GROSSMAN: Okay. This is Manor Care's Special  
 8 Exception?  
 9 MS. GIRARD: Yes.  
 10 MR. GROSSMAN: Okay.  
 11 MR. CHEN: What exhibit number are we at?  
 12 MR. GROSSMAN: We're up to 90 something. Hold on.  
 13 MR. KAUFMAN: 93. 93, I believe.  
 14 MR. UHRE: Um-hmmm.  
 15 MR. GROSSMAN: Up to 93.  
 16 MR. UHRE: That's the resolution or is that, what  
 17 is that?  
 18 MS. GIRARD: That's opinion on --  
 19 MR. GROSSMAN: This looks like the County Board of  
 20 Appeals opinion of the Board, which I guess is a resolution  
 21 dated, where's the effective date?  
 22 MS. GIRARD: Oh, it might be on the last page.  
 23 MR. GROSSMAN: Yeah. It says this 25th day of  
 24 November 1986 is that, at least that's the certification  
 25 date. So Exhibit 93 as BOA Opinion. I assume this is

Page 166

1 granting the special exception. I haven't read this.  
2 THE WITNESS: It did.  
3 MR. GROSSMAN: Granting special exception in S-  
4 1289, Manor Care.  
5 (Hearing Exhibit No. 93 was  
6 marked for identification.)  
7 BY MS. GIRARD:  
8 Q. And did you briefly want to touch on why you  
9 thought this was relevant to your analysis?  
10 MR. GROSSMAN: 11/25/86. Okay.  
11 THE WITNESS: I read that and, and, in particular  
12 because it had similar issues of adjacency with residential  
13 properties that at that time not all of them were, were  
14 built or approved and, and some built and things. And, and  
15 they dealt with similar issues although they're site is  
16 higher than ours. And this is the Manor Care to, to the  
17 south, their property. Their site is higher. They had much  
18 less stringent, had no storm water requirements, and less  
19 stringent forest requirements. Things like that. But they  
20 also had to deal with the issues of, of noise, compatibility  
21 of use, of height, and, and how to deal with it. And so, I  
22 was really interested in specifically what they did to, in  
23 terms of design solutions to deal with that compatibility.  
24 And most of it is like we typically see it. It's plantings.  
25 It's distance. I think their closest building is 60, 60

Page 167

1 feet from the property line. When we go back in a straight  
2 shot here, we're 130 something. It's thinner than that  
3 across from Manor Care, of course. But in terms of the  
4 landscaping, the, the, any kind of mitigation that they  
5 needed to do. Just to see what was approved. I thought we  
6 did, well, a better job, but at least as, as good.  
7 MR. GROSSMAN: Okay.  
8 BY MS. GIRARD:  
9 Q. Okay, Mr. Sloan. In your opinion as an expert in  
10 land planning and landscape architecture, would the proposed  
11 conditional use comply with the standards and requirements  
12 of a RA-2 Zone, Section 59-3.3.2.E of the Zoning Ordinance  
13 governing residential care facility conditional uses and  
14 Section 59, oh, G.7. That's not right. So 59-7.3 of the  
15 Zoning Ordinance governing conditional uses in general?  
16 A. It does. We, we have put on the development  
17 tabulations on the conditional use plan all of the  
18 specifications that it, that it does need. Each conditional  
19 use now comes along with its, its own conditional use  
20 standards that are in addition to the development standards  
21 of the zone and we have met all of those. It also complies  
22 with all of the related requirements for 59-6, which are the  
23 parking, the screening requirements, the lighting and  
24 landscaping, all of those.  
25 Q. And in your opinion, would the proposed

Page 168

1 conditional use cause any objectionable illumination or  
2 physical activity?  
3 MR. CHEN: Objection. Landscape architect and  
4 land planner, I don't think there's expertise for  
5 illumination. I thought we had somebody on the photometric  
6 anyway.  
7 MR. GROSSMAN: Well, I mean, he has access to the  
8 photometric plans. Can't he as a land planner say in his  
9 opinion whether or not that's objectionable in terms of, and  
10 it will create the objectionable, you're talking about  
11 lighting. Correct? That was your --  
12 MR. CHEN: Yeah. The illumination. Yes, sir.  
13 MR. GROSSMAN: Yes. And, and can't, isn't that  
14 part of his function as the land planner in determining  
15 compatibility to look at the amount of light that's going to  
16 be produced and, and make a, give an opinion as to whether  
17 or not it will unduly impact on the surrounding area?  
18 MR. CHEN: Well, if, excepting your question by  
19 looking by looking at the photometric, all that states, and  
20 I, at least I, I derive from it was that it complies with  
21 the ordinance requirements of candle power at the boundary  
22 line.  
23 MR. GROSSMAN: It does.  
24 MR. CHEN: I, I don't think that is sufficient to  
25 formulate an, an, a professional opinion on, as to this

Page 169

1 question.  
2 MS. GIRARD: He also spoke to, he designed the,  
3 the perimeter lighting and spoke to it in his testimony.  
4 MR. GROSSMAN: Yeah, well, to shorten all this,  
5 I'm going to overrule your objection. I think he, it's  
6 perfectly within his purview to give an opinion on this  
7 issue.  
8 THE WITNESS: Yes. We, we chose all of the, the  
9 elements and, and the landscape including the lighting, the  
10 fencing, the plantings to deal with any of those potential  
11 adverse impacts and to make sure that they actually did not  
12 have any.  
13 MR. GROSSMAN: All right. So that everybody  
14 understands what we're talking about, the requirements is a  
15 specific requirement in the Zoning Ordinance when your  
16 facility is next to a single family residential area that at  
17 the property line that the measurement of foot candles is  
18 0.1 or less. And I've looked carefully at the photometric  
19 plan to, to see that that was the case. There's a general  
20 requirement also, but it's, but it's less stringent than  
21 that. And then there are other requirements that bear on  
22 this in terms of, of glare and so on, but that's the  
23 mathematical requirement. All right.  
24 BY MS. GIRARD:  
25 Q. And in your opinion, Mr. Sloan, will the proposed

Page 170

1 conditional use be harmonious with the character of the  
2 surrounding neighborhood?  
3 A. Yes. The site was carefully designed with a  
4 residential feel, a, a design style with massing  
5 articulation that the architect will speak about. And also  
6 the limits on the intensity of activity that keeps it in  
7 harmony with the, with the surrounding area.  
8 Q. In your, in your opinion, will the proposed  
9 conditional use cause undue harm to the use, peaceful  
10 enjoyment or development potential of abutting and  
11 confronting properties in the general neighborhood?  
12 A. No. I don't think it will. We've provided all of  
13 the necessary and, and beyond the necessary screening,  
14 setbacks, fencing, lighting controls to, to insure that no  
15 undue harm for uses will occur.  
16 Q. And in a similar vein, in your opinion, will the  
17 proposed conditional use cause any undue harm to the health,  
18 safety or welfare of neighboring residents, visitors or  
19 employees?  
20 A. No. It will not.  
21 Q. In your opinion, will the conditional use in and  
22 of itself or in combination with other existing uses affect  
23 adversity or change the present character or future  
24 development of the surrounding residential community?  
25 A. No. I don't believe it will. This is in, in

Page 171

1 character with the residential nature of, of the area and I  
2 think actually enhances it quite a bit from, from the  
3 existing use.  
4 Q. And in your expert opinion as a land planner, is  
5 the proposed conditional use suitable for the site and  
6 compatible with the surrounding neighborhood?  
7 A. It is. I think it's a, a great site for senior  
8 housing to be placed for people to age in place and improve  
9 the, improve the area for all.  
10 MS. GIRARD: That's all we have.  
11 MR. GROSSMAN: All right. Let's have Mr. Chen  
12 first then this time.  
13 MR. CHEN: I have a quick question.  
14 MR. GROSSMAN: Cross-examination.  
15 CROSS-EXAMINATION  
16 BY MR. CHEN:  
17 Q. Are there going to be windows in the building?  
18 A. I'm not the architect, but I've seen them on the  
19 elevations.  
20 Q. So that, do we have, did you do any illumination  
21 evaluation about the windows that would be seen at night on  
22 this property?  
23 A. I did not.  
24 Q. As I understand it, the number of dwelling units  
25 in this facility is at the maximum density. Is that right?

Page 172

1 A. We're proposing 140 beds or 120 units. Look at  
2 the development tabulations on the conditional use plan.  
3 And what the breakout is. We are, you could do 140 beds.  
4 Q. So you're at maximum?  
5 A. Right.  
6 Q. As I understand the testimony, you designed the  
7 perimeter lighting. Is that correct, Mr. Sloan?  
8 A. The site lighting.  
9 Q. Site lighting. So the perimeter and the entire  
10 site then?  
11 A. It's the individual fixtures that are within the  
12 site. Not on the building. These are, these are lamps in  
13 the landscape.  
14 Q. Would these be all exterior lights?  
15 A. They are.  
16 Q. Okay. Would there be any lighting at the entrance  
17 to the garage? Exterior lighting.  
18 A. I can pull the elevation and, and see whether or  
19 not there are, but that's an architectural question.  
20 Q. Well, I'm a little bit confused and I, and if, I,  
21 I don't want to take you outside what you did, but I, and if  
22 I'm mistaken, please correct me. I understood that you had  
23 designed the exterior lighting for the facility.  
24 A. The site lighting for the facility is --  
25 Q. Just for the site. Not the building.

Page 173

1 A. That's correct.  
2 Q. Okay. Thank you. What is the site lighting along  
3 the service drive?  
4 A. There are, again looking at the conditional plan,  
5 coming along the service drive, there are lights along, near  
6 the entrance where the, basically a V- in the drive aisle  
7 split to the eastern property line and along the southern  
8 property line. There are a couple pole lights along the  
9 sidewalk parallel in the eastern property line. There are a  
10 couple pole lights. These are, there are lights that, you  
11 know, stand outside, pedestrian scaled smaller lights. They  
12 run down the walkway adjacent to the building on its south  
13 side. And then the last site lights are within the pergola.  
14 These are fixtures that hang down from the, from the pergola  
15 facing into the southern courtyard. There are no landscape  
16 lights beyond that.  
17 Q. Are there any other types of lights beyond that?  
18 A. If they are, they, they would be on the building.  
19 Q. And that would not be within your purview?  
20 A. It would not.  
21 Q. Okay. What are the chillers?  
22 A. Excuse me?  
23 Q. You mentioned that behind the 14 foot masonry  
24 wall, what are the chillers?  
25 A. So there are, I don't know where the plan --

Page 174

1 MS. GIRARD: Here you go. It was working just --  
2 THE WITNESS: Oh, was it?  
3 MS. GIRARD: Yeah.  
4 THE WITNESS: Oh. So there are, there's  
5 mechanical equipment at the western end of the building  
6 that's simply by the fact that I read it as a chiller is  
7 located there. But I don't know what a chiller is. I'm  
8 assuming it makes things cold.  
9 BY MR. CHEN:  
10 Q. All that you know is that there is some kind of  
11 mechanical equipment behind the 14 foot masonry wall?  
12 A. Correct.  
13 Q. Are there, is there any other equipment other than  
14 that equipment behind the 14 foot masonry wall?  
15 A. There may be.  
16 Q. Okay. Who would know if there is any other  
17 exterior or outside equipment?  
18 A. I would defer to the architect.  
19 Q. So that 14 foot wall, is it just a, is it enclosed  
20 area or just a 14 foot wall?  
21 A. It is not enclosed in terms of climate control.  
22 It's open air. The 14 foot wall is an L-. It's open to the  
23 sky and it's open to, to the north.  
24 Q. And as I understand your testimony, you don't know  
25 what it is, you just know there's something there?

Page 175

1 A. I know what the wall is. And how we designed, but  
2 not what's, not exactly what's behind it.  
3 Q. Okay. By the way, were there any unique  
4 constraints associated with the Manor Care special  
5 exception?  
6 A. Were there unique constraints?  
7 Q. Yeah. Anything on that site or the adjacent  
8 properties involved in that decision or that special  
9 exception?  
10 A. I don't believe of any, I don't believe there were  
11 any particular unique constraints. There were certainly  
12 issues of the different elevation, the proximity of building  
13 to property line, building to building. But no specific  
14 unique constraints that I remember.  
15 Q. And you mentioned that there was wetland on the  
16 Paul property. Correct?  
17 A. Correct.  
18 Q. And is it your testimony that that wetland has  
19 been created solely by the Manor Care special exception  
20 activity?  
21 A. I don't know that it has been solely created by  
22 that. It certainly has been, well, augmented by it. It may  
23 have existed there before with weeps or springs. We did not  
24 ask or were not, we did not go on the property. We work  
25 with the Environmental Planner to make our assessment. The

Page 176

1 Environmental Planner at the County. To make our assessment  
2 of that and added it per her request.  
3 Q. And are you aware of any storm water discharge on  
4 to the Paul property at the present time?  
5 A. Our engineers should speak to it more, but I  
6 believe there's an outfall near the corner of the property,  
7 the eastern point of the property. And, and then sheet  
8 runoff generally.  
9 Q. I take it though that while you're aware of that,  
10 you're not aware of any of the circumstances as to whether  
11 or not that outfall in any way contributes to the wetland on  
12 the Paul property? Since you weren't there, you didn't  
13 investigate it, I take it.  
14 A. Well, any, any water runoff and our engineer will  
15 speak to the drainage patterns and movement that goes to  
16 that, towards that will augment the, the nature of the  
17 wetland.  
18 Q. Okay. Thank you. You mentioned that there was  
19 landscape buffer along the service drive. Do you recall  
20 that testimony, sir?  
21 A. Yes.  
22 Q. If, if you could, could you, and I apologize if  
23 I'm repeating it, but I'd like you to explain to us what is  
24 the, what constitutes landscape buffer along the service  
25 drive? Particularly what it will consist of.

Page 177

1 A. So turn to the schematic landscape and lighting  
2 plan.  
3 MR. KAUFMAN: Let's get the number. Let's get the  
4 number.  
5 MR. CHEN: What exhibit is that?  
6 MS. GIRARD: We're working on it. 79 C.  
7 MR. CHEN: Thank you.  
8 THE WITNESS: So this shows the, the planting  
9 layout and, and some of the amenities. With regard to the  
10 specific question, we have a requirement to provide a  
11 certain number of deciduous trees, evergreen trees, shrubs  
12 of different types under the Code. And we've laid this out  
13 with basically a sort of undulating pattern of primary  
14 deciduous shade trees interspersed with ornamental trees,  
15 evergreens and then foreground of, of different types of  
16 shrubs. Do you want me to focus particularly on the  
17 property, shared property line?  
18 BY MR. CHEN:  
19 Q. Sure you could do that?  
20 A. So at the very far western point of the, of the  
21 property the site is very narrow. The stream valley buffer  
22 that we need to respect comes very close to the property  
23 line before it sweeps up to the building. So we also have  
24 an, an outfall here to help recharge after filtration of the  
25 stream valley that's further below. Working around those

Page 178

1 constraints, we, we start with some deciduous trees and  
2 three at the lower or at the western corner are emerald  
3 green arborvitae. These, these are taller, taller  
4 evergreens. These are interspersed with the Rhododendron  
5 Maximum, which is the, an evergreen shrub that I described.  
6 And then in between those are our American Hollies which are  
7 an evergreen native tree. And in front of that we've got  
8 different deciduous shrubs for color, interest, berries.  
9 All of these are natives and we're really trying to tie in  
10 to the forest conservation area.  
11 Q. Is the, as I understand the plan, the discharge  
12 point has an area of riprap. Is that correct?  
13 A. It will have some stones to stabilize so we don't  
14 have an erosion problem.  
15 Q. Okay. And what is the purpose of the riprap area?  
16 A. Stabilizing the soil so that we don't have erosion  
17 and sedimentation of the stream further down.  
18 Q. And that area is within the buffer area?  
19 A. It is not. It's just outside.  
20 Q. Okay. And how wide is the buffer area between the  
21 Paul property line and the service road area?  
22 A. The landscape buffer?  
23 Q. Yes.  
24 A. The landscape buffer, I'd have to scale it, but I  
25 believe it's 15 feet.

Page 179

1 Q. So the landscape buffer is 15 feet from the Paul  
2 property line. Beyond that 15 feet, what is there on the  
3 site? Is there a curb for the drive or is it something  
4 else?  
5 A. Beyond that 15 feet is the turnaround near the  
6 trash enclosure. The drive aisle and for, well, right at  
7 the apex, the building.  
8 Q. As I understand it, the current special exception  
9 for the tennis court has encroached into the buffer area of  
10 the stream valley. Is that correct?  
11 A. There are existing improvements in the stream  
12 valley on the northern property line.  
13 Q. I, what are those improvements?  
14 A. There's tennis courts. There's a building. There  
15 are some odd structures, retaining walls, outfalls for a  
16 storm drain. That's about it.  
17 Q. Is there any law prohibiting improvements in the,  
18 in the stream valley buffer area?  
19 A. The stream valley buffers are, are protected  
20 under, under the Environmental Guidelines. It's not a  
21 statute.  
22 Q. They're just guidelines.  
23 A. They, they are technically guidelines.  
24 Q. Okay.  
25 MR. GROSSMAN: What does that mean when you say

Page 180

1 they're, you're implying that even though they're just  
2 guidelines, or just in quotes, that, and they're technically  
3 guidelines, you're implying that there's more enforce,  
4 enforcement.  
5 THE WITNESS: In my time working there and in  
6 submitting plans, I have, I've rarely seen any allowance for  
7 encroachment into a stream valley buffer. We do it  
8 typically only when there's, there's no other way for  
9 development. In some cases, like we have here, we have a  
10 storm drain outfall which is actually because this is a  
11 recharge area.  
12 BY MR. CHEN:  
13 Q. When you say here, I think you need to identify  
14 where you mean by here.  
15 A. Sorry. The storm drain outfall that we're  
16 proposing in the stream valley buffer is a third of the way  
17 along, from the apex moving east along the northern property  
18 line. And that's, that's because it also acting as a  
19 recharge. So it has ecological value there. But we rarely  
20 if ever get any encroachments allowed in a stream valley  
21 buffer. And this particular one is, because we have some  
22 steep slopes around the northern property line, it's a  
23 little bit larger than usual, but our forest conservation is  
24 all within the, the typical area for a stream valley buffer.  
25 Q. And am I correct in understanding therefore that

Page 181

1 when you met with the Technical Staff at Park and Planning  
2 that they did not want to have any improvements in the  
3 stream buffer area?  
4 A. Correct.  
5 Q. And was that position expressed in conjunction  
6 with not only the conditional use application but also in  
7 conjunction with the Forest Conservation Plan?  
8 A. Yes.  
9 MR. GROSSMAN: Was there an objection made by  
10 Staff to the particular storm water management outfall or  
11 whatever it is that you have encroaching into the, into the  
12 buffer?  
13 THE WITNESS: No.  
14 MR. GROSSMAN: Okay. So they did not object to  
15 that, you're saying?  
16 THE WITNESS: No. That was, that was worked out  
17 well before we had our, our approval.  
18 Q. Okay.  
19 BY MR. CHEN:  
20 Q. And I think that as I understand the report that  
21 was filed. I think it was in the VIKA Report. That upon  
22 approval of this conditional use, those existing  
23 improvements would be removed from the site. Is that  
24 correct?  
25 A. Correct.

Page 182

1 Q. Along with all the other improvements on the site  
2 that are used for the current special exception for the  
3 tennis club.  
4 A. Correct.  
5 Q. How did you get the elevation for the Paul  
6 property? How did you determine that?  
7 A. I would need the architect to prepare the  
8 elevation to confirm. Typically for these studies we use  
9 GIS maps that are provided by the County.  
10 Q. Your testimony, however, you said it was a 378.  
11 Am I correct on that?  
12 A. Correct.  
13 Q. And where did you get that number from? Is that  
14 from the GIS you did or was it on the architect --  
15 A. The extended site section.  
16 Q. Is that, is that where you got it?  
17 MR. GROSSMAN: Yeah, there's a --  
18 MR. CHEN: Okay.  
19 MR. GROSSMAN: Exhibit 79 I has that figure.  
20 BY MR. CHEN:  
21 Q. Okay. You took it off of Exhibit 79 I then? Is  
22 that correct, sir?  
23 A. Yes.  
24 Q. Okay. Ms. Bacon testified that there would be  
25 salt bags stored in the garage area. Do you recall that

Page 183

1 testimony?  
2 A. I do.  
3 Q. I take it, where, where would the salt, after an  
4 ice event or for, after it served its purpose, what, if  
5 anything, would happen to the salt?  
6 A. After it was dissolved?  
7 Q. Yeah.  
8 A. Well, under the drainage it would go with the  
9 water into the storm water management facilities.  
10 Q. So that after it was used on the service drive and  
11 it was in liquid form, it would drain out in accordance with  
12 the storm water management plan that the applicant has  
13 proposed. Is that correct?  
14 A. I believe so.  
15 Q. Are you aware of whether there is any use of that  
16 type of material, salt, in this area with the current  
17 special exception?  
18 A. I'm not.  
19 Q. Is there any road back in that corner that would  
20 utilize salt, to your knowledge?  
21 A. It certainly could. There's an existing driveway  
22 and parking area and turnaround.  
23 Q. There's an existing garage there now, isn't that  
24 right, sir? Right at the, or I guess depending upon the  
25 direction you're, you're looking at, but if you're looking

Page 184

1 in the westward direction, maybe that's what I'm saying. At  
2 the apex, there's an existing garage. Isn't that correct?  
3 A. On the existing condition?  
4 Q. Yeah. Maybe I'm mischaracterizing. I thought it  
5 was a storage shed. Maybe. Is that it?  
6 A. So I'm looking at the Natural Resources Inventory  
7 again. In my mind, it was more of a storage shed.  
8 Q. Okay. I apologize.  
9 A. Towards the building here.  
10 Q. And I take it, strike that. One second, please.  
11 Oh, Mr. Sloan, as I understand your testimony, you've not  
12 had occasion to ascertain any of the locations of the  
13 interior living quarters of the Paul property because you  
14 haven't been on the property, is that right?  
15 A. Correct.  
16 Q. Okay. What other three-story buildings are there  
17 in the neighborhood?  
18 A. There's a, in the immediate neighborhood there's a  
19 portion of the Manor Care that is three stories. There are  
20 other houses along, along Falls Road. There are no nearby  
21 houses within sight of this that, that are three story.  
22 Q. Are you aware of the portion of the Manor Care  
23 area, now I know it as Arden Courts. You, does that name  
24 identify to you the area that I'm, about which I'm speaking?  
25 A. Arden Courts? No. Is that the one in front?

Page 185

1 Q. What's, if you go to, maybe I can do it this way.  
2 Excuse me.  
3 MR. GROSSMAN: There is a neighborhood map that  
4 Mr. Sloan was referencing. Would that help?  
5 MR. CHEN: I think this may for illustrative  
6 purposes be better.  
7 MR. GROSSMAN: Okay.  
8 BY MR. CHEN:  
9 Q. I'm looking at Exhibit 90. I'm pointing to the  
10 general area of the other senior assisted living facility.  
11 And you, you identified it, as I recollect in your  
12 testimony, about the neighborhood. Do you recall that, sir?  
13 A. Right.  
14 Q. I'm pointing out to the buildings that are closest  
15 to the Paul property. Do you see those buildings, sir?  
16 A. Yes.  
17 Q. How many stories are those?  
18 A. I believe those are two stories.  
19 Q. And how close are they to the Paul property? If  
20 you know.  
21 A. I think they are 60 feet or so.  
22 Q. Are those part of Manor Care?  
23 MR. GROSSMAN: I'll ask Mr. Sloan --  
24 MR. CHEN: The reason why I, the reason why I  
25 asked the question initially the way I did is when you've

Page 186

1 gone, it says Arden Courts, but I think Mr. Sloan may have  
2 the same ignorance. We don't know if it's related to the  
3 Manor Care operation or, I, I just don't know.  
4 MR. GROSSMAN: Mr. Sloan, do you know if those are  
5 part of Manor Care?  
6 THE WITNESS: The property is, is only one, is  
7 only one lot and it's all owned by Manor Care. So I assumed  
8 they were.  
9 MR. GROSSMAN: I see. Okay.  
10 MR. KAUFMAN: It's probably in the opinion as  
11 well.  
12 MR. GROSSMAN: Okay.  
13 THE WITNESS: The opinion approved two buildings,  
14 the three story and the two story.  
15 BY MR. CHEN:  
16 Q. Just one other, the Exhibit 90, you don't know the  
17 date on which that photograph was taken. Is that correct,  
18 sir?  
19 A. That is correct.  
20 Q. Has there been any improvements made to that  
21 photograph, such as including landscaping or trees or  
22 anything to your knowledge?  
23 A. The existing aerial view. I don't know.  
24 Q. You don't know?  
25 A. No.

Page 187

1 Q. Did, where did you get that exhibit?  
2 A. That was produced by our architect.  
3 Q. Oh, okay.  
4 MR. GROSSMAN: Let me ask counsel that question.  
5 Has, that's Exhibit 90 up there?  
6 MS. GIRARD: Yes.  
7 MR. GROSSMAN: Has that been modified at all from  
8 the Google --  
9 MR. KAUFMAN: To our knowledge, no.  
10 MS. GIRARD: The, yes.  
11 MR. KAUFMAN: Well, oh, I'm sorry.  
12 MS. GIRARD: The architect will speak to that.  
13 There was, the trees, the, we're talking about Exhibit 90.  
14 The trees were greened up a little bit to make them the same  
15 season --  
16 MR. KAUFMAN: Oh, sorry.  
17 MS. GIRARD: -- as the other oblique that we had  
18 submitted. It actually looks a lot more barren than that in  
19 the straight aerial and he can provide that as well.  
20 MR. KAUFMAN: I apologize.  
21 MS. GIRARD: But he's going to speak to that.  
22 MR. GROSSMAN: He, he has the straight aerial that  
23 he can provide as well?  
24 MS. GIRARD: Yes.  
25 MR. GROSSMAN: Okay.

Page 188

1 MS. GIRARD: You can see the comparison. It was  
2 more just to be apples to apples, but he can go through  
3 that.  
4 MR. KAUFMAN: Just to clarify. That happened  
5 probably in the last few days and I just wasn't aware of it.  
6 MR. GROSSMAN: All right.  
7 MR. CHEN: I'm done.  
8 MR. GROSSMAN: Okay. Mr. Uhre, you have any  
9 questions?  
10 MR. UHRE: Yes, I do. Thank you.  
11 MR. GROSSMAN: All right.  
12 CROSS-EXAMINATION  
13 BY MR. UHRE:  
14 Q. The Exhibit 90 shows a tennis bubble. Are you  
15 aware that that, is that tennis bubble up all year round?  
16 A. I don't believe so, but I only say that because  
17 there are a number of the cases at the Planning Board about  
18 when it was and when it couldn't be up and all sorts of  
19 things.  
20 Q. I'm sorry. I can't hear you.  
21 MR. GROSSMAN: He couldn't hear what you said.  
22 BY MR. UHRE:  
23 Q. I couldn't hear what you said.  
24 MR. GROSSMAN: Can you speak up, please?  
25 THE WITNESS: I don't believe it was, it, it is up

Page 189

1 all of the time.  
2 BY MR. UHRE:  
3 Q. Do you know what, is there a condition on the  
4 current special exception relating to the tennis bubble?  
5 A. I'm sure there is. I didn't work on it.  
6 Q. You didn't examine that? So you don't know how  
7 many months of the year the tennis bubble was up --  
8 A. I don't.  
9 Q. -- on the existing facility? And are you aware  
10 that there, did you attempt to find other pictures on Google  
11 Earth without the tennis bubble?  
12 A. I did not.  
13 Q. Do you know if any exist?  
14 A. No.  
15 Q. Okay. Turning to the conditional site plan. Do  
16 you know where the trash pickup is now currently for the  
17 tennis facility?  
18 A. For the tennis facility. No.  
19 Q. You're not aware of where the trash is located?  
20 So if I told you it was right by the front driveway that  
21 wouldn't --  
22 MS. GIRARD: He already answered that he doesn't  
23 know.  
24 MR. UHRE: Okay. Okay.  
25 BY MR. UHRE:

Page 190

1 Q. On the service road going back to, that runs, the  
2 service road that runs along on the initial path, can you  
3 tell me what the slope, the down slope is going into where  
4 the loading zone is on the service alley?  
5 MR. GROSSMAN: The down slope from where to where  
6 on there?  
7 BY MR. UHRE:  
8 Q. The down slope from, well, there's a, on the site  
9 plan, going back from where the entrance to the garage  
10 approximately 50 feet or so, can you tell me what, no, the  
11 other way. I'm sorry.  
12 MR. GROSSMAN: Okay. Towards, from the, from the  
13 back of the property to the, towards the front of the  
14 property.  
15 MR. UHRE: Correct.  
16 MR. GROSSMAN: Along the southern drive.  
17 THE WITNESS: So mid-point.  
18 BY MR. UHRE:  
19 Q. Mid-point.  
20 A. On the southern building. The southern building  
21 face. The elevation at the building.  
22 Q. No. I'm asking for the slope, the grade of the  
23 service, service road. It's a down, it's a down slope, I  
24 believe.  
25 A. It is 8.89 percent.

Page 191

1 Q. Approximately 9 percent. And can you tell me  
2 where the loading zone is on the site plan?  
3 A. The loading is planned to be on the side by the  
4 entrance into the parking and storage area.  
5 Q. But does it appear on that site plan?  
6 A. No.  
7 Q. So the loading zone is going to be part of the  
8 service road?  
9 A. Correct.  
10 Q. And it is your testimony that that conforms with  
11 Zoning Code?  
12 A. There are no design standards for, for, for those,  
13 that type of loading. You decide what kind of truck you  
14 need to service your building and provide those and have it  
15 approved by, by Technical Staff.  
16 Q. And what is the size of the loading zone?  
17 A. It'll depend on which trucks we, we think we need  
18 to accommodate. At final engineering, we'll determine the  
19 size and get that permitted.  
20 Q. Isn't there a size in the Code that the loading  
21 zone has to be?  
22 A. There, there is for several uses. I don't  
23 remember whether or not for a, this particular conditional  
24 use they indicate. It's typically a residential is per  
25 building, but this isn't a residential use in the same sense

Page 192

1 so I'd have to look at that.  
2 Q. Okay. But we don't know for sure on the site plan  
3 where the loading zone is. Is that correct?  
4 A. It is on the side between the tangent of the, on  
5 the service road between the tangent of the radius that goes  
6 into the parking garage. Moving east, it will be somewhere  
7 along the service road there.  
8 MR. GROSSMAN: Just so I think I understand the  
9 answer. It's not right at the garage entry. Is that what  
10 you're saying? It is, it is somewhat to the --  
11 MR. UHRE: Right of it.  
12 THE WITNESS: To the right. Yeah. To the east.  
13 MR. GROSSMAN: To the east of it.  
14 BY MR. UHRE:  
15 Q. So you're saying it's right, right below the  
16 garage entrance here?  
17 A. From here to here, we're going to put it in  
18 somewhere there.  
19 Q. Okay. And this would be the load, this would be  
20 the loading zone dock then right in this area?  
21 A. We're not going to have a dock.  
22 Q. The entrance for the loading.  
23 A. There's a door, double doors right where the  
24 crease of the building is. There are double doors there.  
25 Q. Following up on the, on the stream valley buffer.

Page 193

1 Is it, were you, I wanted some clarification. Are you, let  
2 me rephrase. Would it be possible, in your opinion, to put  
3 the service road on the other side, the golf course side of  
4 this structure?  
5 A. No.  
6 Q. And why would that be?  
7 A. We would have intrusions into the stream valley  
8 buffer. We've got further significant trees that we want to  
9 protect. And we have got the steeper slopes on this side.  
10 Q. So it's fair to say that the characteristics of  
11 the site cause you to put the, the service road where it's  
12 located on this plan?  
13 A. The conjunction of the building, the circulation  
14 pattern and the open space determines that in total. We  
15 also are just dealing with basic issues that we have to with  
16 the setbacks required by the Code that are required of any,  
17 any building, the screening requirements that are required  
18 by the Code that would be required no matter what, and the  
19 fact that we wanted to actually use this space because this  
20 is lower than the property line as an increased setback from  
21 the residential uses to the west.  
22 Q. The wetlands that are shown on the Pauls'  
23 property. How were they, how were they determined as it  
24 relates to location?  
25 A. These specific wetlands that we could not access,

Page 194

1 they were determined by Environmental Planning Staff. Their  
2 location and extent.  
3 Q. What's Environmental Planning Staff?  
4 A. The Environmental Planner at Maryland National  
5 Capital Park and Planning Commission who approves the plan  
6 that we submit for Natural Resources Inventory walked the  
7 site with us and basically pointing, after walking up  
8 through these stairs and things, and indicating on the plan  
9 a visual inspection led her to believe and we agreed based  
10 on at least the presence of, of water and, and the soils  
11 that are around here that this was a wetland. And so we  
12 delineated on the plan as such.  
13 Q. But you didn't actually go on to the Pauls'  
14 property. You were doing this all visually from the, this  
15 proposed site.  
16 A. Correct.  
17 Q. So the wetlands in fact could be closer to the  
18 site on the Pauls' property if you actually walked the,  
19 walked the property. Would that be correct?  
20 A. You could have an on-site inspection that may  
21 alter these.  
22 Q. Okay. I'd like to turn now to the, the new  
23 turnaround plan that we presented.  
24 MR. GROSSMAN: Before you get to that, Mr. Uhre,  
25 I'm glad you asked, asked the question about where the

Page 195

1 loading dock was because that, I, I think I was  
2 misunderstanding where it was before because I thought that  
3 it was going to be closer to the Pauls' property.  
4 But if I understand what you said, Mr. Sloan, the  
5 actual loading dock area is going to be at least 60 feet to  
6 the east of that point at which the Paul property begins?  
7 Just looking at it at, at one inch equals 30 feet on your  
8 scale there.  
9 THE WITNESS: Right. So what we're, what we're  
10 trying to do basically, these are, these are box trucks that  
11 have limited duration time. They come down at quite a  
12 slope, as we noted, until we get to the service door at  
13 which point we're basically leveling out to a two percent  
14 grade. This will allow a truck to pull up in this area  
15 right next to the building, open their back door and truck  
16 things in to these doors.  
17 MR. GROSSMAN: Is it, is the door that, indicated  
18 by two little arrows there?  
19 THE WITNESS: Correct.  
20 MR. GROSSMAN: Is that, is that the door?  
21 THE WITNESS: Correct.  
22 MR. GROSSMAN: Okay. And --  
23 MS. GIRARD: Do you want to measure that for the  
24 Hearing Examiner?  
25 MR. GROSSMAN: So if I understand correctly.

Page 196

1 MS. GIRARD: I have a very official scale here.  
2 MR. GROSSMAN: From that door --  
3 MR. CHEN: Mr. Examiner, what exhibit are you on?  
4 MR. GROSSMAN: I'm on the conditional use plan,  
5 Exhibit 79 A I, which has a scale on it of one inch equals  
6 30 feet.  
7 And so, if I understand your testimony, Mr. Sloan,  
8 from those two arrows on the inside there, which would be a  
9 door, to --  
10 THE WITNESS: To that apex.  
11 MR. GROSSMAN: And, and carrying that out to the  
12 drive aisle, so from that portion of the drive aisle up to  
13 that little corner where it meets the Paul property --  
14 THE WITNESS: Yes.  
15 MR. GROSSMAN: -- is, is between two and three  
16 inches. Is that --  
17 THE WITNESS: It's almost exactly. It's just over  
18 90 feet.  
19 MR. GROSSMAN: Okay. All right. Thank you.  
20 MR. CHEN: Mr. Examiner, do you have the distance  
21 for the garage entry there? Do you see that?  
22 MR. GROSSMAN: Yes. I see the garage entry and so  
23 it looks like from the garage entry point to the Paul  
24 property is closer to about 60 feet.  
25 THE WITNESS: Close. 55.

Page 197

1 MR. KAUFMAN: Keep it. He may need it again.  
2 BY MR. UHRE:  
3 Q. So if I can just to follow up. If a truck were  
4 pulling up into the loading area and that extended from the  
5 loading area of the truck actually could possibly interfere  
6 with the traffic going in and out of the garage, the indoor  
7 garage. Correct?  
8 A. If it parked in front of the garage, it would  
9 block the traffic.  
10 Q. Well, the parking, the parking zone goes up almost  
11 to the door of the garage, does it not?  
12 A. Well --  
13 Q. The loading zone.  
14 A. I don't want to speak out of turn, but I think  
15 that there's a, you know, most box truck, box trucks are 30  
16 plus feet. And that's about almost exactly what we  
17 accommodate from the walkway to these doors to the, to the  
18 garage entrance. And for a limited amount of time, someone  
19 would have to swing around if they were using this while  
20 there was a delivery.  
21 Q. Okay.  
22 MR. GROSSMAN: Okay. And I'm sorry, Mr. Uhre, I  
23 interrupted your presentation to clarify that point.  
24 MR. UHRE: No. Not at all. Anytime.  
25 BY MR. UHRE:

Page 198

1 Q. Going to Exhibit 92, which is the new turnaround  
2 plan that I think has been recalculated as it released the  
3 corrections.  
4 MR. KAUFMAN: I think that's an individual plan,  
5 isn't it?  
6 BY MR. UHRE:  
7 Q. The first question, this says proposed. Is this,  
8 is this actually being proposed as an amendment to the  
9 current plans?  
10 A. I wouldn't call it an amendment. An amendment is  
11 a very technical term for such approvals. This is a  
12 modification in concert with working with Staff and  
13 testimony or, not testimony, but direction from the Planning  
14 Board on, on really their wanting to look at this a little  
15 more carefully.  
16 Q. I'm sure. Could this, is this the plan you're  
17 proposing? I just, I didn't understand. Is this now the  
18 plan that Brandywine is proposing?  
19 A. We are.  
20 Q. Okay. Thank you.  
21 A. Well, I am speaking for them.  
22 Q. Well, part of the plan, but it, but this is what  
23 you're proposing. Going to the --  
24 MR. GROSSMAN: And I'm sorry. Now that you raise  
25 it, I'm, I'm sorry for interrupting again, Mr. Uhre.

Page 199

1 And exactly how does this new proposed turnaround  
2 detail differ from what's on the conditional use plan, 79 A  
3 I, Roman numeral I?  
4 THE WITNESS: So I'm going to highlight on the  
5 plan an area along the Micro bio planter that basically will  
6 allow us to put a fence on top of the planter wall, which  
7 itself is several feet off, above grade.  
8 MR. GROSSMAN: Right.  
9 THE WITNESS: So that we get an additional six  
10 feet of privacy fencing to block any headlights or things  
11 that are, you know, about three feet off the ground.  
12 MR. GROSSMAN: And --  
13 THE WITNESS: So this, this is really the new  
14 detail, the wall on top of the storm water, I mean the fence  
15 on the stop of the storm water wall.  
16 MR. GROSSMAN: Okay. But is there anything on the  
17 plan portion of it that shows me this additional fence?  
18 THE WITNESS: It's, it's only, no. In plain view  
19 it looks more like a, just a piece of the wall. So we can  
20 indicate that more clearly with a --  
21 MR. GROSSMAN: Yeah. I think it would have to if  
22 you're actually changing the plan and whether you call it  
23 your technical terms an amendment or not, it is an amendment  
24 for purposes of the Zoning review.  
25 THE WITNESS: We have, we haven't put a, we

Page 200

1 haven't put it on the plan yet because we didn't know that  
2 it was necessarily something that you would want to see.  
3 MR. GROSSMAN: I understand. I'm just saying that  
4 under the Zoning Ordinance when the plans are changed, it's  
5 an amendment to the application. But in any event, I  
6 certainly would want it to your, you know, your exhibit  
7 showing it indicated as a change showing the additional  
8 fence. I'm not saying it's a bad thing. It may be a very  
9 good thing, but it should be indicated what we're changing.  
10 All right. So what exactly are you writing on there?  
11 THE WITNESS: Six foot additional fence.  
12 MR. GROSSMAN: I'm going to duplicate that on the  
13 one that I --  
14 THE WITNESS: On top of MBP.  
15 MR. GROSSMAN: Okay.  
16 THE WITNESS: Okay.  
17 BY MR. UHRE:  
18 Q. So as I understand what we're saying, we're  
19 attaching a six foot fence on top of the MBP. Is that  
20 correct?  
21 A. Correct.  
22 Q. And can you tell me the elevation of the MBP above  
23 grade right below the fence?  
24 A. It's 90, about 93 feet is the elevation.  
25 Q. No. I'm sorry. The, the height of the MBP above

Page 201

1 grade. It looks like we have a, I'm on the Section AA.  
2 A. Oh, got you. So --  
3 Q. The MBP is sticking up on a vertical.  
4 A. It is and it, it varies. It, it goes from 92,  
5 comes around to the back to about 88 at this mid-point. So  
6 93 minus 88 is five feet.  
7 MR. GROSSMAN: It looks here like it says 392.  
8 You --  
9 THE WITNESS: Oh, sorry. Yes. I missed the 3.  
10 MR. GROSSMAN: You were abbreviating it. Okay.  
11 Yeah.  
12 BY MR. UHRE:  
13 Q. So you're saying that's five feet?  
14 A. This is five feet at this point.  
15 Q. So the MBP at five feet and the fence at six feet,  
16 would be an 11 foot vertical?  
17 A. Correct.  
18 Q. And then could you tell me the distance between  
19 where the MBP is vertical to the Pauls' property line?  
20 A. It varies.  
21 Q. I'm looking at Section AA, I guess.  
22 A. Right.  
23 Q. Right, one that's adjacent.  
24 A. This is that. Okay. This is about, well, these  
25 are, these are six foot spacing. So it's about five to six

Page 202

1 feet.

2 Q. And the, and the slope, the, the slope from the

3 Pauls' property line to the vertical MBP is that, is, is

4 that 3 to 1, you said?

5 A. It is.

6 MR. KAUFMAN: So it's almost exactly six feet.

7 BY MR. UHRE:

8 Q. And can you tell me what the elevation is at the

9 Pauls' property line?

10 A. 386.

11 Q. At that location?

12 A. At that location.

13 MR. GROSSMAN: Just following the contour line

14 across is, I take it, what you've done?

15 THE WITNESS: Right. Yeah, the 386 --

16 MR. GROSSMAN: Yeah. The 386 contour line.

17 THE WITNESS: -- ties into the property line.

18 Yes.

19 MR. GROSSMAN: At, at that point. Yes. I see.

20 BY MR. UHRE:

21 Q. The, you spoke a little bit about the Master Plan.

22 And as you know, the Master Plan strongly suggests that

23 parking be on the sides, if at all possible. And here we

24 have parking in the front of the building.

25 A. Correct.

Page 203

1 Q. Can you tell us why that is?

2 MR. GROSSMAN: Why they have it in the front --

3 MR. UHRE: Why they have it in the front.

4 MR. GROSSMAN: -- or why, why they require it or

5 prefer it on the sides.

6 BY MR. UHRE:

7 Q. No, I'm asking why they didn't follow the, the

8 suggestions of the Master Plan to put it on the sides of the

9 building as opposed to proposing it in the front of the

10 building.

11 A. We thought it was more appropriate to have the

12 parking facing the non-residential use rather than facing

13 the residential use and it's also for a very practical

14 reason. This is the front door, the front entry. And, and

15 the flattest portion of the site.

16 Q. And you may have already answered that question,

17 but is there lighting in the parking area?

18 A. There is.

19 Q. And is that, is lighting on poles?

20 A. Yes.

21 Q. And about how high are the, the poles for the

22 lighting in the parking area?

23 A. So I'm looking at the landscape and lighting

24 details. I don't know if I need to, actually I don't have

25 to. I'll stick with the landscape plan that I referred to

Page 204

1 earlier. So all of the landscape lighting is along the

2 building side of the parking lot. There's none on the, on

3 the property line with the golf course. It's along this

4 area and this gives us enough illumination to be safe.

5 Again, this is really looking at a very residential feel.

6 And our photometrics will run at a maximum height of 12 feet

7 for these fixtures.

8 Q. I'm sorry. Are you saying the lighting is all on

9 the building and not --

10 A. On the building side of the parking lot.

11 Q. Building side. Right. But how many poles

12 actually are there with lighting?

13 A. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 along this,

14 along the sidewalk that fronts on the parking.

15 Q. And there was some mention somewhere about a golf

16 protection fence or some, can you explain what that is and

17 where that would be located?

18 A. There's an existing fence along the eastern

19 property line. It's, basically it's telephone poles with a,

20 a mesh fabric between them to catch errant golf balls.

21 Q. Okay. And that would be located on this property?

22 A. It is already located on this property.

23 Q. So you're relocating it to a different position on

24 this property?

25 A. We're going to refurbish it as we can. I don't

Page 205

1 know that, whether or not a, a pole may have to be moved or

2 fixed or something.

3 Q. And where exactly, can you show me where exactly,

4 does that run around two sides of the property or --

5 A. It runs from, well, it, it's only on one side of

6 the property and it runs from about 50 feet from the, the

7 apex in, into the golf course along the entire parking area

8 and stops where we have a, a decorative wall that goes to

9 the end.

10 Q. And approximately how high is that fence?

11 A. The golf fence?

12 Q. Yes.

13 A. I would estimate probably 30 feet. I don't know.

14 Q. You mentioned earlier that there was a buffer

15 between the Pauls' property and Manor Care and I didn't

16 catch the distance. Did, did, was 60 feet what I heard you

17 say? That there's basically a forest conservation easement

18 at 60 feet existing between Manor Care and the Pauls'

19 property?

20 A. That's what I remember from the opinion. I think

21 that's what actually got built.

22 MR. KAUFMAN: This is the aerial view.

23 THE WITNESS: Yes. Sixty feet.

24 BY MR. UHRE:

25 Q. And that consists of forest and trees and making

Page 206

1 it, it an effective screen between Manor Care and the Pauls'  
2 property.  
3 A. I haven't looked through that area too carefully.  
4 I don't remember if it was a lot of, maybe the white pines  
5 are on the other side. But I, I assume it acts as a forest.  
6 Q. You also spoke about the, the fact that this was  
7 not an increase going to the Master Plan for, not an  
8 increase in the number of special exceptions. But when you  
9 look at the size and intensity of this proposed facility,  
10 can you tell me what the coverage of the buildings are  
11 currently on the current site in square footage  
12 approximately?  
13 A. I would have to calculate it.  
14 MR. GROSSMAN: Now are you including in buildings  
15 the tennis bubble that's for currently.  
16 MR. UHRE: No, sir.  
17 MR. GROSSMAN: So it's, so just for buildings not  
18 any structure?  
19 MR. UHRE: Yeah, because the tennis bubbles --  
20 MR. GROSSMAN: That would be a structure, but not  
21 a building.  
22 MR. UHRE: -- the tennis bubbles are only there  
23 part of the year.  
24 MR. GROSSMAN: Right. They're considered  
25 structures not buildings, but --

Page 207

1 BY MR. UHRE:  
2 Q. But just in terms of the coverage definition.  
3 Would you say maybe five, six, 7,000 square feet will be  
4 generous?  
5 A. I don't know. I, I would scale it out.  
6 Q. But the coverage on the proposal is how many  
7 square feet?  
8 A. Looking on the development table again the  
9 coverage is 25 percent of the, of the lot area.  
10 Q. Which is?  
11 A. 43, 7, 36 square feet.  
12 Q. And the, and how many stories does the current  
13 structure have?  
14 A. I think there's a, there's a main floor and the  
15 studio above. Two and a half.  
16 Q. How do you get, how do you get two and a half out  
17 of that?  
18 A. Well, because it has a peaked roof with dormers  
19 and I don't know whether there's a bit of a habitable space  
20 up there.  
21 Q. Have you been in the structure?  
22 A. No.  
23 Q. And the, and the proposed structure is three  
24 stories. Correct?  
25 A. Correct.

Page 208

1 Q. You also, I believe, made a comment about the  
2 height. We had a conversation about the height. I'm  
3 turning now to what is A 301 on the architect's, I'm sorry.  
4 Let me find my exhibit list.  
5 MR. GROSSMAN: While you're looking for that --  
6 MR. UHRE: 30, 39.  
7 MR. GROSSMAN: Let me, while you're looking for  
8 that, can I turn for a second to the, the relocated  
9 protective golf ball net that was mentioned?  
10 MR. UHRE: Right.  
11 MR. GROSSMAN: I just don't recall from the Zoning  
12 Ordinance whether or not there's any regulation on, on the  
13 height of something like a relocated protective golf ball  
14 net. Can you remind me of what is required there for that  
15 kind of structure? I mean there are limits on fence  
16 heights, but --  
17 THE WITNESS: There are limits on fence heights  
18 and it's a --  
19 MR. GROSSMAN: I'm not saying you don't need it  
20 because whenever I've played on that course, you needed a  
21 net. So --  
22 THE WITNESS: I, I can sympathize. I, I, it's,  
23 it's a curiosity because it came up in, in a couple places  
24 where we have them. Connecticut Avenue and here and there  
25 are a couple others. There is nothing in the Zoning

Page 209

1 Ordinance about them.  
2 MR. KAUFMAN: I believe they're actually 50 or 60  
3 feet tall. Something like that. They're not, they're as  
4 tall as a, as a telephone pole.  
5 MR. GROSSMAN: And do you know of anything in the,  
6 in the Zoning Ordinance that mentions --  
7 MR. KAUFMAN: I only know of two places where they  
8 are. One is Connecticut and the other is this.  
9 MR. GROSSMAN: Oh. Something you missed when you  
10 were drafting up the new ordinance. You got everything else  
11 in there, I could tell you that. All right.  
12 BY MR. UHRE:  
13 Q. But it is a fence, correct?  
14 MR. GROSSMAN: I don't know if it's, well --  
15 THE WITNESS: I wouldn't think, I wouldn't call it  
16 that now. It is, it is a, it is an oddity. It's not  
17 covered by the Zoning Ordinance. I don't know.  
18 BY MR. UHRE:  
19 Q. All right. Turning to Exhibit 17 H, I believe it  
20 is. Or maybe I could start with just the question is I  
21 understood your testimony, you said that the elevation to  
22 the top of the roof was only 36 feet on the area facing the  
23 Paul residence?  
24 A. So leading from the extended site section, the  
25 graded terrace level is 396. The top of the roof, the peak

Page 210

1 there is, no, these are staggered, 444. I apologize. 48  
2 feet.  
3 Q. Oh, okay. Plus maybe a couple more, right, at the  
4 peak?  
5 A. No. That is inclusive of the peak.  
6 Q. Okay. I'm, I'm happy with 48.  
7 MR. CHEN: Yeah, me too.  
8 BY MR. UHRE:  
9 Q. The, the buffer along the golf course side, can  
10 you, is there, is there a buffer along the golf course side  
11 and in the front? Other than the four foot fence that goes  
12 part of the way.  
13 A. There, there's a fence and, and shrub buffer along  
14 with trees along the golf course side.  
15 Q. On both sides of the golf course?  
16 A. No. Along the parking area. Just between the  
17 parking and the golf course side. There's no, well, the  
18 buffer on the other side is landscape and the stream valley  
19 buffer.  
20 Q. But in the lower part, we, on the part closest to  
21 the front on the golf course side which would be, I guess,  
22 on the north side. Is there any buffer there below the  
23 stream valley buffer until the front property line?  
24 A. There are plantings, but there's no specific  
25 design or intent or need for a screening buffer here.

Page 211

1 Q. So you're saying there's no zoning requirement for  
2 any buffer in that area?  
3 A. No.  
4 Q. You spoke generally in terms of compatibility.  
5 You're saying that this area is compatible. But we have a  
6 very unique site that's surrounded on two sides by a golf  
7 course. We're putting a three-story structure. Can you  
8 explain to me how you find a three-story structure  
9 compatible with basically a golf course on two sides?  
10 A. Well, a residential use around a golf course is a  
11 pretty traditional development pattern. A lot of  
12 communities are built around golf courses and they have  
13 residences, apartments, towns, condos, any number of things.  
14 It's a, I don't think the compatibility is simply an issue  
15 because it's a different use. They're a compatible use in  
16 the different meaning of the word. They work well together.  
17 Q. I also understood you to say that this location  
18 stands about 20 feet higher than the Pauls' residence. Is  
19 that, on an elevation standpoint, is that the, was that a  
20 correct calculation?  
21 A. 378 to 396. That one I'm pretty sure of. Yes.  
22 Q. So it sets up higher than the Pauls' residence?  
23 A. 18 feet.  
24 Q. Making it much more visible. And the hours of  
25 operation of this location is going to be 24/7. Is that

Page 212

1 correct?  
2 A. I, only from what I heard from Ms. Bacon's  
3 testimony.  
4 Q. Do you know what the hours of operation are for  
5 the tennis facility?  
6 A. I do not.  
7 Q. You don't know if there's any conditions that  
8 limit the hours of the tennis facility?  
9 A. No. When we looked at compatibility, we looked at  
10 compatibility of the design we were creating.  
11 Q. Well, I think you spoke both about compatibility,  
12 I mean, in the sense of concentration of special exceptions  
13 not just in terms of the numbers, but in terms of scope and  
14 intensity. And you said it was compatible and yet where  
15 you're saying that you haven't viewed the hours of the  
16 Potomac Tennis Club and the hours that they're open. I mean  
17 doesn't that have an intensity?  
18 MS. GIRARD: Objection. This is the same person  
19 that said we shouldn't compare.  
20 MR. GROSSMAN: Well, hold, let him finish, let him  
21 finish the question before you --  
22 MS. GIRARD: Okay.  
23 MR. GROSSMAN: -- before you object.  
24 Go ahead. Finish your question.  
25 BY MR. UHRE:

Page 213

1 Q. I'm sorry.  
2 MR. GROSSMAN: You can finish your question.  
3 BY MR. UHRE:  
4 Q. My question to him is that he said that it was  
5 compatible with the Master Plan, which speaks to both  
6 intensity and number and scope of differences in the special  
7 exceptions or conditional uses. And my question basically  
8 is how can you say that without knowing the hours of  
9 operation, for example, or the square footage differential?  
10 MR. GROSSMAN: Of the tennis operation.  
11 BY MR. UHRE:  
12 Q. Of the tennis club, existing club versus the  
13 building.  
14 MR. GROSSMAN: Now you may state your objection.  
15 MS. GIRARD: All right. I'm going to object  
16 again. Objection. I, I mean we're trying to have it both  
17 ways here. We're saying, at the beginning you cannot look  
18 at the existing tennis club to state that you're meeting the  
19 criteria and yet, now Mr. Uhre is saying you have to compare  
20 them in order to make your argument. You just can't have it  
21 both ways.  
22 MR. GROSSMAN: Yes. I, I happen to agree with  
23 you. You can't. As far as compatibility, compatibility is  
24 going to be evaluated not, I mean it's interesting that  
25 there is a, a big tennis bubble there at least on a portion

Page 214

1 of the time, but it's not really what I, I have to look at.  
2 I have to look at what is proposed for the use and say is  
3 that proposed use compatible with the surrounding  
4 neighborhood as it will exist once the proposed use is  
5 constructed. That means there will be no tennis facility  
6 there. On the other hand, when they, when LATR measures  
7 traffic impacts, it does compare the current usage with what  
8 will be the proposed usage and so, to that extent, there is  
9 a comparison that is usually made. You can argue that  
10 that's inappropriate and I'll consider that argument. But  
11 in terms of compatibility, it's not really a, a tradeoff  
12 between the tennis bubble and the current plan or the  
13 applicant's proposed plan. But the examination is whether  
14 or not the proposed use will be compatible with the  
15 surrounding neighborhood and whether it meets all of the  
16 conditions set forth in the Zoning Ordinance, compatibility  
17 being among them. Okay.  
18 MR. CHEN: Okay. Just for clarity of the record,  
19 this came up, if you recall, in the preliminary matter and  
20 --  
21 MR. GROSSMAN: I'm sorry?  
22 MR. CHEN: This very point that you've raised just  
23 now was addressed during the preliminary part of your  
24 hearing today.  
25 MR. GROSSMAN: Yes.

Page 215

1 MR. CHEN: And including in particular the LATR  
2 analysis. And just so that we're clear because I'm, I'm not  
3 sure you're, in light of what you just said you heard my  
4 position which is that the LATR analysis is not appropriate  
5 because it relies upon this existing special exception. I,  
6 I'm not arguing. I just want to make sure you understood  
7 what I --  
8 MR. GROSSMAN: No. I, I did hear you to say that.  
9 And I said, and I think I responded exactly as I responded  
10 now. Compatibility would be assessed based on the, the  
11 proposed use and the surrounding community, not on the  
12 tennis court that exists there now. And LATR, I'm going to  
13 hear arguments on that issue --  
14 MR. CHEN: Right.  
15 MR. GROSSMAN: -- and, and we'll go on from there.  
16 MR. UHRE: I appreciate what you said. I was  
17 trying to establish the difference in scope and intensity  
18 between, since they had brought it up as a comparison  
19 purpose trying to say that, in fact, there may be  
20 differences in scope and intensity of the uses, not just  
21 counting one plus one.  
22 MR. GROSSMAN: I understand.  
23 MR. UHRE: Okay. Thank you. I'm, I'm, that's all  
24 I have.  
25 MR. GROSSMAN: All right.

Page 216

1 MR. UHRE: Thank you.  
2 MR. GROSSMAN: Is there any redirect?  
3 MS. GIRARD: There is.  
4 REDIRECT EXAMINATION  
5 BY MS. GIRARD:  
6 Q. You got your scale still, Mr. Sloan? I'd like you  
7 to, you kind of guessed at the distance of the buffer  
8 between the drive aisle and the property line with the  
9 Pauls. Can you measure that out to be clear? You, you had  
10 estimated it to be 15 feet and I just want to be sure that  
11 we're accurate on the record.  
12 A. It, it's actually 20 feet for the majority of its  
13 length.  
14 Q. Okay. And similarly --  
15 MR. GROSSMAN: What's the, what's the minimum  
16 amount? If it's, if it's 20 feet the max, what's it, what  
17 does it go down to at some point?  
18 THE WITNESS: We do some planting along the, the  
19 buffer area, or I mean around the micro bio retention  
20 whereas that point it goes down to about right across at  
21 this point here. It's about eight feet and then it expands  
22 all the way or it's in the stream buffer.  
23 MR. GROSSMAN: Okay.  
24 THE WITNESS: But that's not including the  
25 plantings that are in there.

Page 217

1 BY MS. GIRARD:  
2 Q. Also you had suggested by looking quickly at the  
3 chart that the proposed density of 140 beds is the absolute  
4 maximum that could be developed. Can you redo that  
5 calculation to make sure that you're being accurate?  
6 A. Yeah. That was one that, it's, it's an odd  
7 calculation because it's a number of, of beds per acres so  
8 the, the required is you can have one bed per 1,200 square  
9 feet. And we have actually one bed per 1,250 square feet so  
10 we are below the maximum pullout.  
11 MR. CHEN: Why does that translate though into  
12 units and beds?  
13 MR. KAUFMAN: Well, he, wait a minute.  
14 MR. CHEN: I'll, I'll get, I'll get that on, I'll  
15 --  
16 MR. GROSSMAN: You can get it on redirect.  
17 Recross, rather.  
18 But I think the original question was, which was  
19 asked was whether or not you were at the maximum. And I  
20 guess what you would do is divide to determine the number of  
21 beds you could put there in 4.02 acres.  
22 MS. GIRARD: Yes.  
23 THE WITNESS: 1,200 square feet per bed. 146.  
24 145.7841 et cetera.  
25 MR. KAUFMAN: I think 146 is probably a good

Page 218

1 number.

2 THE WITNESS: 146. Right.

3 MR. GROSSMAN: Well, you can't, you'd have to

4 round down.

5 THE WITNESS: 145.

6 MR. GROSSMAN: So you could have 145 beds and

7 you're at 140 beds, if I understand correctly. So. Okay.

8 BY MS. GIRARD:

9 Q. The question that Mr. Chen asked you about the,

10 the salt. If you, assuming for a moment that the proposed

11 or the existing facility does use salts on that back parking

12 area, where would that go?

13 A. I think our engineer can speak very clearly about

14 this, but it's basically, all of this current, I'm sorry, on

15 the current, I mean aerial existing, all of this current

16 pavement is depositing right into their property. All of

17 the water runoff.

18 Q. And to your knowledge, an engineer can speak to it

19 more. Are there any storm water controls there now that

20 would filter that?

21 A. No.

22 Q. And in assessing compatibility with the

23 neighborhood you mentioned where you were aware of three-

24 story buildings. Are, did you also look at the size of the

25 houses in the adjacent neighborhoods?

Page 219

1 A. Yeah. One of the things that I think or the

2 architect will speak to it too that we are really looking at

3 is the length of facades on some existing houses. And many

4 of those façade lengths are longer than any one of our

5 façade lengths, including the, the next door neighbor.

6 Their, their façade is longer --

7 MR. GROSSMAN: The next, by next door neighbor, do

8 you mean the Pauls?

9 THE WITNESS: The Pauls' residence is longer --

10 MR. GROSSMAN: What about, and how many stories is

11 that?

12 THE WITNESS: There it's two stories facing this,

13 facing our property.

14 MR. GROSSMAN: How many, is there a portion that's

15 of, there's one story or three stories or is it --

16 THE WITNESS: I did not go around to the other

17 side to look.

18 MR. GROSSMAN: Okay. That's fine. Well, they can

19 answer that when they testify.

20 BY MS. GIRARD:

21 Q. And to your knowledge or, or the houses that are

22 back there, do many of them have peaked roofs that make them

23 appear --

24 A. Most of them have peaked roofs and they're

25 typically, therefore, that's why I call two and a half

Page 220

1 stories. I read it like the Fire Marshall does. If there's

2 a gable in it, it could be habitable and they'd break it,

3 the window. Looks like a floor.

4 MR. GROSSMAN: All right.

5 BY MS. GIRARD:

6 Q. And we talked a little about the truck exhibit and

7 the new fence. Is it your testimony that we're providing

8 that fence to try to further mitigate, we being Brandywine,

9 are trying to further mitigate any visibility or adverse

10 impacts?

11 A. It is. It's, it's, it's to go above and beyond

12 the requirements for screening and buffering and landscaping

13 to provide even an additional layer of, of mitigation.

14 Q. And finally, with regard --

15 MR. GROSSMAN: Is that as a result of the Planning

16 Board request?

17 THE WITNESS: It was Planning Board and Staff. I

18 think it was actually something that we came up on just when

19 we were listening to, to some testimony.

20 MR. GROSSMAN: Okay.

21 BY MS. GIRARD:

22 Q. Finally, with regard to the idea of the front yard

23 and parking in the front yard, would you say that the front

24 yard of this proposed use is typical?

25 A. It's not typical. Our, our frontage is, is a

Page 221

1 little interesting because it only comes up a certain way,

2 very severely limiting where we can access the property and,

3 and the surrounding uses make it a little bit unusual about

4 how you typically site a front yard of a, of a house.

5 Q. So with regard to visibility of parking in the

6 front yard, would you say that this was more visible or less

7 visible than a typical front yard?

8 A. It's --

9 Q. From the street.

10 A. It's much less visible. It's behind a berm, a

11 wall, plantings and, and not abutting any constant use.

12 MS. GIRARD: That's all I have.

13 MR. GROSSMAN: All right. Any recross, Mr. Uhre?

14 MR. UHRE: [No audible response.]

15 MR. GROSSMAN: All right. Mr. Chen, any recross?

16 MR. CHEN: Yeah. If I may.

17 MR. GROSSMAN: You may as long as you stick to the

18 redirect.

19 RECROSS EXAMINATION

20 BY MR. CHEN:

21 Q. On that fencing, was there any testing done as to

22 the effectiveness of that fencing to cut down on glare?

23 A. Testing? No.

24 Q. Yeah. A test. So that I take, I take it some

25 decision was made by somebody that said okay, to deal with

Page 222

1 glare we'll put up a six-foot fence. Is that how that came  
2 about?  
3 A. A particular kind of fence. Yes.  
4 Q. Yeah. I mean just somebody said let's put up a  
5 higher fence with the idea that it would cut down on glare.  
6 A. Right.  
7 Q. Okay. And as I understand it, the, going to the  
8 question on salt, this service drive slopes down from the  
9 front of the property toward the corner where my client's  
10 property is adjacent. Is that correct?  
11 A. Correct.  
12 Q. And is there any comparable length of impervious  
13 area with a slope like that that currently exists on the  
14 property that would carry liquid salt to that area?  
15 A. Yes.  
16 Q. Say that again?  
17 A. Yes.  
18 Q. Okay. What, what would that area be?  
19 A. The, I'm looking at the existing aerial. So the  
20 drainage on this, we should bring up the drainage map  
21 actually, splits some of the drainage in the front parking  
22 lot goes to the east and is piped around and then the drive  
23 aisle starting at some point along the southern property  
24 line back all slopes down to the western corner.  
25 Q. And you're saying that that area is equally, had

Page 223

1 the same amount of space as the proposed service drive?  
2 A. I don't know that it does.  
3 Q. Well, that was my question.  
4 A. I don't know if the split that we have in our  
5 drainage is the same or not as the existing split in the  
6 drainage.  
7 Q. And if I may, go to Exhibit, I think it's 79 A I.  
8 MR. GROSSMAN: That's the actual conditional use  
9 plan.  
10 BY MR. CHEN:  
11 Q. Do you have that, sir?  
12 A. That's up now.  
13 Q. Okay. I just want to be clear on something. You  
14 said that the closest that the, excuse me, the narrowest  
15 area of the buffer is eight feet, as I understand your  
16 testimony on redirect from Ms. Girard. Is that correct?  
17 A. Correct. There's a point where the micro bio  
18 retention, the landscaping is eight feet at that point.  
19 Q. Okay. But help me for a minute. It looks to me  
20 that this fence around the micro bio, the MBP is almost  
21 right on the property line. Is that correct?  
22 A. It is close. Yes.  
23 Q. Okay. I mean would it be accurate to say that  
24 that fence is inches off the property line?  
25 A. It's at least six inches. It's about six inches.

Page 224

1 Q. So that fence for that MBP is going to go right up  
2 to within six inches of the property line?  
3 A. Right.  
4 Q. And, indeed, that area, not is the MBP in that  
5 area, the, part of the service drive goes into that buffer  
6 area as well. Isn't that correct?  
7 A. Correct. The triangle I'm pointing to now at the  
8 very end of it.  
9 MR. CHEN: That's all I've got.  
10 MR. GROSSMAN: Okay. All right. I think that's  
11 all.  
12 MR. KAUFMAN: I wonder if we could take a little  
13 break.  
14 MR. GROSSMAN: I think that's fair. Thank you,  
15 Mr. Sloan. And we'll take a break until a quarter to 4:00.  
16 (Off the record.)  
17 (Off the record discussion.)  
18 (On the record.)  
19 MR. GROSSMAN: Okay. Resume with your next  
20 witness.  
21 MS. GIRARD: I'm going to call Hal Bolton.  
22 MR. CHEN: Say that again. I'm sorry?  
23 MS. GIRARD: Hal Bolton.  
24 MR. CHEN: Thank you.  
25 MR. GROSSMAN: All right, sir. Will you state

Page 225

1 your full name, please?  
2 MR. BOLTON: My full name is Herbert Alfred  
3 Bolton, IV. I go by Hal.  
4 MR. GROSSMAN: Okay.  
5 MR. BOLTON: Have for my whole life.  
6 MR. GROSSMAN: Would you raise your right hand,  
7 please? Do you swear or affirm to tell the truth, the whole  
8 truth and nothing but the truth under penalty of perjury?  
9 MR. BOLTON: I do.  
10 MR. GROSSMAN: All right. You may proceed.  
11 DIRECT EXAMINATION  
12 BY MS. GIRARD:  
13 Q. Mr. Bolton, have you previously qualified as an  
14 expert in other jurisdictions?  
15 A. I have.  
16 Q. But have you in Montgomery County?  
17 A. I have not.  
18 Q. Okay. Can you state your name and, well, you did  
19 your name, your business address?  
20 A. 300 North Lee Street in Alexandria, Virginia.  
21 Q. And what is your occupation?  
22 A. I'm an architect.  
23 Q. How long have you been engaged in this occupation?  
24 A. Approximately 18 years.  
25 Q. And can you review your professional and

Page 226

1 educational background?

2 A. Certainly. I have a Bachelor of Science in

3 architecture from the University of Virginia, a Master's in

4 architecture from the Georgia Institute of Technology. I'm

5 a registered architect in Maryland, Virginia and the

6 District of Columbia, and have worked in a variety of

7 housing types throughout my career, including also

8 institutional projects and, and commercial projects.

9 Q. And are you a member of any professional

10 architectural societies or organizations?

11 A. I am. I'm a member of the American Institute of

12 Architects, the Urban Land Institute, and I'm a LEED

13 accredited professional with the U.S. Green Building

14 Council.

15 Q. Please review your work experience in the field of

16 architecture.

17 A. I have worked with Niles Bolton for the Niles

18 Bolton Associates for the last few years, predominantly with

19 multi-family housing. Prior to that I have worked with a, a

20 firm in government and institutional work. And then I've

21 also done small and single family homes as well.

22 Q. And did you, maybe I lost track. Did you explain

23 exactly where you have been qualified as an expert and what

24 projects?

25 A. I was qualified as an expert in Pennsylvania, in

Page 227

1 Conshohocken on a, for a residential project, a multi-family

2 project. And also in the District of Columbia.

3 MR. GROSSMAN: You testified under oath in those

4 cases?

5 THE WITNESS: Yes. I did.

6 MR. GROSSMAN: All right.

7 MS. GIRARD: Mr. Bolton's resume is Exhibit 19.

8 And we would move his admission as an expert in

9 architecture.

10 MR. GROSSMAN: All right. Any questions regarding

11 Mr. Bolton's qualifications as an architect?

12 MR. UHRE: Not for me. I'll take --

13 MR. GROSSMAN: Mr. Chen?

14 MR. CHEN: Were, as I understand it, sir, you were

15 recognized as an expert in architecture in two instances?

16 THE WITNESS: I have testified previously as an

17 expert in two instances.

18 MR. CHEN: Two, yes. Once, one was in

19 Pennsylvania and one was in the District of Columbia?

20 THE WITNESS: That's correct.

21 MR. CHEN: And am I correct in assuming that they

22 were for multi-family dwellings?

23 THE WITNESS: The project in Pennsylvania was. In

24 the District of Columbia, it was for Green Building

25 Standards and the Green Building Ordinance, and architecture

Page 228

1 in general.

2 MR. CHEN: So the one in D.C. you weren't

3 testifying as an expert specifically as to a, a project?

4 THE WITNESS: I was testifying specifically to

5 architecture and green architecture in that case.

6 MR. CHEN: About, it was about green architecture

7 you --

8 THE WITNESS: Yes.

9 MR. CHEN: What was the nature of your testimony

10 in Pennsylvania?

11 THE WITNESS: There, it was an approval for a

12 multi-family house on a site near Conshohocken, going

13 Conshohocken, Pennsylvania, outside of Philadelphia. And

14 this was before the, the Planning Board in Conshohocken.

15 MR. CHEN: And did it involve compliance with

16 Zoning Ordinance requirements?

17 THE WITNESS: Yes.

18 MR. CHEN: Okay. I have no difficulty recognizing

19 this gentleman as an architect with recognition of that

20 background.

21 MR. GROSSMAN: And, and where are you licensed,

22 sir?

23 THE WITNESS: In Maryland and Virginia and the

24 District of Columbia.

25 MR. GROSSMAN: Okay. Do you, I'm sorry, recall

Page 229

1 your Maryland license number?

2 THE WITNESS: I don't.

3 MR. GROSSMAN: Okay.

4 THE WITNESS: It may be on my resume or I could

5 provide that later on.

6 MR. GROSSMAN: All right. I, I find Mr. Bolton

7 qualified as an expert in architecture based on his

8 education and background and experience and his prior

9 testimony as an expert in architecture. I used to tease

10 architects by asking them what they thought about the

11 Clinton Library, but it's been so long since the Clinton

12 Library that it's showing my age and it's not really

13 accomplishing much. But. So, I won't do that in this case.

14 All right. You may, you may question the witness.

15 MS. GIRARD: Thank you.

16 BY MS. GIRARD:

17 Q. Mr. Bolton, are you familiar with the conditional

18 use property, surrounding area and Application No. Cu 16-01?

19 A. I am. My firm has prepared the plans and

20 elevations for this --

21 Q. Great. Can you review your design concept for the

22 building proposed in this application?

23 A. Certainly. We, wait a minute. Let me actually,

24 so our building is organized around a central spine with the

25 front door --

Page 230

1 MR. CHEN: Could we have the exhibit number that's  
2 being used?  
3 MS. GIRARD: Yes.  
4 MR. KAUFMAN: Right where the mark is.  
5 MS. GIRARD: A 101. That's 79 G 1 or I. Probably  
6 I.  
7 MR. CHEN: G I?  
8 MR. GROSSMAN: Yeah. Roman numeral I, an I.  
9 MS. GIRARD: Here you go. There.  
10 MR. KAUFMAN: Put it, put it on there. We're  
11 going to just write it up there so.  
12 MR. GROSSMAN: That's fine. I mean we have it in  
13 the file.  
14 MR. KAUFMAN: I know, but --  
15 MR. CHEN: What's the problem?  
16 MR. UHRE: He's going to write it on the plan.  
17 That's all.  
18 THE WITNESS: So our, to orient our front door is  
19 at the bottom of the page, north being to page right.  
20 MR. GROSSMAN: Why would you do that?  
21 THE WITNESS: And then the central entry, foyer  
22 and the public spaces are in the middle of the building here  
23 along a central spine. There are residential wings to the  
24 left and to the right and then at the back of the building,  
25 again this was designed working with the contours of the

Page 231

1 site with our topography with the site boundaries. It's  
2 designed in an English Tudor style which is as similar to  
3 many of the residences in the Potomac neighborhood. We've  
4 used many residential features, such as the chimney pods,  
5 the rooftop cupola, Tudor detailing, residential windows.  
6 We have copper trim along the roof edge. Architectural  
7 shingles. And we have chosen to break up the façade of the  
8 building utilizing bays, in this case to the left and right  
9 of the front door. These wings then step back and angle  
10 back from the building, breaking up the mass of the  
11 building. We have these smaller octagonal rooms to the left  
12 and the right, which again break up the mass, differentiate  
13 the rooftop at this level from the main roof over the entry.  
14 And so we've made a conscious attempt throughout the  
15 building to vary both the horizontal and vertical shape of  
16 the facility.  
17 MR. GROSSMAN: Do you have renderings for the  
18 other sides of the building?  
19 THE WITNESS: We have submitted elevations. We  
20 have not submitted a rendering similar to this one.  
21 MR. GROSSMAN: And I just, I can't recall. Does  
22 it, is it, is this treatment consistent throughout the, on  
23 all sides of the buildings --  
24 THE WITNESS: It is. It is. The --  
25 MR. GROSSMAN: -- with the gables, et cetera?

Page 232

1 THE WITNESS: The palette of materials is the same  
2 throughout the building.  
3 MR. GROSSMAN: How about the gables and the other,  
4 other features?  
5 THE WITNESS: The gables are, yes, we have similar  
6 gables throughout.  
7 MR. GROSSMAN: Okay.  
8 BY MS. GIRARD:  
9 Q. And can, can you briefly walk us through the floor  
10 plans?  
11 A. Certainly. So our, again, our entry, our porte-  
12 cochere where the majority of the residents would drive up,  
13 arrive, come through the front door into an entry lobby.  
14 This entry lobby is a two-story space. To the left we have  
15 a music room and a parlor. Again, all of this was designed  
16 with the idea of providing a home, being residential and  
17 neighbor, and character. That's sort of the interior elbow  
18 where this wing takes off. We have the central dining  
19 space, a kitchen just beyond that which allows then for the  
20 residents to have a view outside while they're eating and,  
21 and relaxing. Residential spaces to the rear of the  
22 building with an interior courtyard for the residents that  
23 are in the Memory Care units.  
24 The second, the floor above this is similar with public  
25 amenity space at the center of the building. There is space

Page 233

1 for a room where a lot of the activities for the residents  
2 would occur there at the center looking out on to the  
3 courtyard. You'd have residential units to the left and to  
4 the right in these wings. And then residential units here  
5 at the rear of the building. This is the top floor on the  
6 rear portion of the building. Then this front portion  
7 extends up another floor, which is this floor at this level  
8 with additional residential units at the top. And then we  
9 have a terrace level below with the interior parking and  
10 some services and a few amenity spaces that we discussed  
11 previously.  
12 Q. Is that in here?  
13 A. I don't know that I have that one actually.  
14 Q. Oh, we don't have that. Okay.  
15 A. You should have it.  
16 Q. And how is the proportion of community space to  
17 units determined? What's, what's the rough proportionality  
18 there?  
19 A. We were guided by our clients in meeting their  
20 programmatic needs. It's, it's very high actually. It's  
21 closer to 50 percent for the amenities space versus the  
22 residential units, which, again, thinking in residential  
23 terms provides a lot of living and amenity space for the,  
24 the residents of the community.  
25 Q. And can you cover the mechanical equipment

Page 234

1 locations that were discussed earlier?  
2 A. Sure. If we can put, as was mentioned in previous  
3 testimony we have a pad.  
4 MR. CHEN: Exhibit, which, which, I apologize.  
5 But what exhibit are we using now?  
6 MS. GIRARD: Conditional use. It's the one we've  
7 been using. It's --  
8 MR. GROSSMAN: 79 A I.  
9 MR. KAUFMAN: 79 something.  
10 MS. GIRARD: Yeah. That's --  
11 MR. KAUFMAN: That's why I said let's write it on  
12 there.  
13 THE WITNESS: So we have a generator enclosure and  
14 we discussed the, the high wall around this. We have  
15 interior on the Terrace Level mechanical space at  
16 approximately this location. Then we also have space for a  
17 few smaller rooftop mechanical units above the second level.  
18 BY MS. GIRARD:  
19 Q. So the generator is what's behind the wall in the  
20 back?  
21 A. Yes.  
22 Q. Is the chiller there?  
23 A. We haven't fully designed the system. It's  
24 possible that the chiller could be located interior to the  
25 building and also could be a rooftop chiller. There are a

Page 235

1 variety of options for this mechanical system and we are  
2 frankly still in the early stages of design. We have  
3 provided options and, and I would think certainly could  
4 locate it either interior or on the rooftop of the second --  
5 MR. GROSSMAN: What exactly does a chiller do?  
6 THE WITNESS: A chiller is part of a mechanical  
7 system that draws, uses cold water to draw heat from the air  
8 and thereby chill the air so it absorbs the, the latent heat  
9 from the air. It sends the water through a pipe --  
10 MR. GROSSMAN: It's part of your air conditioning  
11 system.  
12 THE WITNESS: Exactly.  
13 MR. GROSSMAN: It chills the air for the air  
14 conditioning system.  
15 THE WITNESS: Right.  
16 MR. GROSSMAN: Okay.  
17 BY MS. GIRARD:  
18 Q. With regard to the height of the front elevation,  
19 did you have conversations with Staff about that elevation  
20 and the height?  
21 A. We did. And at, at Staff's request, we looked  
22 again at the slope of this main portion of the roof and  
23 determined that it would be possible to reduce it slightly.  
24 We were previously, I believe, at a 9 and 12 pitch. We  
25 reduced it to a 7 and 12 pitch, which brought the height

Page 236

1 which is measured to the mid-point of the roof down to 47  
2 feet.  
3 Q. Okay. And do you have, did Staff ask you to  
4 prepare a Prospective of what the building and the height of  
5 the building would look like from Falls Road?  
6 A. They did. And I have, I don't have a full size  
7 drawing of that, but I do have --  
8 Q. And to your knowledge is that included as an  
9 attachment to the Staff Report?  
10 A. Yes. To my knowledge, it is.  
11 Q. Or rather, it was in the Staff's presentation.  
12 MR. KAUFMAN: I have an extra of that if you want  
13 it.  
14 MS. GIRARD: No. I think he's got some copies.  
15 This is on page 16 of the Staff's presentation. It's just a  
16 big picture of the same thing.  
17 MR. CHEN: Should we give it --  
18 MR. GROSSMAN: We actually, it's already in as  
19 part of the Staff, it's not the Staff Report, but I think it  
20 was a part of the presentation to the Planning Board which I  
21 had the Staff file with us. It's a, it's been in the record  
22 here as --  
23 MR. CHEN: Are you going to give it an exhibit  
24 number?  
25 MR. GROSSMAN: It, it has an exhibit number

Page 237

1 already.  
2 MR. CHEN: Oh, I'm sorry.  
3 MR. GROSSMAN: It's --  
4 MR. CHEN: It's a sub-exhibit of the Staff Report?  
5 MR. GROSSMAN: Not of the Staff Report. What  
6 happened is --  
7 MS. GIRARD: Of the Staff's presentation.  
8 MR. GROSSMAN: -- I, I sent an email to the staff  
9 asking them to make sure that we got a copy of whatever they  
10 presented to the Planning Board so --  
11 MS. GIRARD: 74 A.  
12 MR. GROSSMAN: Okay. So --  
13 MR. CHEN: And, and is this document 74 A?  
14 MS. GIRARD: This is page 16 of 74 A.  
15 MR. CHEN: Thank you.  
16 BY MS. GIRARD:  
17 Q. Do you want to describe for us what we're looking  
18 at in that picture?  
19 A. Certainly. This is a view taken from Falls Road,  
20 a photograph looking across the parking lot adjacent to the  
21 golf club house back towards our site, across, across the  
22 golf course. These are the existing trees as they are now  
23 and, and our building height with the, the mid-point of the  
24 roof again at 47 feet, which is largely screened almost  
25 entirely from, from the road at this point.

Page 238

1 MR. GROSSMAN: Well, in other words, your building  
2 was, was rendered into there.  
3 THE WITNESS: It was dropped in behind the  
4 existing trees.  
5 MR. GROSSMAN: Right.  
6 THE WITNESS: Yes.  
7 BY MS. GIRARD:  
8 Q. And did you coordinate the landscaping shown on  
9 that plan with VIKA to insure that it's accurate?  
10 A. I did.  
11 Q. You've been sitting here all day. You've heard  
12 questions about the compatibility of the proposed structure.  
13 I think you addressed the massing, but in terms of height  
14 with the adjacent neighborhood, can you address why you feel  
15 that this design is compatible?  
16 A. Certainly. This is a, obviously a three-story  
17 building at this front portion. Many of the homes in the  
18 neighborhood are two or as was previously discussed, two and  
19 a half stories with steeply pitched roofs that reach up  
20 similar in height to where this building is. So I, I feel  
21 like our building is not significantly taller than, than  
22 many of the surrounding homes.  
23 MR. GROSSMAN: What about the, the building that's  
24 close, the portion of your building that's closest to the  
25 Paul residence which has been described by Mr. Sloan as

Page 239

1 being 48 feet tall or above ground level.  
2 THE WITNESS: I believe that was to the top point  
3 of the roof. I'm sorry.  
4 MR. GROSSMAN: Yeah. At the top point of the  
5 roof. Is there any similar adjustment that can be made to  
6 that building to have less, to reduce the height of the  
7 profile?  
8 THE WITNESS: We could take a look at that  
9 certainly. The, that portion of the roof, as was discussed,  
10 is what we call a false mansard roof which is designed to  
11 provide screening to give residential character to the roof  
12 and, and continue the same roof line. It, it may be  
13 possible through further study to, to lower that slightly.  
14 MR. GROSSMAN: I mean I don't know how effective  
15 that would be, but maybe if you got three or four feet down  
16 from there it would be helpful.  
17 THE WITNESS: Some of, perhaps. It also, you have  
18 to keep in mind with the elevations, the, all elevations as  
19 they are shown you're, you're looking at, at a little bit of  
20 a forced perspective and as this roof obviously tapers away  
21 from you, you tend to see less and less of it. So at some  
22 point, when you start to drop that slope, it becomes very  
23 difficult to, to notice, but we'd be happy to study further.  
24 MR. GROSSMAN: I mean it is something that I would  
25 be interested in hearing from Mr. Chen about if there's an

Page 240

1 interest in that if the conditional use is granted. Whether  
2 some reduction in the height of that building would be --  
3 MR. CHEN: It's not my case. It's their case.  
4 My, my concern is we're obviously going to have a second  
5 day.  
6 MR. GROSSMAN: Yes. But I wasn't asking for you  
7 to say now. I'm just saying that at some point, when you  
8 present your case, you should consider whether or not that's  
9 desirable --  
10 MR. CHEN: Oh, of course. Yes, of course.  
11 MR. GROSSMAN: -- from your standpoint. That's my  
12 point.  
13 MR. CHEN: We're, we're, I agree with that 100  
14 percent.  
15 MR. GROSSMAN: Okay.  
16 MR. CHEN: My concern is I've got, it's Exhibit 79  
17 I.  
18 MR. GROSSMAN: Yes.  
19 MR. CHEN: And as I represented earlier today, I'm  
20 looking into this exhibit.  
21 MR. GROSSMAN: Right.  
22 MR. CHEN: And I don't want to have to get a, a  
23 new section before the next hearing --  
24 MR. GROSSMAN: No. This is just, this is  
25 something that I'm, I'm inquiring in because it might be of

Page 241

1 benefit in terms of compatibility and it's something for you  
2 to consider. It may or may not be desirable from your  
3 standpoint so it's something for you to consider. And you  
4 shall certainly have the opportunity to digest and dissect  
5 the, the plan as you will until our next hearing. By the  
6 way, at about 4:45 today, we'll stop and look at our  
7 calendars and figure out what the best next day is for, to  
8 complete this hearing. All right.  
9 BY MS. GIRARD:  
10 Q. Mr. Bolton, you're familiar with the cross-section  
11 that we've been referencing?  
12 A. I am.  
13 Q. And did you prepare this exhibit?  
14 A. I did.  
15 Q. Can you walk us through how you determined and,  
16 and what you believe the accuracy to be of the distance  
17 between the proposed structure and the Pauls' property? Do  
18 you need this?  
19 A. So, sure.  
20 MR. KAUFMAN: This is 79 I, I believe.  
21 MS. GIRARD: Yes.  
22 THE WITNESS: So the key plan on the lower right-  
23 hand corner shows where this section was taken cutting  
24 essentially through the center of our building and bisecting  
25 the Pauls' house at the location shown. This information

Page 242

1 was taken from a file that was provided, a topographic file  
2 that was provided to us by our civil engineer, which I  
3 believe is from a GIS survey which was then used as the base  
4 for, for our BIM model. So this section shows --  
5 MR. GROSSMAN: I'm sorry. For your what model?  
6 THE WITNESS: I'm sorry. Our building information  
7 model.  
8 MR. GROSSMAN: Okay.  
9 THE WITNESS: That's how this section was created  
10 through the model. It shows the 287 feet from the rear  
11 façade of our building to the location of the Pauls'  
12 residence. And we are at this location 132 feet from the  
13 property line to the rear façade of our building.  
14 BY MS. GIRARD:  
15 Q. And the total distance between the structures.  
16 Did you say that?  
17 A. I'm sorry. It's, total distance is 287 feet and  
18 if you break that down, it's 132 feet from, from our  
19 building to the property line of the Paul's and then another  
20 155 feet from the Pauls' property line to their house.  
21 Q. And I noticed on that exhibit you have a sight  
22 line. What's the intention of that?  
23 A. Yes. So the sight line is, is, you can see at the  
24 lower left-hand corner in front of the, the house is based  
25 on a, on a human scale figure showing the range of vision if

Page 243

1 someone was hypothetically standing in the backyard looking  
2 toward the proposed building and what, I think the sight  
3 line illustrates effectively a number of things. With the  
4 existing and proposed screening that is provided on our  
5 site, the, the building will be largely protected from view,  
6 screened from view at the residence. And you can also see  
7 the top of this roof that we were just discussing on the  
8 rear façade effectively screening any of the rest of our  
9 building so the narrowest and smallest portion of our  
10 building at this location facing the Pauls' residence would  
11 be the, the portion of this that you could largely see, but  
12 again will be predominantly screened by vegetation.  
13 MR. GROSSMAN: The screening that you show on this  
14 Exhibit 79 I. Is that screening what exists today on the  
15 left side on the Pauls' residence and on the, on the other  
16 side of the property line what is proposed or is it proposed  
17 in terms of full growth, proposed at the time of planting.  
18 What exactly does that represent on this thing?  
19 THE WITNESS: The smaller trees I believe are  
20 proposed at, at time of planting.  
21 MR. CHEN: Could you raise your voice, sir? We  
22 can't hear you.  
23 THE WITNESS: I'm sorry. The smaller trees that  
24 are shown on, on the proposed property would be at the time  
25 of planting. The larger trees I believe were taken from

Page 244

1 some existing trees that are at the location now.  
2 MR. GROSSMAN: And what about on the Pauls' side  
3 of the property?  
4 THE WITNESS: It's representative of the trees.  
5 We obviously could not stand in their backyard and, and  
6 measure all the trees, but it's representative of, of that.  
7 BY MS. GIRARD:  
8 Q. Was that based on aerial --  
9 A. From aerial photographs.  
10 Q. Mr. Sloan reviewed for us the site lighting. Can  
11 you review for us the building lighting?  
12 A. We have an elevation. These are two of the  
13 elevations that were part of the submitted exhibits.  
14 MR. GROSSMAN: What are those exhibit numbers, Ms.  
15 Girard?  
16 MS. GIRARD: Yes. The one on the right, A 303, is  
17 79 G, Roman numeral III. And the one on the left is, oh,  
18 I'm sorry. These are elevations. I got that wrong. You're  
19 looking at 79 F. On the right is 6 and on the left is 4.  
20 MR. CHEN: 79 F 6 and F 4?  
21 MS. GIRARD: F 4 and 6. 4 is on your left. 6 is  
22 on your right.  
23 MR. CHEN: Okay. But it's, it's all 79 F?  
24 MS. GIRARD: Yes.  
25 MR. CHEN: So there's --

Page 245

1 MS. GIRARD: Correct.  
2 THE WITNESS: The lights shown on our front  
3 elevation are, are residential and scale here adjacent to  
4 the front door under the Porte-cochere. We do have separate  
5 Emergency lighting located at the second level. Again, not  
6 to be used on a regular basis, but shown here we have very  
7 little lighting. You can see on this elevation wherever we  
8 have an entry door or an egress, there's residential scale  
9 lighting adjacent to that wall mounted on the building.  
10 This will be again designed to LEED silver standards. Will  
11 likely be LED lighting and screened.  
12 MR. GROSSMAN: So you're saying that on the sides  
13 of the building, you will have residential lighting on the  
14 sides?  
15 THE WITNESS: Residential scale lighting.  
16 MR. GROSSMAN: Scale lighting.  
17 THE WITNESS: Right.  
18 MR. GROSSMAN: And --  
19 THE WITNESS: That was, I'm sorry, included in the  
20 photometric plan.  
21 MR. GROSSMAN: They are included in the  
22 photometric?  
23 THE WITNESS: They --  
24 MR. GROSSMAN: Okay. And I take it they'll be  
25 aimed down in some way?

Page 246

1 THE WITNESS: That, that's correct.  
2 MR. GROSSMAN: Okay. And --  
3 BY MS. GIRARD:  
4 Q. So, in your opinion, they won't cause any  
5 objectionable glare?  
6 A. No. They are designed predominantly to illuminate  
7 entry doors, entries and exits and not provide any  
8 noticeable glare or projection into the site. We have site  
9 lighting that, that will, as was previously discussed,  
10 provide illumination for the spaces that we need on the  
11 site. The lighting on our building is predominantly to  
12 identify and help with entry into the building.  
13 Q. And speaking of entrances, the entrance to the  
14 garage. How tall is that entrance?  
15 A. That entrance, I believe we're showing our garage  
16 door, I'd have to double check, it's either nine or 10 feet  
17 tall. It's actually lower than, than what would typically  
18 be used for a bus and in previous testimony, we had  
19 discussed the possibility of the 16-passenger van pulling  
20 into the garage. I think our, our design intent and part of  
21 the planning was to utilize this Porte-cochere at the front  
22 door for the drop-off from the 16-passenger bus. It's also  
23 an easy turnaround because we have the, the turn loop at the  
24 front of the building. This porte-cochere is, is sized for  
25 that 16-passenger van. The, the garage door is not. So I

Page 247

1 think in all likelihood the bus would remain parked in the  
2 front when not in use.  
3 MR. GROSSMAN: Is that the garage door that I'm  
4 looking at there on Exhibit 79 F, F 6?  
5 THE WITNESS: That is not. No. It's on a  
6 different elevation.  
7 MR. GROSSMAN: Okay.  
8 BY MS. GIRARD:  
9 Q. And so you are looking at 79 F 5, on the right-  
10 hand side.  
11 A. So we can see here the location of the garage  
12 door. Again, it's at lower height.  
13 MR. GROSSMAN: Okay.  
14 THE WITNESS: With the residential scale lighting  
15 to either side of that. And then also the entry for the  
16 Terrace Level receiving that was discussed previously that  
17 is in this elevation towards the front of the property from  
18 the garage door.  
19 BY MS. GIRARD:  
20 Q. And do these elevations represent the breaking of  
21 the massing that you were talking about? We discussed --  
22 A. They do. And then we again have, have worked hard  
23 to try to create bays. You can see. And as was asked  
24 earlier if some of the detailing was similar throughout the  
25 project, keeping materials the same, but using bays to break

Page 248

1 up the horizontal plane of the building, stepping the roof  
2 in locations where we can so that we don't have a single,  
3 large monolithic roof, but rather, break up the scale and  
4 provide some visual interest and more residential scale to  
5 this roof line.  
6 Q. So, Mr. Bolton, from an architectural standpoint,  
7 do you believe the proposed conditional use is  
8 architecturally compatible with and in harmony with the  
9 character of the surrounding neighborhood considering  
10 design, scale and bulk?  
11 A. I do. We, again, have, have looked at the  
12 surrounding neighborhood for inspiration in the design and  
13 the style of the building. And, and I think, as we have  
14 discussed, worked to break the building in, the break the  
15 massing of the building into more residential scale massing  
16 so that it doesn't read as a single, large monolithic piece.  
17 Q. And from an architectural standpoint, do you  
18 believe the proposed conditional use would cause any undue  
19 harm to the use, peaceful enjoyment or development potential  
20 of abutting or confronting properties in the general  
21 neighborhood?  
22 A. I don't. Both from the use and the architecture,  
23 I think it would actually serve the, the surrounding  
24 neighborhood well. I think the building is designed to be  
25 durable with nice materials, nice finishes, which in our

Page 249

1 profession is, is symbolic of, of buildings that are  
2 thoughtful and well cared for. And so I think this would be  
3 a high quality building with, as was described earlier, a  
4 very well-run program for the residents of the community  
5 inside.  
6 MR. GROSSMAN: What is the composition of the  
7 external walls? Are they brick? Are they, what are they?  
8 THE WITNESS: We are proposing, at the lower  
9 levels and here on some of the bays, we are proposing a  
10 stone. We have various finishes of the stone. Some  
11 portions of it are smooth. Some portions are rusticated.  
12 And then we're proposing fiber cement for, and, and a couple  
13 different types of fiber cement panels. Again, very durable  
14 material.  
15 MR. GROSSMAN: Okay.  
16 THE WITNESS: It's --  
17 MR. GROSSMAN: So it's another stone and fiber  
18 cement ultimately --  
19 THE WITNESS: Predominantly. Right. With several  
20 different finishes for both the stone and both the fiber  
21 cement.  
22 MR. GROSSMAN: Okay.  
23 BY MS. GIRARD:  
24 Q. Actually I'm going to break from my burden of  
25 proof conclusions and ask before I ask the next one, the

Page 250

1 question was raised about the trash enclosure. Can you  
2 review that for us?  
3 A. Certainly.  
4 Q. What the specifics of that are?  
5 A. I can rely on earlier today.  
6 Q. This is 79 A I you're looking at.  
7 A. So again, the trash enclosure is shown at this  
8 location with, as was mentioned, a masonry wall around that.  
9 I believe in the earlier testimony --  
10 MR. GROSSMAN: This location being the extreme  
11 western --  
12 THE WITNESS: Extreme western portion of the site.  
13 MR. GROSSMAN: -- portion. Okay.  
14 THE WITNESS: That's correct.  
15 BY MS. GIRARD:  
16 Q. And what's the size of that enclosure?  
17 A. That is, I believe, an eight-foot masonry wall  
18 which would screen the entire trash enclosure.  
19 Q. And so, for an architectural standpoint, do you  
20 believe the proposed conditional use would cause any  
21 objectionable noise, odors, dust, illumination or glare at  
22 the subject site?  
23 A. I do not. I think we have taken pains to screen  
24 items where, where needed. And again, provide required  
25 lighting levels at the perimeter of the site. I, I think it

Page 251

1 would again be a well-received building.  
2 MS. GIRARD: That's all I have for Mr. Bolton.  
3 MR. GROSSMAN: All right. Anybody want to  
4 volunteer to be first on this one?  
5 MR. CHEN: I don't care.  
6 MR. GROSSMAN: Mr. Chen.  
7 MR. CHEN: Okay.  
8 CROSS-EXAMINATION  
9 BY MR. CHEN:  
10 Q. How does that enclosure protect against odors?  
11 A. The, what is not shown on this plan is the actual  
12 trash enclosure itself. The, and a representative of  
13 Brandywine could speak to operations better than I can, but  
14 I believe, my understanding from their operations is, is a  
15 steel structure provided by their contracted trash company,  
16 which has a roof and remains sealed at all times.  
17 Q. Well, you just expressed a professional opinion  
18 that there would be no odors detrimental to the community.  
19 Now, I think everybody in this room has been around a  
20 dumpster. Okay. Is there some special provision that  
21 Brandywine is providing that their dumpster will not have  
22 odors? Do you know of any?  
23 A. My understanding again from, from Brandywine's  
24 operations is that all trash is sealed prior to going into  
25 the enclosure and the enclosure itself remains sealed. For

Page 252

1 most dumpsters I've seen, that's rarely the case.  
2 Q. Yeah.  
3 A. And so I think it, they do take special  
4 precautions for that.  
5 Q. Do you know what they are?  
6 A. You would have to ask a representative of  
7 Brandywine.  
8 Q. Okay. So, but you don't know of anything?  
9 A. No. But my understanding is that that has not  
10 been an issue on any of their other --  
11 Q. I appreciate that, sir.  
12 A. Okay.  
13 Q. But, please, you've expressed a professional  
14 opinion that there would be no detrimental odors and I take  
15 it you're saying what Brandywine says, had someone at  
16 Brandywine literally said to you there will be no odors from  
17 our dumpster?  
18 A. No.  
19 Q. Okay. And we all know what dumpsters are like.  
20 And how about dust? Has, what do you know about the dust  
21 that'll be associated with this trash enclosure?  
22 A. I would not know of any noticeable amount of dust  
23 that would come from that. I don't know what would generate  
24 dust at this location.  
25 Q. All right. You just don't know.

Page 253

1 A. I don't, I'm not aware of anything from the  
2 building that would generate dust at this location.  
3 Q. Okay. How about noise?  
4 A. I've, again, I can't speak exactly to the  
5 operations. I don't think that, that a sealed enclosure  
6 that is sitting in, surrounded by a masonry wall would  
7 generate noise. No.  
8 Q. Well, you mean sitting by itself?  
9 A. Yes.  
10 Q. Okay. But what happens when a trash collecting  
11 truck comes to collect the trash?  
12 A. We have discussed that in, in prior planning. I  
13 believe they've restricted hours for that trash truck.  
14 Q. Okay. You mean so that there will be the normal  
15 associated hours for the trash collecting truck, but that'll  
16 be dealt with by having them arrive to take the trash  
17 between 7:00 a.m. and 7:00 p.m. three times a week?  
18 A. I believe that was the arrangement made, agreement  
19 for the trash removal.  
20 Q. All right. So there's no, my point is there's  
21 nothing, Brandywine doesn't have some special process by  
22 which it can have trash collection trucks come and pick up a  
23 dumpster and empty the dumpster and have no noise?  
24 A. Not to my knowledge.  
25 Q. Okay. Fine. That's another question. Do you

Page 254

1 know how the trash gets into the dumpster?  
2 A. I don't.  
3 Q. Do you know how often trash is put into the  
4 dumpster?  
5 A. I do not.  
6 Q. Have you received any information from Brandywine  
7 as to how trash will be put into the dumpster and how often  
8 it'll be put into the --  
9 A. I don't know how often.  
10 Q. By the way, is, the garage door you were talking  
11 about? I believe the testimony this morning was that the  
12 16-passenger van would go into the interior parking area. I  
13 take it you're saying, and that was from the, the president  
14 and CEO of Brandywine. But I take it you're saying that  
15 that won't happen?  
16 A. As you know, design is a, is an iterative process  
17 and, and as we have worked through the design, as we  
18 currently show these elevations, that door is not sized for  
19 the 16-passenger van.  
20 Q. Are you saying, is it your testimony today that  
21 Brandywine is committing to the position that that entrance  
22 way to the garage will not accommodate the entry or exit of  
23 a, of the 16-passenger van?  
24 A. I am not in a position to make any commitments for  
25 Brandywine.

Page 255

1 Q. Okay. But we do know, okay. Thanks. We do know  
2 what the president and CEO has said and you're not  
3 contradicting her, are you?  
4 A. I am simply saying that that garage door is lower  
5 and my understanding was that we were directed to design the  
6 Porte-cochere for the arrival and departure of the 16-  
7 passenger van.  
8 Q. And you heard the testimony this morning?  
9 A. I did.  
10 Q. Okay. By the way, which of the elevations face  
11 the due west to the Paul property?  
12 A. It's this elevation.  
13 Q. And what exhibit is that?  
14 MS. GIRARD: That's 79 F 6.  
15 MR. KAUFMAN: It's the wrong one.  
16 MR. CHEN: Somebody just said it's the wrong one.  
17 You, do you want to take a time out and --  
18 MS. GIRARD: But it's not 75 F 6? Is that what  
19 you're saying? The wrong one.  
20 MR. KAUFMAN: I think you, I think you need A 302.  
21 You can look at your arrows and it's --  
22 THE WITNESS: No, this, I'm sorry. It's written  
23 on here west elevation, key note no. 1, key note no. 1.  
24 That's the elevation.  
25 MR. UHRE: Well, I thought you wanted it toward

Page 256

1 the Paul's property. I'm sorry.  
2 MR. CHEN: Yes.  
3 BY MR. CHEN:  
4 Q. This is the one facing the Paul's property.  
5 A. So if we look at the key plan, we're talking about  
6 this elevation --  
7 Q. Yes, sir.  
8 A. -- facing the Paul's property. Yes. That is this  
9 elevation.  
10 MR. UHRE: And that would be Exhibit --  
11 MR. GROSSMAN: You can, Mr. Uhre, you'll get an  
12 opportunity to cross-examine him --  
13 MR. UHRE: Okay. Okay.  
14 MR. GROSSMAN: -- and rip him if you can. Okay.  
15 MR. CHEN: Please. I don't, I was going with you.  
16 I want you to know that. Okay. It's, just so I'm sure.  
17 It's 79 F 6. Correct?  
18 MS. GIRARD: Yes.  
19 MR. CHEN: Okay.  
20 BY MR. CHEN:  
21 Q. As I said, Mr. Bolton, I was going with you. You  
22 know that.  
23 A. I appreciate that.  
24 Q. Just come back to that garage. It is your  
25 understanding that that garage entry is a full service, you

Page 257

1 know, 24/7 use of a garage. Isn't that right?  
2 A. For the 18 spaces that are located there.  
3 Q. Yeah. And anything else that's, that's going in  
4 there. I'm not asking you what else is going in there, but  
5 --  
6 A. Right.  
7 Q. The exterior lights. Am I correct that those  
8 lights are on every night constantly?  
9 A. I don't know the operation of Brandywine's  
10 lighting program. So I, I can't speak to what the hours of  
11 operations of lights. I, we have designed the elevations  
12 and provided light fixtures for them. I have, I don't know  
13 when they will turn them on and off.  
14 Q. Are they going to be controlled by the residents?  
15 A. I don't believe so, but I don't know that.  
16 Q. And I take it the windows that we are seeing from  
17 the elevation, 79 F 6, are windows for residences within the  
18 facility?  
19 A. That is correct.  
20 Q. And I take it when you step further back, going  
21 east where the facility structure goes up another floor,  
22 there are windows facing, in that third floor, facing the  
23 west as well. Is that correct, sir?  
24 A. You're referring to this elevation?  
25 Q. Yeah. Yeah. I think that's where you said that

Page 258

1 it steps up to three --  
2 A. It, it does step up at that location.  
3 MR. GROSSMAN: Wait a minute. You said to the  
4 west?  
5 MR. CHEN: Well, no. East. I didn't say west. I  
6 said going east.  
7 MR. GROSSMAN: Okay. I thought you said west.  
8 But okay. East.  
9 MR. CHEN: If I said west, I apologize. I meant  
10 going east.  
11 MR. GROSSMAN: I see. Okay.  
12 MR. UHRE: You said west. The windows are facing  
13 west.  
14 THE WITNESS: So there are --  
15 MR. CHEN: I, the, the windows are facing west.  
16 THE WITNESS: -- windows facing west here and  
17 here. Yes.  
18 BY MR. CHEN:  
19 Q. Okay. And there are residences as well, sir?  
20 A. That's correct.  
21 MR. GROSSMAN: But wait a minute. That, that's  
22 east. Right?  
23 MR. CHEN: It's got to be east.  
24 THE WITNESS: I'm sorry. Then I misunderstood the  
25 question.

Page 259

1 MR. CHEN: Well, no, I think he's right. It's --  
2 MS. GIRARD: It's on the east side of the plan,  
3 but the windows face west.  
4 MR. CHEN: Yeah.  
5 MR. GROSSMAN: Okay. Facing --  
6 THE WITNESS: Just the windows.  
7 MS. GIRARD: If you're standing in the window  
8 looking out, you're looking west.  
9 MR. CHEN: Yeah.  
10 THE WITNESS: No.  
11 MR. GROSSMAN: No. You're looking east.  
12 MR. CHEN: Can someone rotate it to north?  
13 THE WITNESS: North. So, all right.  
14 BY MR. CHEN:  
15 Q. Mr. Bolton, I just, I just want you to know, I'm  
16 still with you.  
17 A. Sure.  
18 Q. And I think he, I think you're correct. Those  
19 windows are facing west. They may be, they're facing my  
20 client, in theory, they're going --  
21 MR. GROSSMAN: No. Here, here, you're saying in  
22 here?  
23 MR. CHEN: The third floor.  
24 MR. GROSSMAN: Third floor.  
25 MR. CHEN: The third --

Page 260

1 MR. GROSSMAN: Oh, I see. On this side.  
2 MR. KAUFMAN: Yeah.  
3 MS. GIRARD: Yeah.  
4 MR. KAUFMAN: The back side of that floor.  
5 MR. GROSSMAN: This side. I thought he was  
6 pointing over here.  
7 MR. CHEN: I'm with Mr. Kaufman.  
8 MR. GROSSMAN: So he's over here. And, and the  
9 windows are looking in this direction from here. So facing  
10 west from there. Okay.  
11 MS. GIRARD: Correct.  
12 MR. GROSSMAN: I got you.  
13 MR. CHEN: Mr. Examiner, would you like Mr. Bolton  
14 to make that more clear for you?  
15 MR. GROSSMAN: No, no. He just did. Or I made it  
16 clear for myself. I'm not sure which. Okay.  
17 MR. CHEN: Okay.  
18 MR. GROSSMAN: Be careful. I've got a laser in my  
19 hand.  
20 MR. CHEN: Please.  
21 BY MR. CHEN:  
22 Q. Also you mentioned that aside from the other  
23 exterior lighting, there is emergency lighting on the second  
24 levels on, on the exterior of the, the structure?  
25 A. That are indicated on the elevations. Yes.

Page 261

1 Q. And how many of them are there?  
2 A. I would have to go back and count from the  
3 elevations. I don't know.  
4 Q. Am I correct on understanding those only come on  
5 if there is an emergency?  
6 A. That's correct.  
7 Q. Okay.  
8 A. Those are not on in any normal basis whatsoever.  
9 Q. Okay.  
10 MR. GROSSMAN: Bill, I, I have a question for you  
11 in reference to your questions about windows and lighting.  
12 Are you suggesting that the light that might emerge from the  
13 window or a, or a number of windows in the facility counts  
14 towards the photometric amount? Or what, what are you  
15 suggesting with regard to that?  
16 MR. CHEN: I, I, clearly, I do not think that that  
17 illumination of the lighting can in any way violate the, the  
18 standard.  
19 MR. GROSSMAN: Okay.  
20 MR. CHEN: I'm not saying that.  
21 MR. GROSSMAN: All right. Okay. Okay.  
22 MR. CHEN: But, please, the issue of compatibility  
23 and harmony is not automatically decided by, oh, photometric  
24 shows that at the property line they're in compliance with  
25 the ordinance.

Page 262

1 MR. GROSSMAN: Oh, of course not. I, I agree with  
2 that. Okay.  
3 MR. CHEN: Yeah. That's exactly right.  
4 BY MR. CHEN:  
5 Q. I know the Examiner took a little bit of my  
6 thunder, but I, I have a couple questions about 79 I, the  
7 extended site section.  
8 A. Um-hmmm.  
9 Q. First of all, the vegetation that you are showing  
10 or the trees that you're showing between my client's  
11 property and the proposed senior living community, as I  
12 understood, what you were saying is the larger ones. And it  
13 looks to me there's three large ones that, that you can't  
14 tell us where exactly they are, but they're taken off of a,  
15 a satellite image or --  
16 A. We, again, tried to match from aerial views as  
17 best we could. This is representative and intended, it's,  
18 in fact, diagrammatic in nature, but --  
19 Q. Okay. And the smaller ones are, at least on your  
20 property, intended to be planted. Is, is that correct?  
21 A. Right. We were trying to, to match locations of  
22 plantings from the site planner.  
23 Q. And, but as far as the smaller ones on what would  
24 be my client's property, they were just put, put there, I  
25 take it?

Page 263

1 A. Again, trying to match as best we could from the  
2 photograph.  
3 Q. Now, am I correct that both the horizontal and  
4 vertical scale is identical?  
5 A. That is correct.  
6 Q. Okay. And, indeed, the slice that you took was  
7 dictated by going to the middle of the proposed building,  
8 but that intersects with my client's house at a point that  
9 is not the closest point between my client's house and the  
10 proposed building. Isn't that correct?  
11 A. I, that is correct and I don't believe that that  
12 is stated anywhere on this drawing.  
13 Q. I'm, I'm not saying it's a misrepresentation. Do  
14 you have, do you know what would be the distance between  
15 the, the closest points between my client's residence and  
16 the, and the proposed building?  
17 A. I don't. I, I can't scale it from this key plan.  
18 I, I could again from our, our model and the GIS topographic  
19 map, but I don't know.  
20 Q. And, and it's also --  
21 A. I, I'm sorry. I assume you're referring to the,  
22 that corner of your client's house.  
23 Q. Yes, I am. Yeah. Thank you. Going --  
24 MR. GROSSMAN: Well, let me ask. Is there a plan  
25 that does show the distance from the closest point of the --

Page 264

1 MR. KAUFMAN: We've got one --  
2 MS. GIRARD: Yeah. Um-hmmm.  
3 MR. GROSSMAN: -- the home to, to the building?  
4 MS. GIRARD: There is. Which exhibit are we --  
5 MR. GROSSMAN: Then I, see, I misunderstood the  
6 extended site section that's showing that. But --  
7 THE WITNESS: Small --  
8 MS. GIRARD: I want the card.  
9 MR. UHRE: Do you want the card or would you like  
10 this instead?  
11 BY MR. CHEN:  
12 Q. What exhibit are you looking at, sir?  
13 MR. GROSSMAN: Yes. What exhibit are we talking  
14 about?  
15 MS. GIRARD: Existing condition.  
16 MR. GROSSMAN: But the existing conditions plan is  
17 not going to show the --  
18 MS. GIRARD: 12.  
19 MR. UHRE: Actually, in the, 12?  
20 THE WITNESS: To the property line. It is 12.  
21 MS. GIRARD: He's, yeah.  
22 MR. GROSSMAN: So that it'll show to the property  
23 line anyway. And then I guess we could --  
24 MS. GIRARD: And then you --  
25 MR. CHEN: Well, I'm going to get to that too, but

Page 265

1 I mean --  
2 THE WITNESS: Well --  
3 MR. CHEN: -- first of all, what exhibit are we  
4 on?  
5 MS. GIRARD: 12.  
6 MR. CHEN: 12. Thank you. Okay.  
7 BY MR. CHEN:  
8 Q. And I think the question was the distance between  
9 the closest point between my client's residence and the  
10 proposed structure.  
11 MS. GIRARD: Right. You just have to do some  
12 math, I believe.  
13 MR. KAUFMAN: It's not an architect scale.  
14 THE WITNESS: Right.  
15 MS. GIRARD: We can have our civil engineer  
16 testify to it, if that's easier.  
17 THE WITNESS: Yeah. Okay. Have him --  
18 MR. GROSSMAN: Well, obviously it's going to be  
19 the next hearing and, and by the time we have the next  
20 hearing, I'd actually like to see a plan --  
21 THE WITNESS: I think that --  
22 MR. GROSSMAN: -- that actually shows that  
23 distance and not based on the existing thing, but based on  
24 what you proposed from the building and showing the distance  
25 to the home.

Page 266

1 BY MR. CHEN:  
2 Q. Let's stick just for a minute still a little bit  
3 longer with 79 I. The previous witness said that at one  
4 point there's six inches between my client's property line  
5 and one of those bio planting units.  
6 MR. GROSSMAN: Bio retention planter.  
7 BY MR. CHEN:  
8 Q. Where, where part of the turnaround was. So that  
9 in looking at your Exhibit 79 I, I, I take it and, you know,  
10 my concern is, quite candidly, is that when you look at 79 I  
11 and you look at the key plan down below, you're cutting  
12 close through that area of the turnaround where the distance  
13 was six inches off the property line. And as I understand  
14 your, your exhibit here, you're showing the property line  
15 and if the testimony of Mr. Sloan is, is correct in those  
16 other plans, the actual, when you start looking at distances  
17 and property lines and buffer and the turnaround area,  
18 you're, you're really coming out to this property line. Am  
19 I mistaken?  
20 MR. GROSSMAN: What's coming out to the property  
21 line?  
22 MR. CHEN: The improvements on the site in the  
23 turnaround area.  
24 MR. GROSSMAN: Oh, I see. The improvements, but  
25 not the structure of the --

Page 267

1 MR. CHEN: I'm not talking --  
2 MR. GROSSMAN: Not the main structure.  
3 MR. CHEN: I apologize. If I was, I did not meant  
4 to mislead, Mr. Grossman. I apologize.  
5 MR. GROSSMAN: Okay. Okay. No, I understand.  
6 BY MR. CHEN:  
7 Q. But isn't that correct, sir?  
8 A. I, I won't dispute the earlier testimony. I, I  
9 didn't design the bio retention pond, but I understand --  
10 Q. Okay. Yeah, but it's, all right. And I heard  
11 your testimony that the screening will consist of vegetation  
12 and will protect my client. You recall that, sir?  
13 A. Um-hmmm.  
14 Q. What is your understanding of what that screening  
15 will be?  
16 A. As was testified earlier, there is a wide variety  
17 of landscape planning that will go along the perimeter of  
18 the front, all sides of, of the existing property.  
19 Q. And we're talking about vegetation that'll have to  
20 be planted. Do you know the size and age of the vegetation  
21 that would be planted here?  
22 A. I believe that was mentioned in earlier testimony.  
23 Q. Yeah. Okay. I'll let it pass then. I'll let it  
24 pass.  
25 A. I do not --

Page 268

1 Q. What has been the analysis, if you know, because  
2 you, you did say it would protect my client? What is the  
3 test or the analysis that says that vegetation will screen  
4 my client's property from noise, vision, anything?  
5 A. I think as we've testified throughout the day,  
6 there are, in addition to the vegetation, there are side  
7 walls. There are a number of features at the perimeter of  
8 the site to reduce glare or eliminate glare to the extent  
9 possible, to reduce any sound transmission should it exist.  
10 Q. Who said that? Mr. Sloan said that?  
11 A. He testified regarding walls along the property.  
12 Yes.  
13 Q. As noise attenuation devices?  
14 A. I don't think he said they were noise attenuation.  
15 I think the vegetation and the walls do provide something of  
16 a buffer.  
17 Q. What, if any, knowledge, and you may not, you can  
18 answer. What, if any, noise attenuation provisions are  
19 there for this proposed facility? Exterior.  
20 A. To my knowledge, none at this point.  
21 Q. Are you aware of any treatise or documents that  
22 would say that the vegetation proposed at this location  
23 which screen property from noise or vision?  
24 A. Vision? I, I think, I haven't, I feel that the  
25 vegetation would provide a visual screen. If I said that it

Page 269

1 would provide an acoustical buffer, then I misspoke.  
2 Q. All right. Thank you, sir. I appreciate your  
3 candor.  
4 A. Um-hmmm.  
5 Q. And when you are of the opinion that it will  
6 provide a visual screen, at what, how do I say this? Is it  
7 dependent upon some age of the vegetation? I mean does the  
8 Holly go in at six inches high? I assume that even with you  
9 that would --  
10 MR GROSSMAN: That's not a testimony. It's the,  
11 the --  
12 MR. CHEN: Well, I mean hypothetically, if they  
13 were to plant a, a two foot Holly bush.  
14 MR. GROSSMAN: Well, he said what he'd plant it  
15 at. He, yeah, he testified --  
16 MR. CHEN: Well --  
17 MR. GROSSMAN: -- so let's, let's not use a  
18 hypothetical. It's contrary to the testimony.  
19 MR. CHEN: Okay.  
20 MR. GROSSMAN: I have to find it. He said the  
21 Hollies are eight to 12 feet when planted and the  
22 Rhododendron Maximum are 48 inches high when planted.  
23 BY MR. CHEN:  
24 Q. So you're comfortable with that size to be a  
25 visual screen?

Page 270

1 A. I am.  
2 Q. And --  
3 A. And will --  
4 Q. I take it none of, none of, I'm sorry. I didn't  
5 want to --  
6 A. I was going to say and will obviously continue to  
7 fill out as it as it grows.  
8 Q. Okay. And none of them are deciduous?  
9 A. I don't --  
10 MS. GIRARD: Mr. Bolton didn't testify as to the  
11 landscape plan.  
12 MR. CHEN: I understand that, but he did testify  
13 that he had a professional opinion that the screening of, of  
14 vegetation would protect my client. I'm entitled to plumb  
15 that.  
16 THE WITNESS: I'm sorry. Would you repeat the  
17 question?  
18 BY MR. CHEN:  
19 Q. Yeah. Were any, is any of that vegetation  
20 deciduous?  
21 A. I believe, I don't know if any of the vegetation  
22 is deciduous. I know, as was testified earlier regarding  
23 the Rhododendron and the Holly.  
24 Q. Okay. By the way, I know you testified that  
25 there'll be granite or stone and concrete. What, what

Page 271

1 color? You didn't answer the color of this, what, what  
2 color will it be? Will it be like the rendering that we've  
3 got?  
4 A. Yes. That's --  
5 Q. Fine. Okay. Just so I'm clear on this because,  
6 and I apologize. I keep coming back to this buffer and  
7 your, your opinion. So my clients are going to be looking  
8 up with this difference in elevation of something like 20 or  
9 some odd, maybe even larger than that. And it's your  
10 testimony that standing in the back of the house or in the  
11 house, even in the house, that that'll be sufficient buffer.  
12 A. I believe that the landscape planning that is  
13 provided will provide a visual buffer.  
14 Q. Even at the second floor of the house?  
15 A. I believe there will be something of a buffer.  
16 Whether it is complete, I, I have not said that you will not  
17 be able to see a single portion of the building. I do  
18 believe it will still provide something of a visual buffer.  
19 Q. Do you know, sir, what will be the illumination of  
20 this building at night?  
21 A. I do not.  
22 MS. GIRARD: Define illumination.  
23 MR. GROSSMAN: Yeah. A fair, fair question. When  
24 you say illumination of the building --  
25 BY MR. CHEN:

Page 272

1 Q. Light coming off. I'm not concerned about  
2 satisfying the requirements for candle power at the  
3 boundary. I just want to know if one is standing on my  
4 client's property and looking at the facility that you've  
5 designed and it's nighttime and people are in their, their  
6 units playing pinochle. I think that's what they play.  
7 They're playing pinochle.  
8 MR. GROSSMAN: I don't know.  
9 BY MR. CHEN:  
10 Q. And there are these exterior lights.  
11 MR. GROSSMAN: Unfortunately, I'll find out at  
12 some point.  
13 MR. CHEN: No. No. That's a hell of note, isn't  
14 it?  
15 MR. KAUFMAN: We have --  
16 BY MR. CHEN:  
17 Q. What will my clients see? Can you tell, tell us?  
18 Do you, can you do that?  
19 A. You're asking me to speculate on the hours of a  
20 rest home, which I, I can't do.  
21 Q. All right. And you also said, and I quote, put  
22 quotes with it. You said that a majority of the tenants or  
23 residents, I'm sorry. A majority of the residents would use  
24 the front door. Where would the non-, non-majority use?  
25 MS. GIRARD: I don't recall him saying that.

Page 273

1 MR. CHEN: Yeah. That's a quote.  
2 MR. GROSSMAN: I don't recall it, but he can  
3 explain it if he wants.  
4 BY MR. CHEN:  
5 Q. Yeah.  
6 A. There are parking spaces at the Terrace Level. It  
7 is conceivable a resident wants, might come in at that  
8 level.  
9 Q. Okay.  
10 A. I, that is not the design intent. That is not  
11 where the front door is located, but I can't say that a  
12 resident might not drive into the parking garage and go into  
13 the building.  
14 Q. Thank you. Now you also, when we talked about the  
15 mechanical equipment locations, you, you identified, as, as  
16 I understand it, three possible areas. One is the generator  
17 at the rear or the western, I guess the western point --  
18 MR. GROSSMAN: Right.  
19 BY MR. CHEN:  
20 Q. -- of the facility. Is that correct, sir?  
21 A. That is correct.  
22 Q. And behind that wall, as I understand, is there,  
23 is that going to be enclosed or just going to be a vertical  
24 wall?  
25 A. I believe, as was mentioned in earlier testimony,

Page 274

1 that's an 18, I think it was an 18 foot --  
2 Q. 14, I think it was 14.  
3 A. 14-foot.  
4 Q. Okay. I thought he was talking about that one.  
5 But --  
6 MR. GROSSMAN: Yeah. That's the 14-foot wall.  
7 MR. CHEN: There's going to be --  
8 MR. GROSSMAN: It goes around two sides of it, it  
9 looks like, according to this diagram in Exhibit 92 A, or  
10 92.  
11 BY MR. CHEN:  
12 Q. And what is your understanding of what'll be  
13 behind that?  
14 A. A generator.  
15 Q. Do you know if there were, you do know a generator  
16 makes noise. Isn't that correct, sir?  
17 A. When it's in operation.  
18 Q. Yeah. And so, presumably this, these generators  
19 will also make noise when they're in operation.  
20 A. When they're in operation and the noise level  
21 depends on the type of generator, the size, the fuel source.  
22 None of which has been determined at this point.  
23 Q. I take it though they will be generating power for  
24 the facility?  
25 A. In the event of an emergency.

Page 275

1 Q. And rooftop.  
2 MR. GROSSMAN: Well, before you get to the  
3 rooftop. How often do they have to be tested?  
4 THE WITNESS: I, they are exercised periodically.  
5 I don't know the frequency of that.  
6 MR. GROSSMAN: All right. Go ahead.  
7 BY MR. CHEN:  
8 Q. Would weekly sound right to you?  
9 A. No, I don't think it's weekly. No, that doesn't  
10 sound right.  
11 Q. Okay. Okay.  
12 MR. UHRE: In a nursing home, you better.  
13 MS. GIRARD: It's not a nursing home.  
14 THE WITNESS: Brandywine could speak to that.  
15 MR. CHEN: It's, okay. Relax, relax, relax.  
16 BY MR. CHEN:  
17 Q. And then there will be interior mechanical  
18 equipment as well. And that'll be in that Terrace Level  
19 garage area.  
20 A. That's correct. Inside the building. At the  
21 Terrace Level.  
22 Q. Okay. So there might be maintenance vehicles  
23 coming to those --  
24 A. To the loading area.  
25 Q. Into, into that area where those pieces of

Page 276

1 equipment. Whatever they are.  
2 A. They're, perhaps.  
3 Q. Yeah. Okay. Rooftop. Where will the rooftop  
4 equipment be?  
5 A. On the portion of the, the, what we're calling  
6 the, the two-story roof on the west portion of --  
7 Q. Will be on the west portion.  
8 A. Yes.  
9 Q. And what equipment will that be?  
10 A. I don't know the extent of the equipment. Again,  
11 we haven't designed the full mechanical system at this point  
12 so it is typical for most buildings, residential and  
13 otherwise, to have rooftop mechanical units.  
14 Q. What would be typical? What type of typical  
15 rooftop --  
16 A. Condensers, you could have a chiller, as we were  
17 discussing earlier.  
18 Q. Okay. You also mentioned that the architect --  
19 MR. GROSSMAN: Mr. Chen, I want you to keep in  
20 mind that you said you, you needed to get your car at 5:00.  
21 So I want to know how much more do you have?  
22 MR. CHEN: I've got some more and I assume he has.  
23 Would, I, I can stop now if you want.  
24 MR. GROSSMAN: Well, I'm not telling you to stop  
25 now. I'm just telling you, if you have more cross-

Page 277

1 examination that's going to take you past 5:00, you should  
2 tell me.  
3 MR. CHEN: I'm, I, I think I'm definitely going to  
4 go to 5:00 at least.  
5 MR. GROSSMAN: Mr. Uhre, can you fit yours into 30  
6 seconds? No, I'm just --  
7 MR. UHRE: Depends on how fast we can change the  
8 size. I've got two or three questions is all. Quick  
9 questions.  
10 MR. GROSSMAN: Okay. All right. So maybe we can,  
11 I'd love to finish with this witness today so.  
12 MR. CHEN: I'm with you. Okay.  
13 BY MR. CHEN:  
14 Q. You've talked about architecturally the style is  
15 similar to detached houses. Do you remember that, sir?  
16 A. I think I said English Tudor. Yes.  
17 Q. Yeah. Yeah. But you also, I thought you were  
18 very careful. You said there were many house with two and a  
19 half stories with steep pitches. Correct?  
20 A. Steeper pitches. Yes.  
21 Q. How many three-story houses did you see?  
22 A. I don't know that I've seen any three stories.  
23 I've seen some that have similar height to our building.  
24 Q. And when you say you've seen them, how have you  
25 seen them?

Page 278

1 A. I have visited the site several times and drive in  
2 neighborhoods around the site.  
3 Q. So you're, you drive by a house and say that looks  
4 like it's going to be about what we're going to have.  
5 A. I can see that there are either two or an, an  
6 attic level above that.  
7 Q. Okay. Towards the end of your testimony, right,  
8 close in, you, you made the observation. This is in quotes.  
9 That from an architectural point of view, the use would,  
10 quote, serve the community well, end quote. What do you,  
11 what do you mean by that?  
12 A. As architects we look to design projects that are  
13 relished by the community. They are loved by the folks that  
14 live in the neighborhoods. In my opinion, this type of use,  
15 this type of building, once it's built and solid, will, will  
16 be received and serve the community well.  
17 Q. Is that an architectural opinion?  
18 A. I can testify that architecturally buildings that  
19 are well designed, well thought through, are the buildings  
20 that tend to be preserved, liked, enjoyed. I feel that this  
21 is a well-designed and well thought out building.  
22 Q. Okay.  
23 MR. CHEN: Thank you.  
24 MR. GROSSMAN: Thank you. Mr. Uhre.  
25 MR. UHRE: Yes.

Page 279

1 CROSS-EXAMINATION  
2 BY MR. UHRE:  
3 Q. The, what is up here now is not what faces the  
4 Pauls' site, right?  
5 MR. GROSSMAN: Well, you can't testify, but --  
6 MR. UHRE: I'm sorry. I'm not asking a question,  
7 I guess.  
8 MR. GROSSMAN: He's already, and he's, he's  
9 testified that --  
10 MR. UHRE: Okay.  
11 MR. GROSSMAN: that bottom diagram on, yes, on 79 F  
12 --  
13 MR. KAUFMAN: F 6.  
14 MS. GIRARD: Yeah.  
15 MR. KAUFMAN: 79 F 6.  
16 MR. GROSSMAN: -- is the portion that faces the,  
17 the Paul's. That's what he's testified. You can disagree  
18 and testify something else when you testify, but --  
19 MR. UHRE: Could I then see 17 H? What I have is  
20 17 H. A 302.  
21 MR. GROSSMAN: 17 H.  
22 BY MR. UHRE:  
23 Q. And are these notations down here indication of  
24 what --  
25 MR. KAUFMAN: What exhibit are you on?

Page 280

1 MR. GROSSMAN: Yeah. What exhibit is this? He  
2 said 17 --  
3 MS. GIRARD: He said 17 H.  
4 MR. GROSSMAN: But is that, is that an updated  
5 version of it or is it, it is 17 H.  
6 MR. UHRE: It may not be the amended one.  
7 MS. GIRARD: It's the same version. Yeah.  
8 MR. GROSSMAN: What is the current number of it so  
9 that we are consistent in --  
10 MR. KAUFMAN: That's the south elevation.  
11 THE WITNESS: Yes. It is the south elevation.  
12 MS. GIRARD: Let me just -- A 302. So that is 79  
13 F 5.  
14 MR. GROSSMAN: 79 --  
15 MR. UHRE: It's 79 5?  
16 MS. GIRARD: F 5.  
17 MR. UHRE: F 5.  
18 MR. GROSSMAN: F 5. Okay. All right.  
19 BY MR. UHRE:  
20 Q. Would this not be the garage doors right here?  
21 A. I think, believe I testified that those were the  
22 garage doors.  
23 Q. Okay. But that's, this is on Exhibit 79 5, right?  
24 MS. GIRARD: That's 5.  
25 BY MR. UHRE:

Page 281

1 Q. And the Pauls' property --  
2 A. The Pauls' property is here.  
3 Q. -- is right out here. Is right in this area.  
4 Right?  
5 A. The Pauls' property is here. Yes.  
6 Q. Okay. So --  
7 A. So the elevation that --  
8 Q. -- this is, this the area that showing against the  
9 Pauls' property right here. Right?  
10 A. That is the elevation that I would, it's the  
11 southern elevation which is facing Manor Care. I, the one  
12 that I have testified, the west elevation that is facing the  
13 Pauls' property is, is here. So this is on essentially the  
14 southwest.  
15 Q. Okay. The garage door is made out of what type of  
16 material?  
17 A. We haven't fully determined. I think we had noted  
18 it on the elevations as a decorative metal parking gate.  
19 Q. And is that going to open automatically every time  
20 a car comes and goes?  
21 A. We haven't determined the operation.  
22 Q. Well, what other option would there be? If people  
23 would get out and open the garage door?  
24 A. It, it will open in some fashion to let someone  
25 drive in. Yes.

Page 282

1 Q. And so you, you can't tell us what the noise level  
2 will be from the garage door opening?  
3 A. Because we have not designed the garage door yet.  
4 Q. And the last question. Can you tell me what the  
5 distance is from the trash enclosure to the Pauls' property?  
6 A. No. I cannot. But that is on a site drawing --  
7 MR. GROSSMAN: We're going to get a, the next, the  
8 next session of this hearing, we're going to get a diagram,  
9 have a diagram from the applicant that will show those  
10 distances.  
11 MR. UHRE: Okay.  
12 THE WITNESS: That would best come up for the  
13 civil plans.  
14 MR. UHRE: That's all I have.  
15 MR. GROSSMAN: All right. Any redirect?  
16 MS. GIRARD: For, for what it's worth, I just  
17 wanted, our, and our engineer will testify to it, but  
18 informally we're measuring 290 is that dimension to, to the  
19 extent people want to know before the next hearing. We'll  
20 have some --  
21 MR. CHEN: What, what is that, what is that  
22 measure?  
23 MS. GIRARD: The closest point of the Pauls'.  
24 MR. CHEN: Oh, okay. Thank you.  
25 MS. GIRARD: Yes. Just --

Page 283

1 MR. GROSSMAN: 200, 290 feet.  
2 MS. GIRARD: Yes.  
3 MR. GROSSMAN: Okay.  
4 REDIRECT EXAMINATION  
5 BY MS. GIRARD:  
6 Q. Just a quick, two quick questions, Mr. Bolton.  
7 One, in your experience in a facility of this type, do  
8 people use shades on their windows?  
9 A. They do typically. And we, our firm often  
10 provides interior design service of projects of this type  
11 and almost always the rooms are designed to provide for  
12 interior window treatments.  
13 Q. And so as it got dark, you would expect that some  
14 residents would use the shades?  
15 A. I would expect for the residents' benefit. I  
16 think they would like their privacy.  
17 Q. Okay. And one other thing. With regard to the  
18 screening. Can you pull up the, one thing we haven't  
19 explained that I wanted to before the end of the day was the  
20 trees in the oblique. We had promised to show you the  
21 aerial without the enhancement to make it apples to apples.  
22 I apologize. I forgot that. I'm sorry.  
23 MR. GROSSMAN: And we don't have, is that in the  
24 record yet?  
25 MR. KAUFMAN: Not yet.

Page 284

1 MS. GIRARD: No.  
2 MR. GROSSMAN: All right. Let's, let's mark that  
3 as 94. Exhibit 94, Google untouched aerial view.  
4 MR. CHEN: I thought there was some that, some  
5 trees had put in it.  
6 MR. GROSSMAN: Of site. And 94 A will be the 11 x  
7 17 version of Exhibit 94. Would you mark on there Exhibit  
8 94, please?  
9 (Hearing Exhibits 94 and  
10 94 A were marked for  
11 identification.)  
12 MS. GIRARD: Yes.  
13 MR. GROSSMAN: All right.  
14 BY MS. GIRARD:  
15 Q. So just to make that point. So on the left-hand  
16 side here we have Exhibit 75 B. That's the rendered oblique  
17 that you'd submitted into the record. Correct? And on the  
18 right was Exhibit 90 and can you explain what, what was in  
19 those for the trees and why?  
20 MR. CHEN: What is, I apologize. What is the  
21 first exhibit number?  
22 MS. GIRARD: 75 B.  
23 MR. GROSSMAN: V- as in Victor, right?  
24 MS. GIRARD: B- as in boy.  
25 MR. GROSSMAN: Oh. B- as in boy. Yes. Okay.

Page 285

1 THE WITNESS: So Exhibit 75 B with the building  
2 shown in the rendering also has the landscape rendering  
3 taken from the civil plans, or in the landscape plans around  
4 the building. And as so to not provide a stark contrast, we  
5 added foliage to the trees, the existing trees that were  
6 shown on the aerial plan, in essence, so that this would be  
7 an apples to apples comparison. To not show one in season  
8 and one out of season. The intent was to show a uniformity  
9 of the representation. Obviously this is a rendering. This  
10 is taking a model and, and when we do renderings we provide  
11 them at, at full bloom.  
12 BY MS. GIRARD:  
13 Q. And when you testified as to the screening you  
14 thought the proposed landscape would provide, did you have  
15 an image such as this in mind?  
16 A. I did. And I was thinking and referring to this  
17 area of vegetation and foliage between the Pauls' residence  
18 and the project.  
19 Q. And just to make it clear, you coordinated that  
20 imagery with the engineer to make sure it was accurate?  
21 A. We, we did. We used the landscape plan.  
22 MS. GIRARD: That's all I have.  
23 MR. GROSSMAN: All right. Any recross on those  
24 points? Seeing no hands, I'm sorry. Oh. Mr. Chen.  
25 RECROSS EXAMINATION

Page 286

1 BY MR. CHEN:  
2 Q. So, so that as I understand your testimony, sir,  
3 with Exhibit 75 B, the one on the left, you've added in  
4 apparently mature trees.  
5 A. No, sir.  
6 Q. Okay.  
7 A. We have added, I'm sorry. You should finish.  
8 Adding mature trees where?  
9 Q. Yeah. On, I just, let's, let's try to be clear  
10 about this. I'm looking at that exhibit. These trees I see  
11 in here. They seem to me to be mature trees. In fact, they  
12 seem to me to be mature deciduous trees and I, I take it  
13 they have been added to this aerial view.  
14 A. As a part of the rendering, yes. To represent  
15 what is shown on the landscape plan.  
16 Q. And as I said, they are mature trees. Full grown  
17 trees. Do you know when those plantings would become full  
18 grown as depicted in that exhibit? How long it would take  
19 for them to reach that maturity?  
20 A. I'm not a landscape architect so I, I can't speak  
21 to how many years.  
22 MR. CHEN: Did you hear that, Mr. Grossman?  
23 MR. GROSSMAN: Yes.  
24 MR. CHEN: Okay.  
25 BY MR. CHEN:

Page 287

1 Q. And, again, just going to Exhibit 94. Do you know  
2 when that aerial photograph was taken, sir? Do you have a  
3 date on --  
4 A. I don't. I can find out prior to our --  
5 Q. So, but we don't know season or anything like  
6 that. Okay. It is what it is.  
7 MR. GROSSMAN: Did you have any questions, Mr.  
8 Uhre?  
9 MR. UHRE: No. Thank you.  
10 MR. GROSSMAN: All right. Thank you. All right.  
11 So I think that's as far as we can go today. Is, is there  
12 any reason why this witness has to come back for the next  
13 session? Seeing, no. I think he will, we can dismiss you.  
14 Thank you.  
15 MR. CHEN: Well, that's up to the applicant. I  
16 mean --  
17 MR. GROSSMAN: Well, right. That's up to you.  
18 You can certainly bring him back.  
19 MS. GIRARD: Right. We will if we need to.  
20 MR. GROSSMAN: All right.  
21 MR. BOLTON: Thank you.  
22 MR. GROSSMAN: Thank you, sir.  
23 And let's talk about, why don't you get your  
24 calendars out? Let me grab a calendar, a hearing calendar  
25 from my office and I'll be back in a minute and we'll talk

Page 288

1 about it. We'll stay on the record.  
2 I think my staff was giving me a hint. When I  
3 tried to get back in the door was locked. All right. So.  
4 What looks good as the next date?  
5 MR. CHEN: I, I will tell you up front I'm wiped  
6 out for the rest of this month. I, I, I cannot and I will  
7 not be here the rest of this month. I've got one court  
8 hearing. I don't know how many meetings with officials.  
9 And I've got two briefs due in the Court of Appeals November  
10 30th. I will not be here.  
11 MS. GIRARD: With all due respect, we can't have  
12 this go on a month. I mean certainly there's got to be  
13 something that can be moved around.  
14 MR. CHEN: I, I, I don't have anything that can,  
15 that can be moved. Those, those briefing dates have been  
16 set.  
17 MR. GROSSMAN: Well, when are, when are  
18 suggesting, when are you suggesting, Mr. Chen?  
19 MR. CHEN: I'm, I'm pretty good I think in  
20 December.  
21 MR. GROSSMAN: How, how's about December 1?  
22 MR. CHEN: I'm supposed to be before the County  
23 Council then, but --  
24 MR. KAUFMAN: I have Council meetings also that  
25 day. How about, but --

Page 289

1 MR. GROSSMAN: I --  
2 MR. KAUFMAN: -- the 2nd and the 3rd and the 4th.  
3 MR. GROSSMAN: I can't, I can't do the 2nd because  
4 this room is used by the Board of Appeals on Wednesday. We  
5 could --  
6 MR. CHEN: How about the rest of that week?  
7 MR. GROSSMAN: We could do the, well, I have a  
8 hearing on the Friday, the 4th.  
9 MR. KAUFMAN: He can't do the 4th.  
10 MR. GROSSMAN: But we could do Thursday, the 3rd.  
11 MR. KAUFMAN: The 3rd.  
12 MR. CHEN: I will, I will tell you one thing, Mr.  
13 Examiner, and I represent this early on.  
14 MR. GROSSMAN: Yes.  
15 MR. CHEN: I have been contacting people about  
16 that exhibit and I will tell you I found one who would meet  
17 with me at least because I think my clients are, that, that  
18 exhibit is directed towards my clients and I want an  
19 opportunity to have a professional look at it. So, and I'm  
20 going to be doing that, I don't know when. But let's, let's  
21 go with --  
22 MR. KAUFMAN: You've got a whole month.  
23 MR. CHEN: You know.  
24 MS. GIRARD: Yeah.  
25 MR. CHEN: Yeah. But survey crews don't go --

Page 290

1 MS. GIRARD: And I, I think we would request that  
2 that could overlap. If we get here, if we have to wait a  
3 full month for the second hearing only to have Mr. Chen say  
4 he didn't have a chance to talk to anyone.  
5 MR. GROSSMAN: Right.  
6 MR. CHEN: No.  
7 MR. KAUFMAN: I'd also like to recommend if we do  
8 the 3rd, if I could, that we come right back in Monday and  
9 Tuesday of the next week. Okay. This is going to go more  
10 than two days. We know that. So.  
11 MR. GROSSMAN: Well --  
12 MR. CHEN: You know I, I --  
13 MR. GROSSMAN: I don't know that, but, but as I  
14 said, I have a hearing on the 4th. I have another one on  
15 the 11th. We might be able to do the 7th, but let's, let's  
16 assume that if we don't complete it on the 3rd, that we will  
17 come back on the 7th. And I'll have to check. I don't, I  
18 haven't, I don't have my personal calendar in front of me,  
19 but I don't --  
20 MR. KAUFMAN: What I'm suggesting, Mr. Examiner,  
21 is that we get at least two days we know we can --  
22 MR. GROSSMAN: Right. And I'll, I'll check my  
23 calendar inside. In terms of hearings, we can do it on the  
24 3rd. That's a, that's a Planning Board day, you know. So.  
25 MR. CHEN: I, I will tell you that I was told by

Page 291

1 this one organization, who is supposed to call me back  
2 today, and I said I'm not, I'm going to be in a hearing  
3 today. They're supposed to call me back. They said that  
4 they are three, two to three weeks backed up on getting a  
5 survey crew out. I'm just telling you.  
6 MR. KAUFMAN: But this is exhibit you've had for a  
7 month already.  
8 MR. GROSSMAN: We're not going to, if we're going  
9 to delay a month between today and the next hearing date,  
10 we're not going to delay any further to wait for somebody to  
11 survey. So you'll have to get those ducks in line. All  
12 right. So that would be 9:30 a.m. on December 3.  
13 MR. KAUFMAN: And going to 7th or 8th. Either one  
14 of those? Would they work?  
15 MR. GROSSMAN: And I'm going to look at, I have to  
16 go back in my office and check my computer to make sure I'm  
17 not booked in for something on, on the 7th.  
18 MR. KAUFMAN: The 4th? No. Not for us.  
19 MR. GROSSMAN: All right. I shall return.  
20 MR. CHEN: You shall return today?  
21 MR. GROSSMAN: I shall return in moments. I just  
22 have to check my computer to make sure it's not something I  
23 have.  
24 (Off the record.)  
25 (Off the record discussion.)

Page 292

1 (On the record.)  
2 MR. GROSSMAN: Okay. So December 3 and December 7  
3 if we have to go over. But I'm sure that, that we'll finish  
4 on December 3. Right, Mr. Chen? Ms. Girard?  
5 MS. GIRARD: I, I won't hold it up.  
6 MR. GROSSMAN: Mr. Uhre. All right.  
7 MR. CHEN: I'm still back on my comments about 10  
8 minutes ago.  
9 MR. GROSSMAN: All right.  
10 MR. CHEN: I've got two hearings.  
11 MR. UHRE: We've got two dates. The 3rd and the  
12 7th.  
13 MR. GROSSMAN: That's correct. All right. So I'm  
14 announcing that as I, at a public hearing that we will  
15 resume Conditional Use 16-01, Brandywine, on December 3 at  
16 9:30 a.m. in this hearing room. And again, if necessary, on  
17 Monday, December 7, 2015 at 9:30 a.m. in this hearing room.  
18 That suit everybody? I think we're all happy. All right.  
19 I thank you all.  
20 MS. GIRARD: Thank you.  
21 MR. GROSSMAN: And I think it's a Friday. So have  
22 a great weekend.  
23 MR. CHEN: I've got appointments all weekend  
24 stacked up.  
25 (Whereupon, at 5:11 p.m., the hearing was

Page 293

1 concluded.)  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

C E R T I F I C A T E

DEPOSITION SERVICES, INC., hereby certifies that  
the attached pages represent an accurate transcript of the  
electronic sound recording of the proceedings before the  
Office of Zoning and Administrative Hearings for Montgomery  
County in the matter of:

Case No.: CU 16-01 Application of Brandywine  
Senior Living at Potomac, LLC

By:

Consuella Miles, Transcriber

	96:5;130:5	11:25;18:6,14;35:7;	118:11;227:8	251:1,23;253:4;
<b>\$</b>	<b>accommodations (1)</b> 64:1	46:22;68:21;120:10,	<b>adopted (4)</b> 71:18;118:21;130:2,	262:16;263:1,18;
<b>\$150 (1)</b> 65:6	<b>accompany (1)</b> 88:19	10;124:7,17,25;130:21,	2	276:10;287:1;292:16
<b>\$300 (1)</b> 65:7	<b>accomplishing (1)</b> 229:13	24;131:10;134:21;	<b>adult (5)</b> 44:24;52:1;63:4,10;	<b>against (5)</b> 32:23;34:18;157:25;
<b>[</b>	<b>accordance (1)</b> 183:11	135:5,17,21;138:9,22;	71:3	251:10;281:8
<b>[No (1)</b> 221:14	<b>according (2)</b> 105:16;274:9	142:4,20;144:4;	<b>advance (6)</b> 24:14;39:10;43:20,	<b>age (9)</b> 44:25;64:9;65:16;
<b>A</b>	<b>Accordingly (2)</b> 27:7;97:14	145:14,20,21;151:16,	22,23;44:6	66:7;73:12;171:8;
<b>AA (2)</b> 201:1,21	<b>account (1)</b> 50:21	19;152:16;155:6;	<b>advancing (1)</b> 65:1	229:12;267:20;269:7
<b>abbreviating (1)</b> 201:10	<b>accredited (1)</b> 226:13	164:8;169:11;171:2;	<b>adverse (2)</b> 169:11;220:9	<b>ager (1)</b> 46:8
<b>abide (1)</b> 111:21	<b>accuracy (4)</b> 17:11;18:25;60:9;	180:10;187:18;193:19;	<b>adversity (1)</b> 170:23	<b>aging (1)</b> 44:18
<b>ability (6)</b> 60:23;100:5;110:15,	241:16	194:13,18;197:5;	<b>aerial (28)</b> 9:21;77:2,5,5;	<b>ago (9)</b> 15:3;16:4,18;22:9;
25;131:12;158:9	<b>accurate (8)</b> 13:23;19:6;93:6;	204:12;205:21;209:2;	120:18,25;122:10;	35:15;60:16;86:3;
<b>able (13)</b> 7:24;8:5;17:10;	216:11;217:5;223:23;	21;145:24;163:21	130:10;160:12;162:10,	163:18;292:8
44:25;47:22;52:14;	238:9;285:20	<b>add (6)</b> 23:17;56:22;78:19,	11,18;163:5,15;	<b>agree (15)</b> 13:16;23:5,12,25;
53:1;65:23;94:15;	<b>accurately (2)</b> 26:4;123:12	21;145:24;163:21	186:23;187:19,22;	24:5;32:1;37:24;38:22;
99:14;151:22;271:17;	<b>acknowledge (2)</b> 19:7;69:2	<b>adding (2)</b> 140:8;286:8	205:22;218:15;222:19;	39:10;46:7;57:1;129:6;
290:15	<b>acoustical (1)</b> 269:1	<b>addition (4)</b> 68:8;135:3;167:20;	244:8,9;262:16;	213:22;240:13;262:1
<b>above (13)</b> 96:20;151:7,22;	<b>acquired (1)</b> 43:9	268:6	283:21;284:3;285:6;	<b>agreeable (2)</b> 90:16;147:13
158:1;199:7;200:22,	<b>acre (1)</b> 5:9	<b>additional (11)</b> 138:22;145:25;	286:13;287:2	<b>agreed (2)</b> 50:12;194:9
25;207:15;220:11;	<b>acres (4)</b> 29:15,20;217:7,21	146:22,22;151:21;	<b>affect (1)</b> 170:22	<b>agreement (2)</b> 84:13;253:18
232:24;234:17;239:1;	<b>across (15)</b> 46:18;78:2;86:5;	199:9,17;200:7,11;	<b>Affidavit (6)</b> 10:20,21,22;11:1,11,	<b>ahead (6)</b> 43:5;77:14;87:1;
278:6	131:15;153:20;154:7;	220:13;233:8	21	90:19;212:24;275:6
<b>absolute (1)</b> 217:3	157:16,18;162:1;	<b>address (12)</b> 6:11;10:11,12;22:20;	<b>affiliate (1)</b> 58:6	<b>aide (1)</b> 110:3
<b>absolutely (5)</b> 18:3;31:6;86:18;	167:3;202:14;216:20;	39:4,41;18,20;70:18;	<b>affirm (3)</b> 41:9;117:3;225:7	<b>aides (1)</b> 110:24
88:3;143:23	237:20,21,21	149:13;156:25;225:19;	<b>affluent (1)</b> 66:10	<b>aimed (1)</b> 245:25
<b>absorbs (1)</b> 235:8	<b>acting (1)</b> 180:18	238:14	<b>afford (1)</b> 66:4	<b>air (7)</b> 174:22;235:7,8,9,10,
<b>abutting (4)</b> 139:9;170:10;	<b>action (1)</b> 134:6	<b>addressed (2)</b> 214:23;238:13	<b>afforded (1)</b> 27:20	13,13
221:11;248:20	<b>active (2)</b> 49:14;63:6	<b>addressing (2)</b> 91:24;130:2	<b>affording (1)</b> 17:19	<b>aisle (18)</b> 123:20;124:8;
<b>accept (3)</b> 55:17;118:13;127:15	<b>activities (5)</b> 49:11;67:13;74:8;	<b>adequate (1)</b> 158:6	<b>afield (1)</b> 20:10	129:23;130:11,20;
<b>acceptable (1)</b> 93:6	107:1;233:1	<b>adjacency (1)</b> 166:12	<b>afternoon (3)</b> 8:1;49:5;147:23	137:3,23;138:7,10;
<b>accepted (2)</b> 115:20;117:20	<b>activity (7)</b> 66:17;95:25;114:23;	<b>adjacent (18)</b> 6:4;31:4;45:12;	<b>again (57)</b> 29:10;32:7;35:23;	145:4,24;158:18;
<b>accepting (1)</b> 19:25	149:18;168:2;170:6;	130:21;131:10,11;	36:10,21,21,23;38:4;	173:6;179:6;196:12,
<b>access (13)</b> 54:12,13;97:24;98:9;	175:20	137:12;145:12,13;	39:5;51:15;52:21;	12;216:8;222:23
101:8;129:21,22;	<b>acts (1)</b> 206:5	173:12;175:7;201:23;	67:16;92:16;104:14;	<b>Albert (1)</b> 125:9
158:8,9;160:2;168:7;	<b>actual (9)</b> 126:9;132:14;	218:25;222:10;237:20;	109:20;112:21;121:16;	<b>Alexandria (1)</b> 225:20
193:25;221:2	133:23;145:19;149:21;	238:14;245:3,9	130:10;151:21;152:25;	<b>Alfred (1)</b> 225:2
<b>accommodate (7)</b> 8:7,11;34:4;54:16;	195:5;223:8;251:11;	<b>adjust (1)</b> 76:19	156:13;157:23;160:11;	<b>alley (5)</b> 93:8,11,12;151:4;
191:18;197:17;254:22	266:16	<b>adjustment (1)</b> 239:5	173:4;184:7;197:1;	190:4
<b>accommodated (2)</b>	<b>actually (59)</b>	<b>administering (2)</b> 64:18,19	198:25;204:5;207:8;	<b>allow (2)</b> 195:14;199:6
		<b>Administrative (1)</b> 5:15	213:16;222:16;224:22;	<b>allowance (1)</b> 180:6
		<b>admission (2)</b>	230:25;231:12;232:11,	<b>allowed (8)</b> 30:17;33:4;135:24;
			15;233:22;235:22;	
			237:24;243:12;245:5,	
			10;247:12,22;248:11;	
			249:13;250:7,24;	

<p>151:5,9,11;157:13;                  180:20  <b>allows (1)</b>                  232:19  <b>almost (10)</b>                  124:20;134:17;                  160:9;196:17;197:10,                  16;202:6;223:20;                  237:24;283:11  <b>alone (2)</b>                  45:1;46:6  <b>along (55)</b>                  12:10;30:9;48:2;                  69:3;79:7;128:10;                  130:5;134:17,25;                  136:9,17,18;137:3,23;                  139:6;145:8,23,25;                  149:1;153:22;158:20;                  167:19;173:2,5,5,7,8;                  176:19,24;180:17,17;                  182:1;184:20,20;                  190:2,16;192:7;199:5;                  204:1,3,13,14,18;                  205:7;210:9,10,13,14,                  16;216:18;222:23;                  230:23;231:6;267:17;                  268:11  <b>alter (1)</b>                  194:21  <b>alternative (1)</b>                  39:22  <b>although (6)</b>                  10:2;125:1;155:7;                  160:13;161:25;166:15  <b>always (11)</b>                  41:2;42:5;45:7;49:3;                  52:17,23;69:23;78:21;                  106:11;116:18;283:11  <b>Alzheimer's (1)</b>                  62:8  <b>Amazon (1)</b>                  82:17  <b>ambience (1)</b>                  151:1  <b>ambient (1)</b>                  138:15  <b>ambulance (11)</b>                  74:11;78:14;84:16,                  19;85:24;88:11;89:8;                  94:1,2,15,19  <b>ambulances (2)</b>                  85:18;158:11  <b>amend (3)</b>                  27:21;32:9;37:12  <b>amended (5)</b>                  35:14;36:19;37:1;                  140:12;280:6  <b>amendment (13)</b>                  32:3;36:4,8,9;37:23;                  39:6;117:15;198:8,10,                  10;199:23,23;200:5  <b>amendments (2)</b>                  36:6,7</p>	<p><b>amenities (2)</b>                  177:9;233:21  <b>amenity (4)</b>                  129:14;232:25;                  233:10,23  <b>America (1)</b>                  42:11  <b>American (5)</b>                  139:10,11,18;178:6;                  226:11  <b>among (2)</b>                  22:2;214:17  <b>amount (11)</b>                  28:24;48:1;65:25;                  80:24;138:4;168:15;                  197:18;216:16;223:1;                  252:22;261:14  <b>ample (1)</b>                  46:24  <b>analogous (1)</b>                  12:7  <b>analysis (19)</b>                  15:10;27:2,7,11;                  29:13,19,23;36:2;                  61:11;119:9;148:2,3;                  161:3;164:20;166:9;                  215:2,4;268:1,3  <b>analyzed (2)</b>                  20:15;148:15  <b>and/or (1)</b>                  88:14  <b>angle (1)</b>                  231:9  <b>announcing (1)</b>                  292:14  <b>anointing (1)</b>                  159:24  <b>answered (7)</b>                  61:12;89:17;111:15,                  18,20;189:22;203:16  <b>anticipate (2)</b>                  48:7,20  <b>anymore (3)</b>                  46:6;65:21,22  <b>apartment (1)</b>                  71:3  <b>apartments (1)</b>                  211:13  <b>apex (5)</b>                  179:7;180:17;184:2;                  196:10;205:7  <b>apologize (22)</b>                  15:20;25:4;28:14;                  92:7;93:12;100:20;                  103:24;110:11;114:4,                  7,16;176:22;184:8;                  187:20;210:1;234:4;                  258:9;267:3,4;271:6;                  283:22;284:20  <b>apparently (2)</b>                  162:7;286:4  <b>Appeals (4)</b>                  19:17;165:20;288:9;</p>	<p>289:4  <b>appear (5)</b>                  24:14;38:8;106:5;                  191:5;219:23  <b>appearance (1)</b>                  13:3  <b>appeared (2)</b>                  18:8;162:3  <b>appears (1)</b>                  37:16  <b>apples (6)</b>                  188:2,2;283:21,21;                  285:7,7  <b>applicable (9)</b>                  12:9;32:18;35:12;                  36:17,25;37:5,6;39:11,                  13  <b>applicant (15)</b>                  8:8;10:22;12:20;                  27:3,20;29:14;32:2;                  38:24;55:17;147:18;                  150:20;156:17;183:12;                  282:9;287:15  <b>applicant's (3)</b>                  17:21;76:13;214:13  <b>application (18)</b>                  9:2;10:25;16:16;                  26:6;27:19;29:6;30:5;                  35:10;36:2;39:23;                  55:12,22;118:19;                  126:12;181:6;200:5;                  229:18,22  <b>applied (1)</b>                  28:22  <b>apply (2)</b>                  9:14;101:20  <b>appointed (1)</b>                  128:17  <b>appointment (1)</b>                  87:16  <b>appointments (3)</b>                  51:16,17;292:23  <b>appreciate (10)</b>                  30:2;59:2;99:5;                  103:9,9;115:15;                  215:16;252:11;256:23;                  269:2  <b>approach (4)</b>                  35:22;36:1,12;                  161:10  <b>appropriate (9)</b>                  10:24;32:20;39:17,                  18,20;106:9;130:19;                  203:11;215:4  <b>approval (16)</b>                  27:4;31:18;35:12;                  36:19,25;37:1;39:13,                  14;55:11;132:8;                  133:21;159:12;164:24;                  181:17,22;228:11  <b>approvals (4)</b>                  35:14;36:18;164:21;                  198:11</p>	<p><b>approve (4)</b>                  35:10;134:5;159:9,9  <b>approved (14)</b>                  71:18;90:17;118:21;                  124:4,12,16;132:7;                  148:25;158:7,10;                  166:14;167:5;186:13;                  191:15  <b>approves (1)</b>                  194:5  <b>approving (2)</b>                  132:14;133:25  <b>approximate (1)</b>                  164:22  <b>approximately (8)</b>                  5:11;148:9;190:10;                  191:1;205:10;206:12;                  225:24;234:16  <b>April (1)</b>                  71:18  <b>arborvitae (1)</b>                  178:3  <b>architect (28)</b>                  78:25;92:21;99:14;                  115:6;129:12;137:9;                  150:12;151:18;154:5;                  155:8;161:15;163:3;                  168:3;170:5;171:18;                  174:18;182:7,14;                  187:2,12;219:2;                  225:22;226:5;227:11;                  228:19;265:13;276:18;                  286:20  <b>architects (4)</b>                  57:8;226:12;229:10;                  278:12  <b>architect's (1)</b>                  208:3  <b>architectural (8)</b>                  172:19;226:10;                  231:6;248:6,17;                  250:19;278:9,17  <b>architecturally (3)</b>                  248:8;277:14;278:18  <b>architecture (20)</b>                  117:10;118:1,5,15;                  128:21,22;150:12;                  167:10;226:3,4,16;                  227:9,15,25;228:5,5,6;                  229:7,9;248:22  <b>Arden (3)</b>                  184:23,25;186:1  <b>Area (138)</b>                  28:21;40:24;44:19;                  45:4,11;50:5;55:5;                  56:23;67:15;70:19,23;                  79:12;80:3;82:14;83:4,                  10;91:22;92:13,17,19,                  24,25;94:16;96:8,9;                  98:23;99:6;101:17,19;                  103:8;113:20,22;                  114:2,10,12,13;118:13,                  19,23;120:21;123:13,</p>	<p>16;124:14;126:12;                  130:14,25;131:17,24,                  25;134:12,14,15,16,23,                  24,24;135:19;139:1,3,                  4;141:19,21,21;142:3;                  143:3,8;144:1;145:11,                  23;146:23;152:6;                  155:13,15;157:3;                  158:22;161:4;168:17;                  169:16;170:7;171:1,9;                  174:20;178:10,12,15,                  18,18,20,21;179:9,18;                  180:11,24;181:3;                  182:25;183:16,22;                  184:23,24;185:10;                  191:4;192:20;195:5,                  14;197:4,5;199:5;                  203:17,22;204:4;                  205:7;206:3;207:9;                  209:22;210:16;211:2,                  5;216:19;218:12;                  222:13,14,18,25;                  223:15;224:4,5,6;                  229:18;254:12;266:12,                  17,23;275:19,24,25;                  281:3,8;285:17  <b>areas (10)</b>                  24:3;99:25;103:13;                  120:17;131:19,21;                  135:25;153:15;156:18;                  273:16  <b>Argentum (1)</b>                  42:10  <b>argue (3)</b>                  34:22;35:18;214:9  <b>arguing (1)</b>                  215:6  <b>argument (3)</b>                  37:2;213:20;214:10  <b>arguments (2)</b>                  39:9;215:13  <b>arise (1)</b>                  28:6  <b>Arizona (1)</b>                  63:5  <b>Around (41)</b>                  18:10;46:17,25;                  64:24;67:5;77:24;                  102:15;135:13,20;                  138:9;144:15;146:2;                  150:23;151:1;155:11,                  15;158:15,17;159:5;                  160:23;161:7;177:25;                  180:22;194:11;197:19;                  201:5;205:4;211:10,                  12;216:19;219:16;                  222:22;223:20;229:24;                  234:14;250:8;251:19;                  274:8;278:2;285:3;                  288:13  <b>around-the- (1)</b>                  45:20  <b>arrangement (1)</b></p>
--	--	---	---	---

253:18 <b>arrival (1)</b> 255:6 <b>arrive (3)</b> 107:3;232:13;253:16 <b>arrives (1)</b> 54:22 <b>arriving (2)</b> 40:22;108:23 <b>arrow (11)</b> 159:21;160:4,5,9,10; 161:8;162:15;163:7,8, 11,25 <b>arrows (3)</b> 195:18;196:8;255:21 <b>articulation (2)</b> 150:13;170:5 <b>ascertain (1)</b> 184:12 <b>aside (7)</b> 19:7;20:11;31:1; 90:7;95:12;114:9; 260:22 <b>aspects (1)</b> 31:15 <b>assess (1)</b> 64:11 <b>assessed (1)</b> 215:10 <b>assessing (1)</b> 218:22 <b>assessment (2)</b> 175:25;176:1 <b>assets (2)</b> 66:1,4 <b>assistance (2)</b> 63:10;64:9 <b>assistants (2)</b> 110:1,2 <b>assisted (11)</b> 5:8;42:6,11;51:19; 62:21;63:24;70:25; 71:1,10,14;185:10 <b>associated (4)</b> 26:12;175:4;252:21; 253:15 <b>Associates (1)</b> 226:18 <b>Association (4)</b> 7:7,10,11;52:16 <b>associations (1)</b> 42:9 <b>assuage (2)</b> 19:8,13 <b>assume (12)</b> 67:6;88:7;95:12; 108:15;110:17;156:21; 165:25;206:5;263:21; 269:8;276:22;290:16 <b>assumed (1)</b> 186:7 <b>assuming (4)</b> 8:6;174:8;218:10;	227:21 <b>attached (1)</b> 21:12 <b>attaching (1)</b> 200:19 <b>Attachment (6)</b> 14:14,15;18:8;21:5; 133:9;236:9 <b>attempt (3)</b> 39:3;189:10;231:14 <b>attention (1)</b> 13:6 <b>attenuation (3)</b> 268:13,14,18 <b>attic (1)</b> 278:6 <b>attorney (1)</b> 116:20 <b>attributes (1)</b> 92:23 <b>audible (1)</b> 221:14 <b>audience (3)</b> 7:3,17;59:3 <b>augment (1)</b> 176:16 <b>augmented (1)</b> 175:22 <b>authentication (1)</b> 116:21 <b>authorization (2)</b> 11:9,10 <b>authorizes (1)</b> 11:17 <b>automatically (4)</b> 10:6,9;261:23; 281:19 <b>available (5)</b> 8:24;21:6;45:5; 97:11;110:13 <b>Avenue (1)</b> 208:24 <b>average (13)</b> 51:7;62:25;63:20,22; 66:22;69:18;72:17; 85:20;86:2,3,5;107:12; 148:10 <b>aware (17)</b> 53:7;54:11;71:25; 87:20;117:20;176:3,9, 10;183:15;184:22; 188:5,15;189:9,19; 218:23;253:1;268:21 <b>away (9)</b> 39:16;52:3,3;54:23; 68:5;81:25;85:21; 130:20;239:20	226:2 <b>bachelor's (1)</b> 41:24 <b>back (71)</b> 7:4;12:13;18:16; 19:14;29:17;30:17; 33:15;35:16;38:14; 45:8;49:20;50:5;54:24; 55:4;68:15;86:4;91:11, 17;92:2;95:21;109:7; 123:19;129:25;134:22; 137:4,24;147:12,24; 151:5,16,18;153:3; 156:2,11;157:16,18,23; 158:18,19;163:20; 167:1;183:19;190:1,9, 13;195:15;201:5; 218:11;219:22;222:24; 230:24;231:9,10; 234:20;237:21;256:24; 257:20;260:4;261:2; 271:6,10;287:12,18,25; 288:3;290:8,17;291:1, 3,16;292:7 <b>backed (1)</b> 291:4 <b>background (5)</b> 41:23;43:3;226:1; 228:20;229:8 <b>backwards (1)</b> 163:23 <b>backyard (2)</b> 243:1;244:5 <b>Bacon (15)</b> 40:17;41:5,7,7,12, 17;57:5;58:22;75:11; 76:21;89:7;91:20; 97:18;115:14;182:24 <b>Bacon's (2)</b> 115:20;212:2 <b>bad (1)</b> 200:8 <b>bags (1)</b> 182:25 <b>ball (2)</b> 208:9,13 <b>balls (1)</b> 204:20 <b>bare (1)</b> 29:19 <b>barren (1)</b> 187:18 <b>barrier (3)</b> 98:24;99:1,4 <b>base (7)</b> 26:11,13;27:11,14; 63:25;125:23;242:3 <b>based (16)</b> 16:16;29:22,23; 55:20;56:10;58:17; 61:4;64:17;85:15; 194:9;215:10;229:7; 242:24;244:8;265:23,	23 <b>basement (1)</b> 99:25 <b>basic (2)</b> 64:20;193:15 <b>basically (17)</b> 130:9,15;131:7; 154:14;155:8;161:5; 173:6;177:13;194:7; 195:10,13;199:5; 204:19;205:17;211:9; 213:7;218:14 <b>basins (1)</b> 125:22 <b>basis (7)</b> 30:4,6;37:2;104:3, 16;245:6;261:8 <b>bays (4)</b> 231:8;247:23,25; 249:9 <b>beams (2)</b> 138:6,14 <b>Bear (2)</b> 159:14;169:21 <b>become (3)</b> 52:19,25;286:17 <b>becomes (1)</b> 239:22 <b>bed (5)</b> 49:18;107:2;217:8,9, 23 <b>bedroom (2)</b> 64:3,3 <b>beds (18)</b> 5:8;47:8,11,14; 61:25;62:4,6,14; 106:19;148:24;172:1, 3;217:3,7,12,21;218:6, 7 <b>beg (2)</b> 74:3,3 <b>beginning (3)</b> 30:20;64:14;213:17 <b>begins (1)</b> 195:6 <b>behalf (7)</b> 5:25;6:16,17,19; 16:9;25:8;36:11 <b>behind (10)</b> 140:16;173:23; 174:11,14;175:2; 221:10;234:19;238:3; 273:22;274:13 <b>below (9)</b> 130:21;151:20; 177:25;192:15;200:23; 210:22;217:10;233:9; 266:11 <b>Ben (1)</b> 18:7 <b>benefit (2)</b> 241:1;283:15 <b>Berbert's (1)</b>	18:7 <b>berm (1)</b> 221:10 <b>berries (1)</b> 178:8 <b>besides (1)</b> 113:23 <b>best (11)</b> 69:3;103:10,12; 121:20;139:23,23; 164:10;241:7;262:17; 263:1;282:12 <b>better (12)</b> 9:9;40:19,21;110:25; 120:19;138:8;161:10; 163:3;167:6;185:6; 251:13;275:12 <b>beyond (11)</b> 31:3;44:1;135:23; 158:1;170:13;173:16, 17;179:2,5;220:11; 232:19 <b>big (8)</b> 65:25;83:7;94:11; 102:23;122:16;139:17; 213:25;236:16 <b>biggest (1)</b> 46:8 <b>Bill (2)</b> 6:3;261:10 <b>BIM (1)</b> 242:4 <b>bio (11)</b> 146:4,7,9,15;199:5; 216:19;223:17,20; 266:5,6;267:9 <b>bio- (1)</b> 146:25 <b>bio-retention (1)</b> 147:3 <b>bisecting (1)</b> 241:24 <b>bit (28)</b> 8:18,25;24:1;46:9; 52:18;62:20,23;67:10; 91:20;124:24;126:9; 131:24;145:6;147:9; 149:11,22;151:3; 158:3;171:2;172:20; 180:23;187:14;202:21; 207:19;221:3;239:19; 262:5;266:2 <b>black (2)</b> 162:15;163:8 <b>blizzard (1)</b> 94:12 <b>Blocher (1)</b> 5:21 <b>block (3)</b> 138:4;197:9;199:10 <b>blocked (1)</b> 138:18 <b>bloom (1)</b>
	<b>B</b>			
	<b>B- (3)</b> 53:22;284:24,25 <b>Bachelor (1)</b>			

<p>285:11  <b>BOA (1)</b>                  165:25  <b>Board (42)</b>                  10:8;15:2,6,10,18;                  19:15,17;21:1;25:12;                  31:14;37:25;42:12,13,                  14;50:10;53:8;55:11;                  63:25;127:15;132:6;                  133:22,25;134:3,6;                  135:11,11;140:15,15,                  16;161:13;162:1;                  165:19,20;188:17;                  198:14;220:16,17;                  228:14;236:20;237:10;                  289:4;290:24  <b>boards (1)</b>                  42:8  <b>Board's (1)</b>                  10:7  <b>Bobcat (1)</b>                  113:15  <b>bodies (1)</b>                  73:22  <b>body (1)</b>                  117:10  <b>Bolton (20)</b>                  224:21,23;225:2,3,5,                  9,13;226:17,18;229:6,                  17;241:10;248:6;                  251:2;256:21;259:15;                  260:13;270:10;283:6;                  287:21  <b>Bolton's (2)</b>                  227:7,11  <b>booked (1)</b>                  291:17  <b>both (22)</b>                  12:15;14:18;39:9;                  42:4;45:1;51:22;59:19;                  62:15;124:14;139:10;                  156:18;160:8;210:15;                  212:11;213:5,16,21;                  231:15;248:22;249:20,                  20;263:3  <b>bottom (8)</b>                  121:16;122:23;                  128:8;141:6;147:2;                  160:13;230:19;279:11  <b>boundaries (1)</b>                  231:1  <b>boundary (4)</b>                  130:13,17;168:21;                  272:3  <b>box (3)</b>                  195:10;197:15,15  <b>Boy (5)</b>                  52:22;53:22;120:3;                  284:24,25  <b>Boys (1)</b>                  52:22  <b>brains (1)</b>                  76:19</p>	<p><b>brand (2)</b>                  32:16;105:11  <b>Brandywine (34)</b>                  5:3,25;41:19;42:7;                  43:14,17;46:19;54:16;                  57:22;58:4,9,11,13;                  59:7,9,21;60:1,15;                  68:6;128:15;198:18;                  220:8;251:13,21;                  252:7,15,16;253:21;                  254:6,14,21,25;275:14;                  292:15  <b>Brandywine's (3)</b>                  45:7;251:23;257:9  <b>break (17)</b>                  91:5,6,11;104:8;                  147:7,21;220:2;                  224:13,15;231:7,12;                  242:18;247:25;248:3,                  14,14;249:24  <b>breakfast (4)</b>                  49:10;106:16,21;                  108:19  <b>breaking (2)</b>                  231:10;247:20  <b>breakout (1)</b>                  172:3  <b>Brenda (2)</b>                  40:17;41:7  <b>brick (1)</b>                  249:7  <b>Brickyard (7)</b>                  6:14,19,24;10:13;                  12:14,14;54:12  <b>bridge (1)</b>                  47:20  <b>brief (2)</b>                  8:1;43:6  <b>briefing (1)</b>                  288:15  <b>briefly (2)</b>                  166:8;232:9  <b>briefs (1)</b>                  288:9  <b>bring (8)</b>                  13:6;22:7;45:6;                  68:14;70:11;84:7;                  222:20;287:18  <b>bringing (3)</b>                  25:1;74:9,11  <b>broken (2)</b>                  45:20;104:4  <b>brought (4)</b>                  149:22;150:15;                  215:18;235:25  <b>bubble (12)</b>                  120:16;124:1,2,7;                  188:14,15;189:4,7,11;                  206:15;213:25;214:12  <b>bubbles (3)</b>                  120:20;206:19,22  <b>buffer (54)</b>                  31:10,11;32:24;33:7;</p>	<p>46:25;124:10,14;                  125:25;129:25;132:2;                  134:12,16;153:25;                  176:19,24;177:21;                  178:18,20,22,24;179:1,                  9,18;180:7,16,21,24;                  181:3,12;192:25;                  193:8;205:14;210:9,                  10,13,18,19,22,23,25;                  211:2;216:7,19,22;                  223:15;224:5;266:17;                  268:16;269:1;271:6,                  11,13,15,18  <b>buffering (2)</b>                  91:22;220:12  <b>buffers (2)</b>                  124:16;179:19  <b>building (160)</b>                  17:5;28:6;33:25;                  34:7;47:5;49:8,9;                  66:20,21;69:22,24;                  79:8,10;83:13,16,18;                  84:8;94:7;95:9;101:12;                  105:8,9,15,16,17,20;                  109:5;113:9;115:2;                  129:15,16;130:23;                  131:13,18;135:14;                  137:24;141:17,19;                  150:13;151:6;152:2,2,                  19;153:3,12;154:2,2,5,                  9,10,21,25;155:25;                  156:12,19;157:19;                  158:13,18,21,24;                  161:11;166:25;171:17;                  172:12,25;173:12,18;                  174:5;175:12,13,13;                  177:23;179:7,14;                  184:9;190:20,20,21;                  191:14,25;192:24;                  193:13,17;195:15;                  202:24;203:9,10;                  204:2,9,10,11;206:21;                  213:13;226:13;227:24,                  25;229:22,24;230:22,                  24;231:8,10,11,15,18;                  232:2,22,25;233:5,6;                  234:25;236:4,5;                  237:23;238:1,17,20,21,                  23,24;239:6;240:2;                  241:24;242:6,11,13,19;                  243:2,5,9,10;244:11;                  245:9,13;246:11,12,24;                  248:1,13,14,15,24;                  249:3;251:1;253:2;                  263:7,10,16;264:3;                  265:24;271:17,20,24;                  273:13;275:20;277:23;                  278:15,21;285:1,4  <b>buildings (20)</b>                  43:13;52:23;57:10;                  87:9;92:23;120:17;                  184:16;185:14,15;                  186:13;206:10,14,17,</p>	<p>25;218:24;231:23;                  249:1;276:12;278:18,                  19  <b>built (13)</b>                  33:2;43:6,8;46:22;                  63:3;70:21;72:18;                  105:10;166:14,14;                  205:21;211:12;278:15  <b>bulb (1)</b>                  136:6  <b>bulk (1)</b>                  248:10  <b>bulk-wise (1)</b>                  157:12  <b>Bullis (6)</b>                  46:18;52:12,13;68:5;                  126:23;127:5  <b>bunch (1)</b>                  107:3  <b>burden (1)</b>                  249:24  <b>bus (13)</b>                  54:14;55:7;68:3,4,8,                  17,24;69:4;112:12;                  113:1;246:18,22;247:1  <b>buses (1)</b>                  55:8  <b>bush (1)</b>                  269:13  <b>business (10)</b>                  30:24;41:18;44:13;                  52:16;66:6;85:13,16;                  102:23;112:12;225:19  <b>butler (2)</b>                  64:4,4  <b>butlers (1)</b>                  62:22  <b>buy-in (1)</b>                  65:25</p>	<p><b>calling (2)</b>                  42:18;276:5  <b>came (5)</b>                  70:21;208:23;                  214:19;220:18;222:1  <b>can (180)</b>                  16:12;18:17,24;                  21:25;22:13;23:5,6;                  24:15,16;30:3,10,12,                  24;31:6,21;32:13;                  34:22,22;37:19;38:6,                  18;39:20,22;41:17;                  42:16;43:5;44:5,14;                  46:10;47:12,14;48:6;                  49:4;51:10;58:17;60:5,                  24;62:20;63:13,23;                  64:2,2,3,4;66:3;71:12;                  74:20,20;78:1;79:1,16;                  80:15,23;81:5;82:22;                  85:19,24,25;86:14;                  87:9,11;88:20;92:21;                  94:10;95:2;96:2,18;                  97:22;99:10;107:14;                  110:14;115:6;118:2;                  119:8;120:19;121:25;                  122:16,19,20;123:24;                  130:7;132:23;134:4;                  138:23;139:19;140:3;                  141:18;143:16;144:8;                  145:7;152:24;154:5;                  158:15;162:17;163:21;                  172:18;185:1;187:19,                  23;188:1,2,24;190:2,                  10;191:1;197:3;                  199:19;200:22;202:8;                  203:1;204:16,25;                  205:3;206:10;208:8,                  14,22;210:9;211:7;                  213:2,8;214:9;216:9;                  217:4,8,16;218:13,18;                  219:18;221:2;225:18,                  25;229:21;232:9,9;                  233:25;234:2;238:14;                  239:5;241:15;242:23;                  243:6;244:10;245:7;                  247:11,23;248:2;                  250:1,5;251:13;                  253:22;255:21;256:11,                  14;259:12;261:17;                  265:15;268:17;272:17,                  18;273:2;276:23;                  277:5,7,10;278:5,18;                  279:17;282:4;283:18;                  284:18;287:4,11,13,18;                  288:13,14,15;290:21,                  23  <b>candid (2)</b>                  27:4;101:15  <b>candidly (1)</b>                  266:10  <b>candle (2)</b>                  168:21;272:2  <b>candles (3)</b></p>
<b>C</b>				
			<p><b>cafeteria (1)</b>                  147:6  <b>calculate (2)</b>                  152:18;206:13  <b>calculation (3)</b>                  211:20;217:5,7  <b>calendar (4)</b>                  287:24,24;290:18,23  <b>calendars (2)</b>                  241:7;287:24  <b>call (24)</b>                  18:21;40:17;63:10;                  64:8;67:12;85:11,24;                  87:1,20,25;104:8,8;                  105:8;140:23;155:9;                  161:3;198:10;199:22;                  209:15;219:25;224:21;                  239:10;291:1,3  <b>called (4)</b>                  9:4;30:19;105:5;                  149:2</p>	

<p>136:1,2;169:17  <b>candor (1)</b>  269:3  <b>canopy (1)</b>  124:17  <b>Capital (2)</b>  10:5;194:5  <b>car (5)</b>  51:10,13,15;276:20;  281:20  <b>carbon (1)</b>  105:21  <b>card (2)</b>  264:8,9  <b>care (70)</b>  5:7,8;31:8;37:8;  42:17;44:2,18;45:14,  17,18;46:1,17;52:12;  62:6,15,15,20;64:5,6,7;  66:19;67:11,12;70:6,9;  71:1,2,23;75:19;87:4,5,  17;103:12,13;110:4,4;  119:3;124:9,18,25;  126:23;127:5;129:24;  130:21;131:3,7,16,20;  148:23,23;153:9;  164:24;166:4,16;  167:3,13;175:4,19;  184:19,22;185:22;  186:3,5,7;205:15,18;  206:1;232:23;251:5;  281:11  <b>cared (1)</b>  249:2  <b>career (2)</b>  42:4;226:7  <b>careful (5)</b>  26:23;40:23;102:24;  260:18;277:18  <b>carefully (6)</b>  151:2;165:2;169:18;  170:3;198:15;206:3  <b>Care's (1)</b>  165:7  <b>Carol (1)</b>  54:1  <b>carpool (1)</b>  55:5  <b>carpooling (1)</b>  68:17  <b>carried (1)</b>  161:16  <b>carry (2)</b>  37:24;222:14  <b>carrying (1)</b>  196:11  <b>Cars (3)</b>  51:13,14;52:3  <b>cart (1)</b>  113:17  <b>case (34)</b>  5:17,24;9:2;10:15;  15:21;18:3;24:8;30:8;</p>	<p>31:2,22;34:5;35:22;  40:5;46:24;52:1;54:25;  56:20;70:8;76:7;  112:15;117:13,18;  149:9;156:15;164:9;  165:3;169:19;228:5;  229:13;231:8;240:3,3,  8;252:1  <b>cases (6)</b>  31:14;128:22;  149:19;180:9;188:17;  227:4  <b>catch (3)</b>  125:22;204:20;  205:16  <b>cause (7)</b>  168:1;170:9,17;  193:11;246:4;248:18;  250:20  <b>cement (4)</b>  249:12,13,18,21  <b>center (7)</b>  62:21;120:20;  123:18;126:21;232:25;  233:2;241:24  <b>central (4)</b>  229:24;230:21,23;  232:18  <b>Century (1)</b>  128:23  <b>CEO (5)</b>  41:19;56:23;57:25;  254:14;255:2  <b>certain (9)</b>  9:7;30:21;31:14;  48:1;53:7;65:16;  128:18;177:11;221:1  <b>certainly (33)</b>  8:7;18:24;23:6;  25:24;32:19;36:9;  38:13;39:17;59:5;  62:10;74:21;79:16;  80:15;83:5,6;138:6;  144:11;157:10;175:11,  22;183:21;200:6;  226:2;229:23;232:11;  235:3;237:19;238:16;  239:9;241:4;250:3;  287:18;288:12  <b>certification (1)</b>  165:24  <b>cetera (2)</b>  217:24;231:25  <b>chain (1)</b>  145:20  <b>chair (2)</b>  6:10;42:10  <b>chairman (2)</b>  6:25;7:1  <b>challenge (2)</b>  17:10;39:21  <b>challenging (3)</b>  17:8,9;68:16</p>	<p><b>chance (2)</b>  147:5;290:4  <b>chandelier (1)</b>  136:25  <b>change (8)</b>  87:22;142:24;  148:22;149:6;160:15;  170:23;200:7;277:7  <b>changed (3)</b>  144:22;156:22;200:4  <b>changes (2)</b>  30:5;130:24  <b>changing (3)</b>  30:23;199:22;200:9  <b>character (7)</b>  55:23;170:1,2,3;  171:1;232:17;239:11;  248:9  <b>characteristics (2)</b>  61:7;193:10  <b>charge (2)</b>  52:11;64:17  <b>charged (1)</b>  64:17  <b>chart (1)</b>  217:3  <b>chauffeur (1)</b>  51:15  <b>chauffeured (1)</b>  51:12  <b>check (10)</b>  55:1;85:10;132:23;  133:3;139:20;246:16;  290:17,22;291:16,22  <b>CHEN (351)</b>  6:2,3,6,8;11:23,24;  12:4,13,17,22,24;13:6,  15;14:4,9,10,13,20,22,  25;15:23;16:1,3,25;  17:2,6,9,13;18:13;19:2,  4;20:11,13;21:10,14,  17;20:22:2;23:12;24:1,  5;25:19,20;26:1;28:1,  7,11,13;29:4;30:9;  31:7;32:20,22;33:3,5,8,  11,14,24;34:20;35:6;  36:16;37:3,4,24;38:23;  39:10;40:13;53:15,21;  56:1,22;59:1;73:6,8,10,  21,23;74:3,7,16;76:5;  78:13;79:25;80:1,5,7,  11,14,18,20;81:4,11,  12,13;82:4;83:19;  85:23;89:12,20,25;  90:6,18,20,24;91:2,9,  18,19;92:5;96:16;  97:10;98:20;99:10;  100:13,20,24;101:10,  14,24;102:4,9,12,14,  16,21;103:2,3,7,9,15,  17;105:23;108:1,9,12;  111:9,10,17,19,22;  112:9,11,20,25;114:1,</p>	<p>4,7,8;115:11,19,24;  116:3,6,9,11,13,16,23;  117:16,20;118:2;  119:21,23,25;121:10;  122:9;128:24;129:8;  137:6,9,17,20;141:9,  13,14;142:13,15;  143:17,19,24;144:8,20,  24;147:2;159:25;  160:4;165:11;168:3,  12,18,24;171:11,13,16;  174:9;177:5,7,18;  180:12;181:19;182:18,  20;185:5,8,24;186:15;  188:7;196:3,20;210:7;  214:18,22;215:1,14;  217:11,14;218:9;  221:15,16,20;223:10;  224:9,22,24;227:13,14,  18,21;228:2,6,9,15,18;  230:1,7,15;234:4;  236:17,23;237:2,4,13,  15;239:25;240:3,10,13,  16,19,22;243:21;  244:20,23,25;251:5,6,  7,9;255:16;256:2,3,15,  19,20;258:5,9,15,18,  23;259:1,4,9,12,14,23,  25;260:7,13,17,20,21;  261:16,20,22;262:3,4;  264:11,25;265:3,6,7;  266:1,7,22;267:1,3,6,  269:12,16,19,23;  270:12,18;271:25;  272:9,13,16;273:1,4,  19;274:7,11;275:7,15,  16;276:19,22;277:3,12,  13;278:23;282:21,24;  284:4,20;285:24;  286:1,22,24,25;287:15;  288:5,14,18,19,22;  289:6,12,15,23,25;  290:3,6,12,25;291:20;  292:4,7,10,23  <b>Chief (1)</b>  59:5  <b>child (1)</b>  7:23  <b>children (3)</b>  44:24;52:2;63:4  <b>chill (1)</b>  235:8  <b>chiller (8)</b>  174:6,7;234:22,24,  25;235:5,6;276:16  <b>chillers (3)</b>  143:5;173:21,24  <b>chills (1)</b>  235:13  <b>chimney (1)</b>  231:4  <b>choice (2)</b>  32:3;66:2</p>	<p><b>choir (1)</b>  52:23  <b>choose (2)</b>  64:2;89:1  <b>chorale (1)</b>  52:23  <b>chose (6)</b>  32:4,5;37:22;44:14,  16;169:8  <b>chosen (1)</b>  231:7  <b>circle (1)</b>  163:8  <b>circulation (1)</b>  193:13  <b>circumstances (3)</b>  39:14;69:4;176:10  <b>cite (3)</b>  34:11;36:20,21  <b>citing (1)</b>  36:17  <b>Citizens (6)</b>  7:7,10,11;8:9,15;  52:16  <b>civil (4)</b>  242:2;265:15;  282:13;285:3  <b>clarification (4)</b>  14:11;109:9;111:5;  193:1  <b>clarify (2)</b>  188:4;197:23  <b>clarity (2)</b>  92:8;214:18  <b>class (1)</b>  49:11  <b>clean (1)</b>  92:25  <b>cleaning (1)</b>  106:19  <b>clear (15)</b>  58:11;76:20;79:19;  95:24;105:24;110:12;  160:13;215:2;216:9;  223:13;260:14,16;  271:5;285:19;286:9  <b>cleared (1)</b>  15:7  <b>Clearly (4)</b>  37:19;199:20;  218:13;261:16  <b>client (16)</b>  5:25;16:20;17:15,15,  19;18:10;62:19,24,25;  63:21;76:10;102:20;  259:20;267:12;268:2;  270:14  <b>clients (18)</b>  13:20,23;16:10,12;  19:10;20:1,16,20,23;  36:12;74:8;101:23;  102:4;233:19;271:7;  272:17;289:17,18</p>
--	--	---	---	--

<p><b>clients' (5)</b>                  19:9,12;27:1;79:7,9</p> <p><b>client's (14)</b>                  76:6,11;91:23;222:9;                  262:10,24;263:8,9,15,                  22;265:9;266:4;268:4;                  272:4</p> <p><b>climate (1)</b>                  174:21</p> <p><b>climb (1)</b>                  65:21</p> <p><b>Clinton (2)</b>                  229:11,11</p> <p><b>clock (3)</b>                  45:21;86:16;91:12</p> <p><b>close (13)</b>                  17:17;47:1;55:8;                  130:11,23;134:22;                  177:22;185:19;196:25;                  223:22;238:24;266:12;                  278:8</p> <p><b>closed (1)</b>                  92:25</p> <p><b>closely (3)</b>                  141:8;151:13;158:19</p> <p><b>closer (6)</b>                  131:13;145:19;                  194:17;195:3;196:24;                  233:21</p> <p><b>closest (14)</b>                  127:6;141:18;145:4;                  154:21;166:25;185:14;                  210:20;223:14;238:24;                  263:9,15,25;265:9;                  282:23</p> <p><b>closing (1)</b>                  40:10</p> <p><b>Club (20)</b>                  5:10;26:8,17;31:2,                  15;37:7;47:20,20,20;                  52:22;77:1;124:14;                  126:23;148:15;182:3;                  212:16;213:12,12,18;                  237:21</p> <p><b>club's (1)</b>                  124:14</p> <p><b>Coalition (4)</b>                  6:19,24;10:13;54:12</p> <p><b>cochere (1)</b>                  232:12</p> <p><b>Code (19)</b>                  9:7,8;34:11;38:5,9,                  22,25,25;39:2;130:1;                  135:4,6;136:1;157:23;                  177:12;191:11,20;                  193:16,18</p> <p><b>codified (1)</b>                  31:20</p> <p><b>coincide (1)</b>                  106:11</p> <p><b>cold (2)</b>                  174:8;235:7</p> <p><b>collect (1)</b>                  253:11</p> <p><b>collected (1)</b>                  50:15</p> <p><b>collecting (2)</b>                  253:10,15</p> <p><b>collection (1)</b>                  253:22</p> <p><b>collects (1)</b>                  145:5</p> <p><b>color (4)</b>                  178:8;271:1,1,2</p> <p><b>Columbia (5)</b>                  226:6;227:2,19,24;                  228:24</p> <p><b>combination (2)</b>                  8:19;170:22</p> <p><b>combines (1)</b>                  62:15</p> <p><b>comfortable (2)</b>                  96:21;269:24</p> <p><b>Coming (22)</b>                  17:25;29:7,21;35:19;                  37:7,23;68:13,13,19;                  82:10;85:18;101:18;                  109:10,11;131:15;                  138:9;173:5;266:18,                  20;271:6;272:1;275:23</p> <p><b>comment (11)</b>                  16:5;20:3;25:25;                  26:19;31:24;34:24,25,                  25;35:3;37:14;208:1</p> <p><b>commenting (1)</b>                  7:15</p> <p><b>comments (2)</b>                  9:24;292:7</p> <p><b>commercial (6)</b>                  100:5,5;101:19;                  103:19;105:1;226:8</p> <p><b>Commission (2)</b>                  10:6;194:5</p> <p><b>commitments (1)</b>                  254:24</p> <p><b>committing (1)</b>                  254:21</p> <p><b>common (2)</b>                  12:8;76:17</p> <p><b>communities (23)</b>                  42:6,7;43:7,10;44:3,                  17,22;45:25;46:22;                  47:18,24;50:24;54:18,                  20;58:7;61:22;63:24,                  24;64:24;65:5;86:6;                  112:1;211:12</p> <p><b>community (68)</b>                  8:7;44:13,22,23,25;                  45:18,24;46:2,13,14,                  16,23,23;47:16,17,22;                  48:1,2,5,11;51:2,7,18;                  52:10,18,19,25;53:3;                  54:19,23;57:8,9;58:8;                  61:3,5;62:7,8,10,10,11;                  63:3,23;65:2;71:14;                  72:12;75:19;76:23,25;</p>	<p>85:9;87:10;89:4;96:15;                  100:6;102:20;135:13,                  14,18;148:8;170:24;                  215:11;233:16,24;                  249:4;251:18;262:11;                  278:10,13,16</p> <p><b>companies (4)</b>                  50:22;59:19;85:9,10</p> <p><b>Company (21)</b>                  42:15;45:9;57:25;                  58:5,7,9,12;59:7,21,22,                  24,25;60:17,19,19;                  61:2,4,8;85:4,5;251:15</p> <p><b>comparable (1)</b>                  222:12</p> <p><b>compare (4)</b>                  151:25;212:19;                  213:19;214:7</p> <p><b>compares (1)</b>                  26:20</p> <p><b>comparison (6)</b>                  28:16;29:7;188:1;                  214:9;215:18;285:7</p> <p><b>compatibility (30)</b>                  28:6,17,18;29:4,9,                  16;129:5,7;149:14,21;                  151:23;157:9,23;                  166:20,23;168:15;                  211:4,14;212:9,10,11;                  213:23,23;214:11,16;                  215:10;218:22;238:12;                  241:1;261:22</p> <p><b>compatible (17)</b>                  28:18;31:4,15;149:9,                  21;157:12,14;171:6;                  211:5,9,15;212:14;                  213:5;214:3,14;                  238:15;248:8</p> <p><b>complementary (1)</b>                  45:17</p> <p><b>complete (4)</b>                  66:2;241:8;271:16;                  290:16</p> <p><b>completely (2)</b>                  32:9;37:10</p> <p><b>compliance (3)</b>                  24:25;228:15;261:24</p> <p><b>complicated (1)</b>                  145:11</p> <p><b>complied (1)</b>                  10:23</p> <p><b>complies (2)</b>                  167:21;168:20</p> <p><b>comply (1)</b>                  167:11</p> <p><b>composition (1)</b>                  249:6</p> <p><b>computation (1)</b>                  19:1</p> <p><b>computer (2)</b>                  291:16,22</p> <p><b>conceivable (1)</b>                  273:7</p>	<p><b>concentrated (1)</b>                  135:20</p> <p><b>concentration (2)</b>                  149:6;212:12</p> <p><b>concept (3)</b>                  22:5;25:22;229:21</p> <p><b>concern (7)</b>                  21:21;22:24;47:14;                  157:3;240:4,16;266:10</p> <p><b>concerned (7)</b>                  22:16,20;23:15;                  29:10;31:19;57:2;                  272:1</p> <p><b>concerns (4)</b>                  19:9,13;54:11;                  156:25</p> <p><b>concert (1)</b>                  198:12</p> <p><b>conciierge (2)</b>                  50:1;86:21</p> <p><b>conclude (3)</b>                  16:6;22:14;164:17</p> <p><b>concluded (1)</b>                  293:1</p> <p><b>conclusions (3)</b>                  21:2;119:9;249:25</p> <p><b>concrete (1)</b>                  270:25</p> <p><b>Condensers (1)</b>                  276:16</p> <p><b>condition (11)</b>                  38:1,2,7,10,18,19;                  39:16;145:18;184:3;                  189:3;264:15</p> <p><b>Conditional (69)</b>                  5:4,5;9:2,6,15,16;                  26:21;27:2,5;30:19;                  31:18;32:4;33:20,24,                  25;34:4,19;35:10;                  37:18;38:12;39:8,15,                  19,23;55:23;90:17;                  117:13;119:2,3;                  126:11;130:4;149:1,5,                  6,23;150:2,4,6;157:25;                  159:19;167:11,13,15,                  17,18,19;168:1;170:1,                  9,17,21;171:5;172:2;                  173:4;181:6,22;                  189:15;191:23;196:4;                  199:2;213:7;223:8;                  229:17;234:6;240:1;                  248:7,18;250:20;                  292:15</p> <p><b>conditioning (2)</b>                  235:10,14</p> <p><b>conditions (14)</b>                  9:7;30:21;38:8;                  39:24;55:10,18;134:4;                  139:13,15;161:5;                  162:23;212:7;214:16;                  264:16</p> <p><b>condos (1)</b>                  211:13</p>	<p><b>conducted (1)</b>                  5:14</p> <p><b>configurations (1)</b>                  138:8</p> <p><b>confirm (1)</b>                  182:8</p> <p><b>conflict (1)</b>                  38:9</p> <p><b>conflicts (1)</b>                  39:2</p> <p><b>conformance (1)</b>                  148:16</p> <p><b>conforms (1)</b>                  191:10</p> <p><b>confronting (2)</b>                  170:11;248:20</p> <p><b>confused (3)</b>                  142:17;162:7;172:20</p> <p><b>confusion (1)</b>                  15:7</p> <p><b>conjunction (3)</b>                  181:5,7;193:13</p> <p><b>Connecticut (3)</b>                  43:15;208:24;209:8</p> <p><b>connectors (1)</b>                  158:16</p> <p><b>conscious (1)</b>                  231:14</p> <p><b>consent (1)</b>                  8:8</p> <p><b>conservation (14)</b>                  124:25;132:6,14;                  133:1,11;134:1,3,5,13,                  24;178:10;180:23;                  181:7;205:17</p> <p><b>Conshohocken (4)</b>                  227:1;228:12,13,14</p> <p><b>consider (7)</b>                  30:3;57:14;102:18;                  214:10;240:8;241:2,3</p> <p><b>considerable (1)</b>                  80:23</p> <p><b>considered (7)</b>                  15:9;47:6;50:19;                  65:8;69:22;83:11;                  206:24</p> <p><b>considering (2)</b>                  30:6;248:9</p> <p><b>consist (3)</b>                  92:18;176:25;267:11</p> <p><b>consistent (3)</b>                  25:14;231:22;280:9</p> <p><b>consisting (1)</b>                  5:7</p> <p><b>consists (1)</b>                  205:25</p> <p><b>constant (1)</b>                  221:11</p> <p><b>constantly (2)</b>                  162:5;257:8</p> <p><b>constitutes (2)</b>                  5:9;176:24</p> <p><b>constraints (5)</b></p>
---	---	--	--

175:4,6,11,14;178:1 <b>constructed (1)</b> 214:5 <b>construction (3)</b> 42:17;43:11;61:23 <b>consultant (1)</b> 20:6 <b>consultants (2)</b> 16:9;18:24 <b>Consulting (1)</b> 42:14 <b>contact (1)</b> 16:9 <b>contacting (1)</b> 289:15 <b>contacts (1)</b> 88:5 <b>contain (1)</b> 151:22 <b>contained (1)</b> 14:17 <b>context (5)</b> 27:16;29:2,3;30:7; 31:16 <b>continue (7)</b> 44:5;64:11;77:17,25; 148:3;239:12;270:6 <b>contour (3)</b> 152:9;202:13,16 <b>contours (1)</b> 230:25 <b>contract (3)</b> 37:22;85:4;88:11 <b>contracted (2)</b> 89:8;251:15 <b>contradicting (1)</b> 255:3 <b>contrary (1)</b> 269:18 <b>contrast (1)</b> 285:4 <b>contributes (1)</b> 176:11 <b>contributions (1)</b> 59:3 <b>control (3)</b> 22:5;25:22;174:21 <b>controlled (1)</b> 257:14 <b>controls (2)</b> 170:14;218:19 <b>Conversation (2)</b> 133:21;208:2 <b>conversations (1)</b> 235:19 <b>convey (1)</b> 161:6 <b>conveying (1)</b> 161:18 <b>Conway (2)</b> 7:22,22 <b>cooking (1)</b> 47:20	<b>coordinate (1)</b> 238:8 <b>coordinated (1)</b> 285:19 <b>copies (5)</b> 9:25;15:4;25:13; 122:6;236:14 <b>copper (1)</b> 231:6 <b>copy (12)</b> 14:2,5;53:11;72:5; 120:1;133:8,9,10; 143:21,22;165:5;237:9 <b>cords (1)</b> 40:23 <b>corner (14)</b> 130:14;134:16; 136:17;138:25;153:12; 176:6;178:2;183:19; 196:13;222:9,24; 241:23;242:24;263:22 <b>corners (1)</b> 31:12 <b>corporate (2)</b> 41:20;59:6 <b>corporation (2)</b> 58:15;60:16 <b>corrected (2)</b> 156:22;162:6 <b>corrections (1)</b> 198:3 <b>correctly (3)</b> 136:8;195:25;218:7 <b>cost (4)</b> 63:20,22;65:4,4 <b>costs (4)</b> 48:1;62:10,11;63:23 <b>Council (4)</b> 25:12;226:14; 288:23,24 <b>counsel (9)</b> 6:3;17:22;24:11,20; 37:17;53:11;72:4; 162:13;187:4 <b>count (2)</b> 148:22;261:2 <b>counted (1)</b> 148:24 <b>counting (1)</b> 215:21 <b>counts (1)</b> 261:13 <b>County (11)</b> 7:6,8;20:8;30:24; 52:15;119:5;165:19; 176:1;182:9;225:16; 288:22 <b>couple (13)</b> 16:14;20:24;63:5; 65:20;66:19;70:20; 173:8,10;208:23,25; 210:3;249:12;262:6 <b>course (43)</b>	22:13,18;46:17;51:4; 52:12;107:9,10,10,11; 109:16;115:20;117:14; 120:15;124:15,18; 125:23;127:4;128:14; 129:19;141:7;148:6; 151:9;157:11;164:11, 23;167:3;193:3;204:3; 205:7;208:20;210:9, 10,14,15,17,21;211:7, 9,10;237:22;240:10, 10;262:1 <b>courses (1)</b> 211:12 <b>court (15)</b> 8:23;26:25;27:3,5,8; 28:4;29:6,12;31:5,13; 125:24;179:9;215:12; 288:7,9 <b>courtroom (2)</b> 8:21;9:1 <b>courts (11)</b> 9:11;31:9;33:2; 120:16,19;123:16; 124:6;179:14;184:23, 25;186:1 <b>courtyard (9)</b> 131:19,21,21,23,23; 137:1;173:15;232:22; 233:3 <b>courtyards (2)</b> 135:13,22 <b>cover (3)</b> 13:3;149:15;233:25 <b>coverage (4)</b> 206:10;207:2,6,9 <b>covered (2)</b> 159:6;209:17 <b>crease (1)</b> 192:24 <b>create (2)</b> 168:10;247:23 <b>created (7)</b> 44:20;127:21;131:7; 138:15;175:19,21; 242:9 <b>creating (1)</b> 212:10 <b>credentials (1)</b> 117:23 <b>crew (2)</b> 20:13;291:5 <b>crews (1)</b> 289:25 <b>criteria (2)</b> 66:7;213:19 <b>cross (1)</b> 40:23 <b>cross- (3)</b> 25:2;91:2;276:25 <b>crossed (1)</b> 144:23 <b>cross-examination (10)</b>	8:22;57:20;73:9; 91:8,18;171:14,15; 188:12;251:8;279:1 <b>cross-examine (3)</b> 102:25;103:2;256:12 <b>cross-section (3)</b> 18:1,12;241:10 <b>crowd (1)</b> 40:19 <b>CU (2)</b> 118:19;229:18 <b>cupola (1)</b> 231:5 <b>curb (1)</b> 179:3 <b>curiosity (1)</b> 208:23 <b>current (19)</b> 7:6;28:24;29:1;32:3, 6;38:11;179:8;182:2; 183:16;189:4;198:9; 206:11;207:12;214:7, 12;218:14,15,15;280:8 <b>currently (12)</b> 43:7,9;77:1;125:21; 129:23;140:4,5; 189:16;206:11,15; 222:13;254:18 <b>Curtis (1)</b> 6:13 <b>customized (1)</b> 64:22 <b>cut (5)</b> 31:12;61:16;136:5; 221:22;222:5 <b>cutting (2)</b> 241:23;266:11	17:18;24:16;45:23, 24;48:24;49:6,13,14; 63:17,19;64:19;65:6,7; 67:19,20;68:1,13;85:1; 106:19,23,24;107:9,10, 14;108:17;109:1,7,12, 17;165:23;238:11; 240:5;241:7;268:5; 283:19;288:25;290:24 <b>days (8)</b> 48:8;67:22;107:11, 15,15;188:5;290:10,21 <b>days' (1)</b> 66:3 <b>daytime (1)</b> 67:15 <b>DC (1)</b> 228:2 <b>deal (17)</b> 8:17;16:5,10,11,14, 17;22:13;23:5;138:23; 151:11,23;158:19; 166:20,21,23;169:10; 221:25 <b>dealing (3)</b> 36:8;157:22;193:15 <b>deals (1)</b> 16:19 <b>dealt (2)</b> 166:15;253:16 <b>dear (1)</b> 15:20 <b>death (1)</b> 74:20 <b>deaths (2)</b> 74:17,19 <b>December (8)</b> 288:20,21;291:12; 292:2,2,4,15,17 <b>decide (7)</b> 9:8;55:5;56:19,20; 57:3;63:5;191:13 <b>decided (2)</b> 45:6;261:23 <b>deciduous (8)</b> 177:11,14;178:1,8; 270:8,20,22;286:12 <b>decision (6)</b> 5:17;26:11,11,14; 175:8;221:25 <b>decisions (2)</b> 26:8;63:16 <b>decorative (2)</b> 205:8;281:18 <b>decrease (3)</b> 28:24;149:9,19 <b>decreased (1)</b> 158:4 <b>decreasing (1)</b> 145:15 <b>deemed (1)</b> 44:6 <b>defect (1)</b>
<b>D</b>				
		<b>daily (1)</b> 50:14 <b>dancing (1)</b> 64:24 <b>dark (2)</b> 68:24;283:13 <b>dash (1)</b> 126:22 <b>data (2)</b> 86:4,8 <b>date (9)</b> 13:1;14:15;20:1; 165:21,25;186:17; 287:3;288:4;291:9 <b>dated (1)</b> 165:21 <b>dates (2)</b> 288:15;292:11 <b>daughter (1)</b> 63:10 <b>Davis (3)</b> 53:19,19,25 <b>day (37)</b>		

29:11 <b>defend (1)</b> 76:15 <b>defer (1)</b> 174:18 <b>deferring (1)</b> 36:10 <b>deficit (2)</b> 148:21,25 <b>define (2)</b> 126:10;271:22 <b>defined (3)</b> 127:2,3,15 <b>defining (1)</b> 127:11 <b>definitely (1)</b> 277:3 <b>definition (3)</b> 32:15;93:10;207:2 <b>degradation (1)</b> 149:16 <b>degree (2)</b> 41:24;63:2 <b>degrees (3)</b> 42:3;163:24,25 <b>Delaware (1)</b> 43:16 <b>delay (2)</b> 291:9,10 <b>delineated (1)</b> 194:12 <b>Delineation (1)</b> 119:12 <b>Deliver (1)</b> 50:4 <b>delivered (3)</b> 50:2;82:16;94:14 <b>deliveries (18)</b> 49:21,22,23;69:8,10; 81:19,20;82:9,10,13, 15,19;89:16,16,22; 90:3,7,93:23 <b>delivering (5)</b> 82:22;83:20,21;95:8, 10 <b>delivery (8)</b> 49:25;50:2;74:9; 82:21;83:2;84:6,11; 197:20 <b>deluxe (2)</b> 64:2,21 <b>demand (1)</b> 72:13 <b>dementia (6)</b> 62:7,9;64:14,15; 86:10,13 <b>Democracy (1)</b> 127:6 <b>demographics (1)</b> 45:4 <b>demonstrate (2)</b> 10:23;20:22 <b>denied (2)</b>	12:13;39:24 <b>density (2)</b> 171:25;217:3 <b>Department (11)</b> 14:16;44:4;49:8; 67:6,7,8,9,14;119:5; 158:16;159:8 <b>departure (1)</b> 255:6 <b>depend (2)</b> 68:18;191:17 <b>dependent (2)</b> 64:1;269:7 <b>depending (3)</b> 82:22;100:15;183:24 <b>depends (12)</b> 51:2;64:6;66:15; 68:11;69:20;70:13; 83:2;87:5;107:6; 109:20;274:21;277:7 <b>depict (3)</b> 13:17;17:11;20:4 <b>depicted (1)</b> 286:18 <b>depiction (1)</b> 13:22 <b>depictions (1)</b> 161:5 <b>depositing (1)</b> 218:16 <b>derive (1)</b> 168:20 <b>describe (4)</b> 46:10;83:5,6;237:17 <b>described (9)</b> 26:4;77:22;93:23,24; 94:5;96:1;178:5; 238:25;249:3 <b>description (3)</b> 126:8;127:20;132:23 <b>descriptions (1)</b> 132:19 <b>design (29)</b> 42:16;43:12;57:8; 94:7;129:4,12;150:18; 151:24;161:14,16,20; 166:23;170:4;191:12; 210:25;212:10;229:21; 235:2;238:15;246:20; 248:10,12;254:16,17; 255:5;267:9;273:10; 278:12;283:10 <b>designed (22)</b> 47:5;56:12;93:2; 169:2;170:3;172:6,23; 175:1;230:25;231:2; 232:15;234:23;239:10; 245:10;246:6;248:24; 257:11;272:5;276:11; 278:19;282:3;283:11 <b>designer (1)</b> 160:16 <b>designing (3)</b>	161:8,12,17 <b>desirability (1)</b> 51:3 <b>desirable (3)</b> 140:13;240:9;241:2 <b>desk (1)</b> 86:21 <b>destination (1)</b> 99:3 <b>detached (2)</b> 29:14;277:15 <b>detail (5)</b> 103:5;140:25;141:1; 199:2,14 <b>detailed (3)</b> 128:17;135:11;144:5 <b>detailing (2)</b> 231:5;247:24 <b>details (2)</b> 149:21;203:24 <b>determination (2)</b> 35:20;36:11 <b>determine (5)</b> 28:25;68:21;182:6; 191:18;217:20 <b>determined (8)</b> 193:23;194:1; 233:17;235:23;241:15; 274:22;281:17,21 <b>determines (2)</b> 44:5;193:14 <b>determining (1)</b> 168:14 <b>deterrent (1)</b> 45:15 <b>detrimental (2)</b> 251:18;252:14 <b>develop (1)</b> 25:23 <b>developed (1)</b> 217:4 <b>development (15)</b> 34:13;35:11;43:11, 12;52:8;117:15; 167:16,20;170:10,24; 172:2;180:9;207:8; 211:11;248:19 <b>device (1)</b> 51:20 <b>devices (1)</b> 268:13 <b>devoted (1)</b> 114:13 <b>diagram (8)</b> 120:7,8;123:1;146:4; 274:9;279:11;282:8,9 <b>diagrammatic (1)</b> 262:18 <b>dictated (1)</b> 263:7 <b>die (1)</b> 73:12 <b>died (1)</b>	73:11 <b>differ (1)</b> 199:2 <b>difference (9)</b> 20:16;21:10;100:11, 19,21;102:1;108:11; 215:17;271:8 <b>differences (2)</b> 213:6;215:20 <b>different (30)</b> 19:23;23:13;24:2; 28:20;32:10;35:18; 37:18,20;45:16;49:2,3; 57:10;61:21;64:5; 69:21;86:5;109:11,16; 130:8;142:22;175:12; 177:12,15;178:8; 204:23;211:15,16; 247:6;249:13,20 <b>differential (1)</b> 213:9 <b>differentiate (1)</b> 231:12 <b>difficult (1)</b> 239:23 <b>difficulty (1)</b> 228:18 <b>digest (1)</b> 241:4 <b>dimension (1)</b> 282:18 <b>dimensions (1)</b> 92:22 <b>dining (5)</b> 49:9;66:17;106:23; 131:25;232:18 <b>dinner (6)</b> 49:10,16,17;66:16; 67:11;106:22 <b>dire (1)</b> 117:22 <b>DIRECT (5)</b> 41:15;102:17; 103:10;117:7;225:11 <b>directed (5)</b> 13:23;138:6;160:6; 255:5;289:18 <b>direction (8)</b> 122:22;142:21; 160:24;161:1;183:25; 184:1;198:13;260:9 <b>directional (3)</b> 9:20;143:24;163:21 <b>directly (13)</b> 18:11;124:9;125:22; 126:24;129:20;130:11; 131:15;138:18;139:1, 6;151:21;154:6,22 <b>disagree (1)</b> 279:17 <b>disagreement (1)</b> 19:10 <b>discharge (2)</b>	176:3;178:11 <b>discharging (2)</b> 32:23,25 <b>discreet (1)</b> 74:23 <b>discuss (1)</b> 127:19 <b>discussed (13)</b> 148:10;149:10; 233:10;234:1,14; 238:18;239:9;246:9, 19;247:16,21;248:14; 253:12 <b>discusses (1)</b> 71:19 <b>discussing (3)</b> 73:2;243:7;276:17 <b>discussion (5)</b> 50:9;51:9;91:14; 224:17;291:25 <b>disingenuous (1)</b> 18:15 <b>dismiss (2)</b> 16:16;287:13 <b>dismissed (2)</b> 27:19;29:25 <b>dismissing (1)</b> 30:5 <b>disposition (3)</b> 12:6;26:2;35:24 <b>dispute (3)</b> 26:5;28:4;267:8 <b>dissect (1)</b> 241:4 <b>dissolved (1)</b> 183:6 <b>distance (22)</b> 13:13,17;17:3,8; 18:6;20:4;130:19; 166:25;196:20;201:18; 205:16;216:7;241:16; 242:15,17;263:14,25; 265:8,23,24;266:12; 282:5 <b>distances (4)</b> 13:18;21:12;266:16; 282:10 <b>distinction (1)</b> 24:22 <b>District (5)</b> 226:6;227:2,19,24; 228:24 <b>disturbing (1)</b> 132:5 <b>divide (1)</b> 217:20 <b>dock (12)</b> 50:5;70:3;78:10,11; 83:22;89:14,21;90:3; 192:20,21;195:1,5 <b>doctor (2)</b> 52:5;87:11 <b>doctor's (1)</b>
--	---	---	---	---

<p>51:16  <b>document (14)</b>                  13:20;15:18,19,24;                  16:4,5,10,13;17:11;                  19:20;20:15;24:1;34:5;                  237:13  <b>documents (7)</b>                  10:2;21:11,22;23:13;                  24:3,4;268:21  <b>done (9)</b>                  72:12;90:24;115:11;                  141:8;142:25;188:7;                  202:14;221:21;226:21  <b>door (51)</b>                  45:14;46:18;49:25;                  70:9,12,13;74:10;75:3;                  81:16,18,23;82:3,18;                  84:9;89:9,9,10;94:14;                  192:23;195:12,15,17,                  20;196:2,9;197:11;                  203:14;219:5,7;                  229:25;230:18;231:9;                  232:13;245:4,8;                  246:16,22,25;247:3,12,                  18;254:10,18;255:4;                  272:24;273:11;281:15,                  23;282:2,3;288:3  <b>doors (9)</b>                  81:22;86:25;192:23,                  24;195:16;197:17;                  246:7;280:20,22  <b>dormers (1)</b>                  207:18  <b>double (3)</b>                  192:23,24;246:16  <b>doubt (1)</b>                  31:3  <b>down (65)</b>                  8:23;14:24;18:11;                  49:15,18,19;63:7,12;                  68:15;69:4;74:11;76:8,                  9,13;83:3;97:24;98:7,                  11,23;99:6;107:2,4;                  109:7,10;123:20;                  124:8;129:23;130:12,                  13,23,24;131:16;                  132:4;136:7,12;138:9;                  145:6,20;151:10,16;                  152:22;153:23;158:13;                  173:12,14;178:17;                  190:3,5,8,23,23;                  195:11;216:17,20;                  218:4;221:22;222:5,8,                  24;236:1;239:15;                  242:18;245:25;266:11;                  279:23  <b>downstairs (1)</b>                  94:13  <b>DPA (1)</b>                  117:18  <b>DPS (4)</b>                  38:6,7,16,18  <b>Dr (7)</b></p>	<p>6:3,8;23:14;47:2;                  52:13;53:25;75:9  <b>drafted (1)</b>                  37:22  <b>drafting (1)</b>                  209:10  <b>drain (4)</b>                  179:16;180:10,15;                  183:11  <b>drainage (9)</b>                  131:3,6;176:15;                  183:8;222:20,20,21;                  223:5,6  <b>draining (1)</b>                  145:5  <b>drains (1)</b>                  125:21  <b>draw (1)</b>                  235:7  <b>drawing (7)</b>                  126:21;153:15;                  161:13,13;236:7;                  263:12;282:6  <b>drawings (1)</b>                  161:4  <b>draws (1)</b>                  235:7  <b>dressed (1)</b>                  64:12  <b>drive (68)</b>                  51:23,24;52:1,6;                  75:2,3;82:11,12,13;                  90:8;92:2;93:6,7,10,16,                  20;94:23;95:11,14,25;                  96:4,7;97:3,15,25;                  98:9;99:6,9;100:17;                  104:14;111:13;112:17;                  123:16,19;124:8;                  127:7;129:23;130:11;                  137:3,23;138:7,10;                  141:21;145:3,24;                  151:4;159:2;173:3,5,6;                  176:19,25;179:3,6;                  183:10;190:16;196:12,                  12;216:8;222:8,22;                  223:1;224:5;232:12;                  273:12;278:1,3;281:25  <b>driven (1)</b>                  52:5  <b>driver (1)</b>                  67:13  <b>driveway (10)</b>                  77:15,17,23,25;79:7;                  143:8;144:1;145:6;                  183:21;189:20  <b>driving (1)</b>                  112:23  <b>drop (1)</b>                  239:22  <b>drop-off (1)</b>                  246:22  <b>dropped (1)</b>                  238:3</p>	<p><b>drops (1)</b>                  152:22  <b>dryer (1)</b>                  100:6  <b>ducks (1)</b>                  291:11  <b>due (7)</b>                  76:6;79:13,13,15;                  255:11;288:9,11  <b>dumpster (8)</b>                  251:20,21;252:17;                  253:23,23;254:1,4,7  <b>dumpsters (4)</b>                  92:24;93:3;252:1,19  <b>Duncan (1)</b>                  7:24  <b>duplicate (2)</b>                  143:21;200:12  <b>durable (2)</b>                  248:25;249:13  <b>duration (1)</b>                  195:11  <b>during (21)</b>                  22:13,18;25:23;                  49:12,14,19;51:8,8;                  67:21;84:10;86:22;                  107:9;108:17,19;                  109:12,16;115:19;                  130:1;136:13;148:19;                  214:23  <b>dust (6)</b>                  250:21;252:20,20,                  22,24;253:2  <b>duty (1)</b>                  87:19  <b>dwelling (1)</b>                  171:24  <b>dwellings (1)</b>                  227:22</p>	<p>12,13;195:6;222:22;                  257:21;258:5,6,8,10,                  22,23;259:2,11  <b>eastern (9)</b>                  96:13,14;129:20;                  135:18;151:8;173:7,9;                  176:7;204:18  <b>easy (3)</b>                  19:1;147:8;246:23  <b>eat (2)</b>                  147:5,6  <b>eating (3)</b>                  45:3;63:12;232:20  <b>eats (2)</b>                  63:16,16  <b>echoes (1)</b>                  22:16  <b>ecological (1)</b>                  180:19  <b>economic (1)</b>                  47:25  <b>economically (3)</b>                  48:4;62:5,12  <b>edge (2)</b>                  155:11;231:6  <b>education (1)</b>                  229:8  <b>educational (2)</b>                  41:22;226:1  <b>effect (1)</b>                  137:11  <b>effective (3)</b>                  165:21;206:1;239:14  <b>effectively (2)</b>                  243:3,8  <b>effectiveness (1)</b>                  221:22  <b>efficient (2)</b>                  105:10,19  <b>effort (1)</b>                  57:10  <b>egress (1)</b>                  245:8  <b>eight (14)</b>                  68:12;69:20;109:5,6;                  139:19;144:3,6,13,18,                  18;216:21;223:15,18;                  269:21  <b>eight-foot (1)</b>                  250:17  <b>either (13)</b>                  12:6;19:16;27:19;                  29:25;45:19;65:11;                  70:10;99:3;235:4;                  246:16;247:15;278:5;                  291:13  <b>elbow (1)</b>                  232:17  <b>elderly (2)</b>                  71:19,23  <b>electric (1)</b>                  158:6  <b>electrical (1)</b></p>	<p>105:18  <b>electronic (1)</b>                  9:25  <b>elements (3)</b>                  129:13;156:23;169:9  <b>elevation (45)</b>                  14:14,17;145:23;                  151:19,20,25;152:1,3,                  13,15,20;153:17,19;                  156:23;172:18;175:12;                  182:5,8;190:21;                  200:22,24;202:8;                  209:21;211:19;235:18,                  19;244:12;245:3,7;                  247:6,17;255:12,23,24;                  256:6,9;257:17,24;                  271:8;280:10,11;                  281:7,10,11,12  <b>elevations (14)</b>                  171:19;229:20;                  231:19;239:18,18;                  244:13,18;247:20;                  254:18;255:10;257:11;                  260:25;261:3;281:18  <b>elevator (1)</b>                  74:10  <b>eliminate (1)</b>                  268:8  <b>eliminated (1)</b>                  38:19  <b>else (15)</b>                  7:17;11:4;13:21;                  40:11;57:13;97:1;                  108:22;114:24;163:13,                  24;179:4;209:10;                  257:3,4;279:18  <b>email (3)</b>                  9:18;116:18;237:8  <b>emailed (1)</b>                  162:13  <b>emails (2)</b>                  38:14;116:19  <b>emerald (1)</b>                  178:2  <b>emerge (1)</b>                  261:12  <b>emergency (6)</b>                  85:9;158:11;245:5;                  260:23;261:5;274:25  <b>emergent (1)</b>                  85:4  <b>employed (2)</b>                  48:15,19  <b>employee (9)</b>                  69:4;98:23;99:6;                  107:14;111:11;112:22,                  23,23;114:18  <b>employees (43)</b>                  48:13,22;54:13,16,                  19,24;55:2;66:12,14;                  67:17;68:11,16,22;                  95:3,4,13;96:6,23;97:4,                  11,14;98:12;99:8;</p>
---	--	---	--	---

**CU 16-01**  
**Brandywine Senior Living at Potomac, LLC**

106:1,5,7,8;107:9,11, 12;108:14;109:16; 110:5,14;113:21,22,23, 25;114:5,6,6,13;170:19	<b>enhancement (1)</b> 283:21	<b>equilateral (1)</b> 160:25	32:2,11;45:19,20; 164:14;183:4;200:5; 274:25	9:4,5;26:7,12,13,17, 22;27:3,9,10,13;28:5, 17;29:13,18;32:4,6,9; 33:11;36:4;37:12; 38:12;39:7,13,16; 149:2;164:25;165:8; 166:1,3;175:5,9,19; 179:8;182:2;183:17; 189:4;215:5
<b>employees' (1)</b> 105:25	<b>enhances (1)</b> 171:2	<b>equipment (24)</b> 99:23;101:4,5,7,19; 103:18,19,24,25; 104:24;105:2;113:15; 174:5,11,13,14,17; 233:25;273:15;275:18; 276:1,4,9,10	<b>evergreen (5)</b> 139:11,13;177:11; 178:5,7	
<b>employment (1)</b> 106:4	<b>enjoy (1)</b> 43:20		<b>evergreens (3)</b> 79:5;177:15;178:4	
<b>empty (1)</b> 253:23	<b>enjoyed (1)</b> 278:20	<b>Erin (2)</b> 5:24,24	<b>everybody (8)</b> 16:23;40:22;91:16; 106:10,19;169:13; 251:19;292:18	<b>exceptions (5)</b> 30:18;164:21;206:8; 212:12;213:7
<b>enclosed (4)</b> 144:2;174:19,21; 273:23	<b>enjoyment (2)</b> 170:10;248:19	<b>erosion (3)</b> 149:16;178:14,16	<b>everybody's (1)</b> 146:24	<b>exchange (2)</b> 9:19;42:14
<b>enclosure (19)</b> 92:13,19,24;141:22; 143:9;144:1;179:6; 234:13;250:1,7,16,18; 251:10,12,25,25; 252:21;253:5;282:5	<b>enough (4)</b> 47:16,22;142:18; 204:4	<b>errant (1)</b> 204:20	<b>everyone (1)</b> 122:7	<b>excluding (1)</b> 8:2
<b>encroachment (1)</b> 92:13,19,24;141:22; 143:9;144:1;179:6; 234:13;250:1,7,16,18; 251:10,12,25,25; 252:21;253:5;282:5	<b>enter (5)</b> 38:17;61:5;81:16; 85:9;94:15	<b>Escapades (1)</b> 67:12	<b>Evidence (6)</b> 8:22;25:25;30:4,6; 56:8,21	<b>Exclusively (2)</b> 82:5;89:16
<b>encourage (1)</b> 86:22	<b>entered (1)</b> 13:3	<b>Especially (1)</b> 105:8	<b>Ex (1)</b> 82:15	<b>excuse (11)</b> 21:21;28:13;36:7; 76:5;86:1,10;103:24; 141:9;173:22;185:2; 223:14
<b>encroached (1)</b> 179:9	<b>enters (1)</b> 102:2	<b>essence (2)</b> 37:20;285:6	<b>exact (3)</b> 99:12,15;115:8	<b>exercised (1)</b> 275:4
<b>encroaching (1)</b> 181:11	<b>entire (5)</b> 26:6;130:5;172:9; 205:7;250:18	<b>essentially (4)</b> 76:2;162:20;241:24; 281:13	<b>exactly (24)</b> 15:19;38:15;53:4; 70:15;98:10;100:11; 107:21;139:20;175:2; 196:17;197:16;199:1; 200:10;202:6;205:3,3; 215:9;226:23;235:5, 12;243:18;253:4; 262:3,14	<b>exhausts (1)</b> 40:1
<b>encroachment (1)</b> 180:7	<b>entirely (1)</b> 237:25	<b>establish (5)</b> 5:7;42:21,24;80:18; 215:17	<b>exam (1)</b> 87:9	<b>exhibit (128)</b> 9:21;10:25;11:2,19; 12:18;13:9,19;14:7; 15:15,20;16:1;21:11; 23:4,8;26:8,14;33:20, 21;34:2;53:12,13,23; 54:2,4,6;75:17,18,22, 25;76:1;78:18,24; 119:11;120:18,22; 122:4,10,14,15,18,20; 123:3;125:3,3,6,16; 126:14,15,16,17; 127:23;132:19,22; 133:22,24,24;134:2,7; 140:10,14,21,22,25; 141:1,3;149:24; 154:16,16;162:17; 165:11,25;166:5; 177:5;182:19,21; 185:9;186:16;187:1,5, 13;188:14;196:3,5; 198:1;200:6;208:4; 209:19;220:6;223:7; 227:7;230:1;234:4,5; 236:23,25;240:16,20; 241:13;242:21;243:14; 244:14;247:4;255:13; 256:10;264:4,12,13; 265:3;266:9,14;274:9; 279:25;280:1,2,3; 284:3,7,7,16,18,21; 285:1;286:3,10,18; 287:1;289:16,18;291:6
<b>encroachments (1)</b> 180:20	<b>entirety (1)</b> 71:23	<b>established (3)</b> 33:6;116:19;139:24	<b>examination (11)</b> 25:3;41:15;91:3; 117:7;214:13;216:4; 221:19;225:11;277:1; 283:4;285:25	
<b>end (17)</b> 6:11;98:7;106:24; 130:23;135:2;141:17; 145:3;152:21;153:8; 157:18;158:14;174:5; 205:9;224:8;278:7,10; 283:19	<b>entitled (2)</b> 35:9;270:14	<b>establishing (1)</b> 44:2	<b>examine (2)</b> 110:16;189:6	
<b>Endodontics (1)</b> 53:20	<b>entity (1)</b> 11:16	<b>estate (3)</b> 128:23;131:22; 150:19	<b>examined (1)</b> 124:3	
<b>ends (4)</b> 77:24;135:21; 153:10,11	<b>entrances (1)</b> 246:13	<b>estates (1)</b> 129:17	<b>Examiner (29)</b> 5:16,20;6:2,22;7:19; 11:24;16:8;18:5;19:16; 20:8;30:20;35:11,21; 53:15;57:14;92:3; 100:15;112:20;116:1; 117:16;143:17;144:9; 195:24;196:3,20; 260:13;262:5;289:13; 290:20	
<b>enforce (2)</b> 38:16;180:3	<b>entries (1)</b> 246:7	<b>estimate (2)</b> 50:22;205:13	<b>example (5)</b> 26:20;54:20;64:12; 94:10;213:9	
<b>enforceable (3)</b> 38:6,10,21	<b>entry (20)</b> 135:14;152:20,24; 153:1;192:9;196:21, 22,23;203:14;230:21; 231:13;232:11,13,14; 245:8;246:7,12; 247:15;254:22;256:25	<b>estimated (1)</b> 216:10	<b>exceed (1)</b> 44:5	
<b>enforcement (1)</b> 180:4	<b>entrances (1)</b> 246:13	<b>et (2)</b> 217:24;231:25	<b>Except (1)</b> 162:24	
<b>engaged (1)</b> 225:23	<b>entries (1)</b> 246:7	<b>evaluate (1)</b> 9:12	<b>excepting (1)</b> 168:18	
<b>engagement (1)</b> 63:18	<b>entry (20)</b> 135:14;152:20,24; 153:1;192:9;196:21, 22,23;203:14;230:21; 231:13;232:11,13,14; 245:8;246:7,12; 247:15;254:22;256:25	<b>evaluated (1)</b> 213:24	<b>exception (38)</b>	
<b>engineer (15)</b> 18:22,23;19:5;23:6; 79:1;99:13;126:3; 145:7;176:14;218:13, 18;242:2;265:15; 282:17;285:20	<b>environment (2)</b> 70:7;86:14	<b>evaluating (1)</b> 30:7		
<b>Engineering (2)</b> 23:4;191:18	<b>environment (2)</b> 70:7;86:14	<b>evaluation (6)</b> 27:14,21,24,25;57:4; 171:21		
<b>engineers (3)</b> 92:21;96:19;176:5	<b>Environmental (9)</b> 22:4;149:14;158:20; 175:25;176:1;179:20; 194:1,3,4	<b>evaluative (1)</b> 27:16		
<b>English (2)</b> 231:2;277:16	<b>environmentally (1)</b> 105:16	<b>even (15)</b> 8:6;19:25;23:3; 56:23;71:1;82:17;84:7; 98:15,15;180:1; 220:13;269:8;271:9, 11,14		
	<b>environments (1)</b> 128:18	<b>evening (6)</b> 49:16;66:13,16; 67:10;106:25;107:1		
	<b>equally (1)</b> 222:25	<b>event (8)</b>		

284:9 <b>exist (6)</b> 30:17;44:17,18; 189:13;214:4;268:9 <b>existed (1)</b> 175:23 <b>existence (2)</b> 26:7;31:13 <b>existing (64)</b> 26:21,25;27:7;28:4; 29:17,23;31:2,9;32:13; 33:1,34:7;36:4;37:7; 38:9,12,19;39:6,12,15; 57:9;120:15,18;121:1, 8;122:11;129:22,24; 130:10,13;145:18; 148:14;151:12;161:5; 162:22;164:10;170:22; 171:3;179:11;181:22; 183:21,23;184:2,3; 186:23;189:9;204:18; 205:18;213:12,18; 215:5;218:11,15; 219:3;222:19;223:5; 237:22;238:4;243:4; 244:1;264:15,16; 265:23;267:18;285:5 <b>exists (7)</b> 38:22;39:8;130:8,9; 215:12;222:13;243:14 <b>exit (2)</b> 158:15;254:22 <b>exits (1)</b> 246:7 <b>expand (1)</b> 130:7 <b>expands (1)</b> 216:21 <b>expansion (1)</b> 32:14 <b>expect (5)</b> 49:22;105:11;162:4; 283:13,15 <b>experience (9)</b> 15:11;42:16;50:23; 52:4;85:16,16;226:15; 229:8;283:7 <b>expert (23)</b> 18:21;42:19,25,25; 55:21;56:14;117:9,21, 25;118:13,14;128:25; 167:9;171:4;225:14; 226:23,25;227:8,15,17; 228:3;229:7,9 <b>expertise (3)</b> 118:4;137:11;168:4 <b>experts (5)</b> 56:9,16;79:16;96:19; 112:5 <b>explain (18)</b> 8:18;12:10;51:10; 53:3;105:14;106:13; 140:4;159:20;160:14;	162:14,17;163:4; 176:23;204:16;211:8; 226:22;273:3;284:18 <b>explained (1)</b> 283:19 <b>explanation (1)</b> 105:25 <b>expository (1)</b> 160:23 <b>Express (1)</b> 49:24 <b>expressed (3)</b> 181:5;251:17;252:13 <b>extended (11)</b> 13:10;14:12;17:1; 21:12;103:14;154:16; 182:15;197:4;209:24; 262:7;264:6 <b>extending (1)</b> 134:17 <b>extends (1)</b> 233:7 <b>extension (1)</b> 154:21 <b>extensive (3)</b> 43:8;85:14;96:10 <b>extensively (1)</b> 44:21 <b>extent (7)</b> 102:19;103:5;194:2; 214:8;268:8;276:10; 282:19 <b>Exterior (11)</b> 104:21;131:19; 172:14,17,23;174:17; 257:7;260:23,24; 268:19;272:10 <b>external (1)</b> 249:7 <b>extinguished (1)</b> 38:3 <b>extinguishing (1)</b> 32:5 <b>extra (1)</b> 236:12 <b>extreme (3)</b> 139:3;250:10,12	42:17,22;70:25; 73:13;113:17;128:19; 158:3;183:9 <b>facility (58)</b> 5:7;37:8;47:10; 56:12;62:13,15;71:1; 73:11;74:18;75:2; 79:14,15;86:9;88:14; 89:1;96:13,14;97:20; 99:17;100:12,22; 104:17;110:13;113:14; 119:3;126:23;129:5; 137:4;138:24;140:9; 145:5,22;148:23,24; 155:2;167:13;169:16; 171:25;172:23,24; 185:10;189:9,17,18; 206:9;212:5,8;214:5; 218:11;231:16;257:18, 21;261:13;268:19; 272:4;273:20;274:24; 283:7 <b>facing (25)</b> 75:23;151:8,21; 154:6;164:8;173:15; 203:12,12;209:22; 219:12,13;243:10; 256:4,8;257:22,22; 258:12,15,16;259:5,19, 19;260:9;281:11,12 <b>fact (19)</b> 8:8;19:23;27:18; 31:12;34:15;60:19; 69:2;150:20;174:6; 193:19;194:17;206:6; 215:19;262:18;286:11 <b>factual (1)</b> 26:5 <b>fair (9)</b> 16:17;22:15;25:25; 35:1;106:9;193:10; 224:14;271:23,23 <b>fairly (2)</b> 55:8;68:20 <b>fall (1)</b> 35:16 <b>falling (1)</b> 145:20 <b>Falls (7)</b> 5:12;54:14;69:3; 157:1;184:20;236:5; 237:19 <b>false (2)</b> 85:22;239:10 <b>familiar (9)</b> 55:10;118:12,18,21; 119:1,6,7;229:17; 241:10 <b>familiarity (1)</b> 55:21 <b>families (2)</b> 44:18;65:17 <b>family (12)</b>	46:6;70:11;74:22; 86:19,23;88:2,6,14,19, 22;169:16;226:21 <b>far (11)</b> 20:9;25:21;29:10; 31:19;46:9;91:21; 98:13;177:20;213:23; 262:23;287:11 <b>Farm (1)</b> 127:7 <b>fashion (1)</b> 281:24 <b>fast (2)</b> 106:4;277:7 <b>faster (2)</b> 50:24,25 <b>feasible (2)</b> 62:5;142:21 <b>features (3)</b> 231:4;232:4;268:7 <b>Fed (1)</b> 82:15 <b>Federal (1)</b> 49:24 <b>Federation (1)</b> 42:11 <b>feeding (1)</b> 45:21 <b>feel (17)</b> 23:17;118:8;129:16, 18;150:22,22;151:1; 155:12;157:12;161:10, 25;170:4;204:5; 238:14,20;268:24; 278:20 <b>feeling (1)</b> 128:22 <b>feels (2)</b> 22:23;161:20 <b>feet (87)</b> 5:11;68:5;124:3; 135:9;139:12,14,19; 143:5,10;144:2,2,3,6, 13;145:16;151:20,22; 153:15,21;154:7; 156:4,9;157:4,13,13, 15,16,17;167:1; 178:25;179:1,2,5; 185:21;190:10;195:5, 7;196:6,18,24;197:16; 199:7,10,11;200:24; 201:6,13,14,15,15; 202:1,6;204:6;205:6, 13,16,18,23;207:3,7, 11;209:3,22;210:2; 211:18,23;216:10,12, 16,21;217:9,9,23; 223:15,18;236:2; 237:24;239:1,15; 242:10,12,17,18,20; 246:16;269:21;283:1 <b>fellow (1)</b> 159:23	<b>Fellowship (1)</b> 41:20 <b>felt (2)</b> 160:6;161:15 <b>fence (41)</b> 134:24;135:1,3,8,11, 11;138:1,3,19,22; 140:2,3,8;145:19,20, 25;199:6,14,17;200:8, 11,19,23;201:15; 204:16,18;205:10,11; 208:15,17;209:13; 210:11,13;220:7,8; 222:1,3,5;223:20,24; 224:1 <b>fenced (1)</b> 134:23 <b>fencing (6)</b> 138:23;169:10; 170:14;199:10;221:21, 22 <b>few (9)</b> 30:15;72:18;73:8; 96:24;163:18;188:5; 226:18;233:10;234:17 <b>fiber (4)</b> 249:12,13,17,20 <b>field (3)</b> 42:5;117:21;226:15 <b>figure (8)</b> 21:17;52:10;68:18; 151:18;164:1;182:19; 241:7;242:25 <b>file (12)</b> 14:3;15:9;16:18; 21:25;24:7;25:7;26:10; 125:4;230:13;236:21; 242:1,1 <b>filed (15)</b> 9:21;10:14;11:9,12; 12:20;13:20;15:14,25; 19:22,22;26:16,18; 32:3;96:2;181:21 <b>filig (14)</b> 12:18,25;13:7,7; 15:15;18:21;20:17,21, 21;21:6;22:11,22;29:5; 33:18 <b>filings (1)</b> 62:21 <b>fill (2)</b> 51:4;270:7 <b>filled (1)</b> 51:5 <b>filling (1)</b> 50:25 <b>filter (1)</b> 218:20 <b>filtration (1)</b> 177:24 <b>Final (4)</b> 134:5;157:21,22; 191:18
--	--	--	--	---

<p><b>finally (4)</b>                  19:21,22;220:14,22</p> <p><b>find (17)</b>                  17:13;35:11;39:19;                  46:15;47:18,22;52:2;                  61:8;89:3;160:15;                  189:10;208:4;211:8;                  229:6;269:20;272:11;                  287:4</p> <p><b>finding (1)</b>                  20:7</p> <p><b>findings (3)</b>                  21:2;35:9;119:8</p> <p><b>fine (11)</b>                  8:13,14;17:17;23:2;                  93:16;116:6;139:16;                  219:18;230:12;253:25;                  271:5</p> <p><b>finish (15)</b>                  8:6;17:16;18:18;                  20:18;60:13;91:6;97:8;                  8;212:20,21,24;213:2;                  277:11;286:7;292:3</p> <p><b>finished (4)</b>                  33:25;34:6;152:20;                  161:20</p> <p><b>finishes (3)</b>                  248:25;249:10,20</p> <p><b>finishing (2)</b>                  20:20;106:25</p> <p><b>fire (13)</b>                  85:8;94:24,25;158:8;                  9,11,11,15;159:1,8,8;                  160:2;220:1</p> <p><b>firehouses (1)</b>                  158:22</p> <p><b>firm (6)</b>                  5:21;106:10,11;                  226:20;229:19;283:9</p> <p><b>first (28)</b>                  8:9,16;10:18;15:1;                  17:24;19:4;20:7;39:4;                  40:15,17;44:9,12;                  46:13;48:19;66:1;                  72:10;91:7;100:13;                  119:10;128:14;136:21;                  139:11;171:12;198:7;                  251:4;262:9;265:3;                  284:21</p> <p><b>fit (4)</b>                  8:5;47:6;160:24;                  277:5</p> <p><b>fitness (1)</b>                  115:5</p> <p><b>fits (1)</b>                  57:9</p> <p><b>five (14)</b>                  51:8,8;67:22;69:11,                  11,18,19;107:15;201:6,                  13,14,15,25;207:3</p> <p><b>fix (1)</b>                  104:9</p> <p><b>fixed (2)</b></p>	<p>48:1;205:2</p> <p><b>fixtures (4)</b>                  172:11;173:14;                  204:7;257:12</p> <p><b>flat (4)</b>                  152:21;155:7,15;                  156:18</p> <p><b>flattened (1)</b>                  151:5</p> <p><b>flattening (1)</b>                  151:11</p> <p><b>flattest (1)</b>                  203:15</p> <p><b>flexible (1)</b>                  131:25</p> <p><b>flip (1)</b>                  161:1</p> <p><b>flipped (1)</b>                  76:8</p> <p><b>flipping (1)</b>                  142:21</p> <p><b>floor (16)</b>                  100:9;115:8;152:20;                  207:14;220:3;232:9,                  24;233:5,7,7;257:21,                  22;259:23,24;260:4;                  271:14</p> <p><b>Florida (1)</b>                  63:6</p> <p><b>flow (1)</b>                  98:16</p> <p><b>flows (1)</b>                  26:3</p> <p><b>flummoxed (1)</b>                  15:3</p> <p><b>focus (1)</b>                  177:16</p> <p><b>focused (1)</b>                  136:6</p> <p><b>focusing (3)</b>                  95:22;111:6;135:12</p> <p><b>foliage (2)</b>                  285:5,17</p> <p><b>folks (1)</b>                  278:13</p> <p><b>follow (2)</b>                  197:3;203:7</p> <p><b>following (4)</b>                  36:16;60:8;192:25;                  202:13</p> <p><b>follow-up (1)</b>                  101:2</p> <p><b>fondness (1)</b>                  76:13</p> <p><b>food (18)</b>                  50:2,4;69:10;82:13,                  19,21;83:2,9,20,21;                  84:11;89:16,16,22;                  90:3,7;93:22;111:11</p> <p><b>foot (29)</b>                  135:10;136:1,2;                  138:19,22;141:20,24;                  143:14,25;144:19,22;</p>	<p>145:17,25;151:14,15;                  169:17;173:23;174:11,                  14,19,20,22;200:11,19;                  201:16,25;210:11;                  269:13;274:1</p> <p><b>footage (2)</b>                  206:11;213:9</p> <p><b>footnote (2)</b>                  15:17;134:1</p> <p><b>footprint (1)</b>                  105:21</p> <p><b>foray (1)</b>                  44:9</p> <p><b>forced (1)</b>                  239:20</p> <p><b>foreground (1)</b>                  177:15</p> <p><b>Forest (22)</b>                  119:12;124:21,23,                  24;125:1;132:6,14;                  133:1,11,21,25;134:3,                  5,13,24;166:19;                  178:10;180:23;181:7;                  205:17,25;206:5</p> <p><b>forests (1)</b>                  149:15</p> <p><b>forgot (1)</b>                  283:22</p> <p><b>form (3)</b>                  71:11;150:14;183:11</p> <p><b>formal (3)</b>                  8:20;18:4;131:22</p> <p><b>formality (1)</b>                  8:19</p> <p><b>formally (1)</b>                  18:6</p> <p><b>formerly (1)</b>                  42:10</p> <p><b>forms (1)</b>                  71:13</p> <p><b>formulate (1)</b>                  168:25</p> <p><b>for-profit (1)</b>                  66:6</p> <p><b>forth (8)</b>                  19:14;37:17;38:14;                  55:4;134:4;151:18;                  158:19;214:16</p> <p><b>forward (4)</b>                  6:10;17:18;52:20;                  63:19</p> <p><b>found (4)</b>                  31:14;129:17;                  148:16;289:16</p> <p><b>four (10)</b>                  20:14;29:15;51:8;                  66:19;69:18;151:19;                  152:22;153:21;210:11;                  239:15</p> <p><b>foyer (1)</b>                  230:21</p> <p><b>frankly (5)</b>                  13:2;16:11;20:3;</p>	<p>162:2;235:2</p> <p><b>freezer (5)</b>                  82:14;83:25;84:1,2,3</p> <p><b>frequency (1)</b>                  275:5</p> <p><b>Friday (3)</b>                  67:23;289:8;292:21</p> <p><b>friendly (1)</b>                  105:17</p> <p><b>friends (1)</b>                  86:20</p> <p><b>front (72)</b>                  49:25;50:9;70:12,18;                  74:10;79:24;81:18,22,                  23;82:3,17;84:9;86:21;                  89:8,10;96:15;113:8,                  11;117:10;137:3,24;                  153:7;156:12,19,23;                  158:13,17,22,24;                  161:11,11;178:7;                  184:25;189:20;190:13;                  197:8;202:24;203:2,3,                  9,14,14;210:11,21,23;                  220:22,23,23;221:4,6,                  7;222:9,21;229:25;                  230:18;231:9;232:13;                  233:6;235:18;238:17;                  242:24;245:2,4;                  246:21,24;247:2,17;                  267:18;272:24;273:11;                  288:5;290:18</p> <p><b>frontage (1)</b>                  220:25</p> <p><b>fronts (1)</b>                  204:14</p> <p><b>FTI (1)</b>                  42:14</p> <p><b>fuel (1)</b>                  274:21</p> <p><b>full (17)</b>                  6:11;41:6;48:20;                  50:19;109:22;116:25;                  156:15;225:1,2;236:6;                  243:17;256:25;276:11;                  285:11;286:16,17;                  290:3</p> <p><b>full- (1)</b>                  67:25</p> <p><b>full-time (4)</b>                  48:12,21;106:8;                  107:11</p> <p><b>fully (2)</b>                  234:23;281:17</p> <p><b>function (1)</b>                  168:14</p> <p><b>funeral (1)</b>                  74:22</p> <p><b>furnish (1)</b>                  84:8</p> <p><b>furniture (2)</b>                  70:10;84:8</p> <p><b>further (17)</b>                  37:24;61:15;118:8;</p>	<p>131:16;134:5;138:21;                  153:22;160:1;177:25;                  178:17;193:8;220:8,9;                  239:13,23;257:20;                  291:10</p> <p><b>furthest (1)</b>                  154:21</p> <p><b>future (1)</b>                  170:23</p> <hr/> <p style="text-align: center;"><b>G</b></p> <hr/> <p><b>G7 (1)</b>                  167:14</p> <p><b>gable (3)</b>                  156:15,15;220:2</p> <p><b>gables (5)</b>                  156:23;231:25;                  232:3,5,6</p> <p><b>Gail (2)</b>                  53:19,25</p> <p><b>garage (57)</b>                  94:6,9,13;95:5,6;                  103:22;112:15,16;                  114:14;151:7,10,17,19;                  152:19,24;153:1,16,20,                  20;155:13;172:17;                  182:25;183:23;184:2;                  190:9;192:6,9,16;                  196:21,22,23;197:6,7,                  8,11,18;246:14,15,20,                  25;247:3,11,18;254:10,                  22;255:4;256:24,25;                  257:1;273:12;275:19;                  280:20,22;281:15,23;                  282:2,3</p> <p><b>garden (7)</b>                  47:20;131:23;                  135:15,16,18;150:19,                  25</p> <p><b>gardening (1)</b>                  128:23</p> <p><b>gardens (1)</b>                  150:18</p> <p><b>Gary (1)</b>                  53:18</p> <p><b>gas (2)</b>                  113:12;158:6</p> <p><b>gate (1)</b>                  281:18</p> <p><b>gave (4)</b>                  70:15;85:12;115:25;                  145:21</p> <p><b>gazebo (2)</b>                  132:1;136:22</p> <p><b>gears (1)</b>                  49:15</p> <p><b>general (9)</b>                  9:14;64:9;122:25;                  167:15;169:19;170:11;                  185:10;228:1;248:20</p> <p><b>generally (3)</b>                  49:4;176:8;211:4</p>
--	---	--	---	--

<p><b>generate (3)</b> 252:23;253:2,7</p> <p><b>generated (1)</b> 111:24</p> <p><b>generating (1)</b> 274:23</p> <p><b>generation (1)</b> 29:12</p> <p><b>generator (7)</b> 99:13;234:13,19; 273:16;274:14,15,21</p> <p><b>generators (3)</b> 99:11;104:25;274:18</p> <p><b>generous (1)</b> 207:4</p> <p><b>generously (1)</b> 29:14</p> <p><b>gentleman (3)</b> 6:6;137:10;228:19</p> <p><b>Georgia (1)</b> 226:4</p> <p><b>germane (1)</b> 101:21</p> <p><b>gets (3)</b> 139:24;152:21;254:1</p> <p><b>Girard (265)</b> 5:24;8:12,13;9:18; 10:11,16,18,19;11:5, 13,20;12:21,23;13:19, 24;14:10;15:13;17:23; 18:17,20;19:8,24;21:4, 8;22:6,25;23:2;30:10, 13,14,15;31:23;32:25; 33:4,6,10,13,19,22; 34:8,10;36:15,16,22; 37:2,5,10;39:11;40:7,8, 15,16,24;41:1,14,16; 42:20;43:2,4,44;8; 48:16,18;53:6;54:9,10; 56:2,6,10,15;57:12; 58:21;60:5,10;72:7; 73:20;74:1,75:17,23; 76:3,8,15;77:8,11,21; 78:8,11;80:4,10;89:17, 24;96:12;98:1;102:3; 108:8;111:14;115:13, 18,25;117:8;118:9,11, 16,17;119:15,17;120:2, 24;121:3,6,8,14;122:6, 14,18;123:23;125:10, 15;126:2,5,7,14; 127:24;128:1;129:4; 130:6;131:9;132:10, 18,24;133:1,7,13,18; 140:1,19;142:17; 146:7,12;147:8,25; 149:25;150:5;158:25; 159:10,12,14,17;163:2; 164:16;165:5,9,18,22; 166:7;167:8;169:2,24; 171:10;174:1,3;177:6; 187:6,10,12,17,21,24; 188:1;189:22;195:23;</p>	<p>196:1;212:18,22; 213:15;216:3,5;217:1, 22;218:8;219:20; 220:5,21;221:12; 223:16;224:21,23; 225:12;227:7;229:15, 16;230:3,5,9;232:8; 234:6,10,18;235:17; 236:14;237:7,11,14,16; 238:7;241:9,21; 242:14;244:7,15,16,21, 24;245:1;246:3;247:8, 19;249:23;250:15; 251:2;255:14,18; 256:18;259:2,7;260:3, 11;264:2,4,8,15,18,21, 24;265:5,11,15; 270:10;271:22;272:25; 275:13;279:14;280:3, 7,12,16,24;282:16,23, 25;283:2,5;284:1,12, 14,22,24;285:12,22; 287:19;288:11;289:24; 290:1;292:4,5,20</p> <p><b>Girls (1)</b> 52:22</p> <p><b>GIS (5)</b> 152:19;182:9,14; 242:3;263:18</p> <p><b>given (4)</b> 48:22;56:21;103:1; 104:11</p> <p><b>gives (2)</b> 121:20;204:4</p> <p><b>giving (3)</b> 67:12;69:18;288:2</p> <p><b>glad (1)</b> 194:25</p> <p><b>glare (10)</b> 136:5;169:22; 221:22;222:1,5;246:5, 8;250:21;268:8,8</p> <p><b>God (1)</b> 34:10</p> <p><b>goes (33)</b> 8:9;16:13;28:12; 35:7;63:12;71:19;74:8; 77:23;98:17;101:7; 107:4,4;109:7;123:20; 129:4,6,23;143:9; 145:7,8;146:18; 176:15;192:5;197:10; 201:4;205:8;210:11; 216:20;222:22;224:5; 257:21;274:8;281:20</p> <p><b>golf (33)</b> 46:17;63:7;113:17; 117:14;124:14,14,18; 125:23;126:23;127:4; 151:9;157:11;164:11; 193:3;204:3,15,20; 205:7,11;208:9,13; 210:9,10,14,15,17,21;</p>	<p>211:6,9,10,12;237:21, 22</p> <p><b>Good (17)</b> 5:20;6:2;7:5;14:23; 20:7;26:20;43:17,19; 46:12;93:19;142:19; 145:11;167:6;200:9; 217:25;288:4,19</p> <p><b>Google (4)</b> 123:4;187:8;189:10; 284:3</p> <p><b>governing (2)</b> 167:13,15</p> <p><b>government (1)</b> 226:20</p> <p><b>governs (2)</b> 39:12;58:8</p> <p><b>grab (2)</b> 6:10;287:24</p> <p><b>grade (16)</b> 33:25;34:6;130:15, 21,23;131:12;138:23; 151:3;152:22;155:18; 156:13;190:22;195:14; 199:7;200:23;201:1</p> <p><b>graded (2)</b> 34:3;209:25</p> <p><b>grades (1)</b> 151:2</p> <p><b>grading (14)</b> 33:16,17,18;34:1,3,5, 12,14,14,15,19,20; 130:20;151:12</p> <p><b>graduated (1)</b> 42:3</p> <p><b>granite (1)</b> 270:25</p> <p><b>granted (1)</b> 240:1</p> <p><b>granting (2)</b> 166:1,3</p> <p><b>graphic (1)</b> 14:17</p> <p><b>great (5)</b> 63:2;118:16;171:7; 229:21;292:22</p> <p><b>greatest (1)</b> 23:16</p> <p><b>green (7)</b> 131:4;178:3;226:13; 227:24,25;228:5,6</p> <p><b>greened (1)</b> 187:14</p> <p><b>greet (1)</b> 50:1</p> <p><b>grew (1)</b> 45:9</p> <p><b>grocery (1)</b> 51:21</p> <p><b>GROSSMAN (700)</b> 5:2,16,22;6:1,5,7,9, 15,20,23;7:1,8,11,14, 17,20;8:2,5,15;10:17,</p>	<p>21;11:6,11,14,19,21; 12:2,5,12,16;13:5,12; 14:1,7,10,14,18,21,23; 15:22,24;16:2,22;17:1, 3,7,12,21;18:16,19; 19:2;20:9,12,24;21:9, 16,19,23;22:25;23:10, 20,24;24:6,10;25:6,17, 19,21;27:23;28:3,8,12, 15;30:1,12,14;31:21, 24;32:8,19;34:8,22; 35:5;36:15,20,24;37:9, 14;39:4;40:11,14,18; 41:3,6,8,13;42:18,23; 43:3,22,24;44:7;48:14, 17;53:11,17,22,25; 56:4,8,13,18;57:1,6,17; 58:19,23;59:2,12,17; 60:7,12,20,25;61:10, 14,18;62:13,17;71:4, 16;72:4,8,22,25;73:2,6, 18;74:2,4,13;75:7,11, 14,21,25;76:4,7,9,12, 17,24;77:2,4,10,13,16, 19,22;78:2,4,7;79:11, 13,18,21;80:6,8,12,15, 19;81:7;82:1;83:16; 89:7,11,19,23;90:1,5, 16,19,23;91:1,4,10,16; 92:4;96:11,13;97:8,18, 20,24;98:2,6,9,14,19; 100:11,18,21;101:6,11, 22,25;102:7,10,13,15, 17;103:1,4,8,12,16; 105:13,22;107:16,19, 22,25;108:7,10;111:7, 16,18;112:7,10; 113:24;114:3,5; 115:12,14,17,22;116:2, 5,7,10,12,14,17,24; 117:2,6,18,24;118:3,7, 10,12;119:13,16,18,22, 24;120:1,3,6,9,12,22; 121:2,5,7,9,11,15,19, 22;122:1,3,8,10,19,25; 123:5,9,12,22,25; 124:21;125:2,9,16,19; 126:2,6,13,16,19; 127:1,8,11,14,17,25; 128:2,5,9,11;129:2,6,9; 130:16;131:4;132:12, 22,25;133:3,8,14,17, 20;134:14,19;135:7; 136:8,14,17,20,23; 137:2,7,14,18,22; 138:12,14,20;139:3,5; 140:23;141:1,12,15,23; 142:1,4,9,14,16,19,24; 143:4,7,11,18,23; 144:6,11,15,18,21; 145:2;146:3,10,13,17, 21,24;147:10,15,17,19, 24;148:18;150:3,6,10;</p>	<p>151:25;152:7,13,17,24; 153:2,4,7,13,17;154:1, 8,12,15,18,20,25; 155:4,10,16,19,21,24; 156:2,5,8,16,24;157:2, 7,15,17,20;159:8,11, 16,18,23;160:3,5,18, 21;161:24;162:9,12,20, 24;163:7,10,13,17,20; 164:14;165:7,10,12,15, 19,23;166:3,10;167:7; 168:7,13,23;169:4,13; 171:11,14;179:25; 181:9,14;182:17,19; 185:3,7,23;186:4,9,12; 187:4,7,22,25;188:6,8, 11,21,24;190:5,12,16; 192:8,13;194:24; 195:17,20,22,25;196:2, 4,11,15,19,22;197:22; 198:24;199:8,12,16,21; 200:3,12,15;201:7,10; 202:13,16,19;203:2,4; 206:14,17,20,24;208:5, 7,11,19;209:5,9,14; 212:20,23;213:2,10,14, 22;214:21,25;215:8,15, 22,25;216:2,15,23; 217:16;218:3,6;219:7, 10,14,18;220:4,15,20; 221:13,15,17;223:8; 224:10,14,19,25;225:4, 6,10;227:3,6,10,13; 228:21,25;229:3,6; 230:8,12,20;231:17,21, 25;232:3,7;234:8; 235:5,10,13,16;236:18, 25;237:3,5,8,12;238:1, 5,23;239:4,14,24; 240:6,11,15,18,21,24; 242:5,8;243:13;244:2, 14;245:12,16,18,21,24; 246:2;247:3,7,13; 249:6,15,17,22;250:10, 13;251:3,6;256:11,14; 258:3,7,11,21;259:5, 11,21,24;260:1,5,8,12, 15,18;261:10,19,21; 262:1;263:24;264:3,5, 13,16,22;265:18,22; 266:6,20,24;267:2,4,5; 269:10,14,17,20; 271:23;272:8,11; 273:2,18;274:6,8; 275:2,6;276:19,24; 277:5,10;278:24; 279:5,8,11,16,21; 280:1,4,8,14,18;282:7, 15;283:1,3,23;284:2,6, 13,23,25;285:23; 286:22,23;287:7,10,17, 20,22;288:17,21;289:1, 3,7,10,14;290:5,11,13,</p>
---	--	---	---	--

<p>22;291:8,15,19,21;                      292:2,6,9,13,21  <b>ground (7)</b>                      96:20;152:1,3;156:8;                      157:4;199:11;239:1  <b>grounds (1)</b>                      46:25  <b>group (1)</b>                      42:12  <b>grow (1)</b>                      139:15  <b>growing (1)</b>                      139:24  <b>grown (2)</b>                      286:16,18  <b>grows (3)</b>                      139:12,14;270:7  <b>growth (1)</b>                      243:17  <b>guardian (1)</b>                      88:7  <b>guess (17)</b>                      11:16;15:15;40:1;                      94:24;104:6,25;137:3;                      161:14;163:18;165:20;                      183:24;201:21;210:21;                      217:20;264:23;273:17;                      279:7  <b>guessed (1)</b>                      216:7  <b>guesswork (1)</b>                      85:23  <b>guided (1)</b>                      233:19  <b>Guidelines (5)</b>                      179:20,22,23;180:2,                      3  <b>gurney (2)</b>                      74:9,12</p>	<p>55:1  <b>handoff (1)</b>                      159:25  <b>hands (2)</b>                      7:18;285:24  <b>hang (1)</b>                      173:14  <b>hanging (1)</b>                      136:25  <b>happen (5)</b>                      88:20;94:9;183:5;                      213:22;254:15  <b>happened (2)</b>                      188:4;237:6  <b>happening (2)</b>                      39:1;161:10  <b>happens (6)</b>                      47:18;49:19;65:17;                      87:18;158:23;253:10  <b>happy (4)</b>                      66:2;210:6;239:23;                      292:18  <b>hard (6)</b>                      68:25;106:4;122:6;                      132:19;149:19;247:22  <b>harm (4)</b>                      170:9,15,17;248:19  <b>harmonious (1)</b>                      170:1  <b>harmony (5)</b>                      55:23;56:14;170:7;                      248:8;261:23  <b>hate (1)</b>                      27:20  <b>head (1)</b>                      161:22  <b>headed (2)</b>                      88:23,24  <b>headlights (6)</b>                      137:4,5,11,19,25;                      199:10  <b>Headmaster (1)</b>                      52:13  <b>heads (7)</b>                      49:8;67:7,8,10;                      137:2,23;146:2  <b>Health (2)</b>                      44:3;170:17  <b>healthcare (3)</b>                      42:5;52:21;85:5  <b>hear (12)</b>                      17:21;22:25;56:19;                      57:3;96:25;188:20,21,                      23;215:8,13;243:22;                      286:22  <b>heard (9)</b>                      16:18;35:15;100:14;                      205:16;212:2;215:3;                      238:11;255:8;267:10  <b>hearing (52)</b>                      5:2,14,15;8:3;11:2;                      12:2;15:2;16:4;18:5;                      21:24;22:12,13;24:16;</p>	<p>30:20;35:10;39:9;                      53:13,23;54:2,6;57:14;                      90:21;103:14;122:4;                      125:6;132:7;134:7;                      141:3;163:23;166:5;                      195:24;214:24;239:25;                      240:23;241:5,8;                      265:19,20;282:8,19;                      284:9;287:24;288:8;                      289:8;290:3,14;291:2,                      9;292:14,16,17,25  <b>Hearings (4)</b>                      5:15;40:3;290:23;                      292:10  <b>hearkening (1)</b>                      29:17  <b>heart (1)</b>                      45:20  <b>heat (2)</b>                      235:7,8  <b>heating (1)</b>                      105:18  <b>heavily (3)</b>                      78:21;80:25;81:8  <b>heavy (1)</b>                      106:18  <b>height (26)</b>                      123:25;135:7,9;                      151:7;155:1,16;                      156:10;157:13,21;                      166:21;200:25;204:6;                      208:2,2,13;235:18,20,                      25;236:4;237:23;                      238:13,20;239:6;                      240:2;247:12;277:23  <b>heights (2)</b>                      208:16,17  <b>held (1)</b>                      23:9  <b>Helen (1)</b>                      11:12  <b>hell (1)</b>                      272:13  <b>help (12)</b>                      44:18;64:12,12;                      68:21,25;92:1;97:25;                      106:15;177:24;185:4;                      223:19;246:12  <b>helpful (2)</b>                      63:18;239:16  <b>helps (3)</b>                      48:4;62:9;66:1  <b>Herbert (1)</b>                      225:2  <b>here's (1)</b>                      79:9  <b>high (10)</b>                      139:22;143:6;154:8;                      203:21;205:10;233:20;                      234:14;249:3;269:8,22  <b>higher (9)</b>                      70:6;130:22;145:13,                      23;166:16,17;211:18,</p>	<p>22;222:5  <b>highest (3)</b>                      65:4,7;154:11  <b>highlight (1)</b>                      199:4  <b>highly (1)</b>                      64:1  <b>highway (1)</b>                      83:7  <b>hint (1)</b>                      288:2  <b>hip (1)</b>                      45:20  <b>hire (1)</b>                      68:18  <b>hmmm (1)</b>                      81:1  <b>hold (11)</b>                      40:2;58:19,19;60:12,                      12;75:21;133:17;                      141:23;165:12;212:20;                      292:5  <b>Hollies (4)</b>                      139:19;145:9;178:6;                      269:21  <b>Holly (5)</b>                      139:10,12;269:8,13;                      270:23  <b>home (22)</b>                      46:3;49:24;65:17,23,                      23,24;73:14,15;74:23;                      84:20;88:23;89:4;                      98:18;104:6,10,16;                      232:16;264:3;265:25;                      272:20;275:12,13  <b>homes (4)</b>                      48:10;226:21;                      238:17,22  <b>hope (3)</b>                      11:25;20:19;23:5  <b>hopefully (2)</b>                      49:15;164:4  <b>hoping (4)</b>                      22:12;36:22;91:6,21  <b>horizontal (6)</b>                      14:11,18;151:15;                      231:15;248:1;263:3  <b>horizontally (1)</b>                      145:17  <b>hospital (13)</b>                      85:3,6;87:6,24;88:1,                      10,20,23,24;89:2;94:2;                      110:6,23  <b>hospitals (1)</b>                      42:6  <b>hotel (1)</b>                      85:2  <b>hour (3)</b>                      48:11;108:5,24  <b>hours (17)</b>                      45:23,24;50:12;                      67:19;85:1;92:10;                      149:12;211:24;212:4,</p>	<p>8,15,16;213:8;253:13,                      15;257:10;272:19  <b>house (22)</b>                      75:9,9;78:6;86:9;                      128:19;152:9,11;                      221:4;228:12;237:21;                      241:25;242:20,24;                      263:8,9,22;271:10,11,                      11,14;277:18;278:3  <b>housekeepers (2)</b>                      66:18;67:13  <b>houses (8)</b>                      9:11;184:20,21;                      218:25;219:3,21;                      277:15,21  <b>housing (10)</b>                      46:23;71:12,15,19;                      72:16;118:24;148:7;                      171:8;226:7,19  <b>how's (1)</b>                      288:21  <b>human (1)</b>                      242:25  <b>HVAC (5)</b>                      99:19,20,22,23;                      104:25  <b>hydrants (1)</b>                      158:16  <b>hypothetical (1)</b>                      269:18  <b>hypothetically (2)</b>                      243:1;269:12</p>
<b>I</b>				
<p style="text-align: center;"><b>H</b></p>	<p><b>habitable (2)</b>                      207:19;220:2  <b>Hal (3)</b>                      224:21,23;225:3  <b>half (6)</b>                      51:1;207:15,16;                      219:25;238:19;277:19  <b>halfway (3)</b>                      97:24;134:17;136:9  <b>Hampton (1)</b>                      41:24  <b>hand (8)</b>                      7:4;41:9;117:2;                      214:6;225:6;241:23;                      247:10;260:19  <b>handed (1)</b>                      142:10  <b>handicapped (1)</b>                      51:19  <b>handle (4)</b>                      11:25;50:1;51:18;</p>	<p>22;222:5  <b>highest (3)</b>                      65:4,7;154:11  <b>highlight (1)</b>                      199:4  <b>highly (1)</b>                      64:1  <b>highway (1)</b>                      83:7  <b>hint (1)</b>                      288:2  <b>hip (1)</b>                      45:20  <b>hire (1)</b>                      68:18  <b>hmmm (1)</b>                      81:1  <b>hold (11)</b>                      40:2;58:19,19;60:12,                      12;75:21;133:17;                      141:23;165:12;212:20;                      292:5  <b>Hollies (4)</b>                      139:19;145:9;178:6;                      269:21  <b>Holly (5)</b>                      139:10,12;269:8,13;                      270:23  <b>home (22)</b>                      46:3;49:24;65:17,23,                      23,24;73:14,15;74:23;                      84:20;88:23;89:4;                      98:18;104:6,10,16;                      232:16;264:3;265:25;                      272:20;275:12,13  <b>homes (4)</b>                      48:10;226:21;                      238:17,22  <b>hope (3)</b>                      11:25;20:19;23:5  <b>hopefully (2)</b>                      49:15;164:4  <b>hoping (4)</b>                      22:12;36:22;91:6,21  <b>horizontal (6)</b>                      14:11,18;151:15;                      231:15;248:1;263:3  <b>horizontally (1)</b>                      145:17  <b>hospital (13)</b>                      85:3,6;87:6,24;88:1,                      10,20,23,24;89:2;94:2;                      110:6,23  <b>hospitals (1)</b>                      42:6  <b>hotel (1)</b>                      85:2  <b>hour (3)</b>                      48:11;108:5,24  <b>hours (17)</b>                      45:23,24;50:12;                      67:19;85:1;92:10;                      149:12;211:24;212:4,</p>	<p>8,15,16;213:8;253:13,                      15;257:10;272:19  <b>house (22)</b>                      75:9,9;78:6;86:9;                      128:19;152:9,11;                      221:4;228:12;237:21;                      241:25;242:20,24;                      263:8,9,22;271:10,11,                      11,14;277:18;278:3  <b>housekeepers (2)</b>                      66:18;67:13  <b>houses (8)</b>                      9:11;184:20,21;                      218:25;219:3,21;                      277:15,21  <b>housing (10)</b>                      46:23;71:12,15,19;                      72:16;118:24;148:7;                      171:8;226:7,19  <b>how's (1)</b>                      288:21  <b>human (1)</b>                      242:25  <b>HVAC (5)</b>                      99:19,20,22,23;                      104:25  <b>hydrants (1)</b>                      158:16  <b>hypothetical (1)</b>                      269:18  <b>hypothetically (2)</b>                      243:1;269:12</p>	<p style="text-align: center;"><b>I</b></p>
<p><b>ice (1)</b>                      183:4  <b>idea (4)</b>                      39:5;220:22;222:5;                      232:16  <b>identical (2)</b>                      19:22;263:4  <b>identification (11)</b>                      11:3;53:14,24;54:3,                      7;122:5;125:7;134:8;                      141:5;166:6;284:11  <b>identified (5)</b>                      5:9;21:21;92:13;                      185:11;273:15  <b>identify (10)</b>                      5:18;9:20;53:17;                      75:12;82:9;104:13;                      119:19;180:13;184:24;                      246:12  <b>ignorance (1)</b>                      186:2  <b>ignore (1)</b>                      27:2  <b>III (1)</b>                      244:17  <b>Illex (1)</b>                      139:11  <b>illuminate (1)</b></p>				

246:6 <b>illumination (11)</b> 168:1,5,12;171:20; 204:4;246:10;250:21; 261:17;271:19,22,24 <b>illustrates (1)</b> 243:3 <b>illustrative (4)</b> 127:20,21;131:1; 185:5 <b>image (2)</b> 262:15;285:15 <b>imagery (1)</b> 285:20 <b>images (1)</b> 10:2 <b>immediate (2)</b> 139:18;184:18 <b>impact (4)</b> 27:9;28:25;139:18; 168:17 <b>impacts (6)</b> 149:20;158:4,5; 169:11;214:7;220:10 <b>impervious (2)</b> 124:20;222:12 <b>impinge (2)</b> 101:22;102:19 <b>implication (1)</b> 27:9 <b>implies (1)</b> 9:5 <b>implying (2)</b> 180:1,3 <b>importance (1)</b> 22:7 <b>important (5)</b> 24:2;31:12;42:20,24; 150:22 <b>imposing (1)</b> 154:2 <b>Improve (3)</b> 32:25;171:8,9 <b>improved (2)</b> 120:15;124:6 <b>improvement (1)</b> 33:1 <b>improvements (12)</b> 29:7;125:24;134:11; 179:11,13,17;181:2,23; 182:1;186:20;266:22, 24 <b>improving (2)</b> 26:23,24 <b>inappropriate (1)</b> 214:10 <b>Inc (1)</b> 6:21 <b>inch (2)</b> 195:7;196:5 <b>inches (11)</b> 135:10;139:22; 196:16;223:24,25,25;	224:2;266:4,13;269:8, 22 <b>incidence (1)</b> 85:24 <b>incident (4)</b> 7:23;87:15,15;88:18 <b>include (2)</b> 28:13;41:18 <b>included (5)</b> 15:16;26:14;236:8; 245:19,21 <b>includes (1)</b> 127:4 <b>including (12)</b> 34:18;55:14;71:2; 77:10;143:24;169:9; 186:21;206:14;215:1; 216:24;219:5;226:7 <b>inclusive (1)</b> 210:5 <b>income (6)</b> 65:9,11,12,15;66:5,8 <b>incorporated (2)</b> 129:13;132:5 <b>incorporates (1)</b> 126:22 <b>incorrect (1)</b> 142:11 <b>increase (4)</b> 28:23;72:13;206:7,8 <b>increased (3)</b> 149:17;157:24; 193:20 <b>increasing (1)</b> 149:4 <b>increments (1)</b> 72:18 <b>Indeed (3)</b> 36:2;224:4;263:6 <b>independence (1)</b> 63:14 <b>independent (5)</b> 46:4,5;64:7;71:13; 115:25 <b>indicate (5)</b> 75:15;76:22;142:25; 191:24;199:20 <b>indicated (16)</b> 101:1;123:15,18,21; 124:11,16;126:22; 128:5,7;134:2;141:6; 143:25;195:17;200:7, 9;260:25 <b>indicates (1)</b> 14:18 <b>Indicating (3)</b> 11:14;76:21;194:8 <b>indication (1)</b> 279:23 <b>individual (3)</b> 134:21;172:11;198:4 <b>individually (3)</b> 6:18;12:15,16	<b>individuals (4)</b> 10:14;24:15,15; 110:18 <b>indoor (12)</b> 96:7,9,17,22,24; 97:11,15,16,21;98:22; 115:4;197:6 <b>industry (2)</b> 42:12;50:20 <b>influence (1)</b> 100:16 <b>inform (1)</b> 35:25 <b>informality (1)</b> 8:19 <b>informally (1)</b> 282:18 <b>information (18)</b> 19:5,16,17,19;20:5; 23:18;29:5;84:22; 85:12,15,23;111:23; 112:3;161:6,18; 241:25;242:6;254:6 <b>infrastructure (1)</b> 48:3 <b>in-house (2)</b> 100:19;106:14 <b>initial (5)</b> 100:25;101:2; 119:17,18;190:2 <b>initially (2)</b> 84:8;185:25 <b>initials (2)</b> 146:4,14 <b>injury (1)</b> 161:22 <b>inquiries (1)</b> 20:15 <b>inquiring (1)</b> 240:25 <b>ins (4)</b> 69:11,19;70:10; 81:22 <b>ins/move (2)</b> 50:16;51:6 <b>inside (9)</b> 94:9;100:12;101:12, 17;113:9;196:8;249:5; 275:20;290:23 <b>inspection (2)</b> 194:9,20 <b>inspiration (1)</b> 248:12 <b>installed (1)</b> 33:9 <b>instance (2)</b> 55:1;106:3 <b>instances (3)</b> 62:22;227:15,17 <b>instead (2)</b> 32:5;264:10 <b>Institute (3)</b> 226:4,11,12	<b>institutional (4)</b> 150:20,21;226:8,20 <b>instruction (1)</b> 87:22 <b>insulin (1)</b> 64:21 <b>insure (2)</b> 170:14;238:9 <b>intend (2)</b> 6:18;77:6 <b>intended (4)</b> 37:18;55:4;262:17, 20 <b>intensity (8)</b> 149:7;170:6;206:9; 212:14,17;213:6; 215:17,20 <b>intensive (1)</b> 45:19 <b>intent (5)</b> 137:22;210:25; 246:20;273:10;285:8 <b>intention (1)</b> 242:22 <b>interest (5)</b> 22:14;40:9;178:8; 240:1;248:4 <b>interested (2)</b> 166:22;239:25 <b>interesting (4)</b> 65:13;164:25; 213:24;221:1 <b>interests (2)</b> 47:19,23 <b>interfere (1)</b> 197:5 <b>inter-generational (1)</b> 46:19 <b>interior (11)</b> 184:13;232:17,22; 233:9;234:15,24; 235:4;254:12;275:17; 283:10,12 <b>internalized (1)</b> 131:20 <b>Internet (1)</b> 123:7 <b>interpret (1)</b> 16:11 <b>interpretation (1)</b> 71:8 <b>interrupted (3)</b> 89:13;92:3;197:23 <b>interrupting (1)</b> 198:25 <b>intersection (1)</b> 5:12 <b>intersects (1)</b> 263:8 <b>interspersed (2)</b> 177:14;178:4 <b>into (67)</b> 12:10;18:4;23:18;	26:3;32:23;38:7;40:9; 44:9;50:4;51:3;57:9; 58:8;61:5;67:10;74:12; 78:1,2,3,5;82:14,14; 83:9,22;98:18,21; 101:17;102:17;103:4, 22;130:1;132:5; 134:13;173:15;179:9; 180:7;181:11,11; 183:9;190:3;191:4; 192:6;193:7;197:4; 202:17;205:7;217:11; 218:16;224:5;232:13; 238:2;240:20;246:8, 12,20;248:15;251:24; 254:1,3,7,8,12;273:12, 12;275:25,25;277:5; 284:17 <b>introduce (1)</b> 31:21 <b>introduced (1)</b> 9:25 <b>intrusions (1)</b> 193:7 <b>Inventory (6)</b> 119:12;123:15; 124:4;161:4;184:6; 194:6 <b>investigate (1)</b> 176:13 <b>invite (1)</b> 24:11 <b>involve (1)</b> 228:15 <b>involved (4)</b> 20:2;52:19;61:2; 175:8 <b>involvement (1)</b> 64:16 <b>irregular (2)</b> 104:11,13 <b>irrelevant (4)</b> 27:9,18;28:5;101:13 <b>Irving (1)</b> 54:1 <b>isolation (1)</b> 46:7 <b>issue (17)</b> 12:7;16:7;20:2,12; 25:23;26:1,3;27:18; 32:17;33:16;101:5; 159:21;169:7;211:14; 215:13;252:10;261:22 <b>issued (1)</b> 21:7 <b>issues (15)</b> 28:6;112:2;138:23; 149:15,22;151:12,23, 23;157:22;158:20; 166:12,15,20;175:12; 193:15 <b>items (1)</b> 250:24
---	---	--	---	---

**CU 16-01**  
**Brandywine Senior Living at Potomac, LLC**

<p><b>iterative (1)</b> 254:16  <b>IV (1)</b> 225:3  <b>IV-therapy (1)</b> 45:21</p>	<p>112:14,15;161:23  <b>key (24)</b> 121:22,23,24; 122:21;123:1;128:5,7; 146:25;147:2;160:13; 162:12;163:12,21,21; 164:3,6,7,15;241:22; 255:23,23;256:5; 263:17;266:11</p>	<p>25;118:5,14;129:11,19, 25;131:1;139:12,14; 143:16;145:16;150:14, 16;151:1;167:10; 168:3;169:9;172:13; 173:15;176:19,24; 177:1;178:22,24; 179:1;203:23,25; 204:1;210:18;267:17; 270:11;271:12;285:2, 3,14,21;286:15,20</p>	<p><b>law (14)</b> 5:21,24;27:1,18; 29:24;31:10;32:23; 33:1;35:17,17,17; 36:10,12;179:17  <b>lawful (2)</b> 33:8,12  <b>lawn (1)</b> 131:25  <b>lay (1)</b> 35:21  <b>layer (1)</b> 220:13  <b>layers (1)</b> 138:22  <b>layout (3)</b> 129:14;148:2;177:9  <b>leading (2)</b> 151:16;209:24  <b>lease (1)</b> 65:24  <b>least (24)</b> 12:6;16:15;18:20; 36:5;38:9;89:18;91:11; 136:4;147:16;163:24, 25;164:2,5;165:24; 167:6;168:20;194:10; 195:5;213:25;223:25; 262:19;277:4;289:17; 290:21  <b>leave (3)</b> 24:6;106:2;108:20  <b>leaving (2)</b> 19:7,7  <b>led (2)</b> 194:9;245:11  <b>Lee (13)</b> 7:5,5,10,12,13,16; 24:7,7,9,23;25:10,18; 225:20  <b>L-E-E (1)</b> 7:13  <b>LEED (5)</b> 105:9,14;136:4; 226:12;245:10  <b>leeway (2)</b> 42:23;43:1  <b>left (11)</b> 122:24;230:24; 231:8,11;232:14; 233:3;243:15;244:17, 19,21;286:3  <b>left-hand (2)</b> 242:24;284:15  <b>legal (5)</b> 6:3;30:7;36:1;38:21; 59:6  <b>legitimate (3)</b> 74:4;80:16,16  <b>length (4)</b> 130:5;216:13;219:3; 222:12  <b>lengths (2)</b></p>	<p>219:4,5  <b>lengthy (1)</b> 51:13  <b>less (11)</b> 64:19;149:12; 166:18,18;169:18,20; 221:6,10;239:6,21,21  <b>letter (29)</b> 10:7;11:8,10;13:4, 19,24;14:5,7,7,10,15, 21;15:1,8,13;19:24; 21:15;22:2,11;33:17; 53:18,18,19;54:1,4; 116:22;132:13;133:10, 22  <b>letters (5)</b> 10:14;53:7;116:4,8; 122:16  <b>level (49)</b> 45:25;64:7,13,13,16; 66:7;70:6;83:10,11,13, 15,20,23;84:2,4;100:2, 10,23,23;101:15; 104:19;114:18,22,22, 25;115:6,9;152:1,1,3,3; 156:8,17;209:25; 231:13;233:7,9; 234:15,17;239:1; 245:5;247:16;273:6,8; 274:20;275:18,21; 278:6;282:1  <b>levelling (1)</b> 195:13  <b>levels (4)</b> 155:14;249:9; 250:25;260:24  <b>Library (2)</b> 229:11,12  <b>license (1)</b> 229:1  <b>licensed (1)</b> 228:21  <b>Life (4)</b> 67:12;148:23,23; 225:5  <b>light (15)</b> 13:1;30:4;35:22; 55:20;98:16;118:7; 136:6;138:4,5,15; 168:15;215:3;257:12; 261:12;272:1  <b>lighter (1)</b> 131:4  <b>lighting (48)</b> 91:22;112:3,6; 135:21,23;136:7; 140:7;149:18;157:25; 167:23;168:11;169:3, 9;170:14;172:7,8,9,16, 17,23,24;173:2;177:1; 203:17,19,22,23;204:1, 8,12;244:10,11;245:5, 7,9,11,13,15,16;246:9,</p>
<b>J</b>				
<p><b>Jersey (4)</b> 41:21;43:15,21; 56:24  <b>Jim (1)</b> 54:4  <b>job (2)</b> 106:5;167:6  <b>joined (1)</b> 13:4  <b>joins (1)</b> 131:8  <b>Josh (1)</b> 115:18  <b>Joshua (1)</b> 117:1  <b>JPG (1)</b> 10:3  <b>judicial (1)</b> 12:8  <b>jurisdictions (4)</b> 43:14,18,20;225:14</p>	<p><b>keys (1)</b> 52:3  <b>kind (27)</b> 9:4;16:22;22:6;40:4; 46:7,23;49:25;56:14; 61:11;64:1;67:20;71:1; 78:1;87:5;106:24; 130:3;131:22;137:10; 150:21;158:23;161:21; 167:4;174:10;191:13; 208:15;216:7;222:3  <b>kinds (4)</b> 10:2;45:22;47:24; 106:20  <b>kitchen (2)</b> 84:2;232:19  <b>knock (1)</b> 20:19  <b>knowing (1)</b> 213:8  <b>knowledge (10)</b> 183:20;186:22; 187:9;218:18;219:21; 236:8,10;253:24; 268:17,20  <b>knows (3)</b> 16:24;42:21;81:8</p>	<p><b>Landscapes (1)</b> 144:5  <b>landscaping (8)</b> 77:10;80:2;167:4,24; 186:21;220:12;223:18; 238:8  <b>Lane (8)</b> 5:11;94:24;123:17; 124:8;129:22;135:3; 151:9;158:12  <b>language (1)</b> 36:5  <b>large (15)</b> 47:13,16;50:2;81:20; 82:12,19;83:1;89:16; 93:3;120:16;123:17; 151:16;248:3,16; 262:13  <b>largely (3)</b> 237:24;243:5,11  <b>larger (10)</b> 60:16;72:18;82:23; 104:7;139:15;148:11; 180:23;243:25;262:12; 271:9  <b>largest (3)</b> 49:7;62:2;83:3  <b>laser (1)</b> 260:18  <b>last (14)</b> 7:12;9:21;10:10; 22:6;35:6;123:7,7,7,8; 165:22;173:13;188:5; 226:18;282:4  <b>late (1)</b> 20:21  <b>latent (1)</b> 235:8  <b>later (9)</b> 6:18;7:24;24:18; 34:23;56:20;57:3; 128:21;145:6;229:5  <b>LATR (6)</b> 28:20;32:13;214:6; 215:1,4,12  <b>laundered (1)</b> 101:3  <b>laundry (4)</b> 100:8;101:19; 103:19;105:1  <b>Laurel (1)</b> 41:21</p>	<p><b>law (14)</b> 5:21,24;27:1,18; 29:24;31:10;32:23; 33:1;35:17,17,17; 36:10,12;179:17  <b>lawful (2)</b> 33:8,12  <b>lawn (1)</b> 131:25  <b>lay (1)</b> 35:21  <b>layer (1)</b> 220:13  <b>layers (1)</b> 138:22  <b>layout (3)</b> 129:14;148:2;177:9  <b>leading (2)</b> 151:16;209:24  <b>lease (1)</b> 65:24  <b>least (24)</b> 12:6;16:15;18:20; 36:5;38:9;89:18;91:11; 136:4;147:16;163:24, 25;164:2,5;165:24; 167:6;168:20;194:10; 195:5;213:25;223:25; 262:19;277:4;289:17; 290:21  <b>leave (3)</b> 24:6;106:2;108:20  <b>leaving (2)</b> 19:7,7  <b>led (2)</b> 194:9;245:11  <b>Lee (13)</b> 7:5,5,10,12,13,16; 24:7,7,9,23;25:10,18; 225:20  <b>L-E-E (1)</b> 7:13  <b>LEED (5)</b> 105:9,14;136:4; 226:12;245:10  <b>leeway (2)</b> 42:23;43:1  <b>left (11)</b> 122:24;230:24; 231:8,11;232:14; 233:3;243:15;244:17, 19,21;286:3  <b>left-hand (2)</b> 242:24;284:15  <b>legal (5)</b> 6:3;30:7;36:1;38:21; 59:6  <b>legitimate (3)</b> 74:4;80:16,16  <b>length (4)</b> 130:5;216:13;219:3; 222:12  <b>lengths (2)</b></p>	<p>219:4,5  <b>lengthy (1)</b> 51:13  <b>less (11)</b> 64:19;149:12; 166:18,18;169:18,20; 221:6,10;239:6,21,21  <b>letter (29)</b> 10:7;11:8,10;13:4, 19,24;14:5,7,7,10,15, 21;15:1,8,13;19:24; 21:15;22:2,11;33:17; 53:18,18,19;54:1,4; 116:22;132:13;133:10, 22  <b>letters (5)</b> 10:14;53:7;116:4,8; 122:16  <b>level (49)</b> 45:25;64:7,13,13,16; 66:7;70:6;83:10,11,13, 15,20,23;84:2,4;100:2, 10,23,23;101:15; 104:19;114:18,22,22, 25;115:6,9;152:1,1,3,3; 156:8,17;209:25; 231:13;233:7,9; 234:15,17;239:1; 245:5;247:16;273:6,8; 274:20;275:18,21; 278:6;282:1  <b>levelling (1)</b> 195:13  <b>levels (4)</b> 155:14;249:9; 250:25;260:24  <b>Library (2)</b> 229:11,12  <b>license (1)</b> 229:1  <b>licensed (1)</b> 228:21  <b>Life (4)</b> 67:12;148:23,23; 225:5  <b>light (15)</b> 13:1;30:4;35:22; 55:20;98:16;118:7; 136:6;138:4,5,15; 168:15;215:3;257:12; 261:12;272:1  <b>lighter (1)</b> 131:4  <b>lighting (48)</b> 91:22;112:3,6; 135:21,23;136:7; 140:7;149:18;157:25; 167:23;168:11;169:3, 9;170:14;172:7,8,9,16, 17,23,24;173:2;177:1; 203:17,19,22,23;204:1, 8,12;244:10,11;245:5, 7,9,11,13,15,16;246:9,</p>
<b>K</b>				
<p><b>KAUFMAN (74)</b> 5:20,21,22,23;8:14; 19:8;58:17,24;73:25; 74:6;78:10;81:3,10,12; 121:13;122:2;125:8, 12,18;127:23;133:5, 19;140:15;147:14,16, 18;159:13;165:13; 177:3;186:10;187:9, 11,16,20;188:4;197:1; 198:4;202:6;205:22; 209:2,7;217:13,25; 224:12;230:4,10,14; 234:9,11;236:12; 241:20;255:15,20; 260:2,4,7;264:1; 265:13;272:15;279:13, 15,25;280:10;283:25; 288:24;289:2,9,11,22; 290:7,20;291:6,13,18  <b>keep (7)</b> 94:12;103:8;160:23; 197:1;239:18;271:6; 276:19  <b>keeping (2)</b> 148:12;247:25  <b>keeps (1)</b> 170:6  <b>kept (6)</b> 92:13,25;99:11;</p>	<p style="text-align: center;"><b>L</b></p> <p><b>L- (1)</b> 174:22  <b>label (4)</b> 5:6;141:2;143:16; 144:4  <b>labeled (3)</b> 143:9,15;144:4  <b>labeling (1)</b> 140:22  <b>lady (1)</b> 56:22  <b>laid (3)</b> 161:12,16;177:12  <b>lamps (1)</b> 172:12  <b>land (19)</b> 27:7;29:20;56:14,15; 117:9,25;118:4,14; 119:9;137:9;148:3; 150:15;159:6;167:10; 168:4,8,14;171:4; 226:12  <b>landscape (41)</b> 78:21;79:1;117:10,</p>	<p><b>largest (3)</b> 49:7;62:2;83:3  <b>laser (1)</b> 260:18  <b>last (14)</b> 7:12;9:21;10:10; 22:6;35:6;123:7,7,7,8; 165:22;173:13;188:5; 226:18;282:4  <b>late (1)</b> 20:21  <b>latent (1)</b> 235:8  <b>later (9)</b> 6:18;7:24;24:18; 34:23;56:20;57:3; 128:21;145:6;229:5  <b>LATR (6)</b> 28:20;32:13;214:6; 215:1,4,12  <b>laundered (1)</b> 101:3  <b>laundry (4)</b> 100:8;101:19; 103:19;105:1  <b>Laurel (1)</b> 41:21</p>	<p><b>law (14)</b> 5:21,24;27:1,18; 29:24;31:10;32:23; 33:1;35:17,17,17; 36:10,12;179:17  <b>lawful (2)</b> 33:8,12  <b>lawn (1)</b> 131:25  <b>lay (1)</b> 35:21  <b>layer (1)</b> 220:13  <b>layers (1)</b> 138:22  <b>layout (3)</b> 129:14;148:2;177:9  <b>leading (2)</b> 151:16;209:24  <b>lease (1)</b> 65:24  <b>least (24)</b> 12:6;16:15;18:20; 36:5;38:9;89:18;91:11; 136:4;147:16;163:24, 25;164:2,5;165:24; 167:6;168:20;194:10; 195:5;213:25;223:25; 262:19;277:4;289:17; 290:21  <b>leave (3)</b> 24:6;106:2;108:20  <b>leaving (2)</b> 19:7,7  <b>led (2)</b> 194:9;245:11  <b>Lee (13)</b> 7:5,5,10,12,13,16; 24:7,7,9,23;25:10,18; 225:20  <b>L-E-E (1)</b> 7:13  <b>LEED (5)</b> 105:9,14;136:4; 226:12;245:10  <b>leeway (2)</b> 42:23;43:1  <b>left (11)</b> 122:24;230:24; 231:8,11;232:14; 233:3;243:15;244:17, 19,21;286:3  <b>left-hand (2)</b> 242:24;284:15  <b>legal (5)</b> 6:3;30:7;36:1;38:21; 59:6  <b>legitimate (3)</b> 74:4;80:16,16  <b>length (4)</b> 130:5;216:13;219:3; 222:12  <b>lengths (2)</b></p>	<p>219:4,5  <b>lengthy (1)</b> 51:13  <b>less (11)</b> 64:19;149:12; 166:18,18;169:18,20; 221:6,10;239:6,21,21  <b>letter (29)</b> 10:7;11:8,10;13:4, 19,24;14:5,7,7,10,15, 21;15:1,8,13;19:24; 21:15;22:2,11;33:17; 53:18,18,19;54:1,4; 116:22;132:13;133:10, 22  <b>letters (5)</b> 10:14;53:7;116:4,8; 122:16  <b>level (49)</b> 45:25;64:7,13,13,16; 66:7;70:6;83:10,11,13, 15,20,23;84:2,4;100:2, 10,23,23;101:15; 104:19;114:18,22,22, 25;115:6,9;152:1,1,3,3; 156:8,17;209:25; 231:13;233:7,9; 234:15,17;239:1; 245:5;247:16;273:6,8; 274:20;275:18,21; 278:6;282:1  <b>levelling (1)</b> 195:13  <b>levels (4)</b> 155:14;249:9; 250:25;260:24  <b>Library (2)</b> 229:11,12  <b>license (1)</b> 229:1  <b>licensed (1)</b> 228:21  <b>Life (4)</b> 67:12;148:23,23; 225:5  <b>light (15)</b> 13:1;30:4;35:22; 55:20;98:16;118:7; 136:6;138:4,5,15; 168:15;215:3;257:12; 261:12;272:1  <b>lighter (1)</b> 131:4  <b>lighting (48)</b> 91:22;112:3,6; 135:21,23;136:7; 140:7;149:18;157:25; 167:23;168:11;169:3, 9;170:14;172:7,8,9,16, 17,23,24;173:2;177:1; 203:17,19,22,23;204:1, 8,12;244:10,11;245:5, 7,9,11,13,15,16;246:9,</p>

**CU 16-01**  
**Brandywine Senior Living at Potomac, LLC**

<p>11;247:14;250:25;  257:10;260:23,23;  261:11,17  <b>lights (20)</b>  94:19;136:9,11,20,  21,25;172:14;173:5,8,  10,10,11,13,16,17;  245:2;257:7,8,11;  272:10  <b>liked (3)</b>  135:16;138:8;278:20  <b>likelihood (1)</b>  247:1  <b>likely (3)</b>  7:25;78:16;245:11  <b>liking (1)</b>  63:11  <b>limine (5)</b>  12:8;26:4;35:8,25;  36:13  <b>limit (4)</b>  50:12;127:3;136:1;  212:8  <b>limitation (1)</b>  86:19  <b>limited (3)</b>  135:9;195:11;197:18  <b>limiting (1)</b>  221:2  <b>limits (5)</b>  126:21;127:2;170:6;  208:15,17  <b>limousine (1)</b>  113:6  <b>limousines (1)</b>  113:9  <b>line (73)</b>  17:4;54:22;124:9;  126:22;128:24;130:12;  134:18;135:2,2;136:2,  3;139:6,8,8,16;141:10,  16,18;145:4,9;151:20;  153:11,21,23;154:22,  22;167:1;168:22;  169:17;173:7,8,9;  175:13;177:17,23;  178:21;179:2,12;  180:18,22;193:20;  201:19;202:3,9,13,16,  17;204:3,19;210:23;  216:8;222:24;223:21,  24;224:2;239:12;  242:13,19,20,22,23;  243:3,16;248:5;  261:24;264:20,23;  266:4,13,14,18,21;  291:11  <b>linen (6)</b>  100:3,4,19,22;101:1,  12  <b>linens (1)</b>  100:7  <b>lines (1)</b></p>	<p>266:17  <b>link (1)</b>  145:20  <b>Linowes (1)</b>  5:21  <b>liquid (2)</b>  183:11;222:14  <b>list (4)</b>  14:5;132:20;133:24;  208:4  <b>listen (2)</b>  39:17;142:20  <b>listening (1)</b>  220:19  <b>literally (3)</b>  64:23;93:12;252:16  <b>little (40)</b>  8:18,25;9:18;18:15;  28:20;46:9;62:20,23;  64:25;67:10;82:23;  91:20;105:12;124:19,  24;126:9;131:24;  132:1;135:16,16;  145:6;146:25;149:11,  12;151:3;172:20;  180:23;187:14;195:18;  196:13;198:14;202:21;  220:6;221:1,3;224:12;  239:19;245:7;262:5;  266:2  <b>live (9)</b>  6:13,14;37:18;38:17;  45:18;46:6;65:15;74:8;  278:14  <b>lived (1)</b>  85:20  <b>lives (2)</b>  49:13;65:19  <b>Living (48)</b>  5:3,8;41:20;42:7,11,  12;43:7;45:25;46:2,13;  47:18;53:3;57:23;58:4,  9,12,13;59:7,10,21;  60:1,16;62:21;63:14,  15,24,24;65:14,14,18,  18,20;70:16,18,25;  71:3,3,13,14,14;85:21;  135:13;151:6;155:13;  184:13;185:10;233:23;  262:11  <b>LLC (5)</b>  5:3;58:15,16;59:12,  14  <b>load (1)</b>  192:19  <b>loading (25)</b>  50:4;70:3;78:8,10,  11;83:21;89:14,21;  90:2;190:4;191:2,3,7,  13,16,20;192:3,20,22;  195:1,5;197:4,5,13;  275:24  <b>lobby (3)</b></p>	<p>73:24;232:13,14  <b>Local (8)</b>  28:21;44:17;52:16,  21,24;85:8;87:6;110:6  <b>locally (1)</b>  68:20  <b>locate (1)</b>  235:4  <b>located (21)</b>  5:10;68:4;100:12,14,  15;101:4,12,19;102:6;  114:24;115:4;174:7;  189:19;193:12;204:17,  21,22;234:24;245:5;  257:2;273:11  <b>location (33)</b>  10:24;44:14,16;  46:12;68:4;78:14;  79:21;81:15;99:12,15;  127:19;146:17;152:1;  164:22;193:24;194:2;  202:11,12;211:17,25;  234:16;241:25;242:11,  12;243:10;244:1;  247:11;250:8,10;  252:24;253:2;258:2;  268:22  <b>locations (8)</b>  85:13;86:7;146:3;  184:12;234:1;248:2;  262:21;273:15  <b>locked (2)</b>  87:1;288:3  <b>Lockland (1)</b>  127:7  <b>logic (1)</b>  35:18  <b>logical (1)</b>  12:1  <b>long (13)</b>  30:21,22;50:16;51:4,  14;64:15,15;85:21;  102:15;221:17;225:23;  229:11;286:18  <b>longer (8)</b>  23:9;44:25;91:6,7;  219:4,6,9;266:3  <b>longest (1)</b>  40:2  <b>look (49)</b>  28:22;30:25;31:10;  32:19;35:8;38:20,25;  45:4,5,11;46:12,13,15;  54:25;63:19;76:18;  86:4;97:22;122:19;  141:8;144:8,9;149:2,7;  151:24;157:22;160:1;  161:21;164:20;168:15;  172:1;192:1;198:14;  206:9;213:17;214:1,2;  218:24;219:17;236:5;  239:8;241:6;255:21;  256:5;266:10,11;</p>	<p>278:12;289:19;291:15  <b>looked (17)</b>  14:4;56:11;98:15;  133:11;138:8;140:6;  148:5,15;151:13;  157:9;163:22;169:18;  206:3;212:9,9;235:21;  248:11  <b>looking (57)</b>  15:12;20:14;30:16;  37:16;45:10;55:7;  58:24;61:4;126:11;  130:10;132:18;138:21;  140:3;143:1;149:14;  152:5;154:15,15;  157:23;161:19;168:19,  19;173:4;183:25,25;  184:6;185:9;195:7;  201:21;203:23;204:5;  207:8;208:5,7;217:2;  219:2;222:19;233:2;  237:17,20;239:19;  240:20;243:1;244:19;  247:4,9;250:6;259:8,8,  11;260:9;264:12;  266:9,16;271:7;272:4;  286:10  <b>looks (20)</b>  31:8;57:10;63:12;  132:16;133:9,14;  155:9;161:19;165:19;  187:18;196:23;199:19;  201:1,7;220:3;223:19;  262:13;274:9;278:3;  288:4  <b>loop (1)</b>  246:23  <b>lose (2)</b>  85:20;94:3  <b>lost (1)</b>  226:22  <b>lot (31)</b>  7:2;15:5;43:12;47:4,  17;50:25;52:24;68:1;  69:20;78:21;85:12;  94:12;105:5;135:15;  140:18;150:11;151:3,  12,23;159:3;186:7;  187:18;204:2,10;  206:4;207:9;211:11;  222:22;233:1,23;  237:20  <b>loud (1)</b>  41:2  <b>love (2)</b>  89:3;277:11  <b>loved (3)</b>  44:18;46:16;278:13  <b>low (4)</b>  65:9;112:6,6;153:23  <b>lower (17)</b>  66:8;83:22;84:1,4;  139:17;145:12;155:1;</p>	<p>178:2;193:20;210:20;  239:13;241:22;242:24;  246:17;247:12;249:8;  255:4  <b>lowest (3)</b>  65:3,5,6  <b>L-shape (1)</b>  141:25  <b>luck (1)</b>  20:7  <b>lunch (5)</b>  49:10;106:20,21,22;  147:21  <b>luxury (1)</b>  62:21</p>
<b>M</b>				
			<p><b>Ma'am (5)</b>  41:3;80:21;81:17;  84:12;115:1  <b>Madam (2)</b>  7:4;15:20  <b>mail (1)</b>  82:15  <b>mailman (1)</b>  49:24  <b>main (7)</b>  54:21;155:1,25;  207:14;231:13;235:22;  267:2  <b>maintain (1)</b>  63:14  <b>maintained (1)</b>  156:11  <b>maintenance (16)</b>  99:16;101:5,7,8,24,  25;102:1;103:20,23;  104:1;105:3,4,6,12;  111:12;275:22  <b>major (4)</b>  15:15;36:7,9;102:23  <b>majority (4)</b>  216:12;232:12;  272:22,23  <b>makes (3)</b>  101:18;174:8;274:16  <b>making (7)</b>  19:25;45:3;51:13;  88:5;106:19;205:25;  211:24  <b>management (10)</b>  26:22;126:3;138:24;  140:9;145:5,22;  146:19;181:10;183:9,  12  <b>managers (3)</b>  66:19;67:11;110:4  <b>Manor (35)</b>  45:14,17,18;46:17;  52:12;70:9;75:19;  124:9,18,25;126:23;  127:5;129:24;130:21;</p>	

<p>131:3,7,16;153:9;  164:24;165:7;166:4,  16;167:3;175:4,19;  184:19,22;185:22;  186:3,5,7;205:15,18;  206:1;281:11</p> <p><b>Manor's (2)</b>  127:5,5</p> <p><b>mansard (7)</b>  155:9,14,17;156:9,  14;157:4;239:10</p> <p><b>many (38)</b>  9:3;44:23;46:4,19;  47:14;48:12,21;51:5;  61:20;66:15,15;70:10;  71:12;96:17,19,20;  107:12;109:15;128:22;  148:18;185:17;189:7;  204:11;207:6,12;  219:3,10,14,22;231:3,  4;238:17,22;261:1;  277:18,21;286:21;  288:8</p> <p><b>map (10)</b>  121:23;122:21;  123:1;126:12;142:6;  152:6;161:4;185:3;  222:20;263:19</p> <p><b>maps (2)</b>  162:3;182:9</p> <p><b>marginally (1)</b>  62:12</p> <p><b>mark (5)</b>  125:2;143:12;230:4;  284:2,7</p> <p><b>marked (12)</b>  11:3;53:14,24;54:3,  7;115:22;122:4;125:7;  134:8;141:4;166:6;  284:10</p> <p><b>markets (2)</b>  66:9,10</p> <p><b>Marshall (4)</b>  11:13,14;158:11;  220:1</p> <p><b>Martin (1)</b>  5:16</p> <p><b>Maryland (15)</b>  5:12,13;6:14;10:5;  44:9,12,13;45:8;56:24,  25;61:5;194:4;226:5;  228:23;229:1</p> <p><b>masonry (13)</b>  141:20;143:6,14;  144:3,3,21,22;173:23;  174:11,14;250:8,17;  253:6</p> <p><b>mass (2)</b>  231:10,12</p> <p><b>massing (7)</b>  150:13;151:8;170:4;  238:13;247:21;248:15,  15</p>	<p><b>master (26)</b>  44:20;70:14,16,17,  21,24;71:9,17,18,22,  23,24;72:1,6,22;  118:22;148:6,6,16;  149:3,8;202:21,22;  203:8;206:7;213:5</p> <p><b>Master's (1)</b>  226:3</p> <p><b>match (3)</b>  262:16,21;263:1</p> <p><b>material (3)</b>  183:16;249:14;  281:16</p> <p><b>materials (4)</b>  105:18;232:1;  247:25;248:25</p> <p><b>math (1)</b>  265:12</p> <p><b>mathematical (1)</b>  169:23</p> <p><b>matter (9)</b>  5:3;10:10;18:9,22;  22:19;27:1;29:24;  193:18;214:19</p> <p><b>matters (14)</b>  8:9,17;10:18;11:7,  23;12:5;16:14;22:15;  26:5;34:23;40:2,3;  47:24;91:24</p> <p><b>mature (5)</b>  286:4,8,11,12,16</p> <p><b>maturity (1)</b>  286:19</p> <p><b>max (1)</b>  216:16</p> <p><b>maximum (18)</b>  48:13,14,14,19,22;  67:2;108:17,19;  139:10,13;171:25;  172:4;178:5;204:6;  217:4,10,19;269:22</p> <p><b>may (79)</b>  7:23,25;14:1;18:5;  20:8;22:18,22;35:18;  38:24;40:6,15,22;41:3,  14;45:21,21;46:4;  47:19;49:12,17;51:17;  57:6;63:6,10;64:25;  67:8,8,23,25;68:9;  73:14;80:17;81:24;  83:11;88:25;90:24;  91:20;93:25;104:15,  15;106:15;107:1,4,5,6;  108:16,18,22;110:7;  117:6;137:20,20;  138:25;144:11;163:3;  174:15;175:22;185:5;  186:1;194:20;197:1;  200:8;203:16;205:1;  213:14;215:19;221:16,  17;223:7;225:10;  229:4,14,14;239:12;</p>	<p>241:2,2;259:19;  268:17;280:6</p> <p><b>Maybe (29)</b>  12:24;60:17;61:7;  63:12;65:18;66:12;  69:15;91:20;92:16;  98:12;107:19;109:18;  110:3,12,25;133:11;  137:19;184:1,4,5;  185:1;206:4;207:3;  209:20;210:3;226:22;  239:15;271:9;277:10</p> <p><b>MBA (1)</b>  41:25</p> <p><b>MBP (16)</b>  146:4,5,6,9,25;  200:14,19,22,25;201:3,  15,19;202:3;223:20;  224:1,4</p> <p><b>McWhorter (1)</b>  54:5</p> <p><b>M-C-W-H-O-R-T-E-R (1)</b>  54:5</p> <p><b>mean (49)</b>  18:24;20:8;22:20;  31:8;37:6;43:24;46:21;  53:2;69:23;71:8;72:22;  77:5;81:5;82:20;83:1;  85:2;90:20;95:8;104:2;  106:6;108:2;125:16;  129:11;164:2;168:7;  179:25;180:14;199:14;  208:15;212:12,16;  213:16,24;216:19;  218:15;219:8;222:4;  223:23;230:12;239:14,  24;253:8,14;265:1;  269:7,12;278:11;  287:16;288:12</p> <p><b>Meaning (3)</b>  16:10;110:2;211:16</p> <p><b>means (8)</b>  43:25;51:22;81:22;  86:13;105:14,15;  136:6;214:5</p> <p><b>meant (3)</b>  161:6;258:9;267:3</p> <p><b>measure (4)</b>  195:23;216:9;244:6;  282:22</p> <p><b>measured (2)</b>  17:8;236:1</p> <p><b>measurement (2)</b>  18:23;169:17</p> <p><b>measurements (1)</b>  14:19</p> <p><b>measures (1)</b>  214:6</p> <p><b>measuring (1)</b>  282:18</p> <p><b>mechanical (12)</b>  99:25;174:5,11;  233:25;234:15,17;</p>	<p>235:1,6;273:15;  275:17;276:11,13</p> <p><b>Medicaid (1)</b>  66:8</p> <p><b>medical (9)</b>  70:8;87:4,5,8,15,25;  88:17;94:17,20</p> <p><b>Medicare (1)</b>  66:8</p> <p><b>medication (5)</b>  64:18,20,21;87:22,  23</p> <p><b>medications (1)</b>  106:16</p> <p><b>meds (3)</b>  64:19,19;107:1</p> <p><b>meet (3)</b>  31:18;43:25;289:16</p> <p><b>meeting (5)</b>  17:25;52:14;66:7;  213:18;233:19</p> <p><b>meetings (2)</b>  288:8,24</p> <p><b>meets (5)</b>  9:12;88:22,22;  196:13;214:15</p> <p><b>member (6)</b>  42:8;86:23;88:6,7;  226:9,11</p> <p><b>members (2)</b>  8:7;68:12</p> <p><b>memory (6)</b>  5:8;62:6,15;64:4;  131:20;232:23</p> <p><b>men (1)</b>  63:2</p> <p><b>mention (3)</b>  112:18;133:20;  204:15</p> <p><b>mentioned (17)</b>  23:3;31:8;86:1;  113:6;132:12;173:23;  175:15;176:18;205:14;  208:9;218:23;234:2;  250:8;260:22;267:22;  273:25;276:18</p> <p><b>mentioning (1)</b>  35:8</p> <p><b>mentions (1)</b>  209:6</p> <p><b>mesh (1)</b>  204:20</p> <p><b>met (10)</b>  9:7;30:21;52:11,12,  13,15,16;136:3;  167:21;181:1</p> <p><b>metal (1)</b>  281:18</p> <p><b>Metro (5)</b>  55:6,7;68:9,14,17</p> <p><b>Micro (10)</b>  146:4,7,9,15,25;  147:3;199:5;216:19;</p>	<p>223:17,20</p> <p><b>Micro- (1)</b>  146:9</p> <p><b>microphone (1)</b>  40:20</p> <p><b>midday (1)</b>  48:23</p> <p><b>middle (8)</b>  90:21;91:2,5;106:23;  109:1,7;230:22;263:7</p> <p><b>mid-point (5)</b>  190:17,19;201:5;  236:1;237:23</p> <p><b>midway (1)</b>  141:17</p> <p><b>might (28)</b>  24:23;40:19;56:22;  61:8;63:4,8;64:7,13,  16;72:1,17;93:24;94:8,  13,13;104:11,16;  119:19;147:9,10;  155:24;165:22;240:25;  261:12;273:7,12;  275:22;290:15</p> <p><b>mile (1)</b>  54:23</p> <p><b>mind (6)</b>  144:9;161:9;184:7;  239:18;276:20;285:15</p> <p><b>minimal (1)</b>  124:5</p> <p><b>minimum (2)</b>  64:8;216:15</p> <p><b>minor (2)</b>  15:17;22:18</p> <p><b>minus (2)</b>  155:20;201:6</p> <p><b>minute (12)</b>  58:19;75:25;102:22;  106:13;163:23;217:13;  223:19;229:23;258:3,  21;266:2;287:25</p> <p><b>Minutes (4)</b>  10:7;82:24,25;292:8</p> <p><b>mischaracterizing (1)</b>  184:4</p> <p><b>mishear (1)</b>  86:2</p> <p><b>mislead (1)</b>  267:4</p> <p><b>misnomer (1)</b>  9:4</p> <p><b>misrepresentation (1)</b>  263:13</p> <p><b>missed (3)</b>  137:20;201:9;209:9</p> <p><b>misspeak (1)</b>  156:21</p> <p><b>misspoke (1)</b>  269:1</p> <p><b>mistake (1)</b>  162:5</p> <p><b>mistaken (6)</b></p>
---	--	--	---	---

**CU 16-01**  
**Brandywine Senior Living at Potomac, LLC**

<p>26:9;83:11;108:16;  114:17;172:22;266:19  <b>misunderstanding (1)</b>  195:2  <b>misunderstood (2)</b>  258:24;264:5  <b>mitigate (3)</b>  149:20;220:8,9  <b>mitigation (3)</b>  132:4;167:4;220:13  <b>M-NCPPC (1)</b>  124:4  <b>model (7)</b>  65:24;242:4,5,7,10;  263:18;285:10  <b>moderate (1)</b>  65:11  <b>modification (1)</b>  198:12  <b>modified (1)</b>  187:7  <b>mom (4)</b>  63:10,13;86:24;  88:19  <b>moment (6)</b>  19:7;35:15;86:3;  108:15;140:17;218:10  <b>moments (1)</b>  291:21  <b>Monday (3)</b>  67:23;290:8;292:17  <b>monolithic (2)</b>  248:3,16  <b>Montgomery (7)</b>  7:6,8;20:8;52:15;  117:14;119:5;225:16  <b>month (19)</b>  18:15;51:6,8;63:20;  65:4,6,24,25;69:12,16,  19;74:21;288:6,7,12;  289:22;290:3;291:7,9  <b>months (5)</b>  50:22,22;51:1;74:20;  189:7  <b>more (52)</b>  9:1,17;12:8;25:5;  40:22;49:13;62:10,11;  63:9;64:10,20;66:4;  73:4;96:21;103:1;  106:3,13;107:17,22;  109:13;119:6;131:24,  25;135:5;141:8;  145:15;149:11;150:19;  151:13;152:23;154:5;  161:19;176:5;180:3;  184:7;187:18;188:2;  198:15;199:19,20;  203:11;210:3;211:24;  218:19;221:6;248:4,  15;260:14;276:21,22,  25;290:9  <b>morning (18)</b>  5:20;6:2;7:5,25;</p>	<p>26:6;48:10;49:5,15,20;  63:19;87:23;91:5,11;  106:16,17;109:4;  254:11;255:8  <b>mornings (1)</b>  106:15  <b>most (33)</b>  28:8;29:13;48:10;  49:22,23;60:1;62:14;  63:24;65:8,15;66:17;  78:16;84:25;99:24;  100:7;106:13,13;  117:12,13;124:5,17;  134:12;135:12;151:7;  152:2;158:20;162:1,2;  166:24;197:15;219:24;  252:1;276:12  <b>Mostly (1)</b>  74:25  <b>motion (7)</b>  12:7;26:4,5;35:8,23,  25;36:14  <b>Mount (1)</b>  41:21  <b>mounted (1)</b>  245:9  <b>move (26)</b>  40:20;50:16;51:5;  52:19;66:1,3;69:11,12,  19,19;70:1,1,5,5,7,9;  81:14,14,15,18,21,22,  23;118:11;131:13;  227:8  <b>moved (4)</b>  130:19;205:1;  288:13,15  <b>movement (1)</b>  176:15  <b>movements (1)</b>  158:10  <b>moves (2)</b>  70:11;81:21  <b>movie (1)</b>  49:17  <b>moving (10)</b>  22:21;25:20;26:24;  30:9;69:4;70:2,13;  82:2;180:17;192:6  <b>Mrs (6)</b>  6:3,8;7:22;23:14;  47:2;75:9  <b>much (26)</b>  8:20,25;23:9;44:22;  49:13,13;52:25;57:5,9;  64:6,6,22;66:20;83:24;  87:12;91:6,7;130:20;  150:18;159:5;164:13;  166:17;211:24;221:10;  229:13;276:21  <b>multi-family (4)</b>  226:19;227:1,22;  228:12  <b>museums (1)</b></p>	<p>47:21  <b>music (1)</b>  232:15  <b>must (6)</b>  9:25;28:18;35:11,14;  36:19;37:1  <b>myself (2)</b>  6:17;260:16    <p style="text-align: center;"><b>N</b></p>   <b>name (14)</b>  5:16;6:2,11,13;7:5,  12;41:6,17;116:25;  184:23;225:1,2,18,19  <b>named (1)</b>  60:17  <b>narrative (3)</b>  6:18;25:3,8  <b>narrow (1)</b>  177:21  <b>narrowest (2)</b>  223:14;243:9  <b>National (3)</b>  10:5;42:11;194:4  <b>native (3)</b>  139:11,13;178:7  <b>natives (1)</b>  178:9  <b>Natural (6)</b>  119:11;123:15;  124:4;134:22;184:6;  194:6  <b>Naturally (1)</b>  139:15  <b>nature (11)</b>  8:18;12:6;26:2;  35:25;36:9;47:4;  124:20;171:1;176:16;  228:9;262:18  <b>near (11)</b>  44:24;68:5;91:22;  129:21;135:18;139:7;  152:13;173:5;176:6;  179:5;228:12  <b>nearby (2)</b>  46:20;184:20  <b>nearest (1)</b>  55:7  <b>Nearly (1)</b>  152:15  <b>necessarily (1)</b>  200:2  <b>necessary (11)</b>  34:25;35:9;94:16;  129:13;136:11;149:20;  160:7,15;170:13,13;  292:16  <b>necessitate (3)</b>  23:9;104:17;105:2  <b>neck (1)</b>  161:22  <b>need (68)</b></p>	<p>16:17,20;20:5;25:4,  4,15;30:18;31:5;34:16;  44:17,17,19,21;45:20,  21,21,22;46:3;47:21;  48:3;63:9;64:6,10,11,  12,24;65:1;67:20,24;  68:12;70:6,6,18,20;  71:2,15;82:14;85:6;  86:13;87:24;88:10;  92:20;99:16;105:12;  106:13,15;107:2,7;  111:7;117:22;118:8;  136:12;158:23;159:4;  167:18;177:22;180:13;  182:7;191:14,17;  197:1;203:24;208:19;  210:25;241:18;246:10;  255:20;287:19  <b>needed (7)</b>  70:23;72:15;86:15;  167:5;208:20;250:24;  276:20  <b>needing (1)</b>  5:8  <b>needs (8)</b>  18:4,14;44:17;47:13;  51:2;64:23;87:16;  233:20  <b>negotiated (1)</b>  158:19  <b>neighbor (3)</b>  219:5,7;232:17  <b>neighborhood (31)</b>  27:10;28:19;31:4,16;  52:9;55:24;126:10,11,  21;127:2,3,12,15;  160:8;170:2,11;171:6;  184:17,18;185:3,12;  214:4,15;218:23;  231:3;238:14,18;  248:9,12,21,24  <b>neighborhoods (4)</b>  126:24;218:25;  278:2,14  <b>neighboring (1)</b>  170:18  <b>neighbors (1)</b>  46:21  <b>neither (2)</b>  32:15,15  <b>net (5)</b>  149:10;158:4;208:9,  14,21  <b>new (30)</b>  9:24;11:8,10;14:17;  32:16;37:11;41:21;  42:14;43:10,15,15,21;  56:24;65:23,24;  105:11;120:17;121:13;  125:3;129:25;140:21;  148:9;154:2;194:22;  198:1;199:1,13;  209:10;220:7;240:23</p>	<p><b>newspaper (2)</b>  60:8,10  <b>next (33)</b>  13:25;14:1;26:1;  45:14;46:17;48:16;  51:15;70:9;72:14,17;  115:17,18;148:8;  157:10;169:16;195:15;  219:5,7,7;224:19;  240:23;241:5,7;  249:25;265:19,19;  282:7,8,19;287:12;  288:4;290:9;291:9  <b>nice (5)</b>  128:19;135:25;  159:25;248:25,25  <b>nicely (1)</b>  47:6  <b>night (10)</b>  49:19;66:21;86:25;  87:17;88:15;89:4;  109:6;171:21;257:8;  271:20  <b>nighttime (1)</b>  272:5  <b>Niles (2)</b>  226:17,17  <b>nine (1)</b>  246:16  <b>nobody (1)</b>  143:11  <b>noise (20)</b>  94:20;111:23,25;  112:2;140:7;149:18;  166:20;250:21;253:3,  7,23;268:4,13,14,18,  23;274:16,19,20;282:1  <b>non- (1)</b>  272:24  <b>none (9)</b>  99:10;104:2;107:8;  204:2;268:20;270:4,4,  8;274:22  <b>non-emergent (1)</b>  85:3  <b>nonetheless (1)</b>  107:8  <b>non-majority (1)</b>  272:24  <b>non-memory (1)</b>  62:15  <b>non-residential (1)</b>  203:12  <b>non-vehicle (1)</b>  113:14  <b>noon (3)</b>  48:23;67:5;108:24  <b>normal (3)</b>  82:15;253:14;261:8  <b>normally (4)</b>  67:22;95:4,7;113:8  <b>Normandy (1)</b>  127:7</p>
---	--	---	---	---

<p><b>north (55)</b>                  5:11;9:20;75:22,23;                  76:18;83:16,17;120:6,                  8,11,12,14;121:16,18;                  122:22,23;124:13;                  126:16,17;128:2,4;                  131:21,23;136:24;                  141:6;142:4,5,7,7,21,                  22,23;144:23;160:4,5,                  8,10,12,24;161:8;                  162:3,15,16;163:11,14,                  25;164:4,7,15;174:23;                  210:22;225:20;230:19;                  259:12,13</p> <p><b>north/south (2)</b>                  121:24;159:20</p> <p><b>northern (7)</b>                  134:17;136:18;                  142:5;158:14;179:12;                  180:17,22</p> <p><b>northwest (5)</b>                  78:4;124:11;134:16;                  138:6,18</p> <p><b>Nos (1)</b>                  141:3</p> <p><b>notations (2)</b>                  13:15;279:23</p> <p><b>note (7)</b>                  30:15;37:5;134:1;                  158:8;255:23,23;                  272:13</p> <p><b>noted (6)</b>                  62:20;151:3,11;                  158:4;195:12;281:17</p> <p><b>notes (1)</b>                  91:9</p> <p><b>notice (3)</b>                  24:15;66:3;239:23</p> <p><b>noticeable (2)</b>                  246:8;252:22</p> <p><b>noticed (3)</b>                  53:8;159:18;242:21</p> <p><b>notified (1)</b>                  88:2</p> <p><b>noting (2)</b>                  10:24;17:18</p> <p><b>notwithstanding (2)</b>                  85:14;98:21</p> <p><b>November (2)</b>                  165:24;288:9</p> <p><b>NRI (4)</b>                  119:10,11;123:18;                  161:4</p> <p><b>NRI/FSD (2)</b>                  120:1;160:8</p> <p><b>number (45)</b>                  13:25;14:1;16:21;                  48:3;61:25;62:14;                  66:12,22;70:19;71:9,                  10;85:13;96:25;97:3;                  108:13;121:10,13;                  127:23;128:16;146:3,                  10;149:4,24;165:11;</p>	<p>171:24;177:3,4,11;                  182:13;188:17;206:8;                  211:13;213:6;217:7,                  20;218:1;229:1;230:1;                  236:24,25;243:3;                  261:13;268:7;280:8;                  284:21</p> <p><b>numbers (7)</b>                  25:13;53:16;69:17;                  93:25;144:24;212:13;                  244:14</p> <p><b>numeral (3)</b>                  199:3;230:8;244:17</p> <p><b>numerous (1)</b>                  10:14</p> <p><b>nurse (5)</b>                  45:22,24;85:1;87:19;                  110:14</p> <p><b>nurses (2)</b>                  45:23;66:20</p> <p><b>nursing (7)</b>                  42:6;45:18;65:2;                  70:7;87:1;275:12,13</p>	<p>41:18;225:21,23</p> <p><b>occupied (2)</b>                  69:24,25</p> <p><b>occur (11)</b>                  49:22;50:7,13;73:16,                  17;74:19;75:10;92:9;                  95:25;170:15;233:2</p> <p><b>occurs (1)</b>                  85:17</p> <p><b>o'clock (12)</b>                  48:10;49:14;67:16;                  86:25;87:17;88:15;                  89:4;108:23,24;109:4,                  6;147:7</p> <p><b>octagonal (1)</b>                  231:11</p> <p><b>October (6)</b>                  13:8;14:5,25;18:8,9;                  21:7</p> <p><b>odd (3)</b>                  179:15;217:6;271:9</p> <p><b>oddity (1)</b>                  209:16</p> <p><b>odors (6)</b>                  250:21;251:10,18,                  22;252:14,16</p> <p><b>off (31)</b>                  18:23;20:6;61:16;                  67:16;86:24;91:13,14;                  114:17;124:12;127:6;                  129:22;135:1;136:5;                  137:15,25;147:20;                  163:24,25;182:21;                  199:7,11;223:24;                  224:16,17;232:18;                  257:13;262:14;266:13;                  272:1;291:24,25</p> <p><b>offer (3)</b>                  8:10;18:13;24:19</p> <p><b>offered (2)</b>                  42:25;92:17</p> <p><b>Office (8)</b>                  5:14;14:6;23:19;                  24:8;38:5;116:21;                  287:25;291:16</p> <p><b>officer (3)</b>                  57:22;59:6,9</p> <p><b>officers (1)</b>                  59:19</p> <p><b>official (1)</b>                  196:1</p> <p><b>officials (1)</b>                  288:8</p> <p><b>off-site (4)</b>                  124:18,24;126:1;                  134:21</p> <p><b>often (16)</b>                  8:8;49:22;50:6;                  73:16,17;74:17,19;                  84:22;85:17,17;                  116:17;254:3,7,9;                  275:3;283:9</p> <p><b>old (4)</b></p>	<p>9:3;37:12;46:5;                  73:12</p> <p><b>older (1)</b>                  122:12</p> <p><b>olds (1)</b>                  64:24</p> <p><b>on- (1)</b>                  124:19</p> <p><b>once (10)</b>                  38:17;39:5;51:5;                  52:19;106:2;121:16;                  161:14;214:4;227:18;                  278:15</p> <p><b>one (132)</b>                  6:6;7:22;12:6,7;                  13:12,21;16:21;20:7,                  25;22:3,12;30:16;36:3;                  37:12;38:11;39:7;41:1;                  43:10;46:25;47:1,23,                  25;50:25;51:25;54:20;                  55:14;57:9;58:7;59:7;                  61:23;63:8;64:3;75:21;                  78:25;79:16;88:5;                  94:11;107:3;110:6,10,                  10;119:14,16;120:13,                  14;121:16,25;128:3,4,                  16;131:20;132:19;                  133:17,20;135:24;                  139:9;142:21;145:17,                  19;148:11,11;149:5,                  11;150:1,15;151:14,14,                  14,14,15;154:25;                  158:8;159:14,19,20,24;                  162:7;180:21;184:10,                  25;186:6,7,16;195:7;                  196:5;200:13;201:23;                  205:5;209:8;211:21;                  215:21,21;217:6,8,9;                  219:1,4,15;227:18,19;                  228:2;231:20;233:13;                  234:6;244:16,17;                  249:25;251:4;255:15,                  16,19;256:4;264:1;                  266:3,5;272:3;273:16;                  274:4;280:6;281:11;                  283:7,17,18;285:7,8;                  286:3;288:7;289:12,                  16;290:14;291:1,13</p> <p><b>ones (8)</b>                  23:16;44:19;119:17,                  18;262:12,13,19,23</p> <p><b>only (39)</b>                  10:13;15:9;30:17,24,                  25;32:13;34:10;43:25;                  50:15;58:17;69:11,14;                  82:12;84:6;85:6;89:15;                  98:10,10;102:7,7;                  151:6;156:22;161:6,                  17;162:7;180:8;181:6;                  186:6,7;188:16;                  199:18;205:5;206:22;                  209:7,22;212:2;221:1;                  261:4;290:3</p>	<p><b>on-site (19)</b>                  48:14,16,23;85:1;                  87:7;100:4,7;101:3,6;                  105:6;107:17,23;                  108:3,4;110:7;113:12;                  124:23;149:16;194:20</p> <p><b>onto (2)</b>                  125:23,23</p> <p><b>open (14)</b>                  21:24;23:9;34:17;                  131:24;135:20;174:22,                  22,23;193:14;195:15;                  212:16;281:19,23,24</p> <p><b>opened (2)</b>                  43:10;50:24</p> <p><b>opening (5)</b>                  40:6,7,12;131:1;                  282:2</p> <p><b>operate (8)</b>                  8:20,25;43:7,14;                  62:5;66:10;73:13;                  90:11</p> <p><b>operates (2)</b>                  8:21;128:15</p> <p><b>operating (1)</b>                  61:22</p> <p><b>operation (14)</b>                  26:25;67:19;68:2;                  85:14;186:3;211:25;                  212:4;213:9,10;257:9;                  274:17,19,20;281:21</p> <p><b>operations (7)</b>                  48:7;92:17;251:13,                  14,24;253:5;257:11</p> <p><b>opinion (31)</b>                  38:17;56:7,8;165:1,                  3,18,20,25;167:9,25;                  168:9,16,25;169:6,25;                  170:8,16,21;171:4;                  186:10,13;193:2;                  205:20;246:4;251:17;                  252:14;269:5;270:13;                  271:7;278:14,17</p> <p><b>opinions (1)</b>                  26:17</p> <p><b>opportunity (10)</b>                  16:20;17:15;25:25;                  27:21;35:2;61:1;                  145:21;241:4;256:12;                  289:19</p> <p><b>opposed (5)</b>                  7:14,16;37:23;                  138:15;203:9</p> <p><b>opposition (4)</b>                  10:13;12:25;22:16;                  47:12</p> <p><b>option (1)</b>                  281:22</p> <p><b>options (2)</b>                  235:1,3</p> <p><b>orange (1)</b>                  136:22</p> <p><b>order (6)</b></p>
<b>O</b>				
<p><b>oath (1)</b>                  227:3</p> <p><b>object (6)</b>                  73:25;74:6;137:8;                  181:14;212:23;213:15</p> <p><b>objection (19)</b>                  17:18;24:19;56:1,19,                  21;57:2;89:19;111:14;                  117:24;128:24;129:10;                  137:6;143:11;168:3;                  169:5;181:9;212:18;                  213:14,16</p> <p><b>objectionable (5)</b>                  168:1,9,10;246:5;                  250:21</p> <p><b>oblique (3)</b>                  187:17;283:20;                  284:16</p> <p><b>observation (1)</b>                  278:8</p> <p><b>obviously (10)</b>                  23:13;25:15;105:6;                  238:16;239:20;240:4;                  244:5;265:18;270:6;                  285:9</p> <p><b>occasion (6)</b>                  12:17;94:8;106:1;                  113:10;164:20;184:12</p> <p><b>occasionally (1)</b>                  51:25</p> <p><b>occasions (6)</b>                  84:15;88:13,25;                  93:24,25;101:16</p> <p><b>occupancy (8)</b>                  38:3;50:18,19,20;                  69:15,22;109:20,22</p> <p><b>occupation (3)</b></p>				

**CU 16-01**  
**Brandywine Senior Living at Potomac, LLC**

8:11;12:1;20:4; 37:11;50:3;213:20 <b>ordering (1)</b> 30:5 <b>Ordinance (23)</b> 5:5;9:3,13;28:20; 33:18;34:2;35:22;36:5; 119:2;167:12,15; 168:21;169:15;200:4; 208:12;209:1,6,10,17; 214:16;227:25;228:16; 261:25 <b>ordinarily (1)</b> 116:7 <b>organization (5)</b> 24:7,13;25:9;60:23; 291:1 <b>organizations (1)</b> 226:10 <b>organized (1)</b> 229:24 <b>orient (1)</b> 230:18 <b>origin (1)</b> 123:3 <b>original (2)</b> 19:21;217:18 <b>originally (1)</b> 56:25 <b>ornamental (1)</b> 177:14 <b>others (6)</b> 7:3;9:15;43:9,11; 54:12;208:25 <b>otherwise (3)</b> 134:2;155:15;276:13 <b>ours (1)</b> 166:16 <b>ourselves (1)</b> 105:6 <b>out (71)</b> 8:11;13:9;17:25; 18:10,15;20:13;21:17; 24:7,17;30:20;31:11; 35:21;50:5;52:7,10; 66:3;68:18;73:22; 74:12;78:1;81:21;82:2; 24:87:11;96:10,11; 98:17;103:6;113:11; 125:22;131:14,15,19; 133:3;142:12;144:23; 146:2;147:12;151:11, 19;161:13,16;164:1; 177:12;181:16;183:11; 185:14;195:13;196:11; 197:6,14;207:5,16; 216:9;233:2;241:7; 255:17;259:8;266:18, 20;270:7;272:11; 278:21;281:3,15,23; 285:8;287:4,24;288:6; 291:5 <b>outdoor (3)</b>	131:24;135:21; 149:18 <b>outfall (6)</b> 176:6,11;177:24; 180:10,15;181:10 <b>outfalls (1)</b> 179:15 <b>outlive (1)</b> 63:2 <b>outreach (1)</b> 52:9 <b>outs (8)</b> 50:16;51:6;69:12,19; 70:1,5;81:14,23 <b>outside (13)</b> 54:21;61:4;102:1; 105:8;128:25;137:5; 145:25;172:21;173:11; 174:17;178:19;228:13; 232:20 <b>over (22)</b> 15:21;18:15;32:7; 38:16;46:22;65:7; 71:20;72:14;86:7; 98:17;107:11;144:8,9; 148:8;149:22;151:15; 163:22;196:17;231:13; 260:6,8;292:3 <b>overall (1)</b> 71:2 <b>over-concentration (1)</b> 149:3 <b>overlap (1)</b> 290:2 <b>overlapping (1)</b> 107:19 <b>overlooks (1)</b> 132:1 <b>overrule (2)</b> 129:9;169:5 <b>oversight (1)</b> 23:3 <b>own (9)</b> 32:15;60:1;61:20; 63:15,15,16;104:23; 112:12;167:19 <b>owned (6)</b> 59:22,24;60:18,19; 61:14;186:7 <b>owner (3)</b> 11:15;38:11;102:23 <b>owners (2)</b> 6:4;52:17 <b>ownership (1)</b> 61:7 <b>owns (1)</b> 11:16 <b>OZAH (4)</b> 14:6;19:18,18,19	234:3 <b>page (10)</b> 32:17;71:19,20,25; 72:10;165:22;230:19, 19;236:15;237:14 <b>pains (1)</b> 250:23 <b>palette (1)</b> 232:1 <b>panel (5)</b> 82:16,23;99:21,22; 104:17 <b>panels (1)</b> 249:13 <b>papers (1)</b> 96:1 <b>parallel (1)</b> 173:9 <b>Parcel (2)</b> 5:10;148:13 <b>pardon (2)</b> 74:3;147:17 <b>parent (2)</b> 59:21;88:22 <b>parents (1)</b> 44:24 <b>Park (10)</b> 10:5;22:19;112:24; 113:8,9,11,21;124:16; 181:1;194:5 <b>parked (2)</b> 197:8;247:1 <b>parking (68)</b> 95:6,14,15,17;96:8,9, 10,15,17,18,22,24; 97:11,15,16,21;98:22; 108:15;113:20;114:12, 14,18,22;120:21; 124:7;129:14,19; 130:11,14;131:13,15; 135:19;151:7,10,17,19; 153:16,19,20;155:13; 159:3;167:23;183:22; 191:4;192:6;197:10, 10;202:23,24;203:12, 17,22;204:2,10,14; 205:7;210:16,17; 218:11;220:23;221:5; 222:21;233:9;237:20; 254:12;273:6,12; 281:18 <b>Parkinson's (1)</b> 65:1 <b>parlance (1)</b> 76:18 <b>parlor (1)</b> 232:15 <b>part (36)</b> 10:6,9;20:2;21:2,14; 23:3;31:16;36:3;38:13; 39:4;52:8,25;102:11; 105:20;127:9;146:19; 155:1;168:14;185:22;	186:5;191:7;198:22; 206:23;210:12,20,20; 214:23;224:5;235:6, 10;236:19,20;244:13; 246:20;266:8;286:14 <b>partially (1)</b> 136:5 <b>participants (1)</b> 39:18 <b>participating (2)</b> 24:20;25:2 <b>particular (17)</b> 23:22;31:25;44:15; 45:11;70:3;75:2;119:3; 123:3;129:16;148:23; 166:11;175:11;180:21; 181:10;191:23;215:1; 222:3 <b>particularly (7)</b> 32:16;44:19;46:10; 54:13;108:14;176:25; 177:16 <b>parties (5)</b> 5:18;9:19;13:21; 36:1;40:6 <b>partner (1)</b> 5:24 <b>part-time (5)</b> 48:13,20,21;67:25; 106:7 <b>party (1)</b> 78:15 <b>pass (6)</b> 73:14;81:25;85:19, 21;267:23,24 <b>passed (4)</b> 78:15;86:6;94:16,19 <b>passenger (1)</b> 255:7 <b>passing (2)</b> 84:17;85:17 <b>past (6)</b> 28:22;61:7;86:6; 141:19;143:9;277:1 <b>path (5)</b> 132:1;158:17,20,21; 190:2 <b>patients (3)</b> 45:18;46:1;131:20 <b>pattern (4)</b> 82:8;177:13;193:14; 211:11 <b>patterns (1)</b> 176:15 <b>Paul (18)</b> 6:3,8;52:14;175:16; 176:4,12;178:21; 179:1;182:5;184:13; 185:15,19;195:6; 196:13,23;209:23; 238:25;255:11 <b>Pauls (5)</b> 130:25;141:16;	145:20;216:9;219:8 <b>Pauls' (47)</b> 17:4;75:9,20;78:6; 79:23;124:10,15,19; 125:23;139:9;152:3,4, 11,14;153:10;154:3, 22;157:3;193:22; 194:13,18;195:3; 201:19;202:3,9; 205:15,18;206:1; 211:18,22;219:9; 241:17,25;242:11,20; 243:10,15;244:2; 279:4;281:1,2,5,9,13; 282:5,23;285:17 <b>Paul's (10)</b> 13:13;18:10;23:14; 47:2;75:9;242:19; 256:1,4,8;279:17 <b>pause (1)</b> 53:9 <b>paved (1)</b> 124:6 <b>pavement (1)</b> 218:16 <b>pay (3)</b> 65:14,23;66:9 <b>payroll (1)</b> 107:13 <b>PDF (2)</b> 10:1,2 <b>peaceful (2)</b> 170:9;248:19 <b>peak (16)</b> 48:24;67:5;109:1; 149:11;155:4,4,6,11, 17,24,25;156:3,8; 209:25;210:4,5 <b>peaked (7)</b> 154:11,12,12; 155:12;207:18;219:22, 24 <b>peaks (1)</b> 106:23 <b>pedestrian (2)</b> 54:12;173:11 <b>penalty (3)</b> 41:11;117:4;225:8 <b>pendency (1)</b> 10:25 <b>Pennsylvania (7)</b> 42:1;43:15;226:25; 227:19,23;228:10,13 <b>pension (1)</b> 65:16 <b>people (50)</b> 7:2,21;22:16,20; 40:22;47:19,21,23; 48:25;59:3;66:4,7,15; 67:5,20;68:18;73:12; 76:13;82:2;84:16; 85:16,19,20;86:6,10, 12,17,91:5;99:22;
	<b>P</b>			
	<b>pad (1)</b>			

107:3;108:2,3,4,17,18; 109:5,6,10,11;116:20; 147:5,11;161:19; 162:1;171:8;272:5; 281:22;282:19;283:8; 289:15	<b>phase (1)</b> 151:24 <b>Philadelphia (3)</b> 54:21,21;228:13 <b>phonetic (1)</b> 105:5 <b>photo (4)</b> 9:22;121:23;122:10; 123:9 <b>photograph (11)</b> 77:6;123:2,3;160:11, 12;163:14;186:17,21; 237:20;263:2;287:2 <b>photographs (1)</b> 244:9 <b>photometric (9)</b> 112:7;168:5,8,19; 169:18;245:20,22; 261:14,23 <b>photometrics (1)</b> 204:6 <b>photos (1)</b> 10:3 <b>phrase (1)</b> 39:19 <b>phrased (2)</b> 39:16,22 <b>physical (3)</b> 49:11;110:7;168:2 <b>physically (1)</b> 92:18 <b>physician (10)</b> 87:10,14,20,21;88:5, 6,14,25;110:16;111:1 <b>physicians (4)</b> 87:7,8;89:3;109:25 <b>physician's (1)</b> 87:17 <b>pick (5)</b> 54:19,23;55:9; 108:23;253:22 <b>picked (1)</b> 90:12 <b>picks (1)</b> 153:10 <b>pickup (2)</b> 92:9;189:16 <b>pickups (3)</b> 90:9;92:12;93:23 <b>picture (3)</b> 77:6;236:16;237:18 <b>pictures (2)</b> 136:5;189:10 <b>piece (2)</b> 199:19;248:16 <b>pieces (1)</b> 275:25 <b>pinetrees (1)</b> 206:4 <b>pinocchio (2)</b> 272:6,7 <b>pipe (1)</b> 235:9	<b>piped (2)</b> 125:22;222:22 <b>pitch (2)</b> 235:24,25 <b>pitched (1)</b> 238:19 <b>itches (2)</b> 277:19,20 <b>place (4)</b> 45:6;64:10;78:18; 171:8 <b>placed (2)</b> 23:18;171:8 <b>places (3)</b> 135:16;208:23;209:7 <b>placing (1)</b> 134:21 <b>plain (2)</b> 141:18;199:18 <b>plan (130)</b> 22:5;25:23;26:22; 33:16,17,19,20,24,25; 34:3,5,12,13,15,16,17, 19;44:20;46:11;64:20, 21;70:14,16,17,21,24; 71:10,17,18,22,23,24; 72:1,6,12,22;92:14,20; 100:9;115:8;117:15; 118:22;124:5;127:20, 21;132:6,14;133:2,10, 12,12,21;134:1,4,5; 140:4,5;141:7;143:16; 148:6,7,16;149:3,8,19, 23;150:2,4,6;158:8,9; 159:20;160:8;164:6; 167:17;169:19;172:2; 173:4,25;177:2; 178:11;181:7;183:12; 189:15;190:9;191:2,5; 192:2;193:12;194:5,8, 12,23;196:4;198:2,4, 16,18,22;199:2,5,17, 22;200:1;202:21,22; 203:8,25;206:7;213:5; 214:12,13;223:9; 230:16;238:9;241:5, 22;245:20;251:11; 256:5;259:2;263:17, 24;264:16;265:20; 266:11;270:11;285:6, 21;286:15 <b>plane (2)</b> 86:25;248:1 <b>planned (2)</b> 87:16;191:3 <b>planner (10)</b> 118:5;149:13;168:4, 8,14;171:4;175:25; 176:1;194:4;262:22 <b>planner/landscape (1)</b> 137:9 <b>Planning (49)</b> 10:6,7,8;14:16;15:2,	6,10,18;19:15;20:25; 22:19;23:19;25:12; 37:25,25;50:10;53:8; 55:11;117:10,25; 118:14;119:5,9; 124:17;126:10;127:15; 132:6;133:22,25; 136:4;148:3;159:6; 167:10;181:1;188:17; 194:1,3,5;198:13; 220:15,17;228:14; 236:20;237:10;246:21; 253:12;267:17;271:12; 290:24 <b>plans (21)</b> 9:24;34:14;52:8; 55:21;140:12,18; 142:20;160:7,10; 161:13,17;168:8; 180:6;198:9;200:4; 229:19;232:10;266:16; 282:13;285:3,3 <b>plant (3)</b> 139:20;269:13,14 <b>planted (8)</b> 79:3,6;80:3;262:20; 267:20,21;269:21,22 <b>planter (8)</b> 146:8,9,16;147:1,3; 199:5,6;266:6 <b>planters (2)</b> 135:17;146:7 <b>planting (8)</b> 124:5;135:5;177:8; 216:18;243:17,20,25; 266:5 <b>plantings (13)</b> 135:4;145:8,10,23; 149:15;150:18;166:24; 169:10;210:24;216:25; 221:11;262:22;286:17 <b>play (2)</b> 155:8;272:6 <b>played (1)</b> 208:20 <b>playing (3)</b> 63:7;272:6,7 <b>please (28)</b> 5:18;6:10;27:22; 29:8;40:17;41:6,9,18; 82:9;95:20;97:6; 104:13;111:6;116:25; 117:3;122:1,1,17; 172:22;184:10;188:24; 225:1,7;226:15; 252:13;256:15;260:20; 261:22;284:8 <b>plots (1)</b> 135:16 <b>plumb (2)</b> 100:16;270:14 <b>plus (4)</b> 139:12;197:16;	210:3;215:21 <b>pm (8)</b> 50:14;84:14;86:22; 90:14;92:10;106:2; 253:17;292:25 <b>pos (1)</b> 231:4 <b>point (84)</b> 17:22;19:12,25;23:1, 20,23;24:5,17,18;28:9, 12;29:2;30:2,4,6,7; 31:25;35:6,24;50:9; 53:6;65:19;67:15; 73:18;74:9;78:8;96:3; 99:5;104:11;107:22; 109:12;123:13;129:23; 131:13;134:25;136:10; 144:23;145:4,11; 152:24;153:23;154:8, 11,20;155:7;158:14; 161:25;162:16;176:7; 177:20;178:12;195:6, 13;196:23;197:23; 201:14;202:19;214:22; 216:17,20,21;222:23; 223:17,18;237:25; 239:2,4,22;240:7,12; 253:20;263:8,9,25; 265:9;266:4;268:20; 272:12;273:17;274:22; 276:11;278:9;282:23; 284:15 <b>pointed (4)</b> 30:20;146:18; 160:12,12 <b>pointing (15)</b> 75:14;76:22;77:13; 79:13;103:6;138:9,18; 160:10;162:4;163:11; 185:9,14;194:7;224:7; 260:6 <b>points (7)</b> 10:12,12;23:11; 24:16;153:9;263:15; 285:24 <b>pole (4)</b> 173:8,10;205:1; 209:4 <b>poles (6)</b> 123:18;129:24; 203:19,21;204:11,19 <b>pond (1)</b> 267:9 <b>pool (2)</b> 26:11;115:4 <b>porte- (1)</b> 232:11 <b>Porte-cochere (4)</b> 245:4;246:21,24; 255:6 <b>portion (39)</b> 123:20;124:11; 129:20;131:17,18;
---	---	--	--	---

135:18,22,24;142:2,5; 143:2;151:8;152:2; 153:23;156:11,18,19; 184:19,22;196:12; 199:17;203:15;213:25; 219:14;233:6,6; 235:22;238:17,24; 239:9;243:9,11; 250:12,13;271:17; 276:5,6,7;279:16 <b>portions (2)</b> 249:11,11 <b>portrays (2)</b> 123:13,14 <b>position (6)</b> 13:4;181:5;204:23; 215:4;254:21,24 <b>possibility (3)</b> 32:10;100:16;246:19 <b>possible (10)</b> 39:7,9;134:23;193:2; 202:23;234:24;235:23; 239:13;268:9;273:16 <b>possibly (2)</b> 104:7;197:5 <b>posted (1)</b> 10:24 <b>Posting (3)</b> 10:20,22;11:1 <b>postponement (1)</b> 13:1 <b>potential (3)</b> 169:10;170:10; 248:19 <b>Potomac (27)</b> 5:3,10,11,12;6:14; 44:19,23;45:6;58:4,12; 59:10;61:6;70:16,17, 23;71:17;118:22; 123:17;124:8;129:17, 22;135:2;148:14; 151:9;158:12;212:16; 231:3 <b>power (3)</b> 168:21;272:2;274:23 <b>practical (3)</b> 38:20,23;203:13 <b>pre- (1)</b> 18:20 <b>precautions (1)</b> 252:4 <b>precipitated (2)</b> 12:25;15:8 <b>predict (2)</b> 74:19;85:19 <b>predominantly (5)</b> 226:18;243:12; 246:6,11;249:19 <b>prefer (2)</b> 69:6;203:5 <b>prejudice (1)</b> 20:22 <b>prejudiced (3)</b>	20:2,18,20 <b>prejudicial (1)</b> 17:15 <b>preliminarily (1)</b> 16:7 <b>preliminary (16)</b> 8:17;10:17;11:7,23; 12:5;19:5;30:3;34:23; 40:1,3;133:1,21,25; 134:3;214:19,23 <b>prelude (1)</b> 111:8 <b>premised (1)</b> 26:7 <b>prep (1)</b> 106:22 <b>preparation (1)</b> 163:22 <b>prepare (3)</b> 182:7;236:4;241:13 <b>prepared (5)</b> 90:22;91:3;140:21; 163:3;229:19 <b>preparing (6)</b> 49:10;94:11;106:15, 21,21;164:19 <b>presence (1)</b> 194:10 <b>present (6)</b> 5:24;28:4,16;170:23; 176:4;240:8 <b>presentation (9)</b> 26:6,18;27:17;28:9; 197:23;236:11,15,20; 237:7 <b>presented (3)</b> 29:5;194:23;237:10 <b>presenting (3)</b> 7:7;25:3,8 <b>preserve (1)</b> 66:1 <b>preserved (1)</b> 278:20 <b>president (6)</b> 6:23;7:6;41:19; 56:23;254:13;255:2 <b>presumably (1)</b> 274:18 <b>presume (5)</b> 21:9;72:5;77:4; 122:21;163:11 <b>pretend (1)</b> 30:21 <b>pretty (11)</b> 8:20,25;19:1;23:4; 64:7;66:20;159:5; 160:2;211:11,21; 288:19 <b>preventive (1)</b> 105:6 <b>previous (11)</b> 31:14;35:12,14; 36:18,19,25;37:1;	39:13;234:2;246:18; 266:3 <b>previously (7)</b> 225:13;227:16; 233:11;235:24;238:18; 246:9;247:16 <b>primarily (1)</b> 131:2 <b>primary (1)</b> 177:13 <b>Prime (1)</b> 82:17 <b>prior (8)</b> 21:6;72:11;118:13; 226:19;229:8;251:24; 253:12;287:4 <b>privacy (11)</b> 63:15;87:10;135:1,3, 7,11;138:1,3;145:25; 199:10;283:16 <b>private (7)</b> 42:5;60:2;66:9;87:8, 12;110:16,24 <b>privately (1)</b> 89:8 <b>probably (27)</b> 17:17;20:14;26:4; 40:21;48:24;65:20; 66:7;70:9;72:18;75:3; 82:12,24;84:25;92:22; 99:24;100:10;103:22; 109:4,23;134:22; 145:18;147:6;186:10; 188:5;205:13;217:25; 230:5 <b>problem (7)</b> 20:19;22:21;102:11; 137:21;143:19;178:14; 230:15 <b>problems (1)</b> 93:1 <b>procedure (4)</b> 87:3,18,19;88:4 <b>proceed (5)</b> 40:15;41:14;57:6; 117:6;225:10 <b>proceeding (4)</b> 12:8,9;15:6;60:21 <b>proceedings (4)</b> 8:18,24;11:17;23:5 <b>proceeds (1)</b> 65:22 <b>process (7)</b> 22:24;74:23;127:21; 146:19;164:8;253:21; 254:16 <b>produced (2)</b> 168:16;187:2 <b>product (2)</b> 95:8,11 <b>profession (1)</b> 249:1 <b>professional (9)</b>	41:22;168:25; 225:25;226:9,13; 251:17;252:13;270:13; 289:19 <b>professionals (2)</b> 159:24;162:2 <b>proffering (1)</b> 140:11 <b>profile (3)</b> 15:14;62:23;239:7 <b>program (4)</b> 105:5;128:13;249:4; 257:10 <b>programmatically (1)</b> 233:20 <b>programs (1)</b> 46:19 <b>progressive (1)</b> 105:17 <b>prohibiting (1)</b> 179:17 <b>project (14)</b> 46:11;50:17;127:19; 128:13,13;129:12; 140:18;158:1;227:1,2, 23;228:3;247:25; 285:18 <b>projection (1)</b> 246:8 <b>projects (5)</b> 226:8,8,24;278:12; 283:10 <b>promised (1)</b> 283:20 <b>proof (1)</b> 249:25 <b>proper (3)</b> 27:21;29:19;93:8 <b>properly (3)</b> 20:4;45:4;63:13 <b>properties (9)</b> 13:21;78:22;80:25; 127:4;130:4;166:13; 170:11;175:8;248:20 <b>property (175)</b> 5:9;6:4,9;10;11:17; 17:4;26:25;27:12; 29:19;35:13;37:19,21; 38:11;45:10;47:1,1,2,3, 6;51:3;52:9;63:4; 77:20;79:7,9,22,22; 91:23;94:12;118:19, 23;121:1;124:9,19,25; 125:23;126:25;129:24; 130:12,12,22;131:5,10, 11;134:16,17;135:1,2; 136:2;137:5,12,16,25; 139:6,8,8;141:10,16, 18;145:4,9,13,13,14; 151:17,20;153:10,11, 21,23;154:6,6,22; 158:6;166:17;167:1; 169:17;171:22;173:7,	8,9;175:13,16,24; 176:4,6,7,12;177:17, 17,21,22;178:21;179:2, 12;180:17,22;182:6; 184:13,14;185:15,19; 186:6;190:13,14; 193:20,23;194:14,18, 19;195:3,6;196:13,24; 201:19;202:3,9,17; 204:3,19,21,22,24; 205:4,6,15,19;206:2; 210:23;216:8;218:16; 219:13;221:2;222:9, 10,14,23;223:21,24; 224:2;229:18;241:17; 242:13,19,20;243:16, 24;244:3;247:17; 255:11;256:1,4,8; 261:24;262:11,20,24; 264:20,22;266:4,13,14, 17,18,20;267:18;268:4, 11,23;272:4;281:1,2,5, 9,13;282:5 <b>proportion (1)</b> 233:16 <b>proportionality (1)</b> 233:17 <b>proposal (5)</b> 19:11;23:17;58:3; 148:20;207:6 <b>proposed (69)</b> 9:10,12;19:11;26:20; 27:10;28:18,23;31:4; 34:4,13;35:11;39:15, 24;55:22;68:6;76:25; 77:7,10;102:19;138:2, 4;140:24;154:21; 167:10,25;169:25; 170:8,17;171:5; 183:13;194:15;198:7, 8;199:1;206:9;207:23; 214:2,3,4,8,13,14; 215:11;217:3;218:10; 220:24;223:1;229:22; 238:12;241:17;243:2, 4,16,16,17,20,24; 248:7,18;250:20; 262:11;263:7,10,16; 265:10,24;268:19,22; 285:14 <b>proposing (13)</b> 47:8;139:21;145:24; 146:23;172:1;180:16; 198:17,18,23;203:9; 249:8,9,12 <b>Prospective (2)</b> 121:6;236:4 <b>protect (5)</b> 193:9;251:10; 267:12;268:2;270:14 <b>protected (3)</b> 134:23;179:19;243:5 <b>protection (2)</b>
---	--	---	--	---

<p>45:2;204:16  <b>protective (2)</b>                  208:9,13  <b>protects (1)</b>                  124:12  <b>prove (3)</b>                  31:3,6,17  <b>provide (38)</b>                  16:12;38:2;44:2;                  45:16,25;51:11,12,15;                  63:13;85:15;86:16;                  87:8;110:15,19;                  128:18;148:7,9;                  177:10;187:19,23;                  191:14;220:13;229:5;                  239:11;246:7,10;                  248:4;250:24;268:15,                  25;269:1,6;271:13,18;                  283:11;285:4,10,14  <b>provided (19)</b>                  24:4;100:3;124:17;                  129:19;130:3;135:14;                  148:19;152:10,11;                  158:7;170:12;182:9;                  235:3;242:1,2;243:4;                  251:15;257:12;271:13  <b>provides (2)</b>                  233:23;283:10  <b>providing (7)</b>                  72:5;135:4;150:25,                  25;220:7;232:16;                  251:21  <b>provision (7)</b>                  35:23;36:17,20,21;                  39:11;118:23;251:20  <b>provisions (2)</b>                  130:1;268:18  <b>proximity (1)</b>                  175:12  <b>public (8)</b>                  5:2;18:9;42:4,15;                  158:3;230:22;232:24;                  292:14  <b>pull (5)</b>                  13:9;31:11;172:18;                  195:14;283:18  <b>pulling (2)</b>                  197:4;246:19  <b>pullout (1)</b>                  217:10  <b>pump (1)</b>                  113:12  <b>purports (5)</b>                  13:17,22;17:11;                  18:20;34:6  <b>purpose (4)</b>                  72:25;178:15;183:4;                  215:19  <b>purposely (1)</b>                  57:7  <b>purposes (4)</b>                  106:4;160:23;185:6;                  199:24</p>	<p><b>purview (3)</b>                  61:11;169:6;173:19  <b>pushed (1)</b>                  150:21  <b>put (39)</b>                  9:9;13:24;18:6;38:8;                  121:25;122:21,23;                  130:1;134:13;139:9,                  15,18,21,22;144:23;                  146:25;161:20;164:14;                  167:16;192:17;193:2,                  11;199:6,25;200:1;                  203:8;217:21;222:1,4;                  230:10,10;234:2;                  254:3,7,8;262:24,24;                  272:21;284:5  <b>puts (1)</b>                  93:8  <b>putting (7)</b>                  83:9;138:21;139:16;                  140:3;143:20,21;211:7</p> <p style="text-align: center;"><b>Q</b></p> <p><b>qualifications (2)</b>                  117:25;227:11  <b>qualified (6)</b>                  56:5;117:9;225:13;                  226:23,25;229:7  <b>qualify (1)</b>                  125:1  <b>quality (2)</b>                  44:2;249:3  <b>quarreling (1)</b>                  35:16  <b>quarter (2)</b>                  153:3;224:15  <b>quarters (1)</b>                  184:13  <b>queueing (1)</b>                  64:9  <b>quick (4)</b>                  171:13;277:8;283:6,                  6  <b>quickly (5)</b>                  139:24,25;151:10;                  152:23;217:2  <b>quiet (2)</b>                  48:9;131:17  <b>Quirks (1)</b>                  160:16  <b>quite (18)</b>                  9:22;15:19;19:10;                  20:2;52:18;119:7;                  124:20;136:1;139:15;                  145:14;147:9;148:12;                  149:22;152:21;157:14;                  171:2;195:11;266:10  <b>quote (4)</b>                  272:21;273:1;                  278:10,10  <b>quoted (1)</b>                  71:8</p>	<p><b>quotes (4)</b>                  72:6;180:2;272:22;                  278:8</p> <p style="text-align: center;"><b>R</b></p> <p><b>RA-2 (1)</b>                  167:12  <b>radius (1)</b>                  192:5  <b>raise (7)</b>                  10:10;11:7;41:8;                  117:2;198:24;225:6;                  243:21  <b>raised (5)</b>                  10:13;47:13;54:11;                  214:22;250:1  <b>raising (2)</b>                  16:7;30:3  <b>range (7)</b>                  64:15;65:3,3,4,6,6;                  242:25  <b>rare (6)</b>                  84:20,25;85:11,25;                  89:5;111:2  <b>Rarely (7)</b>                  51:24;105:7;111:2,4;                  180:6,19;252:1  <b>ratcheting (1)</b>                  109:10  <b>ratchets (1)</b>                  109:6  <b>rate (3)</b>                  63:25;139:17,23  <b>rates (1)</b>                  64:18  <b>rather (14)</b>                  52:6;56:14;89:1;                  121:17;131:16,16;                  145:17;150:19;151:10;                  161:22;203:12;217:17;                  236:11;248:3  <b>RE-1 (1)</b>                  29:15  <b>RE-2 (3)</b>                  5:13;27:11;29:15  <b>reach (5)</b>                  24:17;87:21;151:13;                  238:19;286:19  <b>reached (1)</b>                  18:10  <b>reaching (1)</b>                  21:1  <b>read (12)</b>                  24:24;29:17;34:16;                  71:22,24;122:13;                  165:1;166:1,11;174:6;                  220:1;248:16  <b>reading (3)</b>                  22:9;32:12;72:11  <b>ready (3)</b>                  16:3;91:16;106:19  <b>real (2)</b></p>	<p>74:13,14  <b>realistic (1)</b>                  27:16  <b>really (43)</b>                  9:5;26:1;28:10,12;                  31:20;33:22;34:23;                  35:24;51:1;65:14;66:3;                  74:19;84:18;101:7,9,                  13;102:18;129:12,18;                  130:16;133:8;135:12;                  136:12;149:7;150:20;                  151:22;157:8,23;                  160:16;161:15;162:16;                  164:9,12;166:22;                  178:9;198:14;199:13;                  204:5;214:1,11;219:2;                  229:12;266:18  <b>rear (7)</b>                  232:21;233:5,6;                  242:10,13;243:8;                  273:17  <b>reason (11)</b>                  24:12;47:24;76:12;                  81:5;95:8;98:24;                  100:24;185:24,24;                  203:14;287:12  <b>reasonable (5)</b>                  17:19;21:24;66:22;                  72:1,16  <b>reasons (3)</b>                  47:4;142:19;150:15  <b>reassured (2)</b>                  25:1,7  <b>rebuffed (2)</b>                  18:13;19:9  <b>recalculated (1)</b>                  198:2  <b>recall (17)</b>                  20:3;70:19;95:2;                  124:21;150:4;156:16;                  159:9;176:19;182:25;                  185:12;208:11;214:19;                  228:25;231:21;267:12;                  272:25;273:2  <b>receive (2)</b>                  116:7;133:15  <b>received (6)</b>                  14:25;19:5;53:8;                  106:6;254:6;278:16  <b>receiving (2)</b>                  50:1;247:16  <b>recent (1)</b>                  117:13  <b>recently (3)</b>                  13:8;117:12;132:6  <b>recessed (1)</b>                  136:6  <b>recharge (3)</b>                  177:24;180:11,19  <b>recognition (1)</b>                  228:19  <b>recognize (2)</b>                  31:13,13</p>	<p><b>recognized (2)</b>                  38:13;227:15  <b>recognizing (1)</b>                  228:18  <b>recollect (2)</b>                  19:23;185:11  <b>recollection (1)</b>                  115:9  <b>recommend (1)</b>                  290:7  <b>recommendation (3)</b>                  19:16;148:7,12  <b>recommendations (5)</b>                  38:1;118:22;148:13,                  17;149:3  <b>recommended (1)</b>                  55:11  <b>recommending (1)</b>                  38:1  <b>record (59)</b>                  5:19;6:12;10:6,9;                  13:24;15:4;16:8;17:18;                  18:4,9;19:18,19,20;                  21:3,24;23:9,18;26:9,                  18;33:17;40:2;53:9;                  71:16;72:4;75:12,15;                  76:5,20;79:19;91:13,                  14,15,17;105:14;                  111:19;112:8;115:22;                  119:20;121:11;132:8,                  11,17;147:20,22;                  156:22;162:6;165:6;                  214:18;216:11;224:16,                  17,18;236:21;283:24;                  284:17;288:1;291:24,                  25;292:1  <b>Recross (6)</b>                  217:17;221:13,15,                  19;285:23,25  <b>redirect (8)</b>                  115:12;216:2,4;                  217:16;221:18;223:16;                  282:15;283:4  <b>redirected (1)</b>                  86:14  <b>redo (1)</b>                  217:4  <b>re-draw (1)</b>                  160:21  <b>reduce (7)</b>                  105:21;150:21;                  156:17;235:23;239:6;                  268:8,9  <b>reduced (1)</b>                  235:25  <b>reducing (1)</b>                  156:20  <b>reduction (1)</b>                  240:2  <b>refer (2)</b>                  19:24;114:9  <b>reference (5)</b>                  22:3;24:8;34:11;</p>
---	--	---	--	--

<p>71:16;261:11  <b>referenced (1)</b>                  140:2  <b>references (1)</b>                  34:11  <b>referencing (2)</b>                  185:4;241:11  <b>referred (3)</b>                  33:19;81:24;203:25  <b>referring (7)</b>                  21:4;75:17;117:19;                  120:23;257:24;263:21;                  285:16  <b>reflect (2)</b>                  15:7;72:4  <b>reforest (1)</b>                  134:10  <b>reforestation (1)</b>                  132:3  <b>reforested (1)</b>                  132:2  <b>reforesting (1)</b>                  134:11  <b>refreshing (2)</b>                  12:2,4  <b>refurbish (1)</b>                  204:25  <b>regard (10)</b>                  27:11;148:2;157:3;                  177:9;220:14,22;                  221:5;235:18;261:15;                  283:17  <b>regarding (5)</b>                  54:12;118:4;227:10;                  268:11;270:22  <b>registered (1)</b>                  226:5  <b>regular (3)</b>                  48:24;104:3;245:6  <b>regularized (1)</b>                  104:15  <b>regulation (1)</b>                  208:12  <b>Regulations (3)</b>                  32:18;44:1,1  <b>regulators (1)</b>                  43:19  <b>relate (2)</b>                  29:6;69:17  <b>related (4)</b>                  132:3;165:1;167:22;                  186:2  <b>relates (1)</b>                  193:24  <b>relating (1)</b>                  189:4  <b>relation (1)</b>                  116:19  <b>relationship (6)</b>                  13:22;18:2;20:5;                  87:13;164:10,12  <b>relationships (1)</b>                  18:12</p>	<p><b>relax (3)</b>                  275:15,15,15  <b>relaxed (1)</b>                  9:1  <b>relaxing (1)</b>                  232:21  <b>released (1)</b>                  198:2  <b>relevance (5)</b>                  60:5,7,14,20;108:8  <b>relevancy (1)</b>                  129:1  <b>relevant (12)</b>                  31:17;61:1;72:7;                  74:7;102:4,8,18;103:5,                  8,13;108:13;166:9  <b>relies (2)</b>                  22:8;215:5  <b>relished (1)</b>                  278:13  <b>relocated (2)</b>                  208:8,13  <b>relocating (1)</b>                  204:23  <b>rely (6)</b>                  19:15;21:1;31:1,2;                  32:17;250:5  <b>relying (1)</b>                  31:17  <b>remain (3)</b>                  33:12;44:25;247:1  <b>remainder (1)</b>                  160:10  <b>remains (3)</b>                  21:24;251:16,25  <b>remember (8)</b>                  30:18;111:6;117:12;                  175:14;191:23;205:20;                  206:4;277:15  <b>remind (1)</b>                  208:14  <b>reminded (1)</b>                  128:22  <b>removal (2)</b>                  50:6;253:19  <b>removed (1)</b>                  181:23  <b>removing (1)</b>                  134:11  <b>render (1)</b>                  5:16  <b>rendered (5)</b>                  9:21;77:2,5;238:2;                  284:16  <b>rendering (9)</b>                  121:4,7;162:18;                  231:20;271:2;285:2,2,                  9;286:14  <b>renderings (2)</b>                  231:17;285:10  <b>renovation (1)</b>                  32:14  <b>renovations (1)</b></p>	<p>43:8  <b>rent (1)</b>                  54:19  <b>repair (2)</b>                  105:12;149:17  <b>repeat (1)</b>                  270:16  <b>repeated (1)</b>                  39:5  <b>repeating (1)</b>                  176:23  <b>repetitive (1)</b>                  92:7  <b>rephrase (1)</b>                  193:2  <b>replacing (1)</b>                  149:5  <b>replies (1)</b>                  19:3  <b>reply (1)</b>                  22:1  <b>report (22)</b>                  5:16;10:4,4;15:10;                  18:8;19:21;21:5,7,13;                  22:4,9;55:21;133:12;                  148:4;158:2;159:7;                  181:20,21;236:9,19;                  237:4,5  <b>reporter (2)</b>                  8:23;15:20  <b>reports (3)</b>                  22:2;23:4;29:17  <b>represent (4)</b>                  243:18;247:20;                  286:14;289:13  <b>representation (1)</b>                  285:9  <b>representative (5)</b>                  244:4,6;251:12;                  252:6;262:17  <b>represented (2)</b>                  123:16;240:19  <b>reproduce (1)</b>                  119:14  <b>request (9)</b>                  11:9;12:13;13:1;                  17:25;18:7;176:2;                  220:16;235:21;290:1  <b>requesting (1)</b>                  14:11  <b>requests (1)</b>                  18:4  <b>require (8)</b>                  34:2;65:25;103:24,                  25;104:17;116:17,21;                  203:4  <b>required (9)</b>                  116:14;132:4;                  193:16,16,17,18;                  208:14;217:8;250:24  <b>requirement (9)</b>                  10:23;24:14;34:15;                  136:1;169:15,20,23;</p>	<p>177:10;211:1  <b>requirements (20)</b>                  9:13,14;25:13,15;                  32:13;119:1;132:3;                  157:24;166:18,19;                  167:11,22,23;168:21;                  169:14,21;193:17;                  220:12;228:16;272:2  <b>requires (4)</b>                  33:18;87:4;135:5,6  <b>rescue (2)</b>                  158:8,9  <b>research (1)</b>                  150:16  <b>reside (1)</b>                  62:11  <b>residence (28)</b>                  13:13;17:4;48:8,9;                  76:6,11;79:23;124:10,                  15;139:9;152:3,4,14;                  153:10;154:3,23;                  209:23;211:18,22;                  219:9;238:25;242:12;                  243:6,10,15;263:15;                  265:9;285:17  <b>residences (5)</b>                  29:14;211:13;231:3;                  257:17;258:19  <b>resident (9)</b>                  46:10;56:23;64:23;                  87:13;88:10;89:1;                  110:25;273:7,12  <b>residential (51)</b>                  5:7;30:25;37:7;                  42:17;46:20;98:18;                  119:3;126:24;129:18;                  130:4;136:3;145:16;                  150:17,22;155:12;                  157:10,10,11,25;                  166:12;167:13;169:16;                  170:4,24;171:1;                  191:24,25;193:21;                  203:13;204:5;211:10;                  227:1;230:23;231:4,5;                  232:16,21;233:3,4,8,                  22,22;239:11;245:3,8,                  13,15;247:14;248:4,                  15;276:12  <b>residents (46)</b>                  46:1,2,4;48:4;49:16;                  51:11,16,23,24,25;                  52:4,5;62:8,11;63:1,3;                  65:8,12;66:15;73:13;                  74:22;85:1,5;87:7,9;                  106:14,25;109:25;                  110:13;127:6;135:15,                  25;138:10;150:23;                  152:12;170:18;232:12,                  20,22;233:1,24;249:4;                  257:14;272:23,23;                  283:14  <b>residents' (1)</b>                  283:15</p>	<p><b>resident's (1)</b>                  88:6  <b>resolution (8)</b>                  132:14;133:6,10,15,                  23,24;165:16,20  <b>Resources (5)</b>                  119:12;123:15;                  124:4;184:6;194:6  <b>respect (8)</b>                  22:15;74:22;101:17;                  118:22;119:2;148:14;                  177:22;288:11  <b>respectfully (5)</b>                  29:18,24;34:1,20;                  35:16  <b>respond (13)</b>                  16:20;17:16,19,23;                  19:2;20:7;22:8;30:10;                  34:8;84:19,20;116:4;                  129:2  <b>responded (2)</b>                  215:9,9  <b>responding (2)</b>                  16:12;32:22  <b>response (5)</b>                  14:25;15:13;16:23;                  162:14;163:20  <b>response] (1)</b>                  221:14  <b>rest (5)</b>                  243:8;272:20;288:6,                  7;289:6  <b>restricted (1)</b>                  253:13  <b>result (1)</b>                  220:15  <b>resulting (1)</b>                  112:4  <b>Resume (4)</b>                  224:19;227:7;229:4;                  292:15  <b>retaining (3)</b>                  125:24;145:22;                  179:15  <b>retention (6)</b>                  146:5;147:1;216:19;                  223:18;266:6;267:9  <b>retire (1)</b>                  63:5  <b>retirement (1)</b>                  63:6  <b>return (3)</b>                  291:19,20,21  <b>reversal (1)</b>                  106:25  <b>reversed (1)</b>                  121:18  <b>review (12)</b>                  18:14;28:21;42:16;                  44:14;55:11;119:8;                  199:24;225:25;226:15;                  229:21;244:11;250:2  <b>reviewed (3)</b></p>
--	---	--	---	--

<p>71:22;134:3;244:10  <b>reviewing (1)</b>                  44:16  <b>revisions (1)</b>                  22:18  <b>rewrite (1)</b>                  130:2  <b>re-zoning (1)</b>                  117:14  <b>RHIP (1)</b>                  92:4  <b>Rhododendron (6)</b>                  139:10,13;145:9;                  178:4;269:22;270:23  <b>Rhododendrons (1)</b>                  139:21  <b>right (273)</b>                  6:1,5,9,15;7:1,8;                  8:15,16;9:17;11:6,22;                  12:12,19,21;19:23,2,                  22;25:17,21;31:21;                  33:5,35,5;36:15;37:3;                  39:25;40:5,9,14,18;                  41:3,8,9,13;45:14;                  46:15,21;50:5;53:5;                  54:8,21;57:17;60:12;                  61:6,13,18;68:7;69:13,                  13;73:6,20;75:4,7;                  77:16;78:12;79:12,15,                  18,18,21,24;80:6,19,                  19,21;90:1,9,10,19;                  91:12,16;93:14,15;                  97:23;98:4,24;101:21;                  102:3,24;103:1;                  104:12;107:18;108:3;                  109:14,22;110:17;                  113:2;115:14,17;                  116:2,24;117:2,2,6;                  118:3,10;120:3,4,12;                  121:5,15;122:8;                  123:17,25;128:4,8;                  129:22;130:17;131:5,                  6,10;132:9;133:3,23;                  134:9;137:2,7;141:2,7;                  142:8,14,16,22,23;                  144:7,25;146:8,9,10;                  147:10,19,24;148:5;                  152:7;153:2,6,11;                  155:10;156:2,5;                  157:20;160:11,17;                  161:9,24;162:24;                  163:9,17;164:5;165:4;                  167:14;169:13,23;                  171:11,25;172:5;                  179:6;183:24,24;                  184:14;185:13;188:6,                  11;189:20;192:9,11,12,                  15,15,20,23;195:9,15;                  196:19;199:8;200:10,                  23;201:22,23;202:15;                  204:11;206:24;208:10;                  209:11,19;210:3;                  213:15;215:14,25;</p>	<p>216:20;218:2,16;                  220:4;221:13,15;                  222:6;223:21;224:1,3,                  10,25;225:6,10;227:6,                  10;229:6,14;230:4,19,                  24;231:8,12;233:4;                  235:15;238:5;240:21;                  241:8;244:16,19,22;                  245:17;249:19;251:3;                  252:25;253:20;257:1,                  6;258:22;259:1,13;                  261:21;262:3,21;                  265:11,14;267:10;                  269:2;272:21;273:18;                  275:6,8,10;277:10;                  278:7;279:4;280:18,                  20,23;281:3,3,4,9,9;                  282:15;284:2,13,18,23;                  285:23;287:10,10,17,                  19,20;288:3;290:5,8,                  22;291:12,19;292:4,6,                  9,13,18  <b>right- (2)</b>                  241:22;247:9  <b>rights (1)</b>                  30:25  <b>rip (1)</b>                  256:14  <b>riprap (2)</b>                  178:12,15  <b>risk (2)</b>                  23:16;161:22  <b>Road (24)</b>                  5:12;6:14;41:20;                  54:14;69:3;74:11;84:6,                  16;127:7;157:1;                  178:21;183:19;184:20;                  190:1,2,23;191:8;                  192:5,7;193:3,11;                  236:5;237:19,25  <b>roads (1)</b>                  127:6  <b>rolls (1)</b>                  58:8  <b>Roman (3)</b>                  199:3;230:8;244:17  <b>Ronald (1)</b>                  6:3  <b>roof (38)</b>                  99:24;154:11,12,13;                  155:7,9,14,15,17;                  156:9,14,15,17,18,20,                  23;157:5;207:18;                  209:22,25;231:6,13;                  235:22;236:1;237:24;                  239:3,5,9,10,11,12,20;                  243:7;248:1,3,5;                  251:16;276:6  <b>roofs (4)</b>                  155:12;219:22,24;                  238:19  <b>rooftop (11)</b>                  231:5,13;234:17,25;</p>	<p>235:4;275:1,3;276:3,3,                  13,15  <b>room (10)</b>                  12:3;63:25;87:9;                  115:5;232:15;233:1;                  251:19;289:4;292:16,                  17  <b>rooms (5)</b>                  64:5;65:20;106:20;                  231:11;283:11  <b>rotate (1)</b>                  259:12  <b>rough (9)</b>                  34:1,2,5,12,13,14,18,                  20;233:17  <b>roughly (3)</b>                  152:8;154:7;157:18  <b>round (3)</b>                  86:16;188:15;218:4  <b>route (4)</b>                  37:23;103:10,10,12  <b>routine (4)</b>                  87:3;93:1,2;104:15  <b>row (1)</b>                  44:4  <b>Rowen (1)</b>                  42:13  <b>rule (3)</b>                  106:4;111:21;122:25  <b>Rules (3)</b>                  8:22;24:13,24  <b>ruling (2)</b>                  24:17;39:10  <b>run (7)</b>                  48:6;62:10;158:10,                  21;173:12;204:6;205:4  <b>running (3)</b>                  48:2;117:22;135:1  <b>runoff (3)</b>                  176:8,14;218:17  <b>runs (9)</b>                  124:8;134:25;                  141:25;147:12;155:14;                  190:1,2;205:5,6  <b>rush (1)</b>                  108:24  <b>rusticated (1)</b>                  249:11</p>	<p><b>salts (1)</b>                  218:11  <b>same (32)</b>                  15:19;18:10;22:2,23;                  29:16;37:19,21;55:5;                  60:17;88:13;89:23,24,                  25;101:20;108:2,4,18;                  140:6;161:15;162:23,                  25;186:2;187:14;                  191:25;212:18;223:1,                  5;232:1;236:16;                  239:12;247:25;280:7  <b>satellite (1)</b>                  262:15  <b>satisfies (3)</b>                  35:12;36:17,24  <b>satisfying (1)</b>                  272:2  <b>Saturday (1)</b>                  67:23  <b>save (3)</b>                  40:10;91:20;117:16  <b>saw (2)</b>                  15:2;112:9  <b>saying (47)</b>                  7:23;17:14;22:17;                  25:6;30:24;35:7;38:25;                  58:10,11;71:8,9;76:1;                  103:11;134:2;144:18,                  22;152:14;156:5;                  181:15;184:1;192:10,                  15;200:3,8,18;201:13;                  204:8;208:19;211:1,5;                  212:15;213:17,19;                  222:25;240:7;245:12;                  252:15;254:13,14,20;                  255:4,19;259:21;                  261:20;262:12;263:13;                  272:25  <b>scale (28)</b>                  14:12,17;18:23,25;                  19:4,6;21:11;128:10;                  153:14;178:24;195:8;                  196:1,5;207:5;216:6;                  242:25;245:3,8,15,16;                  247:14;248:3,4,10,15;                  263:4,17;265:13  <b>scaled (1)</b>                  173:11  <b>scenic (1)</b>                  47:4  <b>schedule (7)</b>                  8:10;55:9;67:24;                  106:11;107:5,6;139:20  <b>schematic (1)</b>                  177:1  <b>scheme (2)</b>                  37:17;38:22  <b>School (8)</b>                  41:25;46:18;52:12,                  13;68:5;126:23;127:5;                  158:5  <b>schools (1)</b></p>	<p>52:21  <b>Science (1)</b>                  226:2  <b>scope (4)</b>                  212:13;213:6;                  215:17,20  <b>Scouts (1)</b>                  52:22  <b>screen (9)</b>                  146:1;206:1;250:18,                  23;268:3,23,25;269:6,                  25  <b>screened (9)</b>                  75:8;77:24;80:25;                  81:8;92:24;237:24;                  243:6,12;245:11  <b>screening (24)</b>                  19:12;129:13;130:3;                  138:1,3,19;146:18,23;                  157:24;167:23;170:13;                  193:17;210:25;220:12;                  239:11;243:4,8,13,14;                  267:11,14;270:13;                  283:18;285:13  <b>scribbled (1)</b>                  142:11  <b>sealed (7)</b>                  33:23;119:14;                  159:19;251:16,24,25;                  253:5  <b>search (1)</b>                  20:6  <b>searchable (1)</b>                  10:1  <b>season (4)</b>                  187:15;285:7,8;                  287:5  <b>seat (1)</b>                  41:4  <b>seating (1)</b>                  131:25  <b>sec (1)</b>                  133:20  <b>second (24)</b>                  33:15;52:14;66:11;                  68:3;69:8;70:14;75:21;                  101:2;133:17;140:15;                  146:1;147:4;159:14;                  160:14;184:10;208:8;                  232:24;234:17;235:4;                  240:4;245:5;260:23;                  271:14;290:3  <b>Secondly (2)</b>                  9:24;21:4  <b>seconds (1)</b>                  277:6  <b>Section (23)</b>                  5:5;13:10,17;14:12;                  15:22;17:1;21:12;35:8;                  141:8;152:11;154:16;                  167:12,14;182:15;                  201:1,21;209:24;                  240:23;241:23;242:4,</p>
--	--	---	--	--

<p>9;262:7;264:6  <b>sectional (1)</b>  141:7  <b>sections (2)</b>  71:24;72:7  <b>sector (1)</b>  42:5  <b>secured (1)</b>  86:14  <b>Security (1)</b>  65:15  <b>sediment (2)</b>  22:5;25:22  <b>sedimentation (1)</b>  178:17  <b>Seeing (4)</b>  7:18;257:16;285:24;  287:13  <b>seeking (3)</b>  62:19,24;66:6  <b>seem (4)</b>  36:8;142:19;286:11,  12  <b>seemed (1)</b>  148:12  <b>seems (7)</b>  38:15;139:23;155:1;  160:18,22,25;164:2  <b>segment (2)</b>  37:19,21  <b>segments (1)</b>  37:20  <b>selling (1)</b>  65:23  <b>sends (1)</b>  235:9  <b>Senior (35)</b>  5:3;41:19;42:12;  43:7;45:25;46:13;  47:18;53:3;57:23;58:4,  9,12,13;59:7,9,21;60:1,  15;63:14,24;65:14,14;  66:4;70:16,18,24;71:2,  12;72:16;118:24;  148:7,18;171:7;  185:10;262:11  <b>seniors (4)</b>  5:8;47:17;65:15;  71:15  <b>sense (13)</b>  8:20;18:1;24:1;  37:13;101:18;106:6;  120:19;150:24;154:2;  161:18,19;191:25;  212:12  <b>sent (9)</b>  9:19;13:19,23;14:2,  15;22:10;38:14;  132:13;237:8  <b>sentence (2)</b>  72:10;97:9  <b>sentiment (1)</b>  57:1</p>	<p><b>separate (12)</b>  23:20;26:13;34:15,  16,17;58:5,7,12,14;  59:16,24;245:4  <b>separately (1)</b>  125:12  <b>September (4)</b>  12:18;13:7;15:14;  17:25  <b>Serenade (1)</b>  64:3  <b>serene (1)</b>  128:17  <b>series (1)</b>  12:19  <b>serious (1)</b>  26:3  <b>seriously (2)</b>  12:4;38:4  <b>serve (3)</b>  248:23;278:10,16  <b>served (2)</b>  158:21;183:4  <b>service (69)</b>  16:12;51:10;68:9;  74:11;75:2,3;82:10,12;  84:6,16;86:16;88:11;  90:8;91:22;92:2;93:6,  7,8,16,20;94:23;95:11,  13,25;96:4,7;97:3,15;  99:9,17,17,21;100:3,  17;101:1,12;104:14,  16;105:8;111:13;  112:17;113:7;130:20;  151:4;158:17;159:2;  173:3,5;176:19,24;  178:21;183:10;190:1,  2,4,23,23;191:8,14;  192:5,7;193:3,11;  195:12;222:8;223:1;  224:5;256:25;283:10  <b>services (20)</b>  17:14;44:20,21;45:5,  7,17;46:3;49:9;62:22;  63:18;64:8,10,25;66:8;  68:3;106:14;110:14,  15,19;233:10  <b>serving (2)</b>  49:9;158:5  <b>SESSION (3)</b>  147:23;282:8;287:13  <b>set (7)</b>  37:17;40:2;63:22,23;  129:25;214:16;288:16  <b>setback (1)</b>  193:20  <b>setbacks (2)</b>  170:14;193:16  <b>sets (2)</b>  134:4;211:22  <b>setting (2)</b>  26:24;63:15  <b>seven (16)</b></p>	<p>64:19,20;66:14,22,  24,25;67:19,19;68:1,  12;69:19;107:11,14,  14;109:4,6  <b>Seventy-five (1)</b>  63:1  <b>several (12)</b>  11:24;44:4;45:23;  52:16;119:4;120:16;  126:1;128:14;191:22;  199:7;249:19;278:1  <b>severely (1)</b>  221:2  <b>sewer (1)</b>  158:5  <b>shade (1)</b>  177:14  <b>shades (2)</b>  283:8,14  <b>shadow (1)</b>  31:3  <b>shall (4)</b>  241:4;291:19,20,21  <b>shape (2)</b>  71:11;231:15  <b>shared (1)</b>  177:17  <b>shareholders (2)</b>  60:3,4  <b>shed (2)</b>  184:5,7  <b>sheet (2)</b>  142:23;176:7  <b>shift (11)</b>  38:16;49:5,7,7;  66:13,16;67:5,8;68:13;  106:1,9  <b>Shifting (2)</b>  66:11;68:3  <b>shifts (8)</b>  48:25;49:1,3;67:3;  105:25;106:3,7;107:19  <b>shingles (1)</b>  231:7  <b>shoes (1)</b>  23:14  <b>shopping (1)</b>  51:21  <b>short (1)</b>  72:13  <b>shortage (1)</b>  70:22  <b>shorten (1)</b>  169:4  <b>short-term (1)</b>  45:19  <b>shot (1)</b>  167:2  <b>shoulder (1)</b>  144:8  <b>show (21)</b>  13:22;20:22;24:15;  34:6,17;99:14,15;</p>	<p>100:9;106:1;164:12,  12;205:3;243:13;  254:18;263:25;264:17,  22;282:9;283:20;  285:7,8  <b>shower (2)</b>  45:3;64:13  <b>showering (1)</b>  106:15  <b>showing (16)</b>  13:12;17:3;34:3,13;  122:21;200:7,7;  229:12;242:25;246:15;  262:9,10;264:6;  265:24;266:14;281:8  <b>shown (23)</b>  34:14;78:18,24;  123:1;130:25;136:21;  140:4,5;144:2;160:24;  164:9;193:22;238:8;  239:19;241:25;243:24;  245:2,6;250:7;251:11;  285:2,6;286:15  <b>shows (14)</b>  21:11;33:25;124:5;  152:8;164:3,10;177:8;  188:14;199:17;241:23;  242:4,10;261:24;  265:22  <b>shrub (2)</b>  178:5;210:13  <b>shrubs (3)</b>  177:11,16;178:8  <b>shuttle (1)</b>  54:19  <b>side (54)</b>  26:25;27:1;50:4;  70:3,12;74:11,24;  77:15,19;81:19;83:13,  16,17;89:9;94:14;  96:13,14;98:7;131:5;  136:7,18;159:2;  161:20,21;173:13;  191:3;192:4;193:3,3,9;  204:2,10,11;205:5;  206:5;210:9,10,14,17,  18,21,22;219:17;  243:15,16;244:2;  247:10,15;259:2;  260:1,4,5;268:6;  284:16  <b>sides (15)</b>  25:24;39:9;202:23;  203:5,8;205:4;210:15;  211:6,9;231:18,23;  245:12,14;267:18;  274:8  <b>sidewalk (3)</b>  68:23;173:9;204:14  <b>sidewalks (1)</b>  34:18  <b>sight (4)</b>  184:21;242:21,23;</p>	<p>243:2  <b>sign (2)</b>  10:24;133:1  <b>signed (3)</b>  116:18,22;159:19  <b>significant (6)</b>  13:2;15:1;78:20;  126:1;138:4;193:8  <b>significantly (2)</b>  72:14;238:21  <b>signs (1)</b>  64:14  <b>silver (3)</b>  105:9,13;245:10  <b>similar (16)</b>  19:21;47:19;121:3;  165:1;166:12,15;  170:16;231:2,20;  232:5,24;238:20;  239:5;247:24;277:15,  23  <b>similarly (1)</b>  216:14  <b>simple (2)</b>  19:14;23:4  <b>simply (6)</b>  19:10;60:8;61:8;  174:6;211:14;255:4  <b>single (5)</b>  169:16;226:21;  248:2,16;271:17  <b>sit (1)</b>  18:11  <b>site (128)</b>  5:9;13:10,10;14:12;  15:22;17:1;21:12;27:8,  13;29:13;34:3;36:18,  25;46:15,15,16;47:4,5;  54:13,14;56:11,24;  68:6;69:5;74:8;82:10;  85:18;103:20;104:1,2,  14,18;105:2;108:14,  17;109:16;110:16,19;  120:15,19;122:11;  123:19,19;124:3,6,11,  12,20,22;126:9,20;  127:18,20;128:13;  129:15,20,21,25;  135:18,21,23,24;136:9,  10,11,20;148:2;  149:10;151:8;154:3,  16;161:7,8;166:15,17;  170:3;171:5,7;172:8,9,  10,12,24,25;173:2,13;  175:7;177:21;179:3;  181:23;182:1,15;  189:15;190:8;191:2,5;  192:2;193:11;194:7,  15,18;203:15;206:11;  209:24;211:6;221:4;  228:12;231:1,1;  237:21;243:5;244:10;  246:8,8,11;250:12,22,</p>
--	---	---	--	---

**CU 16-01**  
**Brandywine Senior Living at Potomac, LLC**

<p>25;262:7,22;264:6;  266:22;268:8;278:1,2;  279:4;282:6;284:6</p> <p><b>sites (5)</b>  61:20,24,25;128:15;  150:24</p> <p><b>sits (1)</b>  130:22</p> <p><b>sitting (5)</b>  23:14;131:17;  238:11;253:6,8</p> <p><b>situated (1)</b>  138:7</p> <p><b>situation (14)</b>  19:11;35:14;63:13;  67:21;84:18,21,23;  85:7;87:20;94:17,18,  21;145:12;150:19</p> <p><b>six (21)</b>  135:9,10,10;138:19,  22;145:25;151:22;  199:9;200:11,19;  201:15,25,25;202:6;  207:3;223:25,25;  224:2;266:4,13;269:8</p> <p><b>six-foot (1)</b>  222:1</p> <p><b>Sixty (4)</b>  157:15,16,17;205:23</p> <p><b>size (30)</b>  40:19;47:5,24;51:7;  64:5;78:23;79:17;80:2,  7,8,9,10,23;81:7;83:2,  6;93:3;139:24;157:12;  191:16,19,20;206:9;  218:24;236:6;250:16;  267:20;269:24;274:21;  277:8</p> <p><b>sized (2)</b>  246:24;254:18</p> <p><b>skewed (1)</b>  144:25</p> <p><b>skilled (4)</b>  42:6;45:17;65:1;  70:7</p> <p><b>sky (1)</b>  174:23</p> <p><b>slice (1)</b>  263:6</p> <p><b>slightly (2)</b>  235:23;239:13</p> <p><b>slippery (1)</b>  38:8</p> <p><b>slips (1)</b>  152:22</p> <p><b>Sloan (30)</b>  115:18;116:24;  117:1,1,5,9,20;118:14,  18;140:2;147:24;  148:1;159:16,19;  167:9;169:25;172:7;  184:11;185:4,23;  186:1,4;195:4;196:7;</p>	<p>216:6;224:15;238:25;  244:10;266:15;268:10</p> <p><b>slope (13)</b>  145:15;190:3,3,5,8,  22,23;195:12;202:2,2;  222:13;235:22;239:22</p> <p><b>slopes (6)</b>  38:8;151:13;180:22;  193:9;222:8,24</p> <p><b>sloping (2)</b>  130:24;153:22</p> <p><b>small (6)</b>  47:17;99:21;125:4,  10;226:21;264:7</p> <p><b>smaller (9)</b>  62:9;122:6;173:11;  231:11;234:17;243:19,  23;262:19,23</p> <p><b>smallest (3)</b>  61:25;62:13;243:9</p> <p><b>smooth (1)</b>  249:11</p> <p><b>snow (1)</b>  68:24</p> <p><b>snowstorm (1)</b>  94:11</p> <p><b>soccer (1)</b>  52:24</p> <p><b>Social (1)</b>  65:15</p> <p><b>socialization (1)</b>  45:1</p> <p><b>societies (1)</b>  226:10</p> <p><b>Sociology (1)</b>  41:25</p> <p><b>soil (1)</b>  178:16</p> <p><b>soils (1)</b>  194:10</p> <p><b>sold (1)</b>  60:16</p> <p><b>sole (2)</b>  11:15,15</p> <p><b>solely (2)</b>  175:19,21</p> <p><b>solid (1)</b>  278:15</p> <p><b>solutions (1)</b>  166:23</p> <p><b>somebody (15)</b>  45:2;51:19;67:22;  93:7;97:1;107:4,5;  108:22;137:2,23;  168:5;221:25;222:4;  255:16;291:10</p> <p><b>somehow (1)</b>  39:16</p> <p><b>someone (15)</b>  64:25;73:14;81:24;  87:4,16;94:2,3,16,19;  108:18;197:18;243:1;  252:15;259:12;281:24</p>	<p><b>Sometime (1)</b>  90:14</p> <p><b>sometimes (7)</b>  50:23;55:4;69:23;  70:12;82:22,23;103:10</p> <p><b>somewhat (2)</b>  156:17;192:10</p> <p><b>somewhere (6)</b>  86:11;139:19;162:4;  192:6,18;204:15</p> <p><b>sophisticated (1)</b>  102:22</p> <p><b>Sorry (51)</b>  5:6;75:13;97:7;  100:20;119:22;125:18;  127:25;141:12,23;  142:12;144:12;150:1,  7,9;159:18;180:15;  187:11,16;188:20;  190:11;197:22;198:24,  25;200:25;201:9;  204:8;208:3;213:1;  214:21;218:14;224:22;  228:25;237:2;239:3;  242:5,6,17;243:23;  244:18;245:19;255:22;  256:1;258:24;263:21;  270:4,16;272:23;  279:6;283:22;285:24;  286:7</p> <p><b>sort (11)</b>  64:22;123:2;126:4;  128:19;130:25;136:24,  25;150:16;157:21;  177:13;232:17</p> <p><b>sorts (1)</b>  188:18</p> <p><b>sound (4)</b>  68:1;268:9;275:8,10</p> <p><b>sounds (4)</b>  63:12;67:25;105:25;  106:3</p> <p><b>source (1)</b>  274:21</p> <p><b>south (11)</b>  75:23;76:1;123:20;  130:18;131:21,23;  159:2;166:17;173:12;  280:10,11</p> <p><b>southeast (1)</b>  129:21</p> <p><b>southern (20)</b>  77:19;98:6;130:16,  18;131:17,18;136:14,  16;139:8;142:2;143:2;  151:4;153:23;173:7,  15;190:16,20,20;  222:23;281:11</p> <p><b>southwest (5)</b>  123:20;124:9;  126:25;164:24;281:14</p> <p><b>southwestern (1)</b>  130:18</p>	<p><b>sp (1)</b>  105:5</p> <p><b>space (16)</b>  135:13,15;151:6;  193:14,19;207:19;  223:1;232:14,19,25,25;  233:16,21,23;234:15,  16</p> <p><b>spaces (13)</b>  34:17;96:17,24;  97:16;129:14;135:21;  150:25;230:22;232:21;  233:10;246:10;257:2;  273:6</p> <p><b>spacing (1)</b>  201:25</p> <p><b>speak (27)</b>  7:18;18:24;40:24;  47:14;87:1;119:10;  128:21;129:15;140:20;  145:6;150:12;154:5;  170:5;176:5,15;  187:12,21;188:24;  197:14;218:13,18;  219:2;251:13;253:4;  257:10;275:14;286:20</p> <p><b>speaking (5)</b>  48:12;70:25;184:24;  198:21;246:13</p> <p><b>speaks (2)</b>  72:23;213:5</p> <p><b>special (49)</b>  9:4,5,14;26:7,12,13,  17,21;27:3,8,10,13;  28:5,16;29:12,18;  30:18;32:4,6,9;33:11;  36:4;37:11;38:12,19;  39:6,12,15;44:23;  149:2;164:21,25;  165:7;166:1,3;175:4,8,  19;179:8;182:2;  183:17;189:4;206:8;  212:12;213:6;215:5;  251:20;252:3;253:21</p> <p><b>specialized (1)</b>  110:18</p> <p><b>species (9)</b>  79:4,6,17;80:5,22;  81:8;139:1,7,11</p> <p><b>specific (11)</b>  9:15,17;51:17;92:22;  148:13;157:2;169:15;  175:13;177:10;193:25;  210:24</p> <p><b>specifically (13)</b>  16:19;17:22;24:23;  25:11;29:9;32:11;  75:15;102:20;130:2;  134:2;166:22;228:3,4</p> <p><b>specifications (2)</b>  105:10;167:18</p> <p><b>specifics (1)</b>  250:4</p>	<p><b>specified (1)</b>  9:8</p> <p><b>specimen (2)</b>  126:1;132:5</p> <p><b>speculate (1)</b>  272:19</p> <p><b>spell (1)</b>  7:12</p> <p><b>spend (3)</b>  43:12;52:17;63:6</p> <p><b>spending (1)</b>  42:2</p> <p><b>spent (4)</b>  42:4;52:17;80:23;  119:4</p> <p><b>spine (2)</b>  229:24;230:23</p> <p><b>split (3)</b>  173:7;223:4,5</p> <p><b>splits (1)</b>  222:21</p> <p><b>spoke (6)</b>  169:2,3;202:21;  206:6;211:4;212:11</p> <p><b>sponsor (1)</b>  52:24</p> <p><b>spots (2)</b>  96:19,20</p> <p><b>springing (1)</b>  93:13</p> <p><b>springs (1)</b>  175:23</p> <p><b>square (8)</b>  206:11;207:3,7,11;  213:9;217:8,9,23</p> <p><b>stabilize (1)</b>  178:13</p> <p><b>stabilized (2)</b>  50:17;69:22</p> <p><b>Stabilizing (1)</b>  178:16</p> <p><b>stacked (1)</b>  292:24</p> <p><b>staff (55)</b>  7:23;10:4,5;14:23;  15:9,14,18;17:25;18:4,  7,8;19:15,21;20:25;  21:5,7,13;22:19;25:6;  31:8;37:25;39:21;  49:15,18;66:17,18;  67:12,20;69:6;105:4;  106:23;107:2,17;  126:10;127:14;133:12;  134:4;140:6;181:1,10;  191:15;194:1,3;  198:12;220:17;235:19;  236:3,9,19,19,21;  237:4,5,8;288:2</p> <p><b>staffed (2)</b>  48:11;67:15</p> <p><b>staffing (1)</b>  48:12</p> <p><b>Staff's (4)</b></p>
---	--	---	---	---

<p>235:21;236:11,15; 237:7</p> <p><b>stage (1)</b> 30:3</p> <p><b>stages (2)</b> 86:12;235:2</p> <p><b>staggered (2)</b> 67:7;210:1</p> <p><b>staircase (1)</b> 151:16</p> <p><b>stairs (2)</b> 65:21;194:8</p> <p><b>stamped (1)</b> 33:23</p> <p><b>stand (7)</b> 39:1;119:12;146:5, 13,14;173:11;244:5</p> <p><b>standard (1)</b> 261:18</p> <p><b>standards (11)</b> 28:21;31:18;44:2,5; 105:16;167:11,20,20; 191:12;227:25;245:10</p> <p><b>standing (11)</b> 43:17,19,20,22,23; 44:6;45:2;243:1;259:7; 271:10;272:3</p> <p><b>standpoint (10)</b> 38:20,21,23;102:2; 211:19;240:11;241:3; 248:6,17;250:19</p> <p><b>stands (2)</b> 146:12;211:18</p> <p><b>stark (1)</b> 285:4</p> <p><b>start (11)</b> 30:16,24;32:6;51:14; 63:9;120:5,15;178:1; 209:20;239:22;266:16</p> <p><b>started (3)</b> 42:7;128:12;161:7</p> <p><b>starting (3)</b> 106:22;153:24; 222:23</p> <p><b>starts (4)</b> 49:19;67:16;130:24; 153:22</p> <p><b>stat (1)</b> 84:24</p> <p><b>state (11)</b> 6:11;41:6;43:21; 44:3;61:5;116:25; 134:23;213:14,18; 224:25;225:18</p> <p><b>stated (2)</b> 100:24;263:12</p> <p><b>statement (7)</b> 18:21;40:7,10,12; 51:10;70:15;106:9</p> <p><b>statements (1)</b> 40:6</p> <p><b>states (2)</b> 61:21;168:19</p>	<p><b>station (1)</b> 55:7</p> <p><b>statistical (1)</b> 85:15</p> <p><b>status (1)</b> 43:20</p> <p><b>statute (1)</b> 179:21</p> <p><b>stay (2)</b> 107:4;288:1</p> <p><b>Stays (1)</b> 49:19</p> <p><b>steel (1)</b> 251:15</p> <p><b>steep (3)</b> 145:14;180:22; 277:19</p> <p><b>steeper (2)</b> 193:9;277:20</p> <p><b>steeply (1)</b> 238:19</p> <p><b>step (8)</b> 6:10;37:24;144:9,11; 151:5;231:9;257:20; 258:2</p> <p><b>stepping (2)</b> 156:13;248:1</p> <p><b>steps (1)</b> 258:1</p> <p><b>Steve (1)</b> 5:21</p> <p><b>stick (4)</b> 20:12;203:25; 221:17;266:2</p> <p><b>sticking (1)</b> 201:3</p> <p><b>still (16)</b> 20:17;33:12;51:25; 63:2;70:22;87:12; 142:8;147:8;148:25; 161:25;216:6;235:2; 259:16;266:2;271:18; 292:7</p> <p><b>Stock (1)</b> 42:14</p> <p><b>stockholder (1)</b> 11:16</p> <p><b>stone (5)</b> 249:10,10,17,20; 270:25</p> <p><b>stones (1)</b> 178:13</p> <p><b>stop (10)</b> 55:8;69:4;87:22; 98:22;147:4,11; 199:15;241:6;276:23, 24</p> <p><b>stopped (1)</b> 51:13</p> <p><b>stopping (1)</b> 147:8</p> <p><b>stops (2)</b> 54:14;205:8</p>	<p><b>storage (7)</b> 82:14;83:10,22;84:3; 184:5,7;191:4</p> <p><b>store (1)</b> 94:13</p> <p><b>stored (1)</b> 182:25</p> <p><b>stories (14)</b> 151:6;156:14; 184:19;185:17,18; 207:12,24;219:10,12, 15;220:1;238:19; 277:19,22</p> <p><b>storm (23)</b> 26:22;31:7;126:3; 138:24,24;140:8,8,9; 145:5,22;146:19; 149:15;166:18;176:3; 179:16;180:10,15; 181:10;183:9,12; 199:14,15;218:19</p> <p><b>story (8)</b> 60:9,10;161:9; 184:21;186:14,14; 218:24;219:15</p> <p><b>stove (1)</b> 65:22</p> <p><b>straight (7)</b> 27:18;78:1;120:11; 126:18;167:1;187:19, 22</p> <p><b>straightforward (2)</b> 23:8;160:2</p> <p><b>strange (3)</b> 160:18,22;161:19</p> <p><b>stream (30)</b> 31:9,11;32:24; 124:10,12,13;125:25; 131:8;132:2;134:11, 15;153:25,25;177:21, 25;178:17;179:10,11, 18,19;180:7,16,20,24; 181:3;192:25;193:7; 210:18,23;216:22</p> <p><b>street (5)</b> 46:18;68:23;114:17; 221:9;225:20</p> <p><b>stretch (2)</b> 74:13,15</p> <p><b>strict (1)</b> 25:12</p> <p><b>strike (1)</b> 184:10</p> <p><b>stringent (3)</b> 166:18,19;169:20</p> <p><b>strongly (2)</b> 32:1;202:22</p> <p><b>struck (1)</b> 128:15</p> <p><b>structure (22)</b> 38:4;59:6;60:23; 120:20;130:13;193:4; 206:18,20;207:13,21, 23;208:15;211:7,8; 238:12;241:17;251:15; 257:21;260:24;265:10; 266:25;267:2</p> <p><b>structures (4)</b> 120:17;179:15; 206:25;242:15</p> <p><b>structure's (2)</b> 124:7;125:24</p> <p><b>studies (1)</b> 182:8</p> <p><b>studio (1)</b> 207:15</p> <p><b>study (4)</b> 111:25;112:7; 239:13,23</p> <p><b>style (7)</b> 150:14,16,17;170:4; 231:2;248:13;277:14</p> <p><b>sub (3)</b> 35:9;36:6,7</p> <p><b>sub-exhibit (1)</b> 237:4</p> <p><b>subject (10)</b> 5:9;8:21;27:12; 35:12;36:18,25;79:22; 118:18,23;250:22</p> <p><b>submission (2)</b> 17:24;126:12</p> <p><b>submissions (2)</b> 115:25;116:20</p> <p><b>submit (8)</b> 10:19;18:5;39:20; 53:9;132:7;140:12; 165:5;194:6</p> <p><b>submits (1)</b> 10:22</p> <p><b>submitted (13)</b> 14:16,17;17:24;18:2, 7;27:15;55:21;164:3; 187:18;231:19,20; 244:13;284:17</p> <p><b>submitting (1)</b> 180:6</p> <p><b>Subregion (3)</b> 71:18;72:16;118:24</p> <p><b>subset (1)</b> 34:12</p> <p><b>subsidiary (3)</b> 58:6,13,14</p> <p><b>substitute (1)</b> 39:7</p> <p><b>successfully (1)</b> 17:10</p> <p><b>sudden (1)</b> 63:11</p> <p><b>sufficient (3)</b> 20:1;168:24;271:11</p> <p><b>sufficiently (1)</b> 47:3</p> <p><b>suggest (4)</b> 39:22;69:15;70:24; 127:1</p>	<p><b>suggested (4)</b> 39:21;127:9;140:8; 217:2</p> <p><b>suggesting (6)</b> 21:10;261:12,15; 288:18,18;290:20</p> <p><b>suggestions (2)</b> 39:18;203:8</p> <p><b>suggests (1)</b> 202:22</p> <p><b>suit (1)</b> 292:18</p> <p><b>suitable (1)</b> 171:5</p> <p><b>Suite (4)</b> 41:20;63:15;64:2,2</p> <p><b>summary (3)</b> 12:6;26:2;35:23</p> <p><b>summer (2)</b> 43:10;50:25</p> <p><b>sums (2)</b> 148:11,11</p> <p><b>supervisor (1)</b> 87:2</p> <p><b>supplant (1)</b> 27:6</p> <p><b>supplied (1)</b> 10:1</p> <p><b>supplying (2)</b> 68:8;70:10</p> <p><b>support (5)</b> 53:7,18,19;54:1,4</p> <p><b>supportive (4)</b> 46:3;63:17;64:6,8</p> <p><b>supposed (6)</b> 9:22;15:25;162:16; 288:22;291:1,3</p> <p><b>sure (52)</b> 8:5,6;12:15;17:23; 18:19;21:23;24:25; 25:14,24;30:14;38:6, 10,15,17,21;39:1; 42:24;45:3;48:4;72:25; 76:20;78:25;80:25; 105:19;129:4;132:10, 13;143:23;147:4,14; 149:8;155:21;169:11; 177:19;189:5;192:2; 198:16;211:21;215:3, 6;216:10;217:5;234:2; 237:9;241:19;256:16; 259:17;260:16;285:20; 291:16,22;292:3</p> <p><b>surface (1)</b> 124:7</p> <p><b>surround (1)</b> 47:3</p> <p><b>surrounded (2)</b> 211:6;253:6</p> <p><b>surrounding (24)</b> 31:16;45:11;46:14; 47:1;55:24;118:19,23; 126:12;152:6;161:4;</p>
---	--	---	--

<p>168:17;170:2,7,24; 171:6;214:3,15; 215:11;221:3;229:18; 238:22;248:9,12,23</p> <p><b>surrounds (1)</b> 141:20</p> <p><b>survey (7)</b> 20:5,6,13;242:3; 289:25;291:5,11</p> <p><b>surveys (1)</b> 44:4</p> <p><b>survivability (2)</b> 139:17,23</p> <p><b>suspect (2)</b> 28:9;37:21</p> <p><b>sustain (2)</b> 56:18;89:19</p> <p><b>Sustained (1)</b> 111:16</p> <p><b>Suzanne (1)</b> 7:5</p> <p><b>swear (3)</b> 41:9;117:3;225:7</p> <p><b>sweeps (1)</b> 177:23</p> <p><b>swimming (2)</b> 26:11;49:11</p> <p><b>swing (1)</b> 197:19</p> <p><b>switch (1)</b> 160:7</p> <p><b>switched (3)</b> 160:9,11;161:8</p> <p><b>switching (2)</b> 69:8;160:23</p> <p><b>sworn (2)</b> 8:21;59:3</p> <p><b>symbolic (1)</b> 249:1</p> <p><b>sympathize (1)</b> 208:22</p> <p><b>system (9)</b> 52:21;99:19;125:22; 234:23;235:1,7,11,14; 276:11</p> <p><b>systems (3)</b> 87:6;105:18;110:7</p>	<p><b>talking (44)</b> 13:14;16:23,24;17:7; 27:23,24,25;28:1;29:8; 34:12;36:3;39:12;41:2; 67:2;68:4,8;69:11; 71:1;80:24;82:1;92:3, 6;94:4;95:10,11,22; 107:8;110:5,5;114:15; 132:22;155:5,22,25; 168:10;169:14;187:13; 247:21;254:10;256:5; 264:13;267:1,19;274:4</p> <p><b>Talks (4)</b> 22:8;26:22;36:6,7</p> <p><b>tall (9)</b> 144:3,6;156:4;157:4; 209:3,4;239:1;246:14, 17</p> <p><b>taller (3)</b> 178:3,3;238:21</p> <p><b>tangent (2)</b> 192:4,5</p> <p><b>tapers (1)</b> 239:20</p> <p><b>target (4)</b> 22:21;72:1,1,16</p> <p><b>team (1)</b> 68:12</p> <p><b>teams (1)</b> 52:24</p> <p><b>tease (1)</b> 229:9</p> <p><b>Technical (13)</b> 10:4,5;19:15;20:25; 21:5,7;39:21;127:14; 140:6;181:1;191:15; 198:11;199:23</p> <p><b>technically (2)</b> 179:23;180:2</p> <p><b>Technology (1)</b> 226:4</p> <p><b>telecommunications (1)</b> 158:7</p> <p><b>telephone (2)</b> 204:19;209:4</p> <p><b>telling (4)</b> 16:8;276:24,25; 291:5</p> <p><b>tells (2)</b> 161:9;164:15</p> <p><b>TELS (1)</b> 105:5</p> <p><b>tempted (1)</b> 56:18</p> <p><b>tenants (1)</b> 272:22</p> <p><b>tend (2)</b> 239:21;278:20</p> <p><b>Tennis (60)</b> 5:10,11;9:11;26:8, 17,24;27:3,5,8;28:4; 29:6,12;31:2,5,9,13,15; 33:2,3;7:7;11;120:16,</p>	<p>16,19;123:16,17,18; 124:1,2,6,6,8;125:24; 129:22;135:3;148:15; 151:9;158:12;179:9, 14;182:3;188:14,15; 189:4,7,11,17,18; 206:15,19,22;212:5,8, 16;213:10,12,18,25; 214:5,12;215:12</p> <p><b>term (4)</b> 39:11;105:13; 137:21;198:11</p> <p><b>terminates (1)</b> 21:25</p> <p><b>terminology (4)</b> 92:19;93:6,15; 137:13</p> <p><b>terms (27)</b> 24:20;28:5,17,17,19; 45:2;46:16;48:2;94:10; 150:13;157:9;166:23; 167:3;168:9;169:22; 174:21;199:23;207:2; 211:4;212:13,13; 214:11;233:23;238:13; 241:1;243:17;290:23</p> <p><b>Terrace (19)</b> 83:10,11,13;100:2, 10,22;101:15;104:19; 114:10,15,18,22; 209:25;233:9;234:15; 247:16;273:6;275:18, 21</p> <p><b>test (2)</b> 221:24;268:3</p> <p><b>tested (1)</b> 275:3</p> <p><b>testified (14)</b> 182:24;227:3,16; 267:16;268:5,11; 269:15;270:22,24; 279:9,17;280:21; 281:12;285:13</p> <p><b>testify (19)</b> 7:24;24:16;59:6; 60:10;79:16;92:22; 96:19;98:2;99:15; 126:3;219:19;265:16; 270:10,12;278:18; 279:5,18,18;282:17</p> <p><b>testifying (2)</b> 228:3,4</p> <p><b>testimony (63)</b> 6:18;7:4,7;8:1,10; 10:8;24:19;25:3;55:20; 56:11,17;78:17;84:5; 88:9;89:14;93:5,18; 106:6;108:4;109:12; 110:12;112:5;114:16; 115:20;118:13;159:1; 164:19;169:3;172:6; 174:24;175:18;176:20; 182:10;183:1;184:11;</p>	<p>185:12;191:10;196:7; 198:13,13;209:21; 212:3;220:7,19; 223:16;228:9;229:9; 234:3;246:18;250:9; 254:11,20;255:8; 266:15;267:8,11,22; 269:10,18;271:10; 273:25;278:7;286:2</p> <p><b>testing (2)</b> 221:21,23</p> <p><b>Thanks (2)</b> 30:15;255:1</p> <p><b>That'll (15)</b> 12:2;80:2;82:10; 83:3;84:6;91:23;95:25; 97:14;139:18;143:3; 252:21;253:15;267:19; 271:11;275:18</p> <p><b>theater (3)</b> 49:17;51:21;115:5</p> <p><b>theory (1)</b> 259:20</p> <p><b>therapist (5)</b> 110:3,8,10,18,20</p> <p><b>therapy (4)</b> 45:19;49:11;110:7; 115:4</p> <p><b>thereabouts (2)</b> 68:6;147:7</p> <p><b>thereby (1)</b> 235:8</p> <p><b>therefore (2)</b> 180:25;219:25</p> <p><b>there'll (2)</b> 135:3;270:25</p> <p><b>Thinking (4)</b> 105:17;161:17; 233:22;285:16</p> <p><b>thinner (1)</b> 167:2</p> <p><b>third (5)</b> 180:16;257:22; 259:23,24,25</p> <p><b>though (6)</b> 94:22;108:22;176:9; 180:1;217:11;274:23</p> <p><b>thought (29)</b> 11:9;15:4;47:2; 69:14;76:5;85:8;89:13; 137:14,15,18;150:8; 155:24;164:23;166:9; 167:5;168:5;184:4; 195:2;203:11;229:10; 255:25;258:7;260:5; 274:4;277:17;278:19, 21;284:4;285:14</p> <p><b>thoughtful (1)</b> 249:2</p> <p><b>three (41)</b> 20:14;43:10;49:2,3; 50:3,8,24;66:19;69:10, 10,20;74:21;82:21,25;</p>	<p>89:18;90:12;92:8; 94:22;123:16;128:18; 131:19;142:22;145:16; 156:14;178:2;184:19, 21;186:14;196:15; 199:11;207:23;219:15; 239:15;253:17;258:1; 262:13;273:16;277:8, 22;291:4,4</p> <p><b>three- (1)</b> 218:23</p> <p><b>three-quarters (1)</b> 153:4</p> <p><b>three-story (5)</b> 184:16;211:7,8; 238:16;277:21</p> <p><b>throughout (10)</b> 108:4;129:17; 146:11;226:7;231:14, 22;232:2,6;247:24; 268:5</p> <p><b>thunder (1)</b> 262:6</p> <p><b>Thursday (2)</b> 16:19;289:10</p> <p><b>tie (1)</b> 178:9</p> <p><b>ties (1)</b> 202:17</p> <p><b>tight (1)</b> 8:10</p> <p><b>till (2)</b> 50:17,18</p> <p><b>tilted (1)</b> 161:22</p> <p><b>timeframe (1)</b> 90:16</p> <p><b>timely (2)</b> 19:18,19</p> <p><b>times (14)</b> 50:3,8;69:25;70:10; 82:21,25;84:10;89:18; 90:12;92:9;146:2; 251:16;253:17;278:1</p> <p><b>timing (4)</b> 20:13,17;25:13,23</p> <p><b>tip (1)</b> 134:25</p> <p><b>today (32)</b> 5:25;6:15,17;7:18, 24;8:6;9:25;16:4,6,6, 15;17:16;20:18,20; 21:25;25:11,16;125:1; 130:8,9;214:24; 240:19;241:6;243:14; 250:5;254:20;277:11; 287:11;291:2,3,9,20</p> <p><b>together (1)</b> 211:16</p> <p><b>token (1)</b> 88:13</p> <p><b>told (4)</b> 93:22;111:6;189:20;</p>
--	--	--	--	--

**T**

**table (3)**  
24:11,20;207:8

**tabulations (2)**  
167:17;172:2

**talk (15)**  
18:11,12;23:6;44:21;  
85:9;96:2,6;102:21;  
105:1;109:9;126:9;  
160:4;287:23,25;290:4

**talked (7)**  
55:14;85:8;152:10;  
158:2;220:6;273:14;  
277:14

**Talks (4)**  
22:8;26:22;36:6,7

**taller (3)**  
178:3,3;238:21

**tangent (2)**  
192:4,5

**tapers (1)**  
239:20

**target (4)**  
22:21;72:1,1,16

**team (1)**  
68:12

**teams (1)**  
52:24

**tease (1)**  
229:9

**Technical (13)**  
10:4,5;19:15;20:25;  
21:5,7;39:21;127:14;  
140:6;181:1;191:15;  
198:11;199:23

**technically (2)**  
179:23;180:2

**Technology (1)**  
226:4

**telecommunications (1)**  
158:7

**telephone (2)**  
204:19;209:4

**telling (4)**  
16:8;276:24,25;  
291:5

**tells (2)**  
161:9;164:15

**TELS (1)**  
105:5

**tempted (1)**  
56:18

**tenants (1)**  
272:22

**tend (2)**  
239:21;278:20

**Tennis (60)**  
5:10,11;9:11;26:8,  
17,24;27:3,5,8;28:4;  
29:6,12;31:2,5,9,13,15;  
33:2,3;7:7;11;120:16,

**test (2)**  
221:24;268:3

**tested (1)**  
275:3

**testified (14)**  
182:24;227:3,16;  
267:16;268:5,11;  
269:15;270:22,24;  
279:9,17;280:21;  
281:12;285:13

**testify (19)**  
7:24;24:16;59:6;  
60:10;79:16;92:22;  
96:19;98:2;99:15;  
126:3;219:19;265:16;  
270:10,12;278:18;  
279:5,18,18;282:17

**testifying (2)**  
228:3,4

**testimony (63)**  
6:18;7:4,7;8:1,10;  
10:8;24:19;25:3;55:20;  
56:11,17;78:17;84:5;  
88:9;89:14;93:5,18;  
106:6;108:4;109:12;  
110:12;112:5;114:16;  
115:20;118:13;159:1;  
164:19;169:3;172:6;  
174:24;175:18;176:20;  
182:10;183:1;184:11;

**testing (2)**  
221:21,23

**Thanks (2)**  
30:15;255:1

**That'll (15)**  
12:2;80:2;82:10;  
83:3;84:6;91:23;95:25;  
97:14;139:18;143:3;  
252:21;253:15;267:19;  
271:11;275:18

**theater (3)**  
49:17;51:21;115:5

**theory (1)**  
259:20

**therapist (5)**  
110:3,8,10,18,20

**therapy (4)**  
45:19;49:11;110:7;  
115:4

**thereabouts (2)**  
68:6;147:7

**thereby (1)**  
235:8

**therefore (2)**  
180:25;219:25

**there'll (2)**  
135:3;270:25

**Thinking (4)**  
105:17;161:17;  
233:22;285:16

**thinner (1)**  
167:2

**third (5)**  
180:16;257:22;  
259:23,24,25

**though (6)**  
94:22;108:22;176:9;  
180:1;217:11;274:23

**thought (29)**  
11:9;15:4;47:2;  
69:14;76:5;85:8;89:13;  
137:14,15,18;150:8;  
155:24;164:23;166:9;  
167:5;168:5;184:4;  
195:2;203:11;229:10;  
255:25;258:7;260:5;  
274:4;277:17;278:19,  
21;284:4;285:14

**thoughtful (1)**  
249:2

**three (41)**  
20:14;43:10;49:2,3;  
50:3,8,24;66:19;69:10,  
10,20;74:21;82:21,25;

**three- (1)**  
218:23

**three-quarters (1)**  
153:4

**three-story (5)**  
184:16;211:7,8;  
238:16;277:21

**throughout (10)**  
108:4;129:17;  
146:11;226:7;231:14,  
22;232:2,6;247:24;  
268:5

**thunder (1)**  
262:6

**Thursday (2)**  
16:19;289:10

**tie (1)**  
178:9

**ties (1)**  
202:17

**tight (1)**  
8:10

**till (2)**  
50:17,18

**tilted (1)**  
161:22

**timeframe (1)**  
90:16

**timely (2)**  
19:18,19

**times (14)**  
50:3,8;69:25;70:10;  
82:21,25;84:10;89:18;  
90:12;92:9;146:2;  
251:16;253:17;278:1

**timing (4)**  
20:13,17;25:13,23

**tip (1)**  
134:25

**today (32)**  
5:25;6:15,17;7:18,  
24;8:6;9:25;16:4,6,6,  
15;17:16;20:18,20;  
21:25;25:11,16;125:1;  
130:8,9;214:24;  
240:19;241:6;243:14;  
250:5;254:20;277:11;  
287:11;291:2,3,9,20

**together (1)**  
211:16

**token (1)**  
88:13

**told (4)**  
93:22;111:6;189:20;

<p>290:25 <b>took (6)</b> 130:15;132:3;151:3; 182:21;262:5;263:6 <b>top (19)</b> 72:15;76:1,18; 121:17;138:23;140:8; 157:4;164:4;199:6,14; 200:14,19;209:22,25; 233:5,8;239:2,4;243:7 <b>topographic (2)</b> 242:1;263:18 <b>topography (2)</b> 152:5;231:1 <b>total (4)</b> 67:17;193:14; 242:15,17 <b>totally (2)</b> 71:2;162:6 <b>touch (1)</b> 166:8 <b>touched (1)</b> 46:9 <b>toward (6)</b> 49:16;106:24; 145:23;222:9;243:2; 255:25 <b>towards (21)</b> 75:24;78:4;106:23; 123:19;130:24;137:4, 24;138:10;154:6; 160:13;164:4,11; 176:16;184:9;190:12, 13;237:21;247:17; 261:14;278:7;289:18 <b>town (5)</b> 47:17;51:13,13,14, 15 <b>towns (1)</b> 211:13 <b>track (1)</b> 226:22 <b>tradeoff (1)</b> 214:11 <b>traditional (1)</b> 211:11 <b>traffic (20)</b> 23:18;26:19,20,21; 27:25;28:20,25;29:1,9, 10;31:19;32:12,17; 68:15;96:18;149:9; 158:4;197:6,9;214:7 <b>train (2)</b> 54:22;89:13 <b>transcript (2)</b> 8:23;15:6 <b>transit (2)</b> 54:17;55:2 <b>translate (1)</b> 217:11 <b>translates (1)</b> 161:11 <b>transmission (1)</b></p>	<p>268:9 <b>transport (8)</b> 70:8;85:2,3,4,5; 87:25;88:10;94:21 <b>Transportation (3)</b> 28:21;51:22;149:13 <b>transported (1)</b> 89:2 <b>trash (44)</b> 50:6,15;69:10;90:8, 12;92:6,9,12,13,18,24; 93:23;95:23;98:11,23; 99:6;111:11;141:21; 143:9;144:1,12,15,16; 179:6;189:16,19; 250:1,7,18;251:12,15, 24;252:21;253:10,11, 13,15,16,19,22;254:1, 3,7;282:5 <b>traveling (1)</b> 98:23 <b>treatise (1)</b> 268:21 <b>treatment (1)</b> 231:22 <b>treatments (1)</b> 283:12 <b>tree (3)</b> 124:17;149:15;178:7 <b>trees (48)</b> 78:17,19,20,21,23; 79:2,5,6,17;98:17; 124:18;126:1;132:4,5; 134:21;146:18;177:11, 11,14,14;178:1; 186:21;187:13,14; 193:8;205:25;210:14; 237:22;238:4;243:19, 23,25;244:1,4,6; 262:10;283:20;284:5, 19;285:5,5;286:4,8,10, 11,12,16,17 <b>triangle (5)</b> 126:20;158:14; 160:25;163:5;224:7 <b>triangular (1)</b> 135:24 <b>tried (3)</b> 16:9;262:16;288:3 <b>trim (1)</b> 231:6 <b>trips (2)</b> 51:20;149:10 <b>truck (21)</b> 70:2;82:16,23;83:3; 98:11;99:21;101:8; 102:2,8;104:17;146:2; 191:13;195:14,15; 197:3,5,15;220:6; 253:11,13,15 <b>trucks (12)</b> 55:15;83:6;92:6; 111:11,11;158:11,22;</p>	<p>159:1;191:17;195:10; 197:15;253:22 <b>true (3)</b> 84:18;85:7;102:8 <b>trustees (1)</b> 42:13 <b>truth (9)</b> 41:10,10,10;117:3,4, 4;225:7,8,8 <b>try (10)</b> 22:20,22,24;52:10; 53:3;102:17;134:22; 220:8;247:23;286:9 <b>trying (33)</b> 13:9;16:4;17:13; 21:17;22:9,10,14;35:1; 38:15;52:2;54:13;60:9, 17,22;61:8;68:24;69:9, 16;80:18;93:19;95:24; 100:16;109:9;154:1; 164:1;178:9;195:10; 213:16;215:17,19; 220:9;262:21;263:1 <b>tubes (1)</b> 45:22 <b>Tudor (3)</b> 231:2,5;277:16 <b>Tuesday (2)</b> 67:23;290:9 <b>turn (11)</b> 18:16;98:12;158:13, 15;159:5;177:1; 194:22;197:14;208:8; 246:23;257:13 <b>turnaround (19)</b> 130:13;139:7; 140:24;141:1,17,21; 158:14,23;159:9; 179:5;183:22;194:23; 198:1;199:1;246:23; 266:8,12,17,23 <b>turned (1)</b> 120:11 <b>Turning (5)</b> 70:14;131:15; 189:15;208:3;209:19 <b>turnover (2)</b> 50:20;69:11 <b>turnovers (1)</b> 69:16 <b>turns (2)</b> 77:24;146:2 <b>twice (1)</b> 114:6 <b>two (64)</b> 7:21;19:3,23;21:11, 22;23:11;26:5;37:18, 20;43:11,11;47:15; 50:3;51:1,25;55:8; 64:3;67:3;69:17;74:21; 88:5;123:8,17;127:6; 128:17;131:19;138:22; 145:19;151:6;153:21;</p>	<p>155:13;185:18;186:13, 14;195:13,18;196:8, 15;205:4;207:15,16; 209:7;211:6,9;219:12, 25;227:15,17,18; 238:18,18;244:12; 269:13;274:8;277:8, 18;278:5;283:6;288:9; 290:10,21;291:4; 292:10,11 <b>two-step (1)</b> 164:8 <b>two-story (2)</b> 232:14;276:6 <b>type (19)</b> 9:15;22:22;26:4; 29:22;62:19;66:8;79:2; 103:25;104:16;105:3; 183:16;191:13;274:21; 276:14;278:14,15; 281:15;283:7,10 <b>types (12)</b> 62:22;79:5;85:13; 94:22;103:23;104:10, 13;173:17;177:12,15; 226:7;249:13 <b>typical (10)</b> 48:6;131:22;145:15; 180:24;220:24,25; 221:7;276:12,14,14 <b>typically (15)</b> 51:23;70:1;139:12, 14,18,22;151:24; 166:24;180:8;182:8; 191:24;219:25;221:4; 246:17;283:9</p>	<p>11,19;215:16,23; 216:1;221:13,14; 227:12;230:16;255:25; 256:10,11,13;258:12; 264:9,19;275:12; 277:5,7;278:24,25; 279:2,6,10,19,22; 280:6,15,17,19,25; 282:11,14;287:8,9; 292:6,11 <b>Uhre's (2)</b> 12:25;13:4 <b>ultimately (2)</b> 157:2;249:18 <b>Um- (1)</b> 80:25 <b>Um-hmmm (18)</b> 10:16;59:20,20;67:1; 74:25;77:12;78:5; 93:21;97:19;109:24; 111:4;113:5;154:24; 165:14;262:8;264:2; 267:13;269:4 <b>unassisted (1)</b> 71:3 <b>under (25)</b> 5:5;9:3,6;24:13; 28:19;36:10,12;39:14; 41:10;43:10,11;61:23; 117:4;131:13;134:4; 148:6;149:8;177:12; 179:20,20;183:8; 200:4;225:8;227:3; 245:4 <b>underground (7)</b> 94:6,9;95:5,17; 96:20;103:22;113:20 <b>underneath (1)</b> 136:25 <b>understands (1)</b> 169:14 <b>understood (14)</b> 18:3;66:12,14;67:17; 68:10;69:12;114:17; 125:18;154:4;172:22; 209:21;211:17;215:6; 262:12 <b>undue (4)</b> 170:9,15,17;248:18 <b>undulating (1)</b> 177:13 <b>unduly (2)</b> 103:14;168:17 <b>Unfortunately (1)</b> 272:11 <b>uniformity (1)</b> 285:8 <b>unique (5)</b> 175:3,6,11,14;211:6 <b>Unit (2)</b> 64:3,4 <b>units (26)</b> 47:11;64:5;70:19,23;</p>
<b>U</b>				
<p><b>Uhre (141)</b> 6:9,11,13,13,17,21, 25;7:19,21;8:4,11;6,8, 18;12:14;22:17,23; 23:10,12,22,25;24:21; 26:19;29:11;31:24; 32:1,11,21,22;33:15; 34:24;35:3,7,19;37:14, 16;53:12;57:17,19,21; 59:8,13,18;60:8,15,22; 61:3,13,17,19;62:18; 71:6,21;72:9,22,24; 73:1,4;118:3,6;122:12, 16;132:16,21;144:12, 17;165:14,16;188:8,10, 13,22;189:2,24,25; 190:7,15,18;192:11,14; 194:24;197:2,22,24,25; 198:6,25;200:17; 201:12;202:7,20; 203:3,6;205:24; 206:16,19,22;207:1; 208:6,10;209:12,18; 210:8;212:25;213:3,</p>				

<p>71:10;72:2,13,15,17;              86:12;148:9,18,24;              171:24;172:1;217:12;              232:23;233:3,4,8,17,              22;234:17;266:5;              272:6;276:13  <b>University (4)</b>              41:24;42:1,13;226:3  <b>unless (4)</b>              17:15;25:20;134:2;              160:24  <b>unloaded (1)</b>              82:24  <b>unprecedented (1)</b>              37:11  <b>untouched (1)</b>              284:3  <b>unusual (1)</b>              221:3  <b>up (113)</b>              15:7;20:20;24:15;              39:2;40:16,20,21,24;              49:20;50:25;51:4,5;              54:20,24;55:9;58:8;              60:8;63:19;67:15;86:5;              90:12,23;91:1;106:1,              14;107:4;108:23;              109:7,10;113:8;              120:11,12,14;122:19;              126:18;130:22;131:13;              135:13,18;136:7,22;              142:5;144:9,11;              149:23;150:15;151:3,              14;153:10,15,21;              155:13;156:13;157:19;              160:9;161:11;162:21,              21;164:1;165:12,15;              177:23;187:5,14;              188:15,18,24,25;189:7;              192:25;194:7;195:14;              196:12;197:3,4,10;              201:3;207:20;208:23;              209:10;211:22;214:19;              215:18;220:18;221:1;              222:1,4,20;223:12;              224:1;230:11;231:7,              10,12;232:12;233:7;              238:19;248:1,3;              253:22;257:21;258:1,              2;271:8;279:3;282:12;              283:18;287:15,17;              288:5;291:4;292:5,24  <b>update (1)</b>              33:22  <b>updated (2)</b>              33:21;280:4  <b>upon (11)</b>              19:15;26:7;27:4;              29:22,23;85:16;              100:15;181:21;183:24;              215:5;269:7  <b>upper (2)</b>              65:11;66:7</p>	<p><b>upside (3)</b>              76:8,9,13  <b>upstairs (1)</b>              84:2  <b>Urban (1)</b>              226:12  <b>usage (2)</b>              214:7,8  <b>Use (155)</b>              5:4,5;9:3,6,9,12,16;              10:3,3;20:3;26:21;              27:2,5,7,12;28:18,23,              24;29:6;31:4,18;32:4,              10,13,14;33:20,24,25;              34:4,19;35:10;38:2,12;              39:8,15,20,23;54:17;              55:2,23;56:14,15;              65:21,22;66:4;68:9;              70:2,2;74:24;77:7;              81:10,23;82:3;83:3;              89:8,15,90:17;92:19;              93:9,19;94:22,23;95:1,              4,7,11,13;96:9;97:4,15;              100:17;102:19;105:4,              4,18,19;106:18;              110:20;112:4,17;              113:18;114:13,23;              126:11;136:3;145:21;              146:4;148:14;149:1,7,              23;150:2,4,6,20;              157:11;158:22;159:20;              165:1;166:21;167:11,              17,19,19;168:1;170:1,              9,9,17,21;171:3,5;              172:2;181:6,22;182:8;              183:15;191:24,25;              193:19;196:4;199:2;              203:12,13;211:10,15,              15;214:2,3,4,14;              215:11;218:11;220:24;              221:11;223:8;229:18;              234:6;240:1;247:2;              248:7,18,19,22;250:20;              257:1;269:17;272:23,              24;278:9,14;283:8,14;              292:15  <b>use- (1)</b>              157:11  <b>used (24)</b>              34:1;51:12;81:19;              86:2;89:15,16;93:7,13,              22;97:4;105:13;              113:18,22;114:6;              182:2;183:10;229:9;              230:2;231:4;242:3;              245:6;246:18;285:21;              289:4  <b>uses (33)</b>              9:15;29:18;30:16,19;              37:18,20;45:12;89:21;              90:2;96:4;99:9;111:13;              119:2,3;130:4;135:20;              149:5,6;157:10,10,25,</p>	<p>25;164:10;167:13,15;              170:15,22;191:22;              193:21;213:7;215:20;              221:3;235:7  <b>using (20)</b>              31:11;51:19;68:17,              17;75:1;82:10;94:1;              96:6;97:14;108:14,14;              113:20;114:12;127:20;              136:3;159:2;197:19;              234:5,7;247:25  <b>usual (1)</b>              180:23  <b>usually (31)</b>              8:8,11;24:12,14;              50:21;52:1,6;56:8;              62:25;63:2,8;65:17,22;              66:10;70:5,7;74:23;              76:18;81:18,22;85:3;              86:13;88:22;94:18;              99:20,21,22;100:4;              104:23;110:6;214:9  <b>utilities (1)</b>              142:3  <b>Utility (2)</b>              141:19,21  <b>utilize (4)</b>              84:16;111:1;183:20;              246:21  <b>utilized (2)</b>              87:4;90:8  <b>utilizing (4)</b>              84:6;104:14;114:21;              231:8</p>	<p><b>vary (1)</b>              231:15  <b>vegetation (16)</b>              124:19;243:12;              262:9;267:11,19,20;              268:3,6,15,22,25;              269:7;270:14,19,21;              285:17  <b>vehicle (2)</b>              104:1,18  <b>vehicles (12)</b>              96:7;99:16;101:16;              103:19;108:14;111:12,              12,24;112:4;113:21;              158:12;275:22  <b>vein (1)</b>              170:16  <b>vendors (1)</b>              52:17  <b>version (9)</b>              125:3,4,10,19;141:2;              142:10;280:5,7;284:7  <b>versions (1)</b>              19:23  <b>versus (3)</b>              152:2;213:12;233:21  <b>vertical (11)</b>              14:11,19;151:14,14;              201:3,16,19;202:3;              231:15;263:4;273:23  <b>vertically (1)</b>              145:17  <b>via (1)</b>              54:14  <b>viability (1)</b>              47:25  <b>viable (2)</b>              48:5;62:12  <b>vibrancy (1)</b>              46:14  <b>Victor (1)</b>              284:23  <b>view (26)</b>              19:12;120:18,25;              121:20;123:4;130:10;              141:7,7,18;157:4;              160:8;162:25;163:1;              164:7,11,11;186:23;              199:18;205:22;232:20;              237:19;243:5,6;278:9;              284:3;286:13  <b>viewed (1)</b>              212:15  <b>views (2)</b>              46:17;262:16  <b>VIKA (4)</b>              22:8;142:19;181:21;              238:9  <b>VIKA's (2)</b>              22:4,4  <b>Village (1)</b>              117:14  <b>violate (1)</b></p>	<p>261:17  <b>Virginia (4)</b>              225:20;226:3,5;              228:23  <b>virtually (1)</b>              27:17  <b>visibility (4)</b>              140:7;157:1;220:9;              221:5  <b>visible (12)</b>              137:5,15,17,21,25;              138:5,15,17;211:24;              221:6,7,10  <b>vision (4)</b>              242:25;268:4,23,24  <b>visit (1)</b>              87:7  <b>visited (3)</b>              128:14;135:16;278:1  <b>visiting (3)</b>              86:19,22;150:24  <b>visitors (1)</b>              170:18  <b>visits (2)</b>              104:10,14  <b>visual (7)</b>              194:9;248:4;268:25;              269:6,25;271:13,18  <b>visually (1)</b>              194:14  <b>voice (1)</b>              243:21  <b>voir (1)</b>              117:22  <b>voltage (1)</b>              112:6  <b>volunteer (1)</b>              251:4</p>
		<p><b>V</b></p>		
		<p><b>V- (2)</b>              173:6;284:23  <b>valley (25)</b>              31:9,11;32:24;              124:10,14;125:25;              131:8;132:2;134:12,              15;153:25;177:21,25;              179:10,12,18,19;180:7,              16,20,24;192:25;              193:7;210:18,23  <b>value (1)</b>              180:19  <b>van (10)</b>              51:18;99:22;113:3,4;              246:19,25;254:12,19,              23;255:7  <b>variance (1)</b>              9:6  <b>varies (2)</b>              201:4,20  <b>variety (4)</b>              49:12;226:6;235:1;              267:16  <b>various (4)</b>              10:11,12;86:12;              249:10</p>	<p><b>viable (2)</b>              48:5;62:12  <b>vibrancy (1)</b>              46:14  <b>Victor (1)</b>              284:23  <b>view (26)</b>              19:12;120:18,25;              121:20;123:4;130:10;              141:7,7,18;157:4;              160:8;162:25;163:1;              164:7,11,11;186:23;              199:18;205:22;232:20;              237:19;243:5,6;278:9;              284:3;286:13  <b>viewed (1)</b>              212:15  <b>views (2)</b>              46:17;262:16  <b>VIKA (4)</b>              22:8;142:19;181:21;              238:9  <b>VIKA's (2)</b>              22:4,4  <b>Village (1)</b>              117:14  <b>violate (1)</b></p>	<p><b>W</b></p>
				<p><b>wait (10)</b>              58:19,21;75:25;              163:23;217:13;229:23;              258:3,21;290:2;291:10  <b>wake (1)</b>              63:19  <b>walk (2)</b>              232:9;241:15  <b>walkable (3)</b>              158:17,20,21  <b>walked (3)</b>              194:6,18,19  <b>walker (1)</b>              51:20  <b>walk-in (2)</b>              84:1,3  <b>walking (5)</b>              68:22;69:3;150:23;              164:17;194:7  <b>walkway (2)</b>              173:12;197:17  <b>wall (32)</b></p>

<p>141:20;143:1,14; 144:1,3,3,15,21,22; 145:22;173:24;174:11, 14,19,20,22;175:1; 199:6,14,15,19;205:8; 221:11;234:14,19; 245:9;250:8,17;253:6; 273:22,24;274:6</p> <p><b>walls (6)</b> 125:25;179:15; 249:7;268:7,11,15</p> <p><b>wane (1)</b> 67:16</p> <p><b>wanes (2)</b> 49:18;107:2</p> <p><b>wants (6)</b> 22:19;39:10;61:5; 160:4;273:3,7</p> <p><b>wash (3)</b> 100:4,6;104:23</p> <p><b>washer (1)</b> 100:6</p> <p><b>washers (2)</b> 104:21,22</p> <p><b>washing (2)</b> 100:18,22</p> <p><b>waste (1)</b> 164:1</p> <p><b>watch (1)</b> 40:23</p> <p><b>water (26)</b> 26:22;31:7;125:21; 126:3;138:24;140:9; 145:5,5,22;146:19; 149:15;158:5;166:18; 176:3,14;181:10; 183:9,9,12;194:10; 199:14,15;218:17,19; 235:7,9</p> <p><b>way (66)</b> 5:6;8:20,25;15:17; 16:9;21:15;24:21;25:2; 28:22;29:10;30:23; 31:17,22;34:16;37:22; 38:25;39:17,19,21,22; 47:5;49:4;63:11;71:11; 87:5;95:21;98:7,11,17, 21;101:22;102:15; 121:23;130:12;135:2; 136:10;138:7;142:22; 144:23;153:4;156:11; 161:14,15,16,17,18,23; 164:8,9;175:3;176:11; 180:8,16;185:1,25; 190:11;210:12;216:22; 221:1;241:6;245:25; 254:10,22;255:10; 261:17;270:24</p> <p><b>ways (4)</b> 47:15;142:22; 213:17,21</p> <p><b>Web (1)</b> 123:6</p>	<p><b>website (1)</b> 8:24</p> <p><b>Wednesday (1)</b> 289:4</p> <p><b>week (22)</b> 15:3;16:4,18;22:6,9, 11;50:3,8;67:19,21,22; 68:2;82:21,25;84:10; 90:12;92:9;107:14; 123:8;253:17;289:6; 290:9</p> <p><b>weekend (2)</b> 292:22,23</p> <p><b>weekly (2)</b> 275:8,9</p> <p><b>weeks (3)</b> 20:14;163:18;291:4</p> <p><b>weeps (1)</b> 175:23</p> <p><b>weight (4)</b> 56:16,17,21;57:4</p> <p><b>welcome (1)</b> 145:2</p> <p><b>welfare (1)</b> 170:18</p> <p><b>well-designed (1)</b> 278:21</p> <p><b>well-received (1)</b> 251:1</p> <p><b>well-run (1)</b> 249:4</p> <p><b>weren't (3)</b> 52:14;176:12;228:2</p> <p><b>West (32)</b> 7:6,8;52:15;76:6; 78:4;79:13,13,15; 136:10;139:3,4;152:2; 162:5;193:21;255:11, 23;257:23;258:4,5,7,9, 12,13,15,16;259:3,8, 19;260:10;276:6,7; 281:12</p> <p><b>western (19)</b> 130:12,17;131:5; 134:25;135:22,23; 138:25;139:7;142:2; 143:2;151:4;174:5; 177:20;178:2;222:24; 250:11,12;273:17,17</p> <p><b>westward (1)</b> 184:1</p> <p><b>wetland (8)</b> 131:1,2,8;175:15,18; 176:11,17;194:11</p> <p><b>wetlands (5)</b> 124:13;153:24; 193:22,25;194:17</p> <p><b>Wharton (1)</b> 41:25</p> <p><b>what'll (1)</b> 274:12</p> <p><b>What's (37)</b> 13:25;21:17;22:10;</p>	<p>30:17;36:20,21;60:13; 62:13,14;66:21;73:18; 109:21;115:9;123:2, 25;135:7;145:15; 153:17,17;161:7,7,10; 175:2,2;185:1;194:3; 199:2;216:15,15,16; 230:15;233:17,17; 234:19;242:22;250:16; 266:20</p> <p><b>whatsoever (2)</b> 137:11;261:8</p> <p><b>wheelers (1)</b> 83:7</p> <p><b>whenever (1)</b> 208:20</p> <p><b>whereas (2)</b> 21:12;216:20</p> <p><b>Where's (3)</b> 78:10;128:2;165:21</p> <p><b>Whereupon (1)</b> 292:25</p> <p><b>wherever (1)</b> 245:7</p> <p><b>white (2)</b> 123:18;206:4</p> <p><b>whole (15)</b> 23:16,17;27:17;30:7; 31:2;32:16;37:17; 41:10;67:4;117:3; 128:24;152:20;225:5, 7;289:22</p> <p><b>wide (2)</b> 178:20;267:16</p> <p><b>width (2)</b> 157:17,19</p> <p><b>Williams (1)</b> 53:18</p> <p><b>willing (1)</b> 55:17</p> <p><b>window (6)</b> 104:21,21;220:3; 259:7;261:13;283:12</p> <p><b>windows (17)</b> 104:23;171:17,21; 231:5;257:16,17,22; 258:12,15,16;259:3,6, 19;260:9;261:11,13; 283:8</p> <p><b>wing (1)</b> 232:18</p> <p><b>wings (4)</b> 156:12;230:23; 231:9;233:4</p> <p><b>wiped (1)</b> 288:5</p> <p><b>wise (1)</b> 157:12</p> <p><b>wish (7)</b> 7:4;8:10,16;11:7; 40:6,7,11</p> <p><b>wishes (1)</b> 7:18</p>	<p><b>withdraw (1)</b> 60:24</p> <p><b>within (23)</b> 33:4;46:15,22,23; 61:11;82:24;100:6; 123:7,7;124:13,18; 125:25;131:18;148:8; 169:6;172:11;173:13, 19;178:18;180:24; 184:21;224:2;257:17</p> <p><b>without (9)</b> 17:19;68:23;74:20; 121:4,7;134:5;189:11; 213:8;283:21</p> <p><b>witness (309)</b> 8:21;9:20;24:17; 25:4;40:15,17,21; 42:18;43:23,25;56:4; 57:7,18;59:5;62:16; 71:4;72:3,5;73:3;75:7, 8,13,18;76:10,21,23, 25;77:3,9,12,15,17,23; 78:3,5,12;79:12,15,20, 24;80:13,17;82:2; 83:17;89:10;90:4;91:7, 23;96:14;97:19,22; 98:4,8,10,15;102:22; 105:1,15;107:18,21,24; 112:22;113:25;115:16, 17,18;116:3,17; 117:21;120:5,8,10,14, 25;121:18,20,25; 122:15,23;123:4,6,11, 14;124:2,23;125:5,14, 21;126:8,15,17,20; 127:3,10,13,16,18; 128:4,7,10,12;129:11; 130:18;131:6;133:16; 134:9,15,20;135:9; 136:11,16,19,21,24; 138:3,13,17,21;139:4, 6;140:17,24;141:6,10, 16,25;142:2,7,11,23; 143:2,5,8,15,25;144:7, 14;145:3;146:6,8,15, 20,22;148:21;150:8, 11;152:4,8,15,18; 153:1,3,6,9,14,19; 154:4,10,14,17,19,24; 155:3,6,11,18,20,23; 156:1,4,7,10,21,25; 157:6,8,16,18,21; 159:22;160:1,16,20; 161:3;162:8,11,19,22; 163:1,5,9,12,15,19; 164:6;166:2,11;169:8; 174:2,4;177:8;180:5; 181:13,16;186:6,13; 188:25;190:17;192:12; 195:9,19,21;196:10,14, 17,25;199:4,9,13,18, 25;200:11,14,16; 201:9;202:15,17;</p>	<p>205:23;208:17,22; 209:15;216:18,24; 217:23;218:2,5;219:9, 12,16;220:17;224:20; 227:5,16,20,23;228:4, 8,11,17,23;229:2,4,14; 230:18,21;231:19,24; 232:1,5;234:13;235:6, 12,15;238:3,6;239:2,8, 17;241:22;242:6,9; 243:19,23;244:4; 245:2,15,17,19,23; 246:1;247:5,14;249:8, 16,19;250:12,14; 255:22;258:14,16,24; 259:6,10,13;264:7,20; 265:2,14,17,21;266:3; 270:16;275:4,14; 277:11;280:11;282:12; 285:1;287:12</p> <p><b>witnesses (5)</b> 6:6;10:12;25:1; 40:19;101:15</p> <p><b>witness's (1)</b> 118:4</p> <p><b>Women (2)</b> 63:1,1</p> <p><b>wonder (1)</b> 224:12</p> <p><b>wood (1)</b> 20:19</p> <p><b>woods (1)</b> 78:5</p> <p><b>Word (13)</b> 10:1;13:16;20:4; 27:6;37:5;86:3;89:15; 93:7,8,12,13;110:25; 211:16</p> <p><b>worded (1)</b> 21:15</p> <p><b>words (4)</b> 34:1;50:17;81:10; 238:1</p> <p><b>work (31)</b> 9:23;22:23,24;48:25; 49:4;55:4;57:8;67:22; 68:25;87:6;106:11; 107:5,5,6,14,15; 108:23;110:4,6; 129:18;130:20;140:6; 150:16;160:17;161:1; 175:24;189:5;211:16; 226:15,20;291:14</p> <p><b>worked (15)</b> 46:24;126:10; 130:15;131:17;135:6; 149:19;151:18;158:18; 181:16;226:6,17,19; 247:22;248:14;254:17</p> <p><b>workforce (2)</b> 68:19,20</p> <p><b>Working (16)</b> 42:5;119:5;128:12,</p>
--	--	---	---	---

**CU 16-01**  
**Brandywine Senior Living at Potomac, LLC**

<p>20;129:15;131:11,12;  134:10,20;151:2;  174:1;177:6,25;180:5;  198:12;230:25  <b>works (3)</b>  38:22;52:7;137:17  <b>world (1)</b>  102:1  <b>worth (1)</b>  282:16  <b>write (6)</b>  38:25;122:16;130:1;  230:11,16;234:11  <b>writing (1)</b>  200:10  <b>written (1)</b>  255:22  <b>wrong (4)</b>  244:18;255:15,16,19  <b>wrote (4)</b>  7:22;122:13,14,20</p>	<p style="text-align: center;"><b>0</b></p> <p><b>0.1 (1)</b>  169:18  <b>01 (1)</b>  136:2</p> <p style="text-align: center;"><b>1</b></p> <p><b>1 (11)</b>  35:9;36:7;64:8;  108:24;147:7;202:4;  204:13;230:5;255:23,  23;288:21  <b>1,200 (2)</b>  217:8,23  <b>1,250 (1)</b>  217:9  <b>1,500 (1)</b>  68:5  <b>1:00 (1)</b>  48:10  <b>1:45 (1)</b>  147:12  <b>10 (14)</b>  66:24,25;69:15;  72:17;86:25;87:17;  88:15;89:3;108:23;  109:5;153:15;204:13;  246:16;292:7  <b>10/21/15 (1)</b>  14:15  <b>10/28/15 (1)</b>  14:18  <b>10:00 (5)</b>  67:9;106:17;107:6;  108:19,23  <b>100 (3)</b>  47:11;64:23;240:13  <b>101 (1)</b>  230:5  <b>106 (1)</b>  62:16  <b>10800 (1)</b>  5:10  <b>11 (8)</b>  125:2,19;141:2;  143:9;144:2;201:16;  204:13;284:6  <b>11/25/86 (1)</b>  166:10  <b>11:00 (3)</b>  49:6,6;106:12  <b>11:30 (2)</b>  90:25;91:2  <b>11:40 (1)</b>  91:11  <b>110 (6)</b>  48:20;67:18,20;  107:9,10,13  <b>11th (1)</b>  290:15</p>	<p><b>12 (11)</b>  139:19;204:6,13;  235:24,25;264:18,19,  20;265:5,6;269:21  <b>120 (2)</b>  47:11;172:1  <b>1289 (1)</b>  166:4  <b>13 (2)</b>  126:14,15  <b>130 (1)</b>  167:2  <b>132 (2)</b>  242:12,18  <b>14 (15)</b>  43:8;141:20,24;  143:5,14,25;144:22;  173:23;174:11,14,19,  20,22;274:2,2  <b>140 (7)</b>  5:7;47:8,11;172:1,3;  217:3;218:7  <b>145 (2)</b>  218:5,6  <b>145.7841 (1)</b>  217:24  <b>146 (3)</b>  217:23,25;218:2  <b>14-foot (2)</b>  274:3,6  <b>15 (7)</b>  72:17;139:14;  178:25;179:1,2,5;  216:10  <b>150 (1)</b>  157:13  <b>1501 (1)</b>  117:18  <b>155 (1)</b>  242:20  <b>15th (1)</b>  12:18  <b>16 (2)</b>  236:15;237:14  <b>16- (1)</b>  255:6  <b>160 (1)</b>  148:25  <b>16-01 (4)</b>  5:4;118:19;229:18;  292:15  <b>16-passenger (9)</b>  51:18;112:12;113:1;  246:19,22,25;254:12,  19,23  <b>17 (12)</b>  32:17;125:2,19;  141:2;209:19;279:19,  20,21;280:2,3,5;284:7  <b>18 (6)</b>  83:7;211:23;225:24;  257:2;274:1,1  <b>182 (1)</b></p>	<p>62:3  <b>189 (1)</b>  5:12  <b>18th (1)</b>  13:7  <b>19 (1)</b>  227:7  <b>1986 (1)</b>  165:24  <b>1996 (1)</b>  42:7  <b>1A (1)</b>  36:6</p> <p style="text-align: center;"><b>2</b></p> <p><b>2 (5)</b>  21:7;48:10;49:14;  109:3;204:13  <b>20 (11)</b>  21:5;72:14;82:24,25;  146:1;148:8,8;211:18;  216:12,16;271:8  <b>200 (2)</b>  70:22;283:1  <b>2002 (2)</b>  71:18;148:9  <b>2014 (1)</b>  130:2  <b>2015 (1)</b>  292:17  <b>2020 (1)</b>  72:14  <b>20th (1)</b>  128:23  <b>21.5 (1)</b>  144:2  <b>24 (6)</b>  45:23,24;48:11;  67:19;85:1;108:5  <b>24/7 (3)</b>  48:8;211:25;257:1  <b>24-hour (1)</b>  45:17  <b>25 (1)</b>  207:9  <b>25th (1)</b>  165:23  <b>26 (2)</b>  50:23;119:22  <b>27 (8)</b>  43:7;50:22,23;61:21,  22,24;86:5,7  <b>287 (2)</b>  242:10,17  <b>29 (2)</b>  14:5,25  <b>290 (2)</b>  282:18;283:1  <b>29th (2)</b>  13:8;15:17  <b>2nd (2)</b>  289:2,3</p>	<p style="text-align: center;"><b>3</b></p> <p><b>3 (9)</b>  64:13;67:16;201:9;  202:4;204:13;291:12;  292:2,4,15  <b>3:00 (6)</b>  49:5,5,7;106:2,12,12  <b>30 (12)</b>  66:3;86:11,11;124:3;  139:12;153:14;195:7;  196:6;197:15;205:13;  208:6;277:5  <b>300 (3)</b>  70:22;148:22;225:20  <b>300- (1)</b>  152:21  <b>301 (1)</b>  208:3  <b>302 (3)</b>  255:20;279:20;  280:12  <b>303 (1)</b>  244:16  <b>30th (1)</b>  288:10  <b>35 (1)</b>  86:11  <b>36 (8)</b>  50:22;71:19;156:4,9;  157:4,13;207:11;  209:22  <b>360 (1)</b>  41:21  <b>365 (1)</b>  48:8  <b>37 (2)</b>  119:21,22  <b>378 (4)</b>  152:16,17;182:10;  211:21  <b>37B (2)</b>  119:21;120:3  <b>38 (3)</b>  71:20,25;72:10  <b>380 (3)</b>  152:8,13;153:24  <b>386 (3)</b>  202:10,15,16  <b>39 (7)</b>  12:21,23,24;15:16;  33:20;119:19;208:6  <b>392 (1)</b>  201:7  <b>396 (4)</b>  153:19;155:23;  209:25;211:21  <b>398 (2)</b>  152:21;153:20  <b>39B (1)</b>  159:17  <b>3rd (7)</b></p>
<p style="text-align: center;"><b>Y</b></p> <p><b>yard (6)</b>  220:22,23,24;221:4,  6,7  <b>year (10)</b>  48:8;51:15;64:24;  72:2,17;86:6;148:10;  188:15;189:7;206:23  <b>years (14)</b>  9:3;44:4;46:5;63:7;  65:19;66:4;72:14,17,  19;119:4;148:8;  225:24;226:18;286:21  <b>yellow (1)</b>  163:5  <b>yesterday (1)</b>  162:13  <b>York (2)</b>  42:14;43:15  <b>Yoskowitz (1)</b>  54:1</p>	<p><b>1:00 (1)</b>  48:10  <b>1:45 (1)</b>  147:12  <b>10 (14)</b>  66:24,25;69:15;  72:17;86:25;87:17;  88:15;89:3;108:23;  109:5;153:15;204:13;  246:16;292:7  <b>10/21/15 (1)</b>  14:15  <b>10/28/15 (1)</b>  14:18  <b>10:00 (5)</b>  67:9;106:17;107:6;  108:19,23  <b>100 (3)</b>  47:11;64:23;240:13  <b>101 (1)</b>  230:5  <b>106 (1)</b>  62:16  <b>10800 (1)</b>  5:10  <b>11 (8)</b>  125:2,19;141:2;  143:9;144:2;201:16;  204:13;284:6  <b>11/25/86 (1)</b>  166:10  <b>11:00 (3)</b>  49:6,6;106:12  <b>11:30 (2)</b>  90:25;91:2  <b>11:40 (1)</b>  91:11  <b>110 (6)</b>  48:20;67:18,20;  107:9,10,13  <b>11th (1)</b>  290:15</p>	<p><b>1501 (1)</b>  117:18  <b>155 (1)</b>  242:20  <b>15th (1)</b>  12:18  <b>16 (2)</b>  236:15;237:14  <b>16- (1)</b>  255:6  <b>160 (1)</b>  148:25  <b>16-01 (4)</b>  5:4;118:19;229:18;  292:15  <b>16-passenger (9)</b>  51:18;112:12;113:1;  246:19,22,25;254:12,  19,23  <b>17 (12)</b>  32:17;125:2,19;  141:2;209:19;279:19,  20,21;280:2,3,5;284:7  <b>18 (6)</b>  83:7;211:23;225:24;  257:2;274:1,1  <b>182 (1)</b></p>	<p><b>200 (2)</b>  70:22;283:1  <b>2002 (2)</b>  71:18;148:9  <b>2014 (1)</b>  130:2  <b>2015 (1)</b>  292:17  <b>2020 (1)</b>  72:14  <b>20th (1)</b>  128:23  <b>21.5 (1)</b>  144:2  <b>24 (6)</b>  45:23,24;48:11;  67:19;85:1;108:5  <b>24/7 (3)</b>  48:8;211:25;257:1  <b>24-hour (1)</b>  45:17  <b>25 (1)</b>  207:9  <b>25th (1)</b>  165:23  <b>26 (2)</b>  50:23;119:22  <b>27 (8)</b>  43:7;50:22,23;61:21,  22,24;86:5,7  <b>287 (2)</b>  242:10,17  <b>29 (2)</b>  14:5,25  <b>290 (2)</b>  282:18;283:1  <b>29th (2)</b>  13:8;15:17  <b>2nd (2)</b>  289:2,3</p>	<p><b>303 (1)</b>  244:16  <b>30th (1)</b>  288:10  <b>35 (1)</b>  86:11  <b>36 (8)</b>  50:22;71:19;156:4,9;  157:4,13;207:11;  209:22  <b>360 (1)</b>  41:21  <b>365 (1)</b>  48:8  <b>37 (2)</b>  119:21,22  <b>378 (4)</b>  152:16,17;182:10;  211:21  <b>37B (2)</b>  119:21;120:3  <b>38 (3)</b>  71:20,25;72:10  <b>380 (3)</b>  152:8,13;153:24  <b>386 (3)</b>  202:10,15,16  <b>39 (7)</b>  12:21,23,24;15:16;  33:20;119:19;208:6  <b>392 (1)</b>  201:7  <b>396 (4)</b>  153:19;155:23;  209:25;211:21  <b>398 (2)</b>  152:21;153:20  <b>39B (1)</b>  159:17  <b>3rd (7)</b></p>
<p style="text-align: center;"><b>Z</b></p> <p><b>Zone (18)</b>  5:13;27:11;29:15,16;  30:18;31:1;157:13;  167:12,21;190:4;  191:2,7,16,21;192:3,  20;197:10,13  <b>zoned (1)</b>  130:4  <b>Zoning (21)</b>  5:5,15;9:3,13;28:19;  33:18;34:2;119:2;  167:12,15;169:15;  191:11;199:24;200:4;  208:11,25;209:6,17;  211:1;214:16;228:16</p>	<p><b>10800 (1)</b>  5:10  <b>11 (8)</b>  125:2,19;141:2;  143:9;144:2;201:16;  204:13;284:6  <b>11/25/86 (1)</b>  166:10  <b>11:00 (3)</b>  49:6,6;106:12  <b>11:30 (2)</b>  90:25;91:2  <b>11:40 (1)</b>  91:11  <b>110 (6)</b>  48:20;67:18,20;  107:9,10,13  <b>11th (1)</b>  290:15</p>	<p><b>182 (1)</b></p>	<p><b>289:2,3</b></p>	<p><b>3rd (7)</b></p>

**CU 16-01**  
**Brandywine Senior Living at Potomac, LLC**

289:2,10,11;290:8, 16,24;292:11	5:6 <b>59-3.3.2E (1)</b> 167:12	154:16;162:17,19; 177:6;182:19,21; 196:5;199:2;223:7; 230:5;234:8,9;240:16; 241:20;243:14;244:17, 19,20,23;247:4,9; 250:6;255:14;256:17; 257:17;262:6;266:3,9, 10;279:11,15;280:12, 14,15,23	63:9 <b>91 (7)</b> 133:5,16,18,19,24; 134:2,7 <b>9-1-1- (6)</b> 84:18,23;85:7,11,24; 87:25 <b>92 (11)</b> 50:19;69:14,21; 140:22,23;141:3,4; 198:1;201:4;274:9,10 <b>92A (3)</b> 141:2;142:25;143:12 <b>93 (7)</b> 165:13,13,15,25; 166:5;200:24;201:6 <b>94 (8)</b> 284:3,3,6,7,8,9,10; 287:1 <b>95 (1)</b> 69:24 <b>98 (1)</b> 125:8 <b>9th (1)</b> 15:14
<b>4</b>	<b>59-6 (1)</b> 167:22 <b>59-7.3 (1)</b> 167:14 <b>5th (2)</b> 18:8,9	<b>7th (5)</b> 290:15,17;291:13, 17;292:12	
<b>4 (6)</b> 64:13;204:13; 244:19,20,21,21 <b>4.02 (3)</b> 5:9;29:20;217:21 <b>4:00 (2)</b> 107:6;224:15 <b>4:45 (1)</b> 241:6 <b>40 (16)</b> 48:22;65:18;67:2,5; 72:1,17;107:17,23; 108:3,4,17,18;109:1,7, 13;148:10 <b>400 (1)</b> 153:20 <b>43 (1)</b> 207:11 <b>432 (2)</b> 154:11;155:20 <b>444 (1)</b> 210:1 <b>450 (2)</b> 72:12,13 <b>47 (2)</b> 236:1;237:24 <b>48 (5)</b> 139:22;210:1,6; 239:1;269:22 <b>4th (5)</b> 289:2,8,9;290:14; 291:18	<b>6</b>	<b>8</b>	
<b>5</b>	<b>6 (15)</b> 38:1,1;64:16;204:13; 244:19,20,21,21;247:4; 255:14,18;256:17; 257:17;279:13,15 <b>6:00 (1)</b> 106:17 <b>60 (12)</b> 109:18,23;154:7; 157:13;166:25,25; 185:21;195:5;196:24; 205:16,18;209:2 <b>600 (1)</b> 5:11 <b>69 (3)</b> 127:24;128:1,2	<b>8 (1)</b> 204:13 <b>8.89 (1)</b> 190:25 <b>8:00 (3)</b> 67:9;86:22,22 <b>80s (1)</b> 63:9 <b>81 (1)</b> 150:9 <b>83 (2)</b> 11:19,20 <b>83A (1)</b> 11:21 <b>85 (2)</b> 46:5;62:25 <b>8513 (1)</b> 6:14 <b>86 (1)</b> 62:25 <b>88 (4)</b> 10:25;11:2;201:5,6 <b>89 (12)</b> 14:1;53:12,13,18,18, 21,23,25;54:2,4,6; 115:20 <b>8th (1)</b> 291:13	
	<b>7</b>	<b>9</b>	
	<b>7 (5)</b> 204:13;207:11; 235:25;292:2,17 <b>7,000 (1)</b> 207:3 <b>7.3.1BK4 (1)</b> 34:11 <b>7.3.1E (1)</b> 35:9 <b>7.3.1E1A (1)</b> 36:23 <b>7.3.1K (1)</b> 36:6 <b>7:00 (17)</b> 49:4,6,7;50:14,14; 67:8;84:13,14;90:14, 14;92:10,10;106:2,12; 108:19;253:17,17 <b>74 (7)</b> 132:24;133:4,8,22; 237:11,13,14 <b>75 (9)</b> 75:17,18;78:18; 121:3;255:18;284:16, 22;285:1;286:3 <b>750 (3)</b> 70:20;72:14;148:9 <b>77 (1)</b> 14:8 <b>79 (44)</b> 16:1;21:11;33:21; 150:3,4,5,6,8,11;	<b>9 (3)</b> 191:1;204:13;235:24 <b>9:00 (1)</b> 107:5 <b>9:30 (3)</b> 291:12;292:16,17 <b>90 (31)</b> 46:5;69:25;122:2,3, 4,9,10,14,15,18,20; 125:3,6,15,15,16,17, 20;134:12;142:25; 163:24,25;165:12; 185:9;186:16;187:5, 13;188:14;196:18; 200:24;284:18 <b>90s (1)</b>	
	<b>5 (10)</b> 64:16;204:13;247:9; 280:13,15,16,17,18,23, 24 <b>5:00 (4)</b> 107:5;276:20;277:1, 4 <b>5:11 (1)</b> 292:25 <b>50 (6)</b> 51:1;65:19;190:10; 205:6;209:2;233:21 <b>52 (4)</b> 62:1,4,4,6 <b>525 (1)</b> 41:20 <b>54 (2)</b> 12:18;26:9 <b>55 (2)</b> 46:22;196:25 <b>59 (1)</b> 167:14 <b>59.3.3.2E2C (1)</b>		