



Planet Depos®
We Make It *Happen™*

Transcript of Hearing

Date: May 7, 2021

Case: Major Modification Foundation for Advanced Education in Sciences

Planet Depos

Phone: 888.433.3767

Email: transcripts@planetdepos.com

www.planetdepos.com

Transcript of Hearing
Conducted on May 7, 2021

1 (1 to 4)

1	OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS	1	1	C O N T E N T S	3
2	FOR MONTGOMERY COUNTY, MARYLAND		2		PAGE
3	-----x		3	OPENING STATEMENTS	
4	In Re: :		4	Mr. O'Neil	16
5	MAJOR MODIFICATION FOUNDATION : Case No. CBA 916-A		5	TESTIMONY OF CHRISTIANA FARIAS	19
6	FOR ADVANCED EDUCATION IN :		6	TESTIMONY OF KEVIN FOSTER	40
7	SCIENCE :		7	TESTIMONY OF NICK DRIBAN	78
8	-----x		8	TESTIMONY OF DAVID KONAPELSKY	96
9			9		
10	HEARING		10	E X H I B I T S	
11	Conducted Virtually		11		PAGE
12	Before Hearing Examiner DEREK BAUMGARDNER		12	Exhibit 8 Konapalsky Resume	98
13	Rockville, Maryland		13	Exhibit 9 Foster Resume	41
14	Friday, May 7, 2021		14	Exhibit 10 Diban Resume	81
15	9:39 a.m.		15	Exhibit 13 Photos	28
16			16	Exhibit 14 Zoning map	63
17			17	Exhibit 19 Elevation plan	11
18			18	Exhibit 25 Floor plans	99
19			19	Exhibit 42 Photometric site plan	105
20			20	Exhibit 51 Gap study	82
21			21	Exhibit 54 Lighting details	105
22			22	Exhibit 60 FAES Cover sheet	14
23	Job: 372430		23	Exhibit 61 FAES-SE02	14
24	Pages: 1 - 111		24	Exhibit 62 FAES-SE03 14	14
25	Transcribed by: Molly Bugher, CDLT-161		25	Exhibit 63 FAES-SE04	14
1	A P P E A R A N C E S	2	1	E X H I B I T S	4
2	ON BEHALF OF MONTGOMERY COUNTY OFFICE OF ZONING AND		2	(Cont'd)	
3	ADMINISTRATIVE HEARINGS:		3		PAGE
4	DEREK BAUMGARDNER, HEARING OFFICER		4	Exhibit 64 FAES-SE05	14
5			5	Exhibit 65 FAES-SE06	14
6	ON BEHALF OF THE APPLICANT:		6	Exhibit 66 Sign details and trash enclosure drawing	102
7	PATRICK L. O'NEIL, ESQUIRE		7	Exhibit 67 Rendering	15
8	LERCH, EARLY, & BREWER, CHTD.		8	Exhibit 68 Modification	15
9	7600 Wisconsin Avenue		9	Exhibit 69 Traffic statement	15
10	Suite 700		10	Exhibit 70 aerial view	43
11	Bethesda, Maryland 20814		11		
12	Phone: (301) 986-1300		12		
13			13		
14	ALSO PRESENT TELEPHONICALLY:		14		
15			15		
16	MARTIN ONUGBU, COURT REPORTER		16		
17			17		
18			18		
19			19		
20			20		
21			21		
22			22		
23			23		
24			24		
25			25		

Transcript of Hearing
Conducted on May 7, 2021

2 (5 to 8)

<p>5</p> <p>1 PROCEEDINGS</p> <p>2 HEARING EXAMINER BAUMGARDNER: Good morning,</p> <p>3 folks. We are on the record. My name is Derek Baumgardner.</p> <p>4 This is a public hearing of the Montgomery County Office of</p> <p>5 Zoning and Administrative hearings. This hearing is being</p> <p>6 recorded. You should see a small screen. Or I'm sorry, a</p> <p>7 scroll on the top of your screen stating that the hearing is</p> <p>8 being recorded.</p> <p>9 We also have a court reporter on the line, Mr.</p> <p>10 Onuegbu. I hope I'm pronouncing your last name correctly,</p> <p>11 sir. We thank him for his services. There will be a</p> <p>12 transcript made of this entire proceeding.</p> <p>13 It is May 7, 2021. Time is approximately 9:39</p> <p>14 a.m. We are here on a modification of a special exception,</p> <p>15 which was titled CBA 916-A. And this application to modify</p> <p>16 is for property located at 9101 Old Georgetown Road,</p> <p>17 Bethesda, Maryland all located within Montgomery County</p> <p>18 Maryland.</p> <p>19 My name is Derek Baumgardner. I will be the</p> <p>20 hearing examiner for today, which means that I will listen to</p> <p>21 you, take in evidence, and write a decision. You may request</p> <p>22 an appeal of that decision to the board of appeals within 10</p> <p>23 days of the date of that decision.</p> <p>24 Very briefly, a quick introduction about the</p> <p>25 proceedings for today, especially with the virtual, remote</p>	<p>7</p> <p>1 who is participating today to kind of signal that you have a</p> <p>2 question or a particular issue. You can also raise your</p> <p>3 physical hand. I will do my best while I'm writing notes</p> <p>4 longhand here to be able to look up and see that. But those</p> <p>5 are two options available to you if there is a particular</p> <p>6 thing that you need to bring to my attention.</p> <p>7 Also, if we can avoid any crosstalk during</p> <p>8 testimony -- so please wait for counsel or a community member</p> <p>9 to finish a question before you answer your question. Also,</p> <p>10 if you're the one asking questions, please wait until the</p> <p>11 person answering has finished their answer. That allows the</p> <p>12 court reporter to take down everything. It also allows the</p> <p>13 lack of crosstalk that can happen.</p> <p>14 It's a little more difficult in the virtual world</p> <p>15 to control those sorts of things. In a live hearing it's</p> <p>16 much easier to kind of get that since, but it is a little</p> <p>17 more difficult in the virtual hearing realm. All parties</p> <p>18 will be given the opportunity to speak. So don't worry about</p> <p>19 not getting a chance if you would like to testify.</p> <p>20 The general procedure for today, the parties or</p> <p>21 party, depending upon, will be given the opportunity to give</p> <p>22 a brief opening statement. We will then begin with the</p> <p>23 Applicant's case in chief. They will examine their</p> <p>24 witnesses. Any witness that is giving testimony is subject</p> <p>25 to cross-examination. If there's anyone from the community</p>
<p>6</p> <p>1 platform that we are currently using, which is called</p> <p>2 Microsoft Teams. First, our office phone number, if you have</p> <p>3 any problems connecting or if you get disconnected and you</p> <p>4 can't rejoin the hearing, please call our office at 240-777-</p> <p>5 6663.</p> <p>6 A couple of ground rules for remote hearings.</p> <p>7 Number one, please meet yourselves when you are not speaking</p> <p>8 or answering a question. Background noise can make it</p> <p>9 difficult to hear a speaker if there is background noise for</p> <p>10 another participant. That being said, given the telework,</p> <p>11 remote COVID world that we currently live in, we completely</p> <p>12 understand if there is a child that needs attending to or a</p> <p>13 pet or things like that. That's completely understandable.</p> <p>14 You may hear a loud banging noise in the back from my portal.</p> <p>15 That's my kids who are playing about 10 feet above my head</p> <p>16 right now.</p> <p>17 A couple of other things. On the top of your</p> <p>18 screen in the middle towards the right, there are several</p> <p>19 icons that will allow you to control your access to this</p> <p>20 portal. One of those is a small emoticon, which looks like</p> <p>21 that emoticon has a raised hand. This is called the raise</p> <p>22 your hand feature. If you have a question, if you are having</p> <p>23 an issue and you need to bring something to my attention,</p> <p>24 please try to use that raise your hand feature.</p> <p>25 When you click on it, it allows me and everyone</p>	<p>8</p> <p>1 that would like to ask a question, please limit those</p> <p>2 interactions to questions only. If anyone from the community</p> <p>3 would like to testify, they will be given that opportunity</p> <p>4 after the Applicant closes their case in chief.</p> <p>5 What I would like to do now is just identify the</p> <p>6 parties for the record, counsel and any witnesses who would</p> <p>7 like to testify. And then we will go down the list here to</p> <p>8 see if there is anyone logged in or who has called and that</p> <p>9 would like to testify in addition to those folks who are</p> <p>10 already listed.</p> <p>11 So Mr. O'Neil, if you could introduce yourself and</p> <p>12 then identify your witnesses for the record, please.</p> <p>13 MR. O'NEIL: Absolutely. Thank you, Mr.</p> <p>14 Baumgardner. My name is Patrick O'Neil, an attorney for the</p> <p>15 Petitioner in this case. And is it helpful that we spell our</p> <p>16 name for the court reporter at this time?</p> <p>17 HEARING EXAMINER BAUMGARDNER: That would be</p> <p>18 great, thank you.</p> <p>19 MR. O'NEIL: The name is Patrick O'Neil; P-A-T-R-</p> <p>20 I-C-K, O, apostrophe, N-E-I-L. And with me we will have four</p> <p>21 witnesses that are planned. The first is Christina Farias.</p> <p>22 And Christina, do you want to introduce yourself for purposes</p> <p>23 of court reporter identification?</p> <p>24 MS. FARIAS: Certainly. Good morning. My name is</p> <p>25 Christina Farias, spelled; C-H-R-I-S-T-I-N-A, F, as in Frank,</p>

Transcript of Hearing
Conducted on May 7, 2021

3 (9 to 12)

<p>9</p> <p>1 A-R-I-A-S. And I'm the CEO and executive director of the 2 Foundation for Advanced Education in the Sciences. 3 MR. O'NEIL: Thank you. And we also have Kevin 4 Foster. Kevin, do you want identify yourself? 5 MR. FOSTER: Hi, Kevin Foster; K-E-V-I-N, 6 F-O-S-T-E-R. 7 MR. O'NEIL: And then your GLW and spell that out, 8 please. 9 MR. FOSTER: Gutschick, Little, and Webber; 10 G-U-T-S-C-H-I-C-K, L-I-T-T-L-E, W-E-B-B-E-R. 11 MR. O'NEIL: Thank you. And then Nick Driban. 12 MR. DRIBAN: Good morning. Nick Driban; N-I-C-K, 13 D-R-I-B-A-N. I'm an associate vice president with Lenhart 14 Traffic Consulting; L-E-N-H-A-R-T, Traffic Consulting. 15 MR. O'NEIL: And last we have David Konapelsky. 16 MR. KONAPELSKY: Good morning. I am David 17 Konapelsky. Let me see here. 18 MR. O'NEIL: And can you spell your last name, 19 sir? 20 MR. KONAPELSKY: It's; D-A-V-I-D, K-O-N-A-P, as in 21 Paul, E-L, as in Larry, S-K-Y. So it's K-O-N-A-P-E-L-S-K-Y. 22 And I'm with GTM Architects and we're the architects for 23 these projects. 24 HEARING EXAMINER BAUMGARDNER: Great, thank you 25 very much. Are there any other participants here today</p>	<p>11</p> <p>1 given the opportunity to give a brief opening statement. 2 Then we will get into witness testimony. The first thing we 3 will do is address any preliminary issues. Was there 4 anything that came up -- I know there was a question about 5 exhibits that came up this morning or last night, Mr. O'Neil, 6 that you wanted to address before we get started. 7 MR. O'NEIL: Yes, thank you. We had an 8 opportunity to review the exhibit list that's been posted on 9 the Office of Zoning and Administrative hearing website and 10 noted one discrepancy in the submittal that we prepared and 11 the exhibits that are listed. That is in regard to exhibits 12 19 and 20. Both in the exhibit list are -- have the same 13 item for each exhibit number. And we suggest, having 14 reviewed the submittal that we prepared, that we replace the 15 Exhibit 19 with an elevations plan that was submitted with 16 the application, but is not contained in the exhibit list 17 that has been published. 18 HEARING EXAMINER BAUMGARDNER: Okay. So noted. 19 We will get that fixed. I also note that additional exhibits 20 or additional proposed exhibits were emailed to me as well, 21 which we can address during your presentation whenever they 22 come up. 23 MR. O'NEIL: Mr. Baumgardner, I wonder whether it 24 would be easier, since these are -- these have been relied 25 upon by planning staff in the preparation of their staff</p>
<p>10</p> <p>1 either logged in or who have called in that would like to 2 identify themselves if they will be testifying on the record 3 here today? You're not required to testify. If you want to 4 observe and listen then, that's -- you are certainly more 5 than welcome to do so. But if you are going to be 6 testifying, we do need to identify you for the record. 7 Seeing no indication of anyone indicating that 8 they would like to testify, going through the list, it looks 9 like we do have one caller on a 2000 line. If that caller 10 would like to identify themselves, they may, but they are not 11 required to. 12 MR. KONAPELSKY: The 240-333-2000? 13 HEARING EXAMINER BAUMGARDNER: Yes. 14 MR. KONAPELSKY: That's GTM Architects because we 15 had to call in. 16 HEARING EXAMINER BAUMGARDNER: Got it. 17 Understood. So that takes care of that. Going through our 18 list, is there anyone who's logged and who is not represented 19 by an attorney that would like to identify themselves for the 20 record? Or who may have questions of -- for witnesses? You 21 can raise your virtual hand or otherwise signal to me that 22 you're going to be testifying or asking questions. See none, 23 we will move on. 24 As I mentioned earlier, the procedure for this -- 25 for our cases is the Applicant will go first and they will be</p>	<p>12</p> <p>1 report, that we go through the process on the front end of 2 making sure they are in the record. And that if we reference 3 them during our testimony, we certainly have a number to 4 reference. 5 HEARING EXAMINER BAUMGARDNER: Not a problem. Let 6 me open up what I have here just to make sure that we are on 7 the same page. So I have an email from this morning. It 8 lists a number of different attachments. Were there 9 particular attachments that you wanted to include or was 10 this -- or are these a bunch? 11 MR. O'NEIL: It was 1, 2, 3, 4, 5, 6. And then 12 six that were previously submitted to planning staff that 13 should be part of the record. And then there is -- I'm aware 14 of one other exhibit that we intend to introduce today, which 15 we will do during the testimony. 16 HEARING EXAMINER BAUMGARDNER: Okay, because I'm 17 seeing a cover sheet, signage details, landscape details, 18 site details, modification statements, traffic statement, 19 site plan, landscape plan, and you have some kind of 20 rendering. Which of those are not in the record yet that we 21 need to add to the record? 22 MR. O'NEIL: I believe all of them need to be 23 added to the record. 24 HEARING EXAMINER BAUMGARDNER: Okay, will do. 25 Let's see what we have here. So by number, the last exhibit</p>

Transcript of Hearing
Conducted on May 7, 2021

4 (13 to 16)

<p>13</p> <p>1 we have currently on the record, which is on our website, is</p> <p>2 Exhibit 59, which is a planning board decision. So we will</p> <p>3 start with 60. Then we will go -- so one, three, eight.</p> <p>4 From the email that was sent to me, it looks like -- give me</p> <p>5 just one second. That's a cover sheet.</p> <p>6 MR. O'NEIL: Correct.</p> <p>7 HEARING EXAMINER BAUMGARDNER: So we will go --</p> <p>8 the number indicated on the document, is that an indication</p> <p>9 of a particular order? Or is that just how the document was</p> <p>10 titled? So I see FAES-SE01, FAES-SE03. And the reason I ask</p> <p>11 is we can keep it in that order of that makes sense.</p> <p>12 MR. O'NEIL: Yeah.</p> <p>13 HEARING EXAMINER BAUMGARDNER: But if that's just</p> <p>14 a way to title it, we can put them in any order that we need.</p> <p>15 MR. O'NEIL: And maybe if we get the assistance of</p> <p>16 Kevin Foster who actually assembled the package to understand</p> <p>17 the relationship of the number to the overall package.</p> <p>18 HEARING EXAMINER BAUMGARDNER: Sure.</p> <p>19 MR. FOSTER: So they were -- this is Kevin Foster.</p> <p>20 They were numbered that way as they were submitted to Park</p> <p>21 and Planning staff.</p> <p>22 HEARING EXAMINER BAUMGARDNER: Okay.</p> <p>23 MR. FOSTER: So that's how the whole set is</p> <p>24 organized.</p> <p>25 HEARING EXAMINER BAUMGARDNER: Okay.</p>	<p>15</p> <p>1 traffic statement, and then any additional exhibits that are</p> <p>2 introduced today.</p> <p>3 MR. O'NEIL: And for my purposes, I'm keeping</p> <p>4 score as having the rendering be Exhibit 67. Does that sound</p> <p>5 right?</p> <p>6 HEARING EXAMINER BAUMGARDNER: Yes.</p> <p>7 MR. O'NEIL: Okay. And then the modification is</p> <p>8 68 and the traffic statement is 69.</p> <p>9 HEARING EXAMINER BAUMGARDNER: Correct.</p> <p>10 MR. FOSTER: Did you also get the aerial exhibit?</p> <p>11 MR. O'NEIL: We are introducing that today as part</p> <p>12 of your testimony.</p> <p>13 HEARING EXAMINER BAUMGARDNER: So that will be</p> <p>14 likely Exhibit 70 whenever that is introduced. All right.</p> <p>15 MR. O'NEIL: Okay. Thank you for bearing with us</p> <p>16 on that. I just wanted to make sure the record was as</p> <p>17 complete as we thought it to be and that we are on the same</p> <p>18 page.</p> <p>19 HEARING EXAMINER BAUMGARDNER: Having read many,</p> <p>20 many transcripts, it is a very good idea to make sure a</p> <p>21 transcript is as clear as possible because that will -- that</p> <p>22 can create problems down the road.</p> <p>23 MR. O'NEIL: Understood.</p> <p>24 HEARING EXAMINER BAUMGARDNER: So we will move</p> <p>25 forward. I have reviewed all of the exhibits in this case</p>
<p>14</p> <p>1 MR. FOSTER: So these are updated plans.</p> <p>2 HEARING EXAMINER BAUMGARDNER: Okay. So let's do</p> <p>3 this. I see a 01, a 03, a 08, a 05, 04, 02. We're going to</p> <p>4 keep them in the numbered order with the title document. And</p> <p>5 it looks like the modification statement does not have a</p> <p>6 sequential number. And the rendering does not have a</p> <p>7 sequential number. So we're going to put those on the</p> <p>8 bottom. So FAES-SE01 cover sheet will be Exhibit 60. And</p> <p>9 then 02 will be 61. 03 will be 63, et cetera, et cetera</p> <p>10 through the bottom of the seven exhibits. Is that okay for</p> <p>11 everyone?</p> <p>12 MR. O'NEIL: Yes, that works for me.</p> <p>13 HEARING EXAMINER BAUMGARDNER: Okay. And then</p> <p>14 there was one other email.</p> <p>15 MR. O'NEIL: Does the traffic statement have a</p> <p>16 number?</p> <p>17 MR. FOSTER: No.</p> <p>18 MR. O'NEIL: So that would be --</p> <p>19 HEARING EXAMINER BAUMGARDNER: Sorry, yes. Yes.</p> <p>20 The traffic statement will -- so we will do this. We'll do</p> <p>21 rendering, we will do the special exception mod statement,</p> <p>22 and then the traffic statement in that order. So before any</p> <p>23 exhibits are introduced today, that will be the order. So it</p> <p>24 will be the number. And then the last three will be the</p> <p>25 rendering, the special exception, modification statement, the</p>	<p>16</p> <p>1 except for the ones that we just mentioned. I've not had an</p> <p>2 opportunity to review those updated plans, but we will go to</p> <p>3 them today.</p> <p>4 As we're going through testimony, the two things I</p> <p>5 noted that I'm particularly interested in, number one is the</p> <p>6 extent of the expansion of the current building and how that</p> <p>7 impacts both the site and the surrounding community. And</p> <p>8 number two, the stormwater mitigation that's being added to</p> <p>9 the site. I understand from the exhibits that are already in</p> <p>10 the record, that the site does not have any current</p> <p>11 stormwater mitigation because of the age of the structure and</p> <p>12 the lot. So as we go through today, those are two things</p> <p>13 that I am particularly interested in.</p> <p>14 Other than that, I will turn over to Mr. O'Neil to</p> <p>15 begin his case in chief. When you do introduce a witness, we</p> <p>16 will have that witness sworn. They can give their name again</p> <p>17 and their professional address and then I will swear them in.</p> <p>18 Other than that, I will turn the floor over to you Mr. O'Neil</p> <p>19 to begin your case in chief.</p> <p>20 MR. O'NEIL: Thank you, very much. And thanks for</p> <p>21 working with us this morning to get to the starting point.</p> <p>22 For the record, my name is Patrick O'Neil. I'm with the law</p> <p>23 firm of Lerch, Early, & Brewer and our firm has the pleasure</p> <p>24 of representing the Applicant in this case, which is the</p> <p>25 Foundation for Advanced Education in the Sciences Inc. We</p>

Transcript of Hearing
Conducted on May 7, 2021

5 (17 to 20)

<p>17</p> <p>1 will refer to the entity throughout with its full name or 2 FAES just to make it flow a little easier at times. But I 3 want to make sure that the hearing examiner understands that 4 reference point. 5 The petition is a request to modify the existing 6 special exception for the FAES, what's called a social and 7 academic center building that's located at 9101 Old 8 Georgetown Road in Bethesda, Maryland. And this building and 9 the private club special exception use has been in place 10 since 1960. Originally the -- a predecessor special 11 exception holder has been assumed by FAES over the years and 12 ultimately in 2004 as the sole special exception holder. 13 With me today on behalf of the Petitioner is 14 Christina Farias was already identified herself as the 15 Executive Director and CEO for FAES. I also have Kevin 16 Foster, a land planner and a landscape architect for the 17 project who will testify, Nick Driban, a traffic engineer, 18 and David Konapelsky, the architect of record, all of whom we 19 expect to testify in the case in chief for the FAES 20 modification. 21 We are pleased to have this opportunity to discuss 22 the modification to the special exception CBA 916-A, and it 23 will ultimately, if approved, enable the facility to 24 modernize and address effectively the growing needs of the 25 organization that you're going to hear about.</p>	<p>19</p> <p>1 record and I believe we are ready to proceed with our first 2 witness. So with no other items to be addressed, I'm going 3 to call Christina Farias. 4 MS. FARIAS: Good morning. 5 HEARING EXAMINER BAUMGARDNER: Good morning. 6 MS. FARIAS: Morning. Good morning. Thank you so 7 much for the honor and privilege of today's hearing. I'm 8 very much looking forward to the conversation. So again, my 9 name is Christina Farias; C-H-R-I-S-T-I-N-A, F-A-R-I-A-S; and 10 I am the CEO and executive director of the Foundation for 11 Advanced Education and Sciences. 12 HEARING EXAMINER BAUMGARDNER: Thank you very 13 much, ma'am. Can you please raise your right hand? 14 Do you swear or affirm under the penalties of 15 perjury that the testimony you're about to give is the truth, 16 the whole truth and nothing but the truth? 17 MS. FARIAS: Yes. 18 HEARING EXAMINER BAUMGARDNER: Thank you. Please 19 state your business address. 20 MS. FARIAS: Yes. The business address is 10 21 Center Drive, Bethesda, Maryland 20892, Suite 1N, as in 22 north, 241. 23 HEARING EXAMINER BAUMGARDNER: Thank you, very 24 much. Mr. O'Neil, the witness is yours. 25 MR. O'NEIL: Thank you. Ms. Farias, good morning</p>
<p>18</p> <p>1 As you are aware, pursuant to section 7.71 B and 2 section 7.71 B 3 C of the zoning ordinance, this petition 3 has been reviewed under the prior zoning ordinance in effect 4 on October 29, 2014. We note that this project has been 5 reviewed by planning staff and the applicable reviewing 6 agencies. And on April 26, 2021, the planning board 7 recommended approval for the project. 8 And I further note that there has been, and I'm 9 pleased to note as well, no community concerns today have 10 been expressed and up to this point. So that is something 11 that we are proud of as a community member and the outreach 12 that we have done. 13 With regard to our testimony, we plan to first 14 call Ms. Farias as a representative of the Petitioner. She 15 would testify with regard to the general objectives for the 16 administrative modification and the terms of the special 17 exception that cover -- govern the operations for the 18 facility. 19 And then we will call in the following order, Mr. 20 Foster who will testify on the scope of the renovation 21 project. Mr. Driban, who will testify as to the vehicle 22 circulation on the property under existing and proposed 23 conditions. And lastly, Mr. Konapelsky who will testify 24 about the architectural program for the proposed renovation. 25 And we've already done our cleanup of the exhibits in the</p>	<p>20</p> <p>1 and welcome. 2 MS. FARIAS: Good morning. 3 MR. O'NEIL: How long have you been employed by 4 FAES and what are your responsibilities with the 5 organization? 6 MS. FARIAS: I was hired in February 2012. So 7 I've been there with nine years. And I'm responsible for all 8 operational and financial activities of the foundation. 9 MR. O'NEIL: Are you familiar with the special 10 exception case number CBA 916-A, which is the subject of 11 today's hearing? 12 MS. FARIAS: Certainly, yes. 13 MR. O'NEIL: And for color commentary and 14 understanding of FAES, can you describe FAES and its 15 functions? 16 MS. FARIAS: Certainly. So we function very much 17 like a University inside the National Institutes of Health. 18 We were created in 1959 by NIH scientists to bring 19 educational and professional development as well as cultural 20 events to the NIH. So over the last six decades, we have 21 done a lot for the NIH community. Primarily it's been to 22 host courses from courses and workshops, some conferences, 23 cultural events, musical events. 24 We also, as I mentioned, we run a university-like 25 entity. So in addition to educational initiatives, we do</p>

Transcript of Hearing
Conducted on May 7, 2021

6 (21 to 24)

<p>21</p> <p>1 have some housing. We have some retail that actually located 2 inside the NIH Clinical Center as well as student services, 3 which include things like health insurance, vision insurance, 4 dental insurance for the NIH trainees, which are essentially 5 the students of the NIH.</p> <p>6 MR. O'NEIL: And are you a nonprofit or for-profit 7 organization?</p> <p>8 MS. FARIAS: Nonprofit.</p> <p>9 MR. O'NEIL: And what offices does the FAES 10 operate out of?</p> <p>11 MS. FARIAS: So the majority of our administration 12 and offices are actually located inside the NIH clinical 13 Center on the Bethesda campus. But we also have a location, 14 which is the subject of today's hearing, at 9101 Old 15 Georgetown Road, as well as houses on a property very close 16 to this location at West Cedar and Cypress Avenue directly 17 across from the NIH. And in those houses, we do rent to NIH 18 trainees at very affordable rates to help the community.</p> <p>19 MR. O'NEIL: And FAES is a membership 20 organization, is it not?</p> <p>21 MS. FARIAS: Yes.</p> <p>22 MR. O'NEIL: Can you describe how the membership 23 works for the organization?</p> <p>24 MS. FARIAS: Yes. Over the decades it has evolved 25 considerably. I think our maximum that we had had or allowed</p>	<p>23</p> <p>1 incorporated into the site. But it is our objective to be 2 able to do more courses and more community events. Over the 3 years we had done things like a shred event for the 4 community, which has been limited by the size of this 5 location. Then we help with the expansion will be able to do 6 more of the wonderful things that we done over the years.</p> <p>7 MR. O'NEIL: And I believe a hearing examiner had 8 some particular area of interest regarding the size of the 9 expansion. Can you comment on that?</p> <p>10 MS. FARIAS: Certainly. So the current square 11 footage I believe it's just under 3300 square feet. But as I 12 mentioned, it is a single-family house. So it was not 13 designed in any way to have a class. Although most of our 14 courses are relatively small, about 12 to 16 people, we can 15 only hold one at a time. The majority of our courses are 16 done in the evening, Monday through Thursdays, but we can 17 only host one at a time. Although there is more space, it's 18 just not conducive.</p> <p>19 By expanding the facility and what I lovingly call 20 a hug around the existing building, is to add classroom space 21 and meeting spaces that will allow us to do what we do, just 22 have more frequent events. The NIH uses the facility 23 somewhat frequently, given the limitations. We have things 24 like the assembly of scientists join. That's a group of NIH 25 researchers that advise the NIH leadership of employment</p>
<p>22</p> <p>1 at one point was 400 individuals. But over the years the 2 interest in membership has waned considerably. And at this 3 point we have approximately 40 members. Now the membership 4 is actually important to the organization because all events 5 and activities that occur need to be sponsored by member. 6 And the members are our board members as well as advisory 7 committee members. And the sponsorship really includes 8 either that person being present or sponsoring and hosting 9 the event.</p> <p>10 MR. O'NEIL: Thank you. And can you describe are 11 please describe the general background and context of this 12 special exception application at 9101?</p> <p>13 MS. FARIAS: Absolutely. So we have been working 14 as an organization for a very long time to support the 15 National Institutes of Health. And as a government entity, 16 they do have some limitations that we are very happy to help.</p> <p>17 In fact, I do talk very frequently with the 18 director of the NIH, Dr. Francis Collins. And what we are 19 planning to do with this site is more of what we already do, 20 which primarily would be courses. Right now because the 21 facility is very small, it is a single-family house. We can 22 only host one course at a time. In the majority of our 23 classes do occur on the NIH campus.</p> <p>24 Of course that was pre-COVID. Post-COVID, we have 25 had to invest quite a bit in technology, which will also be</p>	<p>24</p> <p>1 concerns and so on and so forth.</p> <p>2 We also have some cultural events for the NIH 3 trainee population where spouses can come and meet and 4 network to really help the health of the community. And also 5 we do have FAES events and meetings where we bring in -- in 6 fact frequently, we meet with you at this location because of 7 its convenience. It's outside of the NIH security fence, 8 which of course is we all know, went up after 9/11. So this 9 particular location is extremely valuable, but we have been 10 limited in what we could do for the NIH because of its very 11 small size.</p> <p>12 MR. O'NEIL: And what is the current cap on 13 occupation under the current special exception and what are 14 you seeking in that special exception modification?</p> <p>15 MS. FARIAS: Occupancy I believe, do you mean?</p> <p>16 MR. O'NEIL: What number of attendees that are 17 allowed?</p> <p>18 MS. FARIAS: Yeah, occupancy, yes.</p> <p>19 MR. O'NEIL: Right. Go ahead.</p> <p>20 MS. FARIAS: Yeah, you said occupancy. I'm 21 sorry.</p> <p>22 MR. O'NEIL: I'm sorry. I apologize.</p> <p>23 MS. FARIAS: Strike that from the record. Yes, 24 occupancy is currently capped at 100 I don't ever recall 25 hitting 100 people because of the size of the facility. But</p>

Transcript of Hearing
Conducted on May 7, 2021

7 (25 to 28)

<p>25</p> <p>1 we are asking very humbly for an expansion to 145. 2 MR. O'NEIL: And as you testify, that will allow 3 for multiple classes to be conducted at one time, but in 4 relatively small size. Can you comment on the current 5 operations in terms of class sizes and numbers as it relates 6 to how you utilize that social and academic center currently? 7 MS. FARIAS: Yes. So as I mentioned earlier, our 8 classes are typically between 12 to 16 individuals on 9 average. I think we've run a course with as few as six 10 people. And I believe the largest class we've ever run is 11 around 60, six zero. Now of course not at this site because 12 of the size. But we hold meetings that are approximately 13 eight or 10 individuals. And I think we've capped out those 14 type of things at about 50 individuals. 15 Our social events are also very limited to 16 approximately 20 individuals. We also come on rare occasion, 17 do host a conference. I think at our peak since we been with 18 FAES there were four in a given year. And the maximum we 19 have hosted at a conference was 120 individuals. But that 20 was either located at the NIH on campus, which we can't do 21 anymore because they are limiting things. 22 But we used to host them in area hotels. So in 23 fact, by bringing conferences to 9101 Old Georgetown, it 24 would actually reduce car traffic and bus traffic by -- 25 before these events, we had to actually bus people from the</p>	<p>27</p> <p>1 currently? 2 MS. FARIAS: Well, we tried to be frugal. So most 3 of what we do is run by staff members. In fact we do order. 4 But we do, for larger events, we have catering. It's one of 5 our most popular ways to give back to NIH is by allowing food 6 and beverages to be at that site. So yeah, for special 7 events like our board meetings or really important events or 8 our holiday party, we do have catering. And we always -- we 9 open many of our different events, including our holiday 10 party, to community members. So they are always happy to be 11 fed as well. 12 MR. O'NEIL: Thank you. Regarding the special 13 exception itself and how it has evolved over the years, can 14 you comment on that? 15 MS. FARIAS: So these special exception, again, 16 this was well before my time. But from what I understand, he 17 began in the 60s with the United States public health service 18 commissioned officers club. If you're not familiar with the 19 NIH, the NIH actually includes researchers as well as 20 uniformed service physicians and researchers. And so back 21 then, it was used as an officers club. 22 And then to my understanding, in the 70s, FAES 23 partnered with the officers club in many different ways and 24 then we had actually purchased the facility and had the 25 special exception transferred to us. If I recall correctly,</p>
<p>26</p> <p>1 NIH to these hotels. So this site, by expanding it -- and of 2 course we realize it's a very large expansion, but what is 3 going to do, it's going to help us really improve what we do. 4 We've had to be creative over the years, which 5 have been very challenging. Of course now doing COVID, 6 things have changed dramatically. So how we will adjust 7 there is by adding technology as well to the facility, which 8 is extremely important. Right now we can't do so. It's an 9 old structure that was built in 1927. 10 MR. O'NEIL: And in terms of current hours, how 11 would you describe those hours of operation? 12 MS. FARIAS: So the majority of what we do is 13 during a week, primarily Monday to Thursday, we are open from 14 9:00 a.m. to 9:00 p.m. Our classes run from about 5:30 to 15 8:30 depending on the course. We also have occasional 16 weekend activities that run similar hours. 17 MR. O'NEIL: And in terms of staffing, how is the 18 facility staffed currently? 19 MS. FARIAS: So we have had one dedicated staff 20 member who is there regularly. But the most that we would 21 ever need it somewhere between 2 to 5 staff members depending 22 on the size of the event. 23 MR. O'NEIL: And in your events, or they run by 24 staff members? Or is there any catering or outside 25 assistance that is brought in to help with these events</p>	<p>28</p> <p>1 that was in 1978. I hope I have recalled that you're right. 2 And then over the years we made some requests for -- in some 3 cases it was that some parking spaces. And in another case 4 it was to allow us to have alcoholic beverages, which is also 5 something we enjoy during the holidays. 6 MR. O'NEIL: All right. And was there not a 7 modification or special exception addressing the leasing of 8 parking spaces? 9 MS. FARIAS: Yes. Oh, yes. So we leased -- we 10 have actually discontinued this. But we did lease 25 spaces 11 do NCI, the National Cancer Institute, which is an Institute 12 of the NIH. And it has a building that is actually one of 13 our neighbors across Old Georgetown Road where they didn't 14 have enough parking. So they had been leasing from us up 15 until COVID hit. And we actually discontinued that. 16 MR. O'NEIL: Thank you. And have you made a 17 personal inspection of the special exception site? And are 18 you familiar with it in the surrounding area? 19 MS. FARIAS: Oh, certainly. I've been there 20 hundreds of times, yes. 21 MR. O'NEIL: And can you please describe the 22 current facility on the property? It might be helpful if 23 there is a reference point. I'm thinking exhibit -- or 24 Exhibit 13, which of photographs might be a good starting 25 point.</p>

Transcript of Hearing
Conducted on May 7, 2021

8 (29 to 32)

<p>29</p> <p>1 Mr. Baumgardner, what's the best way to call those 2 up? 3 HEARING EXAMINER BAUMGARDNER: I will pull them up 4 now. 5 MR. O'NEIL: And as Mr. Baumgardner is bringing 6 the photos of the current facility, I'm going to ask you to 7 describe what those photos show. 8 HEARING EXAMINER BAUMGARDNER: That should be 9 coming up on your screen very shortly. 10 MS. FARIAS: Okay. I see it. Does everyone else? 11 MR. O'NEIL: Yes. 12 MS. FARIAS: So I'm thinking -- 13 MR. O'NEIL: I apologize for interrupting you. 14 But just from a general standpoint, we don't need to go 15 through each photo and describe what's happening in each 16 photo. But just from a general standpoint and reference 17 point for you to be able to describe the facility. 18 MS. FARIAS: Yes. Can we actually flip through 19 and get to the front of the house? This is actually on the 20 corner showing the back of the facility. So as you can see, 21 if you I think scroll down -- 22 HEARING EXAMINER BAUMGARDNER: And this is Exhibit 23 13 -- 24 MS. FARIAS: 13. 25 HEARING EXAMINER BAUMGARDNER: For the record.</p>	<p>31</p> <p>1 one point we are going to look at that. But as you can see, 2 we work really hard to keep the landscaping very nice for 3 trees and different flowers. 4 And the -- the way the house is situated, it is 5 only -- it is bordered by -- on three sides by nonresidential 6 uses. There's only one side of the property, which is 7 directly to the left of the structure in this photograph. 8 And that is the Bethesda Mews, the relatively new community. 9 That's the only residential neighbor that we have. To the 10 back this facility is the Knights of Columbus, which is 11 another group very similar to us with which we have a very 12 close working relationship. In fact, we share resources very 13 frequently including parking, if we ever need additional 14 parking. We talk with them regularly. 15 To the right of this -- of the structure across 16 Old Cedar is the firehouse. And then adjacent to the 17 firehouse is the National Institutes of Health. And that's 18 the corner of Old Georgetown Road and West Cedar. So behind 19 us in this image -- okay. Where are we? Oh, that -- oh. 20 Yes, if you scroll -- you were scrolling. 21 HEARING EXAMINER BAUMGARDNER: There? 22 MS. FARIAS: There we go. Is there a delay? 23 Okay. So in this image, this is actually great. This is 24 directly to the left of the house. That car, directly behind 25 the car in this image is the structure itself. But this is a</p>
<p>30</p> <p>1 And there are a series of photographs of the building itself. 2 So the first photograph is here. Moving to the second 3 photograph, is this the front of the building? 4 MS. FARIAS: Which is the back. That's the back. 5 HEARING EXAMINER BAUMGARDNER: The back. So the 6 third photograph -- 7 MS. FARIAS: Which is relatively front. Yes, it's 8 kind of at an angle. Yes, that's the front. 9 HEARING EXAMINER BAUMGARDNER: Okay. 10 MS. FARIAS: So yes, if you could pause there, 11 please. 12 HEARING EXAMINER BAUMGARDNER: You bet. 13 MS. FARIAS: So from the perspective of this 14 photograph, we are looking at the front of the house. Again, 15 it's a stone house, single-family house built in 1927. And 16 if you can see the white door to the right of the photograph 17 is actually a little extension that we bumped out and made it 18 a little -- made it actually ADA accessible. So we have a 19 ramp that goes into the facility. But as you can see, this 20 is a relatively small house. And the lot itself is 1-1/2 21 acres. 22 And the front of the house is facing Old 23 Georgetown Road. So that is one of the -- that's where we 24 enter and exit the facility. So the space itself is 25 actually -- the lot itself is extremely large. Hopefully at</p>	<p>32</p> <p>1 very large space between us and the Bethesda Mews. Yes. We 2 recently put a lot of that foliage between us and the 3 Bethesda Mews. We planted some really nice evergreens that 4 are going to grow to be like a green fence between us to -- 5 and the residences to help of course make it pretty, but also 6 reduce noise and any sort of concerns there. 7 MR. O'NEIL: And for the record, Ms. Farias was 8 referring to Exhibit 13 photos. And I think that was the 9 third photo. 10 MS. FARIAS: Yes. So if we scroll down, maybe I 11 can then describe -- okay. That's a nice picture of the 12 front with the parking lot. We have 54 spaces currently. As 13 I mentioned, we no longer lease to NCI. So there's plenty of 14 space to do all these things we are talking about. We don't 15 plan to expand the anyway, just simply shift it in a nice way 16 to actually accommodate what Montgomery County is looking for 17 with regards to bike lanes and the like. 18 MR. O'NEIL: Why is FAES proposing to change this 19 building structure. You alluded to it, but if you can answer 20 the specific question. 21 MS. FARIAS: So we want to change it because we 22 want to have more courses offered at this location, in part 23 because we have very much the need to do so, but also to help 24 the NIH and to do so outside of the fence. So right now if 25 you look at a, there's only one little space in there that we</p>

Transcript of Hearing
Conducted on May 7, 2021

9 (33 to 36)

<p>33</p> <p>1 can run a classroom. By expanding the space, we are hoping 2 to hold multiple classes simultaneously.</p> <p>3 MR. O'NEIL: And can you describe the proposed 4 changes that using this photo number 4 of Exhibit 13 as a 5 reference, the proposed changes that are being sought in this 6 special exception?</p> <p>7 MS. FARIAS: Yes. So as I mentioned, it's kind of 8 a hug if you think about it. So we want to keep the house 9 the same and then put residentially looking spaces around in 10 a kind of U-shape hugging the structure. But we want to 11 retain this house as it is. I think the community is really 12 thought of that. We actually consulted with the community 13 and they were very pleased with the design that we are 14 proposing. But the house itself will be retained. We will 15 make it a little more spacious on the inside as kind of like 16 a lobby to the structure. And then we will put classrooms 17 around.</p> <p>18 MR. O'NEIL: And what if any operational changes 19 are being sought in connection with this special exception?</p> <p>20 MS. FARIAS: So the operations are going to be 21 somewhat similar to what we've always done. It's really just 22 being able to more classes on.</p> <p>23 MR. O'NEIL: And will the property otherwise 24 continue to use in its current location, hours, special 25 events, et cetera? Or are there any changes that are being</p>	<p>35</p> <p>1 any changes will occur with staffing and the new 2 configuration of the building?</p> <p>3 MS. FARIAS: It will continue to be very similar. 4 We expect 2 to 5 staff members depending on the size of the 5 event.</p> <p>6 MR. O'NEIL: And you also had mentioned conference 7 activities. I imagine with the increased space that it can 8 accommodate more conferences. What are FAES's plans as it 9 relates to conferences?</p> <p>10 MS. FARIAS: Well, if you had asked me this pre- 11 COVID, I would say that we would continue doing 2 to 4 12 conferences a year where we would have anywhere between 100 13 to -- you know, of course I'm not sure we will ever get to 14 the 145. But as it is right now, most likely we will ease 15 into returning to having conferences on site. What I expect, 16 just like just about everything we're doing right now, a lot 17 of it is going to be virtual.</p> <p>18 This facility, what it will allow us to do, is 19 actually bring in speakers into the facility with new 20 technology that we can then videocast or put on the net to 21 have it available to a lot of people. Even -- it's amazing 22 how many individuals will login and watch an event even pre- 23 COVID. But this facility would allow us to have a lot more 24 flexibility to help our community at the FAES as well as the 25 NIH.</p>
<p>34</p> <p>1 sought in relation to those types of operations?</p> <p>2 MS. FARIAS: Yes, we are asking to extend hours to 3 1:00 a.m. on the weekends to accommodate more community 4 events.</p> <p>5 MR. O'NEIL: And for the record Mr. Baumgardner, 6 that already is the hour of events in the special exception, 7 1:00 a.m.. But the -- I believe Ms. Farias was referring to 8 some of the staff's recommendation on hours that ultimately 9 she agrees with.</p> <p>10 MS. FARIAS: Yes.</p> <p>11 MR. O'NEIL: But I just want to make that 12 clarification to not send us in the direction that might be 13 confusing.</p> <p>14 HEARING EXAMINER BAUMGARDNER: So the hours that 15 are listed in the staff report are the ones being requested 16 under the application; is that correct?</p> <p>17 MR. O'NEIL: So it's a little -- it's a hybrid. 18 The hours that are identified in the staff report reflect the 19 current approvals in some cases. And as it reflects hours, 20 or actually a little more restrictive on operations going 21 forward than are currently allowed at the facility. And Ms. 22 Farias has agreed to that.</p> <p>23 HEARING EXAMINER BAUMGARDNER: Got it. I 24 understand.</p> <p>25 MR. O'NEIL: In terms of staffing, how -- what if</p>	<p>36</p> <p>1 MR. O'NEIL: And have you reviewed the staff 2 report that was dated April 22, 2021 and ultimately approved 3 by the planning board --</p> <p>4 MS. FARIAS: Yes.</p> <p>5 MR. O'NEIL: -- at its meeting on the 26 I 6 believe?</p> <p>7 MS. FARIAS: Yes. Yes.</p> <p>8 MR. O'NEIL: And did the summary of conditions of 9 prior special exceptions, were they accurately reflected by 10 staff in its attempt to supersede and put conditions in one 11 place where before they were little disjointed?</p> <p>12 MS. FARIAS: Yes.</p> <p>13 MR. O'NEIL: And any changes to those, you've 14 reviewed and agreed with; is that correct?</p> <p>15 MS. FARIAS: I've agreed, yes.</p> <p>16 MR. O'NEIL: Has there been any community outreach 17 undertaking in connection with the proposed special 18 exception?</p> <p>19 MS. FARIAS: Yes. In fact, one of the things that 20 I have worked very diligently on since assuming this role is 21 to work closely with the community. I know is extremely 22 important not only as an institution, but certainly is a 23 member of Montgomery County. We care about our community and 24 we spent a lot of time cultivating the relationship. We've 25 worked very closely with the Maplewood Association,</p>

Transcript of Hearing
Conducted on May 7, 2021

10 (37 to 40)

<p>37</p> <p>1 specifically with Alan Myers who is the president of the 2 Association at AltaVista. 3 In fact, he actually testified on our behalf when 4 we did the subdivision of our previous -- during our previous 5 hearing for our properties at West Cedar and Cyprus. So 6 that's been great. He and the community at Maplewood have 7 also reviewed our plans for this site. And as you know, 8 we've received an email from Alan saying that they all agree 9 with what we're doing and they don't feel any need to be here 10 at this hearing, which is evidenced by their not being here. 11 But in addition -- so the last time we spoke directly with 12 the whole Maplewood Association, if I recall correctly, that 13 was on August 6th of 2020. 14 We also did reach out to the Bethesda Mews 15 community, which is north of us. And that was on August 10, 16 2020. We do correspond and speak with the Knights of 17 Columbus on a regular basis. And of course I'm in regular 18 communications with the NIH. Very regularly I have monthly 19 meetings with NIH leadership and I've had the opportunity to 20 talk, as I mentioned, to Dr. Francis Collins about this. 21 He's super excited. And I'm happy to say that 22 also Dr. Anthony Fauci knows about this project and is super 23 excited as well. So that certainly doesn't hurt. I think 24 everyone knows who he is. 25 MR. O'NEIL: We do indeed. Thank you. Is there</p>	<p>39</p> <p>1 HEARING EXAMINER BAUMGARDNER: And what is on the 2 second floor right now? 3 MS. FARIAS: So the second floor is, if you can 4 imagine a single-family house, they used to be bedrooms. So 5 they are relatively small. But we do have a bar up there for 6 our social events, most specifically our holiday party. We 7 do have, above the extension, is actually staff office. 8 And we do store our art collection. We have a 9 very modest art collection that has -- was assembled many, 10 many years ago, primarily art that was done by NIH-ers. You 11 would be surprised. Scientists actually love art too. So we 12 store those there. It's really -- it's underutilized, but 13 it's a nice that's a bunch of nice little rooms. 14 HEARING EXAMINER BAUMGARDNER: Okay, thank you. 15 MS. FARIAS: Thank you. 16 MR. O'NEIL: Thank you. I think Ms. Farias, you 17 are relieved of your testimony duties. And I'm going to now 18 call Kevin Foster with GLW. 19 HEARING EXAMINER BAUMGARDNER: Real quick, Mr. 20 O'Neil. Is there anyone on the line that has any questions 21 for Ms. Farias? I don't believe anyone does, just in the 22 abundance of caution. No. 23 All right Mr. O'Neil, you may continue. 24 MR. O'NEIL: Thank you. So again, I've called 25 Kevin Foster with GLW to testify.</p>
<p>38</p> <p>1 anything else you would like to add to your testimony? 2 MS. FARIAS: I think the only thing I want to add 3 is that I really appreciate the community's diligence on all 4 of this. And we've worked very hard to be a good community 5 member. We work hard to keep our facilities updated and 6 manicured. And with the evolution of the site, what we want 7 to do is more for the community. And what I envision is not 8 only do you want to have classes; we want to have -- bring 9 more economic development to the Montgomery County. 10 We have some plans about some public -- some 11 additional public/private partnerships. And a lot of things 12 are going to be online. But we have plans to work harder to 13 be a talent incubator for NIH trainings working with industry 14 and people all over the world. And the really wonderful 15 thing about what we are planning here is that with the 16 technology we want to put into the new facility, we can 17 really communicate with anyone anywhere, which is going to 18 open up a lot of opportunity for Montgomery County. And we 19 are excited about that. 20 MR. O'NEIL: Thank you, very much. I have no for 21 the questions. 22 MS. FARIAS: Thank you. 23 HEARING EXAMINER BAUMGARDNER: I just have one 24 brief question. This building has a second floor, correct? 25 MS. FARIAS: Yes.</p>	<p>40</p> <p>1 MR. FOSTER: For the record, my name is Kevin 2 Foster. It's K-E-V-I-N, F-O-S-T-E-R. I'm principle and 3 director of planning and landscape architecture for 4 Gutschick, Little, Weber. Our offices are located at 3909 5 National Drive, Suite 250, in Burtonsville, Maryland 20866. 6 HEARING EXAMINER BAUMGARDNER: Mr. Foster, can you 7 please raise your right hand? 8 And sir, do you swear or affirm under the 9 penalties of perjury that the testimony you're about to give 10 is the truth, the whole truth and nothing but the truth? 11 MR. FOSTER: I do. 12 HEARING EXAMINER BAUMGARDNER: Thank you, very 13 much. Mr. O'Neil, the floor is yours. 14 MR. O'NEIL: Thank you. Good morning, Mr. Foster. 15 MS. FARIAS: Good morning. 16 MR. O'NEIL: How long have you been employed at 17 GLW as a land planner and landscape architect? 18 MR. FOSTER: I've been employed as a landscape 19 architect and a land planner for almost 35 years now. 20 MR. O'NEIL: And can you describe your 21 professional education background and any professional 22 designations, accreditations that you've received over your 23 time is a landscape architect and land planner? 24 MR. FOSTER: Sure. I have an undergraduate degree 25 from Delaware Valley University. I have a masters in</p>

Transcript of Hearing
Conducted on May 7, 2021

11 (41 to 44)

<p>41</p> <p>1 landscape architecture from the University of Virginia. I'm 2 a registered landscape architect in the State of Maryland. 3 On the certified land planner with the American Institute of 4 Certified Planners. I'm a member of the American Society of 5 Landscape Architects and also a member of the American 6 Planning Association.</p> <p>7 MR. O'NEIL: And you may have answer the question, 8 but I will ask it in a different way. Are any of those 9 licensure credentials in the State of Maryland? Or if not, 10 can you please describe your licensure in Maryland?</p> <p>11 MR. FOSTER: Yes, I am a registered landscape 12 architect in the State of Maryland.</p> <p>13 MR. O'NEIL: And you previously submitted a resume 14 as part of the record at Exhibit 9; is that correct?</p> <p>15 MR. FOSTER: That is correct.</p> <p>16 MR. O'NEIL: Have you testified as an expert 17 before the Montgomery County Office of Zoning and 18 Administration hearings in the past?</p> <p>19 MR. FOSTER: Yes, I have on multiple occasions.</p> <p>20 MR. O'NEIL: Any other jurisdictions?</p> <p>21 MR. FOSTER: City of Rockville, Prince Georges 22 County, Howard County, both for the county agencies. 23 Typically was either with the board of appeals or planning 24 board depending on the case.</p> <p>25 MR. O'NEIL: And what capacities have you been</p>	<p>43</p> <p>1 MR. O'NEIL: I'm going to introduce an exhibit, 2 the aerial exhibit, that I asked -- I think you have control 3 over, Kevin, and that the hearing examiner has seen. An 4 aerial exhibit that we request be marked as Exhibit 70.</p> <p>5 HEARING EXAMINER BAUMGARDNER: Let me pull it up. 6 Elevations. There it is. It will be up momentarily. 7 (Off the record discussion; technical issues.) 8 HEARING EXAMINER BAUMGARDNER: It should be 9 appearing on the screen now.</p> <p>10 MR. O'NEIL: It is. Thank you.</p> <p>11 So Mr. Foster, could you please describe the 12 location of the property and the surrounding area as a 13 supplement to Ms. Farias's explanation?</p> <p>14 MR. FOSTER: Yes. So now we are referring to 15 Exhibit 70, which is an aerial exhibit, an aerial photograph 16 with the subject property outlined in red. The subject 17 property is located at 9101 Old Georgetown Road. And in 18 Exhibit 70, Old Georgetown Road is running bottom to top in 19 the center. And West Cedar Lane is running right to left or 20 east-west across the bottom of the exhibit. Within the red 21 area, red enclosed area, there is the existing house that is 22 currently used by FAES with the current parking lot and at 23 the yard area. And then surrounding the site directly south 24 of the site on West Cedar Lane is the Bethesda volunteer fire 25 company. To the east is the Knights of Columbus. You can</p>
<p>42</p> <p>1 qualified to testify?</p> <p>2 MR. FOSTER: I've been -- testified as an expert 3 in planning and landscape architecture.</p> <p>4 MR. O'NEIL: And at this point, we moved to have 5 Mr. Foster admitted as an expert in planning and landscape 6 architecture in this proceeding.</p> <p>7 HEARING EXAMINER BAUMGARDNER: He is so designated 8 and admitted as an expert in planning and landscape 9 architecture for the purposes of this hearing.</p> <p>10 MR. O'NEIL: Thank you. Mr. Foster, are you 11 familiar with the special exception application that is the 12 subject of today's hearing?</p> <p>13 MR. FOSTER: Yes, I am.</p> <p>14 MR. O'NEIL: Can you describe your 15 responsibilities with regard to the application?</p> <p>16 MR. FOSTER: GLW was responsible for assembling 17 the entire submission package and that also includes 18 preparation specifically of special exception cover sheet, 19 special exceptions plans, landscape plans, site details, 20 natural resources, inventory, and forest conservation 21 exemption. Also, storm water management concept plans.</p> <p>22 MR. O'NEIL: And were you responsible for 23 interfacing as a -- the lead entity coordinating with 24 planning staff?</p> <p>25 MR. FOSTER: Yes, we were.</p>	<p>44</p> <p>1 see that under the trees with their parking on the back. To 2 the north is a relatively new Bethesda Mews residential 3 community that borders our site to the north. And to the 4 West is part of the existing single-family R-60 fabric that 5 surrounds the majority of the subject area.</p> <p>6 MR. O'NEIL: And are you aware of any special 7 exceptions that are in the immediate vicinity?</p> <p>8 MR. FOSTER: The Knights of Columbus specifically 9 as a special exception, which is adjacent to the subject 10 property, yes.</p> <p>11 MR. O'NEIL: And is that a private club special 12 exception as far as you know?</p> <p>13 MR. FOSTER: Yes, as far as I know.</p> <p>14 MR. O'NEIL: Have you made a personal inspection 15 of the subject property? And if so, can you describe the 16 existing improvements? Again, building off of other 17 testimony that has been presented today.</p> <p>18 MR. FOSTER: Yes, I would. I think to talk 19 specifically about the site, I would like to bring up the 20 NRI. I think that's Exhibit 23.</p> <p>21 MR. O'NEIL: Yes, NRI and FSD, Exhibit Number 23.</p> <p>22 MR. FOSTER: I think that would be better to look 23 at the specifics of the existing conditions on the site.</p> <p>24 HEARING EXAMINER BAUMGARDNER: Sure. One second. 25 I'm sorry. That was which exhibit number?</p>

Transcript of Hearing
Conducted on May 7, 2021

12 (45 to 48)

<p>45</p> <p>1 MR. FOSTER: 23. 2 MR. O'NEIL: It's listed as 23 on the list, yeah. 3 HEARING EXAMINER BAUMGARDNER: Got it. It should 4 be appearing now. 5 MR FOSTER: There we go. Thank you. Okay. So 6 now we are referencing Exhibit 23, which is natural resources 7 inventory, forest stand delineation. As part of the 8 environmental plans that were required to put together, one 9 of those is this plan. And it's an inventory of the existing 10 conditions. Now this plan is actually oriented 90 degree 11 from the aerial exhibit. So Old Georgetown Road is across 12 the bottom of the sheet and West Cedar Lane is on the right- 13 hand side of the sheet. 14 In looking at this plan, the building in the 15 center of the site has the dashed tan, that's the existing 16 building which is the center building with the -- there is a 17 small addition on the left inside. There is a parking lot 18 along Old Georgetown Road and West Cedar Lane that holds 19 approximately 53 parking spaces. And there is a driveway 20 entrance on both West Cedar Lane and Old Georgetown Road. 21 The remainder the property is a combination of 22 lawn and landscaping. And the big circle to see located on 23 that plan, those are actually the critical root zones for any 24 specimen trees that are on the side. And there are quite a 25 number of trees towards the back of the property which have</p>	<p>47</p> <p>1 either the 60s or the 70s, there is currently no storm water 2 management on the site. So everything just -- the rain hits 3 the site and runs off to that's mostly off to Old Georgetown 4 Road and West Cedar Lane. Although there is some drainage 5 that runs up to the rear left corner onto Bethesda Mews. And 6 as part of the development, we also addressed that with our 7 stormwater concept. 8 MR. O'NEIL: Okay. And as a point of 9 clarification, I think that the rectangular area that you are 10 referring to is a bus pad as opposed to the pedestrian 11 portion of the bus stop. Is that correct on Old Georgetown 12 Road? 13 MR. FOSTER: Yes, that's a bus pad. That's where 14 the bus pulls up onto a concrete pad. 15 MR. O'NEIL: Okay. And then also Ms. Farias had 16 testified to I believe 54 parking spaces. And you testified 17 to 53 parking spaces. Is there a -- 18 MR. FOSTER: Yeah, I think actually -- there is 19 one space that is used as a handicap accessible -- it's 20 marked off as handicap access. And I think it sometimes gets 21 counted as a parking space. And if you actually look at the 22 total number of real parking spaces on site it's 53. 23 MR. O'NEIL: Thank you. And you know what the 24 proposed use of this site is pursuant to the special 25 exception application?</p>
<p>46</p> <p>1 been there quite a long time. And we worked with a plan to 2 save as many of those as we could. 3 There's also a very significant tulip poplar -- 4 excuse me -- tulip poplar in the front of the property along 5 Old Georgetown Road. And that was also subject of what a bit 6 of work with staff to protect that tree and make sure it 7 stays as part of the streetscape along Old Georgetown Road. 8 Also along the frontage of Old Georgetown Road is the 9 Bethesda Trolley Trail. That is the trail that connect 10 through Bethesda. But it's also along the frontage. 11 It's currently along our frontage, an 8 foot bike 12 path. And there are also two bus stops along the frontage of 13 the site. Those are dashed. There are long rectangles that 14 are dashed in on the road frontages. That dash actually 15 represent concrete as opposed to asphalt. But there are bus 16 stops on both West Cedar Lane and on Old Georgetown Pike. So 17 the site is fairly well connected through either transit or 18 pedestrian bike activity. It's also very close to NIH. So 19 walking to NIH with the access gates is very convenient. So 20 that was one of the benefits of this particular site. 21 MR. O'NEIL: Can you comment on storm water 22 management currently on the property? 23 MR. FOSTER: Well, currently on the property -- 24 well, given the age of the property from it being built back 25 in originally 1927 and most of the improvements being done in</p>	<p>48</p> <p>1 MR. FOSTER: The site -- the proposed use will 2 continue as a private club. And as Ms. Farias described, the 3 uses that they do there now will continue to use. 4 MR. O'NEIL: And I'm going to ask you to describe 5 the proposed plan. I don't know if there are exhibits that 6 you like to reference for that. But -- 7 MR. FOSTER: Yeah, I think the first one would 8 probably be -- which would be the current or updated site 9 plan, which I think is Exhibit 61 now. 10 MR. O'NEIL: Yes, that's what I have. So I. That 11 might be 63. What is -- 12 HEARING EXAMINER BAUMGARDNER: Let me pull those 13 up. Give me one second. Pulling up the site plan, which I 14 believe, yes, it is 63. It should be up on your screen now. 15 MR. FOSTER: Okay. I'm now referencing Exhibit 16 63. And 63 is a detailed site plan that shows the proposed 17 improvements for FAES. And look at the building, was labeled 18 existing building in the center of the exhibit, is the 19 current house. And around that current house, as was 20 previously described as more of a hug, is the proposed 21 addition. The existing house is 3,279 square feet. There's 22 going to be about 781 square feet of a small appendage on the 23 left side that will be removed. And the addition will be 24 approximately 6,799 square feet in total. The parking lot -- 25 HEARING EXAMINER BAUMGARDNER: Sorry to interrupt</p>

Transcript of Hearing
Conducted on May 7, 2021

13 (49 to 52)

<p>49</p> <p>1 you, but what will be the total size of the facility if the 2 special exception is approved? 3 MR. FOSTER: The total size would be 9,264 square 4 feet. 5 HEARING EXAMINER BAUMGARDNER: Thanks. I was 6 trying to make it clear for those of us who are math 7 challenged. Said thank you. 8 MR. FOSTER: As part of the redevelopment of the 9 site or the modification of the site, there are two other 10 major elements that were undertaken. One is parking, that 11 was the parking lot itself. And although the parking lot -- 12 when you look at it very quickly, it looks very similar to 13 what was in the existing conditions plan. It's actually been 14 moved back and rearranged quite significantly from what 15 originally out there. 16 The current parking lot sits basically on the 17 existing right-of-way line. Some of the parking lot is 18 actually out in the existing right-of-way, given how old this 19 property is. And part of our redevelopment will be to move 20 the parking lot back, provide the landscaping around the 21 frontage, provide public utility easements, provide 22 additional landscaping for the Old Georgetown Greenway 23 corridor, provide upgrades to the Bethesda Trolley Trail, 24 road dedications to meet the master plan requirements and to 25 do those road improvements.</p>	<p>51</p> <p>1 space to provide the trees along Old Georgetown Road in the 2 landscaping and the buffer strip. So the parking lot did 3 change pretty dramatically from what was originally there. 4 Although at first glance, sometimes doesn't look that way. 5 If we could, go back to the site plan sheet, which was, I 6 think Exhibit 63. 7 HEARING EXAMINER BAUMGARDNER: Correct. It should 8 be up now. 9 MR. FOSTER: So also as part of the redevelopment 10 or the modification, we are adding the patio to the rear of 11 the building expansion. And that is -- allows some 12 flexibility during good weather for some outdoor activities 13 that may tie into an internal classroom or space that's 14 adjacent to it. But it was to take advantage of the 15 landscape areas out there and provide a little additional 16 extra space for FAES. So it will be a stone patio with a 17 seating wall along the back perimeter. 18 And the other major element that really I think 19 jumps out when you're looking at the plan, are the three 20 storm water management ponds around the perimeter of the 21 site, the amoeba shapes, two on the right side and one on the 22 left. Those are microbio retention facilities. They are -- 23 under the new state and county standards, we are required to 24 provide environmental site design storm water management. 25 And what that means, previously we had to -- under the old</p>
<p>50</p> <p>1 So there is significant work going on with this 2 parking lot to meet all of those demands and still provide 3 the needed parking for the use. There is actually an exhibit 4 on probably the site detail sheet, which that was probably 5 Exhibit 64. 6 HEARING EXAMINER BAUMGARDNER: There we go. I was 7 going to say sometimes it doesn't cooperate when I open a new 8 window. You have to stop presenting and then do it again. 9 But it looks like now it works. 10 MR. FOSTER: Right. I've had that many times. 11 HEARING EXAMINER BAUMGARDNER: All right. 12 Continue, please. 13 MR. FOSTER: If you could, enlarge the detail in 14 the lower right-hand corner of Exhibit 64. That was an 15 exhibit we prepared for staff so that everyone can better 16 understand the changes to the parking lot, where they were 17 occurring. The light gray areas along West Cedar Lane and 18 Old Georgetown Road, those are the areas of parking that are 19 being removed. The clear area basically in the middle of the 20 parking lot is existing paving that's remaining. And the 21 dark gray along the building side of the parking lot, that's 22 all new parking that was added. 23 So you can see that the whole parking lot was 24 shifted back and rearranged to provide all of the required 25 elements. We've added a significant amount of internal green</p>	<p>52</p> <p>1 regs, you saw a lot of really big storm water management 2 facilities on sites. 3 While the new regulations actually require us to 4 collect the water that's generated, storm water that's 5 generated on site, and treat it and infiltrate it and put it 6 back to the soil directly where it occurs. So we are 7 creating these very small, very dynamic little facilities 8 that are filled with planting media and landscape that the 9 water flows into, percolates down through, is treated, and 10 then depending on the type of facility, some are under 11 drained, some are not. 12 In this case, these are under drained so that all 13 the treated water then flows off site. And we actually are 14 connecting to an on-site storm drain. We are putting some 15 storm drain down West Cedar Lane for short distance to 16 connect into an existing storm drain system because there is 17 no actual storm drain located on this site. And in order for 18 us to connect to the local drainage system, we had to put an 19 extra piece of storm drain in. So that was part of -- all 20 part of the redevelopment of the site. If you could, bring 21 up the rendering. 22 MR. O'NEIL: While we're doing that, can I ask you 23 a question about the parking? 24 MR. FOSTER: Sure. Yes. 25 MR. O'NEIL: The plan you showed, I think was 64.</p>

Transcript of Hearing
Conducted on May 7, 2021

14 (53 to 56)

<p>53</p> <p>1 Exhibit 64 showed removed pavement, the pavement to be added. 2 What was the net new change in pavement at the site? 3 MR. FOSTER: I would have to go -- let's see -- 4 there is a tabulation that should be at the top of that 5 exhibit, the little exhibit. There's a little chart at the 6 top of that exhibit. Yes, there it is. So the existing 7 parking area was 15,600 square foot We are removing 60 -- 8 4,695 square feet and we are adding 6,254 for a total 70,159, 9 which is just over a 10 percent increase in parking lot area, 10 actual area. 11 MR. O'NEIL: What does that translate into in 12 terms of parking spaces? 13 MR. FOSTER: Actually, we are -- we are actually 14 reducing the number of parking spaces down to 51 just because 15 all of the parking had to meet all the current standards and 16 also looking at what the needs of FAES needed for the 17 property, that was a number that we ended up on. The actual 18 required parking is 24, but we have 51 based on their needs. 19 And also in the long run, to try to protect the community. 20 If you ever have a bigger event, we don't want 21 people parking in the neighbors -- on the neighbor streets 22 and in the community. We would rather try to keep them on 23 site. As long as we can still meet all of the open space 24 requirements, create space requirements, landscaping. And we 25 weresuccessful in being able to do that.</p>	<p>55</p> <p>1 HEARING EXAMINER BAUMGARDNER: Let me pull up your 2 before we leave 63, Mr. Foster, just one quick question. 3 MR. FOSTER: Yes. 4 HEARING EXAMINER BAUMGARDNER: Out of my own 5 curiosity, how do you determine whether that's why not two 6 microbio ponds? Or why not four? How do you determine where 7 those are located and the appropriate number? 8 MR. FOSTER: Well, microbios, the -- it's all 9 based on volume calculations. And the most drainage you can 10 have to anyone facility is 20,000 square feet. So that your 11 initial analysis. And the engineers go through a fairly 12 collocated calculation on -- based on disturbed area, how 13 much volume of water has to be treated. And then you have to 14 look at where that water is actually flowing because you have 15 to pick it up where it's flowing. 16 So we had to look at -- part of the site was 17 draining towards Bethesda Mews. Part of the site was 18 draining towards Old Georgetown Road. So is a combination of 19 looking at all the speculations and figuring out how much 20 drainage could go to each facility. And then what our total 21 requirement was. And that's really how you come up with how 22 many facilities are required and where they are located. 23 HEARING EXAMINER BAUMGARDNER: Got it. Thank you 24 for the explanation. 25 MR. FOSTER: Certainly.</p>
<p>54</p> <p>1 MR. O'NEIL: Thank you. And I interrupted you. I 2 don't know if you are heading to discuss Bethesda Mews 3 thoughts that were put into the plan or if you're going in a 4 different direction. So I defer to you as your next -- 5 MR. FOSTER: Sure. Well, I would mention one 6 thing while we are looking at this plan first. I'd mentioned 7 previously that some of the site drainage went to the 8 Bethesda Mews area and trained often to their site. 9 Basically what we've done is taken the large 10 majority of that water that used to run on site and now it's 11 captured in our storm water management system, runs into 12 the -- is treated through our storm water management facility 13 and then is piped into the storm drainage system so it no 14 longer will flow into the Bethesda Mews. And if it was 15 causing any issues or if they -- it basically would eliminate 16 any storm water runoff onto their site in the future, since 17 we've not treated it and put it into an enclosed storm drain 18 system. 19 MR. O'NEIL: Okay. 20 MR. FOSTER: Yes, I did want to go to the -- I 21 think the rendering would probably be the easiest thing to 22 look at and talking about how we address the physical 23 relationship between our site and Bethesda Mews. 24 MR. O'NEIL: Is that 67? 25 MR. FOSTER: I think so.</p>	<p>56</p> <p>1 HEARING EXAMINER BAUMGARDNER: You were -- Mr. 2 O'Neil, you had mentioned the rendering, which I do have 3 marked as Exhibit 67. If you wanted to move on to that 4 exhibit, it should be up on your screen now. 5 MR. O'NEIL: Yes, it is, thank you. 6 MR. FOSTER: Yes, Exhibit 67 is a color rendering 7 of the landscape plan. And I think it's a fairly good 8 representation of what would happen when the site is built 9 out. And I wanted to particularly look at the relationship 10 between the new building and parking lot and improvements and 11 Bethesda Mews. Bethesda Mews is a combination of single- 12 family houses. There are some townhouses as well. 13 The site -- the adjacent Bethesda Mews site was 14 originally an office building campus for a local medical 15 Association. And it was sold years ago and it was 16 redeveloped. And these houses within the last few years were 17 built. I thought it was very that's always very interesting 18 looking at what was built there and what was required by the 19 county. There was virtually no buffering required on 20 Bethesda Mews's property to buffer their site from FAES. 21 And I think that's really telling for what happens 22 at FAES and the level of activity and noise and things that 23 you usually -- if you're anticipating those kinds of 24 conditions, you would be planting stuff to shield or buffer 25 your site. While, Bethesda Mews didn't really think, and</p>

Transcript of Hearing
Conducted on May 7, 2021

15 (57 to 60)

<p>57</p> <p>1 obviously the County didn't think either in approving the 2 site plan said that was required given the current uses of 3 FAES.</p> <p>4 And we feel the same way, that this use is very 5 compatible with the neighborhood and creates very little 6 disturbance given the hours and the real level of activity 7 here. Even though that's the case, we went kind of above and 8 beyond and really created what we think is going to be a 9 really nice landscape buffer along the edge with evergreens 10 kind of planted naturally and a combination of those 11 evergreens, the landscaping in the stormwater facility and 12 deciduous trees to really enhance and buffer -- to really 13 enhance the buffer between those two facilities.</p> <p>14 And also in the back, we also tried to work with 15 staff to try to save as many of the existing trees as we 16 could because they create a really good canopy and scale to 17 the neighborhood. And one thing we don't want to do is 18 completely tear everything down that has grown up over the 19 years because that really adds such a character to not only 20 the back the property, but also the big tulip poplar on the 21 front of the site.</p> <p>22 And also I want to mention about the front of the 23 site, we added a lot of landscaping and trees because of a 24 policy in the master plan looking to really green up Old 25 Georgetown Road. And at Old Georgetown Road corridor, we've</p>	<p>59</p> <p>1 replant on the site and those are part of what is shown here. 2 A lot of these trees are mitigation for the original impacts 3 to the property.</p> <p>4 MR. O'NEIL: Thank you. Can you describe, and 5 this might be a good exhibit to describe any changes to the 6 frontage of the property along Old Georgetown Road?</p> <p>7 MR. FOSTER: Sure. Currently the frontage of Old 8 Georgetown Road contains an 8 foot shared use path. It's an 9 asphalt path that runs along our frontage. And that is a 10 piece of the Bethesda Trolley Trail and then there's a couple 11 of bus stops and then the sidewalk runs along -- a 5 foot 12 sidewalk runs along Old Georgetown Road.</p> <p>13 The Montgomery County Bikeways Master Plan 14 recommends the Bethesda Trolley Trail to actually be 16 feet 15 wide along this frontage and that's called a breezeway. And 16 it's a combination of a 6 foot sidewalk for pedestrians and a 17 10 foot bike path all together, so it ends up being 16 feet 18 of paving to provide adequate room for pedestrians and 19 bicyclists to use this frontage. And if you are ever out on 20 site, especially on a sunny day you'll realize that the 21 Bethesda Trolley Trail is fairly heavily used and there is 22 quite a few people, runners, bikers, you know cyclists always 23 using it so it's certainly these upgrades are going to be 24 valuable.</p> <p>25 So what's shown in gray on this rendering is the</p>
<p>58</p> <p>1 added -- there's really two layers of trees on their, 2 flowering trees, shade trees. We've added additional shade 3 trees, plus the big poplar tree is really going to add a 4 significant landscape buffer there and a really good 5 character for all the pedestrians and runners and bicyclists 6 that use the Bethesda Trolley trail along Old Georgetown 7 Road. And all of the pedestrians on West Cedar Lane.</p> <p>8 MR. O'NEIL: Can I interrupt you there?</p> <p>9 MR. FOSTER: Sure.</p> <p>10 MR. O'NEIL: In your previous testimony you talked 11 about mature trees on the site currently, specimen trees. 12 What if any of those trees are being impacted? And if so, 13 what is the mitigation?</p> <p>14 MR. FOSTER: Well, there is -- there are a few 15 specimen trees in the back that are being removed for 16 installation of the patio and some limited disturbance. And 17 as part of our natural resources inventory and forest stand 18 delineation work and forest conservation plans we were 19 required to do a tree save plan. Now, this site is 20 specifically exempt from forest conservation because of the 21 age of the special exception and the fact that we weren't 22 clearing any forest.</p> <p>23 But we were impacting a few specimen trees. So 24 the tree save plan requires mitigation and there's a specific 25 number of trees, 11 trees to be exact, that we have to</p>	<p>60</p> <p>1 upgraded or widened Bethesda Trolley Trail for our frontage 2 and then we tie back into the existing shared use path to the 3 north and the cross-walks at the intersection. And I'll also 4 note, I think you can see it if you pan over to the 5 intersection if you see the whole intersection there's also 6 some little white crosshatched areas. Those are some 7 improvements we're also making to this intersection because 8 of recommendations also in the bikeways master plan 9 recommends intersections such as this have protected 10 intersections.</p> <p>11 And what those are is a widened intersection area 12 that allows safety areas for bikers and pedestrians to stand 13 while -- before the lights change. It also reduces the 14 actual, I guess, danger area that they're -- when you're 15 crossing the street it reduces the paved area. Now, in this 16 case, we couldn't build an entire protected intersection here 17 because of the turn lane on the south side of Old Georgetown 18 Road and you would have to really redo the entire 19 intersection and it just didn't work in this situation.</p> <p>20 So we worked with staff at both Park and Planning 21 and The Department of Transportation and State Highways and 22 came up with an interim protected intersection which is what 23 is shown there for those crosshatched areas that will be 24 giving the pedestrian some protection now and in the future 25 those will be expanded when the entire intersection is</p>

Transcript of Hearing
Conducted on May 7, 2021

16 (61 to 64)

<p style="text-align: right;">61</p> <p>1 upgraded.</p> <p>2 MR. O'NEIL: Can you comment on the Bikeway</p> <p>3 Master Plan as it relates to a bike lane in the right-of-way</p> <p>4 of Old Georgetown Road?</p> <p>5 MR. FOSTER: Yes. I'm just -- there's an existing</p> <p>6 bike lane on a portion of Old Georgetown Road and it starts</p> <p>7 about one block north of this site and goes up toward the</p> <p>8 Beltway. And basically what is there is the third lane of</p> <p>9 paving has been taken out and part of it has been striped</p> <p>10 with a 5 foot bike lane and the remainder of that lane is</p> <p>11 striped out as a buffer area. And eventually, this entire</p> <p>12 stretch of Old Georgetown Road from Bethesda Center all the</p> <p>13 way to the Beltway is anticipated to have a bike lane along</p> <p>14 its entire frontage.</p> <p>15 And we had significant discussion with staff,</p> <p>16 looked at a lot of alternatives about extending that across</p> <p>17 the frontage of our site, but it was determined because of</p> <p>18 one, the bus stop there and the way the intersection at Old</p> <p>19 Georgetown and West Cedar currently operates it wasn't going</p> <p>20 to be possible to extend that bike lane down in front of our</p> <p>21 site until the entire frontage of Old Georgetown Road was</p> <p>22 improved, including this entire intersection and the</p> <p>23 transition further south of the site.</p> <p>24 So eventually a bike lane will be across this</p> <p>25 frontage, but it wasn't appropriate at this time.</p>	<p style="text-align: right;">63</p> <p>1 administrative subdivision plan to show this right-of-way</p> <p>2 dedication, and then, once that administrative subdivision</p> <p>3 plan is approved, we would file a record plat to record that</p> <p>4 in the land records.</p> <p>5 MR. O'NEIL: Thank you. I'm going to shift gears</p> <p>6 and now unless the hearing examiner has questions on the</p> <p>7 modification plan to your understanding of the master plan.</p> <p>8 MR. FOSTER: Sure.</p> <p>9 MR. O'NEIL: Are you familiar with the 1990</p> <p>10 Bethesda and Chevy Chase master plan?</p> <p>11 MR. FOSTER: Yes, I am.</p> <p>12 MR. O'NEIL: And does that Master Plan apply to</p> <p>13 the subject property?</p> <p>14 MR. FOSTER: Yes, the subject property is within</p> <p>15 the Bethesda Chevy Chase master plan.</p> <p>16 MR. O'NEIL: Have you reviewed the master plan in</p> <p>17 relation to what it says about the subject property?</p> <p>18 MR. FOSTER: Yes, I have.</p> <p>19 MR. O'NEIL: And also have you review the</p> <p>20 official zoning vicinity map for the property and the</p> <p>21 surrounding area?</p> <p>22 MR. FOSTER: Yes, I have.</p> <p>23 MR. O'NEIL: Can you, maybe, I think Exhibit 14</p> <p>24 is of the current zoning map, or the official zoning map for</p> <p>25 the property that was submitted in the application. Is that</p>
<p style="text-align: right;">62</p> <p>1 MR. O'NEIL: Thank you. What, if any, access</p> <p>2 changes are being proposed in the plan?</p> <p>3 MR. FOSTER: There are currently two access points</p> <p>4 to the site. One on West Cedar Lane and one on Old</p> <p>5 Georgetown. Two will also remain under the proposed</p> <p>6 condition. We are upgrading the Old Georgetown Road entrance</p> <p>7 to a modern, current, standard entrance so it will get a</p> <p>8 little bit wider. Those are the state highway requirements</p> <p>9 and it makes it cleaner as well as pedestrians traversing</p> <p>10 Bethesda Trolley Trail. And then we are keeping the entrance</p> <p>11 along West Cedar Lane as an in only entrance</p> <p>12 MR. O'NEIL: And so what, if any, dedications are</p> <p>13 required as a result of this special exception modification?</p> <p>14 MR. FOSTER: This is currently -- this being the</p> <p>15 subject property is currently an unrecorded parcel, so it's</p> <p>16 actually never gone through subdivision. So as part of this,</p> <p>17 the current property line fits quite a ways out into the</p> <p>18 current Bethesda Trolley Trail. So we will be dedicating 15</p> <p>19 feet along the frontage of Old Georgetown Road so that Old</p> <p>20 Georgetown Road can get to its maximum right-of-way</p> <p>21 recommended within the master plan of 130 feet.</p> <p>22 MR. O'NEIL: And that dedication will take how?</p> <p>23 MR. FOSTER: That dedication -- well, if we are</p> <p>24 fortunate enough to have the special exception modification</p> <p>25 approved our next step would be then to be filing an</p>	<p style="text-align: right;">64</p> <p>1 a helpful reference for questions about the zoning?</p> <p>2 MR. FOSTER: Yes. I think that would be a good</p> <p>3 place to start to talk about zoning, and then the master</p> <p>4 plan.</p> <p>5 HEARING EXAMINER BAUMGARDNER: It should be up on</p> <p>6 your screen now.</p> <p>7 MR. O'NEIL: It's making its way.</p> <p>8 MR. FOSTER: What was that exhibit number again,</p> <p>9 just for reference?</p> <p>10 MR. O'NEIL: 14, I believe.</p> <p>11 HEARING EXAMINER BAUMGARDNER: Correct.</p> <p>12 MR. FOSTER: Thank you.</p> <p>13 MR. O'NEIL: Can you describe what's being shown</p> <p>14 on the screen?</p> <p>15 MR. FOSTER: Sure. Exhibit 14 is a copy of the</p> <p>16 official zoning map from Maryland National Park and Planning</p> <p>17 Commission. And the subject property is roughly in the</p> <p>18 middle of the exhibit on the screen, again at the</p> <p>19 intersection of Old Georgetown Road which is north/south or</p> <p>20 up and down on the site, and West Cedar Lane which is</p> <p>21 east/west, right to left on the bottom of the site.</p> <p>22 The light green that's shown for pretty much the</p> <p>23 entire area that's shown for this area is R-60. That's a</p> <p>24 Euclidean residential zone, very widely used in Montgomery</p> <p>25 County. And then the polka dots, the dots that are over the</p>

Transcript of Hearing
Conducted on May 7, 2021

17 (65 to 68)

<p>65</p> <p>1 subject property plus the Knights of Columbus a property 2 indicates a TDR overlay zone. Okay. So the base zone, the 3 R-60 zone is standard residential zone, 6,000 square-foot 4 minimum, standard side yards, 25 foot front setback. It's 5 what you would typically expect for a residential zoning 6 category.</p> <p>7 The TDR overlay zone is a zone established where 8 parcels are, the Council decided they wanted to increase 9 density in the future. And TDRs are basically transfer 10 development rights where the developer can provide additional 11 density if he goes and buys transfer of development rights 12 from someone in the ag reserve, a farmer in the ag reserve, 13 who is ag zoning. They can sell TDR's to a developer down 14 County to -- but this is a receiving area, and you can use 15 those TDR's to increase the residential density.</p> <p>16 In this case, since this is not a residential 17 proposal that TDR overlay zone doesn't come into play. So I 18 hope that clears up the zoning issue with that.</p> <p>19 MR. O'NEIL: Focusing on the R-60 portion of the 20 zoning which is the applicable zoning in this case, based 21 upon your testimony, you mentioned 6,000 square-foot lot 22 minimum are the standard for the zone. What's the size of 23 this property in relation to the 6000 square-foot minimum?</p> <p>24 MR. FOSTER: The size of this property is 1.47 25 acres, I think, which is 64,633 square feet. So 6000 is the</p>	<p>67</p> <p>1 percent maximum lot coverage. The proposal is at 14.3. Lot 2 frontage minimums is twice what's required in the R-60 zone. 3 It's standard frontage --</p> <p>4 MR. O'NEIL: I'm sorry to interrupt you. Would 5 it be helpful to have a development table as part of your 6 reference point?</p> <p>7 MR. FOSTER: We could. Certainly that's on Sheet 8 1 which would be Exhibit 60, I think.</p> <p>9 MR. O'NEIL: And if you don't mind, I'm going to 10 turn off my camera and make sure I get a battery to my 11 computer so that I can stay with you.</p> <p>12 MR. FOSTER: Okay.</p> <p>13 HEARING EXAMINER BAUMGARDNER: Not a problem. 14 Sheet 1 should be coming up shortly.</p> <p>15 MR. FOSTER: Okay. Thank you.</p> <p>16 MR. O'NEIL: All right. Thank you for bearing 17 with me. Did you --</p> <p>18 MR. FOSTER: I'm still waiting for the -- Sheet 1 19 hadn't come up yet.</p> <p>20 HEARING EXAMINER BAUMGARDNER: It has not come up.</p> <p>21 MR. FOSTER: No, sorry.</p> <p>22 (Off the record discussion; technical problems.)</p> <p>23 HEARING EXAMINER BAUMGARDNER: You're welcome to 24 testify about the development standards that we have. This I 25 have marked as Exhibit 60; I believe.</p>
<p>66</p> <p>1 minimum square-foot in the zone, but there are specific 2 standards for private clubs under Section 59 G. 2.4.2 that 3 requires a minimum lot size of twice what's required in the 4 zone. So by the zoning code you have to have a minimum of 5 12,000 square feet and the maximum size is 3 acres. And us 6 being 1.47 acres we fit that requirement.</p> <p>7 MR. O'NEIL: Thank you. Are you familiar with the 8 zoning ordinance for Montgomery County including its 9 provisions related to the R-60 zoning?</p> <p>10 MR. FOSTER: Yes, I am.</p> <p>11 MR. O'NEIL: Are you also familiar with the 12 zoning ordinance requirements for a special exceptions 13 generally?</p> <p>14 MR. FOSTER: Yes.</p> <p>15 MR. O'NEIL: And are you familiar with the 16 specific zoning ordinance requirements for private club 17 special exceptions?</p> <p>18 MR. FOSTER: I am.</p> <p>19 MR. O'NEIL: In your opinion does the special 20 exception application comply with the development standards 21 of the R-60 zone and the specific development standards for 22 special exceptions and private clubs?</p> <p>23 MR. FOSTER: Yes, it does. And I can just 24 highlight a few of those. Specifically, again, talking about 25 Section 59 G. 2.4.2 lot coverage for private clubs it's 15</p>	<p>68</p> <p>1 MR. FOSTER: Yes. Okay. So I'm now referencing 2 Exhibit 60 and the development standards have been enlarged 3 and the development standards for private clubs are listed at 4 the top, depicted under Section 59 G 2.4.2. I already talked 5 about lot size, lot coverage. The maximum is 15 percent and 6 we are at 14.3. Lot coverage is twice the minimum in the 7 zone. Lot frontage excuse me. In the R-60 zone lot frontage 8 is 25 feet. So our requirement is 50. We have on Old 9 Georgetown Road 248, West Cedar 197 so clearly we're larger 10 than the minimums. And the gray area of 50 percent minimum 11 and we are at 54 percent minimum. So those are the standards 12 for -- specifically for private clubs.</p> <p>13 We also meet the specific standards for the R-60 14 zone under Section 59 C 1.3.2, front setback. The minimum is 15 25. We're at 91 and 120. Side setbacks are at 8 feet. 16 We're at 63 feet. And our rear setback is 20 feet and we're 17 at 40 feet so the size of this parcel certainly allows us to 18 provide very adequate setbacks and buffering to our 19 surrounding properties and the street frontages.</p> <p>20 Also, the building height maximum is 35 feet and 21 we will be under that and I think the architect will probably 22 be able to better demonstrate that when he testifies.</p> <p>23 MR. O'NEIL: And thank you for going through 24 that. Is it safe to say that the variety of overlap in 25 development standards for private clubs, special exception in</p>

Transcript of Hearing
Conducted on May 7, 2021

18 (69 to 72)

<p style="text-align: right;">69</p> <p>1 the R-60 zone have been considered and are reflected in this 2 development table? 3 MR. FOSTER: Yes, they have been and they are 4 reflected here. 5 MR. O'NEIL: Thank you. I'm going to ask you a 6 series of questions based upon your knowledge of the zoning 7 ordinance, including the general and specific requirements 8 for special exception approval, and your familiarity with the 9 project and your professional expertise. 10 Is the special exception use allowed in the R-60 11 zone? 12 MR. FOSTER: Yes, it is. 13 MR. O'NEIL: Private clubs are allowed as a 14 special exception use in R-60? 15 MR. FOSTER: Yes, they are allowed as a special 16 exception use. 17 MR. O'NEIL: Does the special exception comply 18 with the zoning ordinance standards and requirements for 19 private clubs? 20 MR. FOSTER: Yes, it does as we have just 21 reviewed. 22 MR. O'NEIL: And will the special exception be 23 consistent with the master plan that you have familiarity 24 with? 25 MR. FOSTER: Yes, in my opinion it will be.</p>	<p style="text-align: right;">71</p> <p>1 think the same goes for that. You know we're -- our proposal 2 is very residential in scale and in character. We've tried 3 to really be part of the street front and enhance the street 4 front on Old Georgetown and West Cedar; landscaping it really 5 helped the pedestrian environment. So again, we're working 6 on protecting the high quality residential community. 7 MR. O'NEIL: Perhaps if you can focus in on any 8 specific requirements for the property; I believe it's 9 identified as a large land user. 10 MR. FOSTER: Yes. There are specific 11 recommendations in the master plan for certain properties; 12 this one as well. This one was specifically called out for 13 townhouses as a possible site for a future townhouse 14 development. So that really doesn't apply, but for this site 15 we would really be looking at the special exception 16 requirements. So there are a number of special exception 17 recommendations in the master plan. You know, if you look at 18 some of the requirements like on page 6 it says along 19 Georgetown Road and in adjacent communities the plan seeks to 20 retain residential character and discourage certain types of 21 special exceptions. 22 It wants to discourage special exceptions that are 23 not community serving. They want us to apply design 24 landscape guidelines that maintain and encourage the quality 25 of appearance and the residential character along the</p>
<p style="text-align: right;">70</p> <p>1 MR. O'NEIL: Can you describe your master plan 2 analysis as it relates to the project? 3 MR. FOSTER: Sure. I've reviewed the master plan 4 and the modifications and special exceptions for FAS are, in 5 my opinion, consistent with the recommendations of the master 6 plan and I can go through a few of them if that would be 7 helpful. 8 MR. O'NEIL: Maybe a few to illustrate and if the 9 Hearing Examiner has, like, a more thorough exam we can do 10 that as well. 11 MR. FOSTER: Sure. Well, if you just start on 12 page 1 of the master plan, this is the -- I'm referencing the 13 Bethesda Chevy Chase April 1990 master plan. And on page 2 14 they discuss what their overarching goals are and there's a 15 few of them in there that directly relate to the subject 16 property. Number one, perpetuate and enhance the high 17 quality of life which exists in the Bethesda Chevy Chase 18 planning area. 19 I think it's our intention and I think we will 20 demonstrate that we were -- we are continuing to enhance with 21 the improvements to the site, not only the landscaping but 22 architecturally what the FAS is able to provide for the 23 community will certainly be enhancing the high quality of 24 life. We will also be -- number 4, protect the high quality 25 of residential communities thorough the planning areas. I</p>	<p style="text-align: right;">72</p> <p>1 corridor. They also want us to recognize the importance of 2 biomedical and the medical employment in Bethesda. You know, 3 I think that's important with what FAS does in its mission 4 and its support of NIH, which is a very important part of 5 what happens in Bethesda, Montgomery County and the Stat of 6 Maryland for that matter. 7 MR. O'NEIL: Thank you. I'm happy to entertain 8 more discussion about -- I wanted to have the Hearing 9 Examiner to have a flavor of the thought process that went 10 into the master plan. 11 Can you comment on whether this special exception 12 is in harmony with the general character of the neighborhood? 13 MR. FOSTER: Well, in my opinion, I think it is 14 harmony with the general character of the neighborhood. 15 Obviously, this property has been here for quite a few years 16 and has been a part of the neighborhood. It retained the 17 single family house that's there. We're still trying to 18 retain that same character. We're moving our parking lot 19 back, buffering it, trying to put our best face forward I 20 guess you would say for that street front. We're not 21 creating any uses that are -- have any negative impacts so I 22 feel it really fits into the character and the fabric of the 23 Bethesda neighborhood. 24 MR. O'NEIL: And the harmony has a specific 25 considerations that go into it, including the population</p>

Transcript of Hearing
Conducted on May 7, 2021

19 (73 to 76)

<p>73</p> <p>1 density?</p> <p>2 MR. FOSTER: I can go through -- there's a number</p> <p>3 of them that are called out and defined in the zoning code.</p> <p>4 Population density, design, scale, bulk of any new</p> <p>5 structures, intensity, character of activity, traffic and</p> <p>6 parking conditions. I can go through those one by one.</p> <p>7 Population density. Obviously this is not a</p> <p>8 residential project so it's not really going to have an</p> <p>9 impact on the overall population density. Design, scale, and</p> <p>10 bulk of the proposed buildings. I feel that these are</p> <p>11 compatible with the residential character of the community.</p> <p>12 We are enlarging that frontage but it starts to become a</p> <p>13 little more in scale with the townhouse lot that's next to us</p> <p>14 and some other buildings. But it's certainly not out of</p> <p>15 scale. It's kept very low, lots of articulation in the</p> <p>16 building, residential materials so that bulk, scale, and</p> <p>17 design is certainly compatible with the surrounding area; In</p> <p>18 harmony with it.</p> <p>19 The intensity and character of activity, I think</p> <p>20 as Christina had testified earlier that the intensity and</p> <p>21 character of activity is not dramatically going to change</p> <p>22 with what we're planning here. Yes, it is getting larger but</p> <p>23 it's -- most of which is allowing them to do what they do a</p> <p>24 little better period but they are also agreed to a cap to</p> <p>25 that which I think is important.</p>	<p>75</p> <p>1 MR. O'NEIL: Will the special exception protect</p> <p>2 against any objectionable noises, vibrations, fumes, odors,</p> <p>3 dust, glare, or physical activity?</p> <p>4 MR. FOSTER: Yes. This modification will not</p> <p>5 cause any objectionable noises, vibrations, fumes, odors,</p> <p>6 dust, or glare. And as previously determined, by the</p> <p>7 previous approvals, that was the case then, and in my</p> <p>8 opinion, that will be the case now.</p> <p>9 MR. O'NEIL: Will be special exception</p> <p>10 sufficiently increase the number intensity or scope of</p> <p>11 special exception uses in the area?</p> <p>12 MR. FOSTER: No, it will not.</p> <p>13 MR. O'NEIL: And will be special exception impact</p> <p>14 the health, safety, security, (indiscernible 1:49:45) or</p> <p>15 general welfare of residents, visitors or --</p> <p>16 MR. FOSTER: No, it will not detrimentally impact</p> <p>17 any of the environmental safety, or security of the -- or</p> <p>18 welfare of the local residents. In fact, I think with the</p> <p>19 changes to the stormwater management, the environmental</p> <p>20 health will actually be improved. And with the frontage</p> <p>21 improvements we're going to be improving the pedestrian and</p> <p>22 bicycle experience with the improvements to the Bethesda</p> <p>23 Trolley Trail.</p> <p>24 MR. O'NEIL: Will the special exception be served</p> <p>25 by adequate public facilities and services including schools,</p>
<p>74</p> <p>1 Traffic. I think traffic was looked at an will be</p> <p>2 discussed by these traffic engineer Further on. Parking</p> <p>3 conditions, they have previously discussed the parking and</p> <p>4 what we've done to improve the parking and provide adequate</p> <p>5 parking, and buffer that and provide the amount of shading</p> <p>6 and tree cover, and green scape, green space for the parking</p> <p>7 areas that are going to be provided.</p> <p>8 Number of similar uses in the area. This will</p> <p>9 have no impact because this use is already in this area and</p> <p>10 was previously determined to be compatible. And also, I'm</p> <p>11 not really aware of any complaints add that have ever</p> <p>12 occurred from the neighborhood as far as the use as FAS. so</p> <p>13 I think that goes a long way considering how long FAS has</p> <p>14 owned this property and operated there.</p> <p>15 MR. O'NEIL: Thank you. Will be special</p> <p>16 exception, in your opinion, impact be used, peaceful</p> <p>17 enjoyment, an economic value or development of surrounding</p> <p>18 properties or the general neighborhood?</p> <p>19 MR. FOSTER: No. I think, you know, as the County</p> <p>20 previously approved a special exception on this property that</p> <p>21 there was originally a determination made that this would not</p> <p>22 be detrimental to the peaceful use, economic value and</p> <p>23 enjoyment of the surrounding properties. And I think that</p> <p>24 still remains the same with the modifications that are being</p> <p>25 proposed today.</p>	<p>76</p> <p>1 police, and fire protection, water, sanitary sewer, public</p> <p>2 roads, storm drainage, et cetera?</p> <p>3 MR. FOSTER: Yes, it will. I think the traffic</p> <p>4 engineer will testify to the impacts to the traffic.</p> <p>5 Obviously, this is not a residential project to it won't have</p> <p>6 any impact to schools. The property is currently served by</p> <p>7 water and -- public water and sewer and the fire station is</p> <p>8 right across the street from the site. Also in close</p> <p>9 proximity to police services.</p> <p>10 MR. FOSTER: I believe you testified to this</p> <p>11 previously, but I'll ask specifically. Will the special</p> <p>12 exception comply with the development standards for the R-60</p> <p>13 zone?</p> <p>14 MR. FOSTER: Yes, it will.</p> <p>15 MR. O'NEIL: Is a storm water management concept</p> <p>16 plan required for the project?</p> <p>17 MR. FOSTER: Yes. A storm water concept plan is</p> <p>18 required and a storm water concept plan has been approved by</p> <p>19 the Montgomery County Department of Permitting Services.</p> <p>20 MR. O'NEIL: And does the special exception</p> <p>21 require preparation of a preliminary forest conservation</p> <p>22 plan?</p> <p>23 MR. FOSTER: No. And as I previously testified,</p> <p>24 this site is exempt from forest conservation, but as part of</p> <p>25 the exception process we did get a tree save plan approved.</p>

Transcript of Hearing
Conducted on May 7, 2021

20 (77 to 80)

<p>77</p> <p>1 MR. O'NEIL: And is the special exception site 2 subject to any approved water quality plan? 3 MR. FOSTER: No. The subject property is not 4 located within a special protection area so a water quality 5 plan is not required. 6 MR. O'NEIL: In your professional opinion, does 7 the proposed special exception satisfy all the applicable 8 code requirements both the ones we discussed and others that 9 are perhaps not itemized specifically? 10 MR. FOSTER: Yes, it does. 11 MR. O'NEIL: And is there anything else you'd 12 like to add? 13 MR. FOSTER: No, not at this time. 14 MR. O'NEIL: I have no further questions. 15 HEARING EXAMINER BAUMGARDNER: I do not have any 16 further questions either. Is there anyone who is 17 participating here today that has any questions for Mr. 18 Foster? Please raise your virtual hand or your physical hand 19 or otherwise indicate to me that you would like to ask Mr. 20 Foster a question. 21 Seeing none, we thank Mr. Foster for his time. 22 MR. FOSTER: Thank you. 23 HEARING EXAMINER BAUMGARDNER: Mr. O'Neil, by my 24 count we have two witnesses remaining; is that correct? 25 MR. O'NEIL: That's correct.</p>	<p>79</p> <p>1 Annapolis Boulevard, Suite 214, Severna Park, Maryland 21146. 2 HEARING EXAMINER BAUMGARDNER: Thank you, sir. 3 Can you please raise your right hand? 4 And do you swear or affirm under the penalties of 5 perjury that the testimony you're about to give is the truth, 6 the whole truth and nothing but the truth? 7 MR. DRIBAN: I do. 8 HEARING EXAMINER BAUMGARDNER: Thank you very 9 much. 10 Mr. O'Neil, the floor is yours. 11 MR. O'NEIL: Thank you. 12 Good morning, Mr. Driban. 13 MR. DRIBAN: Good morning. 14 MR. O'NEIL: How long have you been employed as s 15 transportation planner? 16 MR. DRIBAN: I have been employed in this capacity 17 for 15 years. 18 MR. O'NEIL: And who is your current employment? 19 Employer, I should say? 20 MR. DRIBAN: I'm currently employed with Lenhart 21 Traffic Consulting. 22 MR. O'NEIL: And what is your position with 23 Lenhart and your responsibilities in that role? 24 MR. DRIBAN: With Lenhart Traffic I am the 25 associate vice president. I am in charge of running our</p>
<p>78</p> <p>1 HEARING EXAMINER BAUMGARDNER: If it's all right 2 with everyone can we take a quick five-minute break just to 3 stretch our legs. We'll be back on the record at 11:36 by my 4 clock. And yeah, let's take a quick recess and back at 5 11:36. 6 MR. O'NEIL: Thank you. 7 HEARING EXAMINER BAUMGARDNER: Thank you. 8 (A recess was taken.) 9 HEARING EXAMINER BAUMGARDNER: So we are going 10 back on the record in OZHA case CBA 916-A. This is a 11 modification of a previously approved special exception for a 12 property at 9101 Old Georgetown Road, Bethesda, Maryland. We 13 are back. The time is 11:38 a.m. We had completed two 14 witnesses for the Applicant and we are moving on to the third 15 witness, I believe and I'll turn it back over to Mr. O'Neil. 16 MR. O'NEIL: Thank you, Mr. Baumgardner. I call 17 Nic Driban as our next witness. 18 MR. DRIBAN: Good morning. 19 MR. O'NEIL: Nick, can you please state your name 20 and primary occupation for the record, and I think you'll 21 need to be sworn in. 22 MR. DRIBAN: Yes. My full legal name is Charles 23 Nicholas Driban. I go by Nic Driban. I am an associate vice 24 president in traffic engineering at Lenhart Traffic 25 Consulting and the address of our business is 641 Baltimore</p>	<p>80</p> <p>1 operations team, traffic operations team which is responsible 2 for traffic impact studies, site development, you know as it 3 relates to traffic and site circulation, parking analysis, 4 microsimulation, and traffic engineering analysis, and report 5 development as it relates to those subjects. 6 MR. O'NEIL: Can you please describe your 7 professional qualifications, credentialing and licensure, 8 other considerations for your professional qualifications? 9 MR. DRIBAN: Yes. I am a certified professional 10 engineer, PE, as well as a professional transportation 11 operations engineer, PTOE. I have a bachelor of science from 12 Pennsylvania State University in civil engineering. And I 13 think that kind of covers it. 14 MR. O'NEIL: Have you ever been -- testified as 15 an expert before any government agencies in Montgomery County 16 or elsewhere? 17 MR. DRIBAN: Yes, I have. 18 MR. O'NEIL: Can you please describe those 19 appearances? 20 MR. DRIBAN: Yes. I have testified as an expert 21 witness in front of the -- this hearing examiner as well as 22 with the Montgomery County Planning Board, as well as in a 23 number of other jurisdictions including Annapolis, Carol 24 County, Taneytown, and several others. 25 MR. O'NEIL: In what capacity have you been</p>

Transcript of Hearing
Conducted on May 7, 2021

21 (81 to 84)

<p>81</p> <p>1 admitted as an expert?</p> <p>2 MR. DRIBAN: In traffic engineering and</p> <p>3 transportation planning.</p> <p>4 MR. O'NEIL: Looking at the record it appears</p> <p>5 that you submitted with the application your resume</p> <p>6 identified at Exhibit 10; is that correct?</p> <p>7 MR. DRIBAN: That is correct.</p> <p>8 MR. O'NEIL: Mr. Baumgardner, I move that Mr.</p> <p>9 Driban be admitted as an expert in transportation and</p> <p>10 planning and traffic engineering for this case.</p> <p>11 HEARING EXAMINER BAUMGARDNER: He is so designated</p> <p>12 and admitted as an expert in traffic engineering and</p> <p>13 transportation planning.</p> <p>14 MR. O'NEIL: Thank you.</p> <p>15 Mr. Driban, are you familiar with this special</p> <p>16 exception case?</p> <p>17 MR. DRIBAN: Yes, I am.</p> <p>18 MR. O'NEIL: Can you describe the</p> <p>19 responsibilities you had with regard to the application?</p> <p>20 MR. DRIBAN: Yes. We were hired as a traffic</p> <p>21 consultant of record for this project to analyze the site</p> <p>22 with respect to the County's adequate public facilities</p> <p>23 requirements as well as provide consultation on</p> <p>24 transportation facilities in the area as pertains to the</p> <p>25 project as well as site circulation consultation.</p>	<p>83</p> <p>1 of exhibits today?</p> <p>2 MR. DRIBAN: Yes, it is. Although I'm not sure of</p> <p>3 the date on that. I haven't seen this specific one. There</p> <p>4 were several iterations of that study that were submitted.</p> <p>5 So if I could actually see that exhibit it would be helpful</p> <p>6 just so I know that it's the most current and I'm speaking to</p> <p>7 the correct exhibit.</p> <p>8 HEARING EXAMINER BAUMGARDNER: Sure. Hold on one</p> <p>9 second for me, and I can pull that up.</p> <p>10 MR. O'NEIL: Always appreciate thoroughness in</p> <p>11 this setting. I believe it was dated March 26, 2021, but</p> <p>12 we'll see when the exhibit emerges.</p> <p>13 HEARING EXAMINER BAUMGARDNER: Yes, that is what I</p> <p>14 have here. Let me pull it up just to have everyone take a</p> <p>15 look at it. It should be showing up on your screen now.</p> <p>16 MR. DRIBAN: Yes. Okay. Great. That is the</p> <p>17 most -- that is the final draft of the traffic statement as</p> <p>18 approved by Park and Planning. And I believe that was</p> <p>19 Exhibit 69 in the record; is that correct?</p> <p>20 HEARING EXAMINER BAUMGARDNER: Correct. Yeah,</p> <p>21 that's what I have it as, 69.</p> <p>22 MR. DRIBAN: Excellent. Thank you.</p> <p>23 MR. O'NEIL: Thank you. So in terms of the</p> <p>24 written materials that you put together and or identification</p> <p>25 of them for the record, can you describe generally your</p>
<p>82</p> <p>1 MR. O'NEIL: Have you made a personal inspection</p> <p>2 of the special exception site and are you familiar with the</p> <p>3 area surrounding the property?</p> <p>4 MR. DRIBAN: Yes, I have.</p> <p>5 MR. O'NEIL: And did you ever prepare a written</p> <p>6 report evaluating the existing conditions and the impact that</p> <p>7 the proposed special exception might have on the property?</p> <p>8 MR. DRIBAN: Yes. So over the course of our</p> <p>9 involvement with this project we've actually prepared several</p> <p>10 reports including a traffic statement pertaining to the</p> <p>11 County's adequate public facility requirements as outlined in</p> <p>12 the subdivision staging policy as well as the local area</p> <p>13 transportation review requirements. And then, based on</p> <p>14 follow up, feedback, comments, questions, we received from</p> <p>15 Park and Planning staff as well as the Montgomery County of</p> <p>16 Transportation we also prepared a subsequent analysis of some</p> <p>17 specific elements of the site access. and then additionally,</p> <p>18 later in the process, we prepared what's known as a gap study</p> <p>19 in response to specific comments that we received.</p> <p>20 MR. O'NEIL: And just to make sure we're aligning</p> <p>21 with the record correctly, is the gap study identified as</p> <p>22 Exhibit 51 of the Exhibit list?</p> <p>23 MR. DRIBAN: Yes.</p> <p>24 MR. O'NEIL: And is the applicable traffic</p> <p>25 statement identified as Exhibit 69 per the recent submittal</p>	<p>84</p> <p>1 findings in both of those documents?</p> <p>2 MR. DRIBAN: Yes. So the first document, Exhibit</p> <p>3 69 which was our traffic statement that's currently on the</p> <p>4 screen was a review of the site's operations as it relates to</p> <p>5 the County's adequate public facilities requirements, again</p> <p>6 as outlined in the County's subdivision staging policy and</p> <p>7 local area transportation review guidelines.</p> <p>8 The document -- the traffic statement reviewed</p> <p>9 what's known as trip generation or the site under both</p> <p>10 existing and proposed conditions so essentially how much --</p> <p>11 how many people and vehicles are coming to the site and</p> <p>12 leaving the site during the peak hours of traffic, which is</p> <p>13 the requirement under the County's APF ordinance.</p> <p>14 And the finding of that study was that the site</p> <p>15 will generate -- the upgrades to the site and renovations</p> <p>16 proposed will generate less than 50 new peak hour person</p> <p>17 trips. That's kind of a mouthful. But the 50 peak hour</p> <p>18 person trip threshold is the County's threshold for whether a</p> <p>19 more detailed traffic impact study is required or not. And</p> <p>20 since we did not meet that threshold this traffic statement</p> <p>21 is the final document as approved by Park and Planning, DOT,</p> <p>22 and SHA to document that the site's impact from a traffic</p> <p>23 perspective on the surrounding transportation network is</p> <p>24 essentially de minimus or negligible.</p> <p>25 MR. O'NEIL: And can you comment on the proposed</p>

Transcript of Hearing
Conducted on May 7, 2021

22 (85 to 88)

<p style="text-align: right;">85</p> <p>1 new cap on occupancy, special exception occupancy cap that 2 has been proposed in this case at 145? 3 MR. DRIBAN: Yes. So to kind of get into just a 4 few of the sort of details of this traffic statement, under a 5 typical case, a typical scenario we refer to a document 6 called the ITE trip generation manual which has the right to 7 land uses contained in it. And that manual tells us based on 8 the size of a use what the expected number of trips to and 9 from that site would be. 10 In this case, the use doesn't fit cleanly into any 11 of the ITE trip generation manual land use codes so we worked 12 very closely with County Park and Planning staff to determine 13 how to evaluate the trip generation for this site. And 14 essentially because FAS is a supporting entity for NIH and 15 also very focused on science themselves, they were able to 16 give us a lot of really beneficial data that they've 17 collected over the years as far as exactly when people arrive 18 to the site, leave the site, how many; whether they're 19 walking, coming via shuttle, arriving in cars, et cetera. 20 And from the data that they provided we were able 21 to develop trip generation for the existing use and then 22 extrapolate that to the proposed use based on what they're 23 proposing as part of the expansion. Patrick, specific to 24 your question, when we typically analyze these sites we look 25 at the peak hour trip generation. So we look at the AM, what</p>	<p style="text-align: right;">87</p> <p>1 The majority of the time under typical 2 circumstances the building is being used for classes and 3 those types of things. But they do hold some special events. 4 And because of that, staff asked us to review special event 5 functions comparing existing conditions to proposed 6 conditions. And what came out of that analysis was a 7 recommendation to cap the number of occupants for special 8 events at 145 occupants in order to stay within the County 9 requirements and meet at the trip thresholds as set forth 10 within the guidelines. 11 And I should mention, just kind of to finish that 12 thought, I should mention that the current site is limited to 13 100 occupants. I believe Christina testified to that as 14 well. So it would be an increase of a maximum of 45 15 occupants; From 100 to 145 for those special events. 16 MR. O'NEIL: Thank you. What, if any evaluation 17 or analysis did you do regarding access for the proposed 18 special exception? 19 MR. DRIBAN: so today the site is accessed from 20 Old Georgetown Rd. There is a right in, right out, access on 21 Old Georgetown Rd. It's right in, right out because there is 22 a median running north/south along Old Georgetown Road, which 23 restricts any left turns into or out of the site. 24 And there is also an egress onto West Cedar Lane 25 that is currently used today. So one of the tasks that we</p>
<p style="text-align: right;">86</p> <p>1 is sort of commonly referred to as rush hour but in traffic 2 engineering parlance it is called the peak hour. 3 We look at the AM peak hour and the PM peak hour 4 and the number of trips that are generated during those peak 5 hours. And that's always done for the majority of sites 6 during a Tuesday, Wednesday, or Thursday so middle of the 7 week to make sure that we capture sort of typical operations. 8 And the County's APFO as outlined in the local area 9 transportation review guidelines is based on those typical AM 10 and PM peak hour operations. So we did conduct that analysis 11 and actually what it's scroll to on the screen right now is 12 the section documenting the compare sum of existing and 13 proposed peak hour trip generation showing that the net 14 change in trips during the existing and proposed AM and PM 15 peak hours, typical conditions, is less than 50 peak hour 16 person trips. 17 And because of the nature of this site, staff at 18 park and planning asked us to go kind of above and beyond the 19 typical analysis to look at special events and sort of look 20 at what they categorize, and I think we've referred to in our 21 traffic statement, as sort of the maximum possible, or 22 maximum typical event that could occur on site. So I think 23 when Christina testified she mentioned that things like 24 Christmas parties, receptions, things of that nature are sort 25 of specialty events.</p>	<p style="text-align: right;">88</p> <p>1 did as part of the various analysis was to look at the 2 operations of those two site access points under existing 3 conditions, as well as with the proposed site and determine 4 whether those were operating adequately, or whether any 5 changes or alternatives should it be implemented. 6 MR. O'NEIL: And what were your findings in 7 regard to that? 8 MR. DRIBAN: So we determined through our analysis 9 that the existing configuration as I just described it is the 10 configuration that should be retained. There are several 11 reasons for that and I think one of the most important is 12 fire and rescue operations. We did coordinate as part of the 13 standard parking planning process with the development review 14 committee which includes representatives from fire and 15 rescue. and they do generally require two site access 16 points. That's in case one is blocked they still have access 17 from a second point. Or if just for general circulation of 18 their fire trucks and another rescue vehicles they like to 19 see -- they actually require that there be sort of easy 20 circulation through the site from one access point to 21 another. 22 The other thing that was a reason for maintaining 23 both site access points is we actually look at the operations 24 along West Cedar Lane and how those would be impacted if the 25 Old Georgetown Rd access point work to be closed. An</p>

Transcript of Hearing
Conducted on May 7, 2021

23 (89 to 92)

<p style="text-align: right;">89</p> <p>1 obviously if Old Georgetown Rd access is closed that would 2 require all traffic to both enter and exit from West Cedar 3 Lane. and one of the findings of that analysis was that 4 requiring all vehicles to enter from West Cedar Lane could 5 potentially create queuing issues that would spill back into 6 the existing intersection of Maryland 187, Old Georgetown 7 Road and West Cedar Lane, which could be problematic. 8 And finally come I think the other point I would 9 note is the address for this site is also 9101 Old Georgetown 10 Rd so it's an Old Georgetown Rd address. An again, in 11 coordinating with fire and rescue there were concerns over 12 whether that address could be -- if the Old Georgetown Road 13 site access point were to be closed and their fire and rescue 14 vehicles were coming towards the site if they missed the turn 15 onto West Cedar Lane because they're looking for the Old 16 Georgetown Road access point that could substantially delay 17 response times, and also could be confusing. The address 18 could be confusing to visitors to the site who may make 19 unexpected at movement along Old Georgetown Rd to get back to 20 the site access. 21 So we conducted an analysis, as I stated, and 22 based on those findings we shared that analysis with Park and 23 Planning and Montgomery County Department of Transportation 24 as well as the Maryland State Highway Administration, all of 25 whom concurred that retaining the existing the existing</p>	<p style="text-align: right;">91</p> <p>1 entailed? 2 MR. DRIBAN: Yes. The gap study was requested as 3 we were moving through the process due to questions and 4 comments that came up from park and planning, and again from 5 the County DOT's traffic reviewers. The concern specific to 6 that was whether the West Cedar Lane access point, which 7 today is an exit only and is proposed to remain and exit only 8 could operate in a safe and efficient manner, or whether 9 there were potential issues with that given proximity of that 10 access point to the Old Georgetown Rd intersection. 11 So staff requested that we conduct an analysis of 12 that intersection including, primarily based on what's called 13 a gap study. and a gap study is a traffic engineering study 14 in which we go out and evaluate the time between vehicles 15 passing an entrance or exit point. 16 So in this case, it would have been the West Cedar 17 Lane exit. And we evaluate during the peak hours so the 18 heaviest hour in the morning, the heaviest hour of traffic 19 volume in the evening. And we look at whether dash at the 20 number of the gaps are that are available for traffic to 21 utilize, in this case, to exit from that access from the site 22 onto West Cedar Lane and whether the number of gaps -- of 23 spaces in traffic is adequate for the volume of traffic 24 leaving the site. 25 And the finding of that study in this case was</p>
<p style="text-align: right;">90</p> <p>1 circulation was the best course of action and ideal 2 circulation for the site. 3 MR. O'NEIL: Thank you. As a point of clarity, 4 who or why was there a consideration of closing the Old 5 Georgetown -- who wanted or was interested in and why did you 6 do that analysis for the closure of Old Georgetown Road 7 access point? 8 MR. DRIBAN: Yeah, I guess I buried the lead on 9 that. So Park and Planning actually requested that we 10 conduct that analysis because it is the master plan in this 11 area calls for access to be from the lower level street and 12 so they wanted to have us evaluate what that -- what having 13 the access only be from West Cedar Lane would look like and 14 whether it was feasible. 15 MR. O'NEIL: All right. And as you testified 16 your findings were that it needed to remain for the variety 17 of reasons you cited; is that correct? 18 MR. DRIBAN: That is accurate, yes. And as I 19 said, as well, the Park and Planning staff, DOT and SHA all 20 concurred with that finding and it was ultimately staff's 21 recommendation in the staff report as well as DOT concurred 22 that the Old Georgetown Road access should remain open. 23 MR. O'NEIL: You also testified that you 24 conducted a gap study. Can you describe why that was 25 requested in a little more specificity and what that study</p>	<p style="text-align: right;">92</p> <p>1 that there are nearly 10 times as many gaps available along 2 West Cedar Lane as the number of cars that would be leaving 3 that access point. So there is no operational issue or 4 safety issue as far as vehicles leaving the site to turn onto 5 West Cedar Lane. 6 And I should note, in addition that site distance 7 was also evaluated at that access point and found to be 8 adequate. And ultimately, DOT who initially raised the 9 comment concurred that that access point was safe and 10 efficient to remain open for egress from the site. 11 MR. O'NEIL: Thank you. And then at the risk of 12 being overly thorough I would like to understand what, if 13 any, role microsimulation analysis played in your evaluation 14 of the property. 15 MR. DRIBAN: Yes. So as part of that subsequent 16 gap study that we completed we did conduct turning movement 17 counts, traffic counts at the site access -- excuse me, at 18 Maryland 187 and Old Georgetown Road and West Cedar Lane, 19 which we then used to determine the volume of traffic at the 20 two site access points. 21 I should note, given COVID times that we're in 22 right now that the County does have a policy in place right 23 now to allow counts throughout the county to occur as normal 24 and then to be modified with a growth factor that has been 25 standardized to account for changes in traffic volumes due to</p>

Transcript of Hearing
Conducted on May 7, 2021

24 (93 to 96)

<p style="text-align: right;">93</p> <p>1 COVID. So we conducted a new count at Old Georgetown Road 2 and West Cedar Lane as I said and that could was then grown 3 per the current County policy on traffic counts during COVID 4 times.</p> <p>5 And we then conducted an analysis of the site 6 access using a microsimulation tool called 7 Synchor/Sintraffic. It's kind of our best tool for looking 8 at queuing and operations at intersections and really getting 9 a thorough understanding of how those -- how these 10 intersections and site driveways are working. And that 11 analysis was included in the gap study that I've referenced, 12 which is included as Exhibit 51 in this case. And was 13 reviewed by the Department of Transportation, by Park and 14 Planning and others and was found -- the conclusion was 15 consistent with the gap study and the other efforts that were 16 conducted for the West Cedar Lane access point which is to 17 say that the access will operate efficiently and safely.</p> <p>18 MR. O'NEIL: Thank you. And I believe Kevin 19 Foster previously testified about an analysis related to the 20 extending the existing bike lane southward in front of the 21 property to accommodate the current bikeways master plan. 22 And were you involved in part of that discussion?</p> <p>23 MR. DRIBAN: Yes. We were involved. Kevin Foster 24 and Tim Longfellow from his team were the leads on that 25 discussion but we were certainly involved to provide traffic</p>	<p style="text-align: right;">95</p> <p>1 proposed bicycle facilities that are being implemented will 2 help with bicycles and pedestrians it the area by widening 3 the path and making things more comfortable for those users.</p> <p>4 MR. O'NEIL: In your professional opinion does 5 the proposed modification satisfy local area transportation 6 review guidelines and have no adverse effect on the nearby 7 roadway conditions or bike or pedestrian facilities?</p> <p>8 MR. DRIBAN: Yes, it does. And as concurred by 9 Parking Planning staff and the Department of Transportation 10 staff.</p> <p>11 MR. O'NEIL: And in your professional opinion 12 does the proposed special exception modification improve the 13 safety of vehicular or pedestrian traffic?</p> <p>14 MR. DRIBAN: Yes. As I noted I believe the 15 widening of the Bethesda Trolley Trail as part of this 16 project will provide a safer, more comfortable facilities for 17 the numerous bicycles -- bicyclists and pedestrians in the 18 area. And in addition, I think having a 16 foot wide path 19 running along the site frontage will help to sort of bring 20 attention to that facility for vehicles exiting our site on 21 to Old Georgetown Road. You know, when you see a 16 foot 22 wide path you're definitely more likely to stop for that and 23 take notice of any potential bikers or pedestrians that may 24 be on that trail. So I do think it will have an enhancement 25 of safety in this area.</p>
<p style="text-align: right;">94</p> <p>1 engineering and transportation planning expertise. You know, 2 it's a fairly intricate set of bike facilities that exist 3 here and that are planned here as Kevin testified to, 4 including the breezeway as well as the recent changes that 5 occurred along Old Georgetown Road as part of SHA's project.</p> <p>6 So we provided consultation and coordination with 7 Park and Planning staff, DOT staff, as well as SHA staff to 8 ensure that the facilities that were ultimately developed and 9 approved by staff and by the agencies were up to the best 10 possible standards that could be implemented here and that 11 all requirements -- relevant requirements were met.</p> <p>12 So we were particularly involved in some of the 13 discussions related to the protected intersection that Kevin 14 showed -- that Mr. Foster showed at Maryland 187 and Cedar 15 Lane as well as how to best facilitate connection to SHA's 16 facility and to the breezeway along the site frontage.</p> <p>17 MR. O'NEIL: Thank you. And o as a result of all 18 these analysis and your involvement in the project, in your 19 opinion will the special exception modification change the 20 nature, character or intensity of the special exception use 21 or its effects on the immediate neighborhood?</p> <p>22 MR. DRIBAN: No, it will not. The finding of our 23 analysis was that the traffic in accordance with County 24 standards, local area transportation review guidelines has 25 traffic will have a deminimus impact. And if anything, the</p>	<p style="text-align: right;">96</p> <p>1 MR. O'NEIL: Thank you. Is there anything else 2 you would like to add to your testimony?</p> <p>3 MR. DRIBAN: Not at this time.</p> <p>4 MR. O'NEIL: Mr. Hearing Examiner, any questions 5 because I have no further questions for the witness.</p> <p>6 HEARING EXAMINER BAUMGARDNER: I have no 7 questions. Is there any other participant on the line for 8 logged in today that has any questions for Mr. Driban?</p> <p>9 Seeing no virtual raised hands or physical raised 10 a hand, or any other indication that anyone has any questions 11 we thank him for his testimony today.</p> <p>12 MR. DRIBAN: Thank you.</p> <p>13 MR. O'NEIL: Thank you.</p> <p>14 HEARING EXAMINER BAUMGARDNER: Mr. O'Neil, your 15 next witness, please?</p> <p>16 MR. O'NEIL: Thanks. Can I ask that -- or call 17 David Konapelsky for his expert testimony on architecture.</p> <p>18 MR. KONAPELSKY: Good morning. My name is David 19 Paul Konapelsky, my full name. And I am a registered 20 architect. I work for GTM Architects, 7735 Old Georgetown 21 Road, Suite 700, Bethesda, Maryland 20814.</p> <p>22 HEARING EXAMINER BAUMGARDNER: And sir, can you 23 please raise your right hand?</p> <p>24 Do you swear or affirm on the penalties of perjury 25 that the testimony you're about to give is the truth, the</p>

Transcript of Hearing
Conducted on May 7, 2021

25 (97 to 100)

<p>97</p> <p>1 whole truth and nothing but the truth?</p> <p>2 MR. KONAPELSKY: I do.</p> <p>3 HEARING EXAMINER BAUMGARDNER: Thank you very</p> <p>4 much.</p> <p>5 MR. O'NEIL: Thank you Mr. Konapelsky. How long</p> <p>6 have you employed as an architect?</p> <p>7 MR. KONAPELSKY: I've been employed as an</p> <p>8 architect for 36 years. And I've worked for GTM Architects</p> <p>9 for 22 years.</p> <p>10 MR. O'NEIL: And what is your current position at</p> <p>11 GTM Architecture and the related responsibilities associated</p> <p>12 with that position?</p> <p>13 MR. KONAPELSKY: I am the principal in charge of</p> <p>14 the commercial studio and we typically work on educational,</p> <p>15 court facilities, retail and there are various commercial</p> <p>16 projects typically in the Washington, D.C. area.</p> <p>17 MR. O'NEIL: Have you ever testified as an expert</p> <p>18 before Montgomery county Office of Zoning and Administrative</p> <p>19 Hearings or other bodies?</p> <p>20 MR. KONAPELSKY: Yes, I've testified in Montgomery</p> <p>21 county, Washington, D.C., the city of Greenbelt and Fairfax</p> <p>22 County.</p> <p>23 MR. O'NEIL: And can you describe your</p> <p>24 professional qualifications and licensure that support your</p> <p>25 testimony as an expert?</p>	<p>99</p> <p>1 lighting layout, the trash enclosure and the site</p> <p>2 (indiscernible 02:23:40) design.</p> <p>3 MR. O'NEIL: And let's start, I guess with the</p> <p>4 building changes. I'm wondering what exhibit might be the</p> <p>5 best reference point for you? Do you have an idea?</p> <p>6 MR. KONAPELSKY: I think 25 might be the floor</p> <p>7 plan; is that correct?</p> <p>8 HEARING EXAMINER BAUMGARDNER: Sure, let me pull</p> <p>9 them up.</p> <p>10 MR. O'NEIL: And the elevations, I think, and</p> <p>11 have been identified also. I don't know if that's helpful</p> <p>12 for you.</p> <p>13 MR. KONAPELSKY: We could go through that first.</p> <p>14 On the floor plan is the first floor plan. And as we've been</p> <p>15 discussing the original building, which is stone, originally</p> <p>16 a house that was turned into the FAS offices is intended to</p> <p>17 remain. And the building wraps around -- the addition wraps</p> <p>18 around that building.</p> <p>19 The idea is to do asymmetrical type façade. The</p> <p>20 building is meant to be oriented to Old Georgetown Road,</p> <p>21 which for a number of reasons have been discussed previously</p> <p>22 but to keep the front door where it's at, to keep the address</p> <p>23 where it's at and also, I think the front door where it's at</p> <p>24 works best with the parking lot and the overall design of the</p> <p>25 project.</p>
<p>98</p> <p>1 MR. KONAPELSKY: I have a masters degree and a</p> <p>2 bachelor of science degree from Catholic University of</p> <p>3 America. And I am a member of the American Institute of</p> <p>4 Architects, I'm a registered architect. I'm also a member of</p> <p>5 NCARB, which is the registration entity.</p> <p>6 MR. O'NEIL: And did you submit a resume as part</p> <p>7 of the special exception application identified as Exhibit 8?</p> <p>8 MR. KONAPELSKY: Yes, I did.</p> <p>9 MR. O'NEIL: And does that fairly, and accurately</p> <p>10 represent your work and your professional experience and</p> <p>11 educational background and qualifications?</p> <p>12 MR. KONAPELSKY: Yes, it does.</p> <p>13 MR. O'NEIL: Mr. Hearing Examiner, I move that</p> <p>14 Mr. Konapelsky be admitted as an expert in architectural</p> <p>15 design.</p> <p>16 HEARING EXAMINER BAUMGARDNER: He is so designated</p> <p>17 and admitted as an expert in architecture and architectural</p> <p>18 design.</p> <p>19 MR. O'NEIL: Thank you. Mr. Konapelsky, are you</p> <p>20 familiar with the special exception case number CBA 916-A?</p> <p>21 MR. KONAPELSKY: Yes, I am.</p> <p>22 MR. O'NEIL: What were your responsibilities with</p> <p>23 regard to the special exception application?</p> <p>24 MR. KONAPELSKY: We were responsible for the</p> <p>25 design of the floor plan, the elevations, we did the site</p>	<p>100</p> <p>1 So the floor plan has five classrooms between</p> <p>2 the -- can handle between 18 to 24 people. And then, there's</p> <p>3 an auditorium at the other left corner of floor plan. Their</p> <p>4 support space is the bathrooms. There is a small catering</p> <p>5 kitchen which will just be for catering and miscellaneous</p> <p>6 coffee and serving functions.</p> <p>7 In the second floor, there is an elevator so the</p> <p>8 building is completely handicapped accessible. And the</p> <p>9 second floor currently is a series of rooms and the space</p> <p>10 will be cleaned out a bit and is intended to function as an</p> <p>11 office gathering space for a breakout area and discussions,</p> <p>12 and also individual study with laptops and whatnot.</p> <p>13 So it is the existing footprint. The building</p> <p>14 does have a basement which will maintain for storage purposes</p> <p>15 and also for some utilities. If you look at the upper plan,</p> <p>16 the second floor plan you will see that there are cables</p> <p>17 where we see the pitched areas. And that is on flat roof</p> <p>18 areas. And the design purposely, in the back, was intended</p> <p>19 to have a flat roof area pretty much in the middle of the</p> <p>20 rear of this building, so we can put the condensing units for</p> <p>21 the HVAC on the roof to minimize the noise for the neighbors</p> <p>22 and also esthetically to screen any HVAC equipment. So</p> <p>23 that's why the building is laid out as such.</p> <p>24 I guess we can go to the elevations.</p> <p>25 MR. O'NEIL: The elevation I think had been --</p>

Transcript of Hearing
Conducted on May 7, 2021

26 (101 to 104)

<p>101</p> <p>1 MR. KONAPELSKY: Added.</p> <p>2 MR. O'NEIL: Had been admitted to day and has an</p> <p>3 exhibit number of 19, replacing the rendering.</p> <p>4 HEARING EXAMINER BAUMGARDNER: All right. Let's</p> <p>5 see if we can find that. And refresh my recollection, Mr.</p> <p>6 O'Neil. The elevations, or they email this morning, or are</p> <p>7 they --</p> <p>8 MR. O'NEIL: Yes, they were. Sorry for any</p> <p>9 confusion. And I believe they were, at my suggestion,</p> <p>10 identified as Exhibit 19, replacing the rendering exhibit</p> <p>11 that had been identified.</p> <p>12 HEARING EXAMINER BAUMGARDNER: Okay. Let me see</p> <p>13 if I can find it. Here we go. There we go. One second.</p> <p>14 Bringing up the renderings now.</p> <p>15 MR. O'NEIL: There you go. Thank you. So Mr.</p> <p>16 Konapelsky, you were describing the changes and particular</p> <p>17 characteristics of the proposed plan and we are turning to</p> <p>18 the elevations portion for your feedback.</p> <p>19 MR. KONAPELSKY: As you can see in elevation 1,</p> <p>20 that's the elevations that would face Old Georgetown Road.</p> <p>21 The stone house isn't maintained in character and this</p> <p>22 addition that wrapped around the building you can see it's</p> <p>23 symmetrical with the gables on either side. And the intent</p> <p>24 is also for the height to be lower than the existing</p> <p>25 structure. So the existing structure sets of the height for</p>	<p>103</p> <p>1 MR. O'NEIL: There it is, yes. Thank you.</p> <p>2 HEARING EXAMINER BAUMGARDNER: Sure.</p> <p>3 MR. O'NEIL: So we were referring to Exhibit</p> <p>4 Number 66 and -- in regard to a discussion of the trash</p> <p>5 enclosure.</p> <p>6 MR. KONAPELSKY: Correct. The trash enclosure was</p> <p>7 added to the north side of the building and intentionally</p> <p>8 because that is the functional side of the building for</p> <p>9 bringing goods into the catering kitchen and also it's a</p> <p>10 point of egress on the north side of the building.</p> <p>11 The trash enclosure is 6 feet, it's solid in</p> <p>12 nature, of residential quality also, which is probably like a</p> <p>13 wood type product the full height. The trash is not a</p> <p>14 dumpster. It would be more residential type trash carts with</p> <p>15 wheels so that kind of leads into the understanding of how</p> <p>16 much intensity would be at the facility which is good that</p> <p>17 it's not a big dumpster. So those would be wheeled out.</p> <p>18 And then, maybe we can run -- tie that into the</p> <p>19 signage. So the site sign we had looked into the sign</p> <p>20 ordinance and in prior discussions establish this as a place</p> <p>21 of assembly as far as signage is concerned, which allows 40</p> <p>22 square feet of signage. And what you see here has been</p> <p>23 discussed and approved in prior meetings. But the stone sign</p> <p>24 is on Old Georgetown Road, you can see to the lower left of</p> <p>25 your screen where it appears.</p>
<p>102</p> <p>1 the composition, so respecting the residential character of</p> <p>2 the neighborhood and the building itself.</p> <p>3 As you can see, there is a very residential</p> <p>4 quality by instrument both with matching the gables of the</p> <p>5 existing building, the material, the class areas and the</p> <p>6 general look of the building was specifically intended as</p> <p>7 such.</p> <p>8 On elevation 3 you'll see an area of the doors</p> <p>9 back there. Those are the doors that will tie in -- to the</p> <p>10 right -- those are the doors that would tie into the terrace</p> <p>11 off the back. So the idea is to extend the space out when</p> <p>12 the weather is available to extend the space out to that back</p> <p>13 area.</p> <p>14 MR. O'NEIL: You also had mentioned a trash</p> <p>15 enclosure. Can you describe what that is and the design</p> <p>16 behind it?</p> <p>17 MR. KONAPELSKY: I believe that's Exhibit 53;</p> <p>18 there's a drawing.</p> <p>19 MR. O'NEIL: I believe it's been updated maybe as</p> <p>20 66; that's the sign details and trash enclosure.</p> <p>21 MR. KONAPELSKY: Yes.</p> <p>22 MR. O'NEIL: Sorry again for the confusion.</p> <p>23 HEARING EXAMINER BAUMGARDNER: I'm pulling that up</p> <p>24 right now.</p> <p>25 (Off the record discussion; technical issues.)</p>	<p>104</p> <p>1 It's in back of the property line and required</p> <p>2 setbacks and utility easement so it sets back from the road.</p> <p>3 But it is intended as a tie-in with the material, the stone,</p> <p>4 to tie in with the original building. Plus Bethesda Mews to</p> <p>5 the north of the site has a landscape law going along</p> <p>6 Georgetown Road which is stone. So it both ties into the</p> <p>7 neighborhood to the north, and to the building.</p> <p>8 And there is a small sign on West Cedar Lane which</p> <p>9 is roughly one foot five by one foot five so that's a portion</p> <p>10 of the overall designated 40 square feet. But it's a smaller</p> <p>11 sign and it's meant as an indication for someone coming from</p> <p>12 W. Cedar Ln. and also it's an egress point. So that's just</p> <p>13 for cars that are leaving the site. But it is a small</p> <p>14 identification of the facility if you're coming on W. Cedar</p> <p>15 Ln.</p> <p>16 MR. O'NEIL: And what, if any, additional,</p> <p>17 outside of the special exception, what, if any approvals will</p> <p>18 be required to implement the signs?</p> <p>19 MR. KONAPELSKY: I believe it's just that we have</p> <p>20 to -- when we apply for the building permit that the signage</p> <p>21 permit will be part of that process.</p> <p>22 MR. O'NEIL: Thank you. And you also testified</p> <p>23 about preparing site lighting plans. Can you describe those</p> <p>24 plans and the thought process that went into them?</p> <p>25 MR. KONAPELSKY: Yes. I believe that's Exhibit</p>


Transcript of Hearing
Conducted on May 7, 2021

27 (105 to 108)

<p>105</p> <p>1 42; is that correct?</p> <p>2 MR. O'NEIL: That's the photometric site plan.</p> <p>3 MR. KONAPELSKY: Yes.</p> <p>4 MR. O'NEIL: Versus 54 which is lighting details.</p> <p>5 But I think the photometric site plan is the one at 42.</p> <p>6 MR. KONAPELSKY: Photometric site plan.</p> <p>7 HEARING EXAMINER BAUMGARDNER: It should be up on</p> <p>8 your screen now.</p> <p>9 MR. O'NEIL: So can you describe your thought</p> <p>10 process associated with this plan?</p> <p>11 MR. KONAPELSKY: Yeah. You can see it's almost</p> <p>12 like little ripples of islands and the lights are the little</p> <p>13 square pieces. So we were tasked to do the photometric plan</p> <p>14 to ensure that the requirements were met for light spillage</p> <p>15 on the site. And we are well within the property lines, the</p> <p>16 footcandles at the property line are .01 footcandles. So</p> <p>17 there some adjustments but we meet all the requirements for</p> <p>18 that. You can see there are enough lighting for a function</p> <p>19 and safety around the walkways, around the site, around the</p> <p>20 patio, the parking. But we do meet the footcandle spread for</p> <p>21 the adjacency to the property line.</p> <p>22 Also, if you zoom out you can see on the north</p> <p>23 side where, I think we would be most concerned about the</p> <p>24 residential area and there is not a lot of lighting on the</p> <p>25 north side of the site that's close to the property line.</p>	<p>107</p> <p>1 is made of stone. What is the building material for the</p> <p>2 addition that wraps around it?</p> <p>3 MR. KONAPELSKY: We are -- right now, we're</p> <p>4 looking at using some type of hardy siding. Something</p> <p>5 that's -- it will be very hard to match the stone and so</p> <p>6 we're thinking of something more of a residential quality</p> <p>7 that -- a little more of a lap that has more of a hardy board</p> <p>8 siding type look.</p> <p>9 HEARING EXAMINER BAUMGARDNER: And the building</p> <p>10 itself isn't preserved as a historic property or anything</p> <p>11 like that, correct?</p> <p>12 MR. KONAPELSKY: Correct.</p> <p>13 HEARING EXAMINER BAUMGARDNER: That's all I had.</p> <p>14 MR. O'NEIL: Thank you. No further questions.</p> <p>15 HEARING EXAMINER BAUMGARDNER: Are there any</p> <p>16 questions from those participating here today for this</p> <p>17 witness, please raise your virtual hand or otherwise indicate</p> <p>18 to me that you have a question. Seeing none, we thank him</p> <p>19 for his time.</p> <p>20 And turning it back over to you, Mr. O'Neil.</p> <p>21 MR. O'NEIL: I think with that we conclude our</p> <p>22 direct examination unless there are any more global units</p> <p>23 from the Hearing Examiner.</p> <p>24 HEARING EXAMINER BAUMGARDNER: I do not have any.</p> <p>25 MR. O'NEIL: So in conclusion from our</p>
<p>106</p> <p>1 And the lighting along that walkway is a low type of lights.</p> <p>2 The lighting -- we can go to the next exhibit, but the</p> <p>3 lighting that in the parking lot is typical pole lighting for</p> <p>4 the parking lot. Everything else is either mounted to the</p> <p>5 building or some type of a bollard type light.</p> <p>6 And all of the lighting on the building is night-</p> <p>7 sky friendly so it doesn't shine up and it's local to the</p> <p>8 walkway.</p> <p>9 MR. O'NEIL: Thank you. As a result of having</p> <p>10 prepared these plans is it, in your opinion, do the approved</p> <p>11 plans including signage and site lighting and the</p> <p>12 architectural plans that you prepared change the nature or</p> <p>13 character, intensity of the current use or affect the</p> <p>14 immediate neighborhood?</p> <p>15 MR. KONAPELSKY: No. I think they're very much in</p> <p>16 keeping with the function of the existing building and their</p> <p>17 design, the scale and the bulk of the structure is very</p> <p>18 compatible with the neighborhood and the existing building</p> <p>19 and the site.</p> <p>20 MR. O'NEIL: Thank you. Is there anything else</p> <p>21 you would like to add?</p> <p>22 MR. KONAPELSKY: Not at this time.</p> <p>23 MR. O'NEIL: I have no further questions.</p> <p>24 HEARING EXAMINER BAUMGARDNER: I just have one</p> <p>25 quick follow-up. The existing building, at least the façade</p>	<p>108</p> <p>1 perspective we submit that the evidence and testimony</p> <p>2 presented today demonstrates that the proposed special</p> <p>3 exception modification on this property meets the standards</p> <p>4 required under the zoning ordinance, and would respectfully</p> <p>5 request that the hearing examiner recommend approval to the</p> <p>6 board of appeals.</p> <p>7 And I have a process question for you because I</p> <p>8 believe in the beginning you had identified that your report</p> <p>9 would be the approval or non-approval of the proposed special</p> <p>10 exception and that the Applicant, or an interested party</p> <p>11 could appeal to the board of appeals. It was my</p> <p>12 understanding that in the old zoning ordinance your report is</p> <p>13 a recommendation to the board of appeals who ultimately would</p> <p>14 approve or disapprove the proposed special exception. Am I</p> <p>15 confused or is that the process?</p> <p>16 HEARING EXAMINER BAUMGARDNER: You are correct.</p> <p>17 The original was out of force of habit.</p> <p>18 MR. O'NEIL: Okay.</p> <p>19 HEARING EXAMINER BAUMGARDNER: I have this spiel</p> <p>20 down pretty well so I just kind of go off of memory. No,</p> <p>21 that is correct. Since this application is based off of the</p> <p>22 prior zoning code prior to the 2014 comprehensive rezoning</p> <p>23 that is correct but that that is the procedure; that a report</p> <p>24 and recommendation is issued by our office that is been</p> <p>25 submitted to the board of appeals for review and approval or</p>

Transcript of Hearing
Conducted on May 7, 2021

28 (109 to 112)

<p>109</p> <p>1 disapproval. So that is correct.</p> <p>2 MR. O'NEIL: Thank you. I just wanted to make</p> <p>3 sure that I understood the process and that we were following</p> <p>4 the bouncing ball in the correct manner. So thank you for</p> <p>5 that confirmation.</p> <p>6 HEARING EXAMINER BAUMGARDNER: Much like when I</p> <p>7 grew up I learned that Pluto was a planet. I still believe</p> <p>8 that Pluto is a planet. People much smarter than me will say</p> <p>9 no, it is no longer a planet. Sometimes old habits die hard.</p> <p>10 MR. O'NEIL: Understood. Well thank you for your</p> <p>11 time today and we would -- as a result of all of the time and</p> <p>12 testimony today and the thorough record that we think has</p> <p>13 been compiled we would respectfully request that you</p> <p>14 recommend approval to the board of appeals subject to the</p> <p>15 conditions recommended by the planning board as set forth in</p> <p>16 the planning board's staff report.</p> <p>17 And with that, I have no further comments, and am</p> <p>18 happy to turn this over to you for your thorough examination</p> <p>19 and review.</p> <p>20 HEARING EXAMINER BAUMGARDNER: Thank you very much</p> <p>21 for your presentation. We're going to hold the record open</p> <p>22 for 10 days, today being May 7, will hold the record open</p> <p>23 until May 17th for receipt of the transcript from the court</p> <p>24 reporter in this case.</p> <p>25 Otherwise, that concludes today's hearing. The</p>	<p>111</p> <p>1 CERTIFICATE OF TRANSCRIBER</p> <p>2 I, Molly Bugher, do hereby certify that the foregoing</p> <p>3 transcript is a true and correct record of the recorded</p> <p>4 proceedings; that said proceedings were transcribed to the</p> <p>5 best of my ability from the audio recording as provided; and</p> <p>6 that I am neither counsel for, related to, nor employed by</p> <p>7 and of the parties to this case and have no interest,</p> <p>8 financial or otherwise, in its outcome.</p> <p>9</p> <p>10 </p> <p>11 _____</p> <p>12 Molly Bugher, CDLT-161</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p>110</p> <p>1 time is 12:28 p.m. a</p> <p>2 And we thank our witnesses. We thank counsel and</p> <p>3 we thank our court reporter for being on the line. If there</p> <p>4 are any follow-up questions, please feel free to email staff.</p> <p>5 And I hope everyone has a good afternoon.</p> <p>6 (The recording was concluded.)</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	

A			
a-r-i-a-s	88:16, 88:20,	75:3	48:21, 48:23,
9:1	88:23, 88:25,	actual	92:6, 95:18,
ability	89:1, 89:13,	52:17, 53:10,	99:17, 101:22,
111:5	89:16, 89:20,	53:17, 60:14	107:2
able	90:7, 90:11,	actually	additional
7:4, 23:2,	90:13, 90:22,	13:16, 21:1,	11:19, 11:20,
23:5, 29:17,	91:6, 91:10,	21:12, 22:4,	15:1, 31:13,
33:22, 53:25,	91:21, 92:3,	25:24, 25:25,	38:11, 49:22,
68:22, 70:22,	92:7, 92:9,	27:19, 27:24,	51:15, 58:2,
85:15, 85:20	92:17, 92:20,	28:10, 28:12,	65:10, 104:16
about	93:6, 93:16,	28:15, 29:18,	additionally
5:24, 6:15,	93:17	29:19, 30:17,	82:17
7:18, 11:4,	accessed	30:18, 30:25,	address
17:25, 18:24,	87:19	31:23, 32:16,	11:3, 11:6,
19:15, 23:14,	accessible	33:12, 34:20,	11:21, 16:17,
25:14, 26:14,	30:18, 47:19,	35:19, 37:3,	17:24, 19:19,
32:14, 33:8,	100:8	39:7, 39:11,	19:20, 54:22,
35:16, 36:23,	accommodate	45:10, 45:23,	78:25, 89:9,
37:20, 37:22,	32:16, 34:3,	46:14, 47:18,	89:10, 89:12,
38:10, 38:15,	35:8, 93:21	47:21, 49:13,	89:17, 99:22
38:19, 40:9,	accordance	49:18, 50:3,	addressed
44:19, 48:22,	94:23	52:3, 52:13,	19:2, 47:6
52:23, 54:22,	account	53:13, 55:14,	addressing
57:22, 58:11,	92:25	59:14, 62:16,	28:7
61:7, 61:16,	accreditations	75:20, 82:9,	adds
63:17, 64:1,	40:22	83:5, 86:11,	57:19
64:3, 66:24,	accurate	88:19, 88:23,	adequate
67:24, 68:5,	90:18	90:9	59:18, 68:18,
72:8, 79:5,	accurately	ada	74:4, 75:25,
93:19, 96:25,	36:9, 98:9	30:18	81:22, 82:11,
104:23, 105:23	acres	add	84:5, 91:23,
above	30:21, 65:25,	12:21, 23:20,	92:8
6:15, 39:7,	66:5, 66:6	38:1, 38:2,	adequately
57:7, 86:18	across	58:3, 74:11,	88:4
absolutely	21:17, 28:13,	77:12, 96:2,	adjacency
8:13, 22:13	31:15, 43:20,	106:21	105:21
abundance	45:11, 61:16,	added	adjacent
39:22	61:24, 76:8	12:23, 16:8,	31:16, 44:9,
academic	action	50:22, 50:25,	51:14, 56:13,
17:7, 25:6	90:1	53:1, 57:23,	71:19
access	activities	58:1, 58:2,	adjust
6:19, 46:19,	20:8, 22:5,	101:1, 103:7	26:6
47:20, 62:1,	26:16, 35:7,	adding	adjustments
62:3, 82:17,	51:12	26:7, 51:10,	105:17
87:17, 87:20,	activity	53:8	administration
88:2, 88:15,	46:18, 56:22,	addition	21:11, 41:18,
	57:6, 73:5,	8:9, 20:25,	89:24
	73:19, 73:21,	37:11, 45:17,	administrative
			1:1, 2:3, 5:5,

<p>11:9, 18:16, 63:1, 63:2, 97:18 admitted 42:5, 42:8, 81:1, 81:9, 81:12, 98:14, 98:17, 101:2 advanced 1:6, 9:2, 16:25, 19:11 advantage 51:14 adverse 95:6 advise 23:25 advisory 22:6 aerial 4:10, 15:10, 43:2, 43:4, 43:15, 45:11 affect 106:13 affirm 19:14, 40:8, 79:4, 96:24 affordable 21:18 after 8:4, 24:8 afternoon 110:5 ag 65:12, 65:13 again 16:16, 19:8, 27:15, 30:14, 39:24, 44:16, 50:8, 64:8, 64:18, 66:24, 71:5, 84:5, 89:10, 91:4, 102:22 against 75:2 age 16:11, 46:24,</p>	<p>58:21 agencies 18:6, 41:22, 80:15, 94:9 ago 39:10, 56:15 agree 37:8 agreed 34:22, 36:14, 36:15, 73:24 agrees 34:9 ahead 24:19 alan 37:1, 37:8 alcoholic 28:4 aligning 82:20 all 5:17, 7:17, 12:22, 15:14, 15:25, 17:18, 20:7, 22:4, 24:8, 28:6, 32:14, 37:8, 38:3, 38:14, 39:23, 50:2, 50:11, 50:22, 50:24, 52:12, 52:19, 53:15, 53:23, 55:8, 55:19, 58:5, 58:7, 59:17, 61:12, 67:16, 77:7, 78:1, 89:2, 89:4, 89:24, 90:15, 90:19, 94:11, 94:17, 101:4, 105:17, 106:6, 107:13, 109:11 allow 6:19, 23:21, 25:2, 28:4, 35:18, 35:23,</p>	<p>92:23 allowed 21:25, 24:17, 34:21, 69:10, 69:13, 69:15 allowing 27:5, 73:23 allows 6:25, 7:11, 7:12, 51:11, 60:12, 68:17, 103:21 alluded 32:19 almost 40:19, 105:11 along 45:18, 46:4, 46:7, 46:8, 46:10, 46:11, 46:12, 50:17, 50:21, 51:1, 51:17, 57:9, 58:6, 59:6, 59:9, 59:11, 59:12, 59:15, 61:13, 62:11, 62:19, 71:18, 71:25, 87:22, 88:24, 89:19, 92:1, 94:5, 94:16, 95:19, 104:5, 106:1 already 8:10, 16:9, 17:14, 18:25, 22:19, 34:6, 68:4, 74:9 also 2:14, 5:9, 7:2, 7:7, 7:9, 7:12, 9:3, 11:19, 15:10, 17:15, 20:24, 21:13, 22:25, 24:2, 24:4, 25:15, 25:16, 26:15, 28:4, 32:5,</p>	<p>32:23, 35:6, 37:7, 37:14, 37:22, 41:5, 42:17, 42:21, 46:3, 46:5, 46:8, 46:10, 46:12, 46:18, 47:6, 47:15, 51:9, 53:16, 53:19, 57:14, 57:20, 57:22, 60:3, 60:5, 60:7, 60:8, 60:13, 62:5, 63:19, 66:11, 68:13, 68:20, 70:24, 72:1, 73:24, 74:10, 76:8, 82:16, 85:15, 87:24, 89:9, 89:17, 90:23, 92:7, 98:4, 99:11, 99:23, 100:12, 100:15, 100:22, 101:24, 102:14, 103:9, 103:12, 104:12, 104:22, 105:22 altavista 37:2 alternatives 61:16, 88:5 although 23:13, 23:17, 47:4, 49:11, 51:4, 83:2 always 27:8, 27:10, 33:21, 56:17, 59:22, 83:10, 86:5 amazing 35:21 america 98:3 american 41:3, 41:4,</p>
---	--	--	--

41:5, 98:3 amoeba 51:21 amount 50:25, 74:5 analysis 55:11, 70:2, 80:3, 80:4, 82:16, 86:10, 86:19, 87:6, 87:17, 88:1, 88:8, 89:3, 89:21, 89:22, 90:6, 90:10, 91:11, 92:13, 93:5, 93:11, 93:19, 94:18, 94:23 analyze 81:21, 85:24 angle 30:8 annapolis 79:1, 80:23 another 6:10, 28:3, 31:11, 88:18, 88:21 answer 7:9, 7:11, 32:19, 41:7 answering 6:8, 7:11 anthony 37:22 anticipated 61:13 anticipating 56:23 any 6:3, 7:7, 7:24, 8:6, 9:25, 11:3, 13:14, 14:22, 15:1, 16:10, 23:13, 26:24, 32:6, 33:18, 33:25, 35:1, 36:13, 36:16,	37:9, 39:20, 40:21, 41:8, 41:20, 44:6, 45:23, 54:15, 54:16, 58:12, 58:22, 59:5, 62:1, 62:12, 71:7, 72:21, 73:4, 74:11, 75:2, 75:5, 75:17, 76:6, 77:2, 77:15, 77:17, 80:15, 85:10, 87:16, 87:23, 88:4, 92:13, 95:23, 96:4, 96:7, 96:8, 96:10, 100:22, 101:8, 104:16, 104:17, 107:15, 107:22, 107:24, 110:4 anymore 25:21 anyone 7:25, 8:2, 8:8, 10:7, 10:18, 38:17, 39:20, 39:21, 55:10, 77:16, 96:10 anything 11:4, 38:1, 77:11, 94:25, 96:1, 106:20, 107:10 anyway 32:15 anywhere 35:12, 38:17 apf 84:13 apfo 86:8 apologize 24:22, 29:13 apostrophe 8:20 appeal 5:22, 108:11	appeals 5:22, 41:23, 108:6, 108:11, 108:13, 108:25, 109:14 appearance 71:25 appearances 80:19 appearing 43:9, 45:4 appears 81:4, 103:25 appendage 48:22 applicable 18:5, 65:20, 77:7, 82:24 applicant 2:6, 8:4, 10:25, 16:24, 78:14, 108:10 applicant's 7:23 application 5:15, 11:16, 22:12, 34:16, 42:11, 42:15, 47:25, 63:25, 66:20, 81:5, 81:19, 98:7, 98:23, 108:21 apply 63:12, 71:14, 71:23, 104:20 appreciate 38:3, 83:10 appropriate 55:7, 61:25 approval 18:7, 69:8, 108:5, 108:9, 108:25, 109:14 approvals 34:19, 75:7, 104:17 approve 108:14	approved 17:23, 36:2, 49:2, 62:25, 63:3, 74:20, 76:18, 76:25, 77:2, 78:11, 83:18, 84:21, 94:9, 103:23, 106:10 approving 57:1 approximately 5:13, 22:3, 25:12, 25:16, 45:19, 48:24 april 18:6, 36:2, 70:13 architect 17:16, 17:18, 40:17, 40:19, 40:23, 41:2, 41:12, 68:21, 96:20, 97:6, 97:8, 98:4 architects 9:22, 10:14, 41:5, 96:20, 97:8, 98:4 architectural 18:24, 98:14, 98:17, 106:12 architecturally 70:22 architecture 40:3, 41:1, 42:3, 42:6, 42:9, 96:17, 97:11, 98:17 area 23:8, 25:22, 28:18, 43:12, 43:21, 43:23, 44:5, 47:9, 50:19, 53:7, 53:9, 53:10, 54:8, 55:12, 60:11, 60:14,
---	--	--	---

60:15, 61:11, 63:21, 64:23, 65:14, 68:10, 70:18, 73:17, 74:8, 74:9, 75:11, 77:4, 81:24, 82:3, 82:12, 84:7, 86:8, 90:11, 94:24, 95:2, 95:5, 95:18, 95:25, 97:16, 100:11, 100:19, 102:8, 102:13, 105:24 areas 50:17, 50:18, 51:15, 60:6, 60:12, 60:23, 70:25, 74:7, 100:17, 100:18, 102:5 around 23:20, 25:11, 33:9, 33:17, 48:19, 49:20, 51:20, 99:17, 99:18, 101:22, 105:19, 107:2 arrive 85:17 arriving 85:19 art 39:8, 39:9, 39:10, 39:11 articulation 73:15 asked 35:10, 43:2, 86:18, 87:4 asking 7:10, 10:22, 25:1, 34:2 asphalt 46:15, 59:9 assembled 13:16, 39:9	assembling 42:16 assembly 23:24, 103:21 assistance 13:15, 26:25 associate 9:13, 78:23, 79:25 associated 97:11, 105:10 association 36:25, 37:2, 37:12, 41:6, 56:15 assumed 17:11 assuming 36:20 asymmetrical 99:19 attachments 12:8, 12:9 attempt 36:10 attendees 24:16 attending 6:12 attention 6:23, 7:6, 95:20 attorney 8:14, 10:19 audio 111:5 auditorium 100:3 august 37:13, 37:15 available 7:5, 35:21, 91:20, 92:1, 102:12 avenue 2:9, 21:16 average 25:9	avoid 7:7 aware 12:13, 18:1, 44:6, 74:11 <hr/> B <hr/> bachelor 80:11, 98:2 back 6:14, 27:5, 27:20, 29:20, 30:4, 30:5, 31:10, 44:1, 45:25, 46:24, 49:14, 49:20, 50:24, 51:5, 51:17, 52:6, 57:14, 57:20, 58:15, 60:2, 72:19, 78:3, 78:4, 78:10, 78:13, 78:15, 89:5, 89:19, 100:18, 102:9, 102:11, 102:12, 104:1, 104:2, 107:20 background 6:8, 6:9, 22:11, 40:21, 98:11 ball 109:4 baltimore 78:25 banging 6:14 bar 39:5 base 65:2 based 53:18, 55:9, 55:12, 65:20, 69:6, 82:13, 85:7, 85:22, 86:9, 89:22,	91:12, 108:21 basement 100:14 basically 49:16, 50:19, 54:9, 54:15, 61:8, 65:9 basis 37:17 bathrooms 100:4 battery 67:10 bearing 15:15, 67:16 because 10:14, 12:16, 15:21, 16:11, 22:4, 22:20, 24:6, 24:10, 24:25, 25:11, 25:21, 32:21, 32:23, 52:16, 53:14, 55:14, 57:16, 57:19, 57:23, 58:20, 60:7, 60:17, 61:17, 74:9, 85:14, 86:17, 87:4, 87:21, 89:15, 90:10, 96:5, 103:8, 108:7 become 73:12 bedrooms 39:4 been 11:8, 11:17, 11:24, 17:9, 17:11, 18:3, 18:4, 18:8, 18:10, 20:3, 20:7, 20:21, 22:13, 23:4, 24:9, 25:17, 26:5, 28:14, 28:19, 36:16,
---	---	--	---

37:6, 40:16, 40:18, 41:25, 42:2, 44:17, 46:1, 49:13, 61:9, 68:2, 69:1, 69:3, 72:15, 72:16, 76:18, 79:14, 79:16, 80:14, 80:25, 85:2, 91:16, 92:24, 97:7, 99:11, 99:14, 99:21, 100:25, 101:2, 101:11, 102:19, 103:22, 108:24, 109:13 before 1:12, 7:9, 11:6, 14:22, 25:25, 27:16, 36:11, 41:17, 55:2, 60:13, 80:15, 97:18 began 27:17 begin 7:22, 16:15, 16:19 beginning 108:8 behalf 2:2, 2:6, 17:13, 37:3 behind 31:18, 31:24, 102:16 being 5:5, 5:8, 6:10, 16:8, 22:8, 33:5, 33:19, 33:22, 33:25, 34:15, 37:10, 46:24, 46:25, 50:19, 53:25, 58:12, 58:15, 59:17, 62:2, 62:14, 64:13,	66:6, 74:24, 87:2, 92:12, 95:1, 109:22, 110:3 believe 12:22, 19:1, 23:7, 23:11, 24:15, 25:10, 34:7, 36:6, 39:21, 47:16, 48:14, 64:10, 67:25, 71:8, 76:10, 78:15, 83:11, 83:18, 87:13, 93:18, 95:14, 101:9, 102:17, 102:19, 104:19, 104:25, 108:8, 109:7 beltway 61:8, 61:13 beneficial 85:16 benefits 46:20 best 7:3, 29:1, 72:19, 90:1, 93:7, 94:9, 94:15, 99:5, 99:24, 111:5 bet 30:12 bethesda 2:11, 5:17, 17:8, 19:21, 21:13, 31:8, 32:1, 32:3, 37:14, 43:24, 44:2, 46:9, 46:10, 47:5, 49:23, 54:2, 54:8, 54:14, 54:23, 55:17, 56:11, 56:13, 56:20, 56:25, 58:6, 59:10, 59:14, 59:21,	60:1, 61:12, 62:10, 62:18, 63:10, 63:15, 70:13, 70:17, 72:2, 72:5, 72:23, 75:22, 78:12, 95:15, 96:21, 104:4 better 44:22, 50:15, 68:22, 73:24 between 25:8, 26:21, 32:1, 32:2, 32:4, 35:12, 54:23, 56:10, 57:13, 91:14, 100:1, 100:2 beverages 27:6, 28:4 beyond 57:8, 86:18 bicycle 75:22, 95:1 bicycles 95:2, 95:17 bicyclists 58:5, 59:19, 95:17 big 45:22, 52:1, 57:20, 58:3, 103:17 bigger 53:20 bike 32:17, 46:11, 46:18, 59:17, 61:3, 61:6, 61:10, 61:13, 61:20, 61:24, 93:20, 94:2, 95:7 bikers 59:22, 60:12, 95:23 bikeway 61:2	bikeways 59:13, 60:8, 93:21 biomedical 72:2 bit 22:25, 46:5, 62:8, 100:10 block 61:7 blocked 88:16 board 5:22, 13:2, 18:6, 22:6, 27:7, 36:3, 41:23, 41:24, 80:22, 107:7, 108:6, 108:11, 108:13, 108:25, 109:14, 109:15 board's 109:16 bodies 97:19 bollard 106:5 bonds 51:20 bordered 31:5 borders 44:3 both 11:12, 16:7, 41:22, 45:20, 46:16, 60:20, 77:8, 84:1, 84:9, 88:23, 89:2, 102:4, 104:6 bottom 14:8, 14:10, 43:18, 43:20, 45:12, 64:21 boulevard 79:1 bouncing 109:4
---	---	---	--

break 78:2	51:11, 56:10, 56:14, 68:20,	cables 100:16	capture 86:7
breakout 100:11	73:16, 87:2, 99:4, 99:15,	calculation 55:12	captured 54:11
breezeway 59:15, 94:4, 94:16	99:17, 99:18, 99:20, 100:8, 100:13, 100:20,	calculations 55:9	car 25:24, 31:24, 31:25
brewer 2:8, 16:23	100:23, 101:22, 102:2, 102:5,	call 6:4, 10:15, 18:14, 18:19,	care 10:17, 36:23
brief 7:22, 11:1, 38:24	102:6, 103:7, 103:8, 103:10, 104:4, 104:7,	19:3, 23:19, 29:1, 39:18, 78:16, 96:16	carol 80:23
briefly 5:24	104:20, 106:5, 106:6, 106:16, 106:18, 106:25,	called 6:1, 6:21, 8:8, 10:1, 17:6,	cars 85:19, 92:2, 104:13
bring 6:23, 7:6, 20:18, 24:5, 35:19, 38:8, 44:19, 52:20, 95:19	107:1, 107:9	39:24, 59:15, 71:12, 73:3, 85:6, 86:2, 91:12, 93:6	carts 103:14
bringing 25:23, 29:5, 101:14, 103:9	buildings 73:10, 73:14	caller 10:9	case 1:5, 7:23, 8:4, 8:15, 15:25, 16:15, 16:19, 16:24, 17:19, 20:10, 28:3, 41:24, 52:12, 57:7, 60:16, 65:16, 65:20, 75:7, 75:8, 78:10, 81:10, 81:16, 85:2, 85:5, 85:10, 88:16, 91:16, 91:21, 91:25, 93:12, 98:20, 109:24, 111:7
brought 26:25	built 26:9, 30:15, 46:24, 56:8, 56:17, 56:18	calls 90:11	cases 10:25, 28:3, 34:19
buffer 51:2, 56:20, 56:24, 57:9, 57:12, 57:13, 58:4, 61:11, 74:5	bulk 73:4, 73:10, 73:16, 106:17	came 11:4, 11:5, 60:22, 87:6, 91:4	categorize 86:20
buffering 56:19, 68:18, 72:19	bumped 30:17	camera 67:10	category 65:6
bugher 1:25, 111:2, 111:12	bunch 12:10, 39:13	campus 21:13, 22:23, 25:20, 56:14	catering 26:24, 27:4, 27:8, 100:4, 100:5, 103:9
build 60:16	buried 90:8	can't 6:4, 25:20, 26:8	catholic 98:2
building 16:6, 17:7, 17:8, 23:20, 28:12, 30:1, 30:3, 32:19, 35:2, 38:24, 44:16, 45:14, 45:16, 48:17, 48:18, 50:21,	burtonsville 40:5	canopy 57:16	cause 75:5
	bus 25:24, 25:25, 46:12, 46:15, 47:10, 47:11, 47:13, 47:14, 59:11, 61:18	cap 24:12, 73:24, 85:1, 87:7	
	business 19:19, 19:20, 78:25	capacities 41:25	
	buys 65:11	capacity 79:16, 80:25	
	<hr/> C <hr/>	capped 24:24, 25:13	
	c-h-r-i-s-t-i-n-a 8:25, 19:9		

<p>causing 54:15 caution 39:22 cba 1:5, 5:15, 17:22, 20:10, 78:10, 98:20 cdlt 1:25, 111:12 cedar 21:16, 31:16, 31:18, 37:5, 43:19, 43:24, 45:12, 45:18, 45:20, 46:16, 47:4, 50:17, 52:15, 58:7, 61:19, 62:4, 62:11, 64:20, 68:9, 71:4, 87:24, 88:24, 89:2, 89:4, 89:7, 89:15, 90:13, 91:6, 91:16, 91:22, 92:2, 92:5, 92:18, 93:2, 93:16, 94:14, 104:8, 104:12, 104:14 center 17:7, 19:21, 21:2, 21:13, 25:6, 43:19, 45:15, 45:16, 48:18, 61:12 ceo 9:1, 17:15, 19:10 certain 71:11, 71:20 certainly 8:24, 10:4, 12:3, 20:12, 20:16, 23:10, 28:19, 36:22, 37:23, 55:25,</p>	<p>59:23, 67:7, 68:17, 70:23, 73:14, 73:17, 93:25 certificate 111:1 certified 41:3, 41:4, 80:9 certify 111:2 cetera 14:9, 33:25, 76:2, 85:19 challenged 49:7 challenging 26:5 chance 7:19 change 32:18, 32:21, 51:3, 53:2, 60:13, 73:21, 86:14, 94:19, 106:12 changed 26:6 changes 33:4, 33:5, 33:18, 33:25, 35:1, 36:13, 50:16, 59:5, 62:2, 75:19, 88:5, 92:25, 94:4, 99:4, 101:16 character 57:19, 58:5, 71:2, 71:20, 71:25, 72:12, 72:14, 72:18, 72:22, 73:5, 73:11, 73:19, 73:21, 94:20, 101:21, 102:1, 106:13 characteristics 101:17</p>	<p>charge 79:25, 97:13 charles 78:22 chart 53:5 chase 63:10, 63:15, 70:13, 70:17 chevy 63:10, 63:15, 70:13, 70:17 chief 7:23, 8:4, 16:15, 16:19, 17:19 child 6:12 christiana 3:5 christina 8:21, 8:22, 8:25, 17:14, 19:3, 19:9, 73:20, 86:23, 87:13 christmas 86:24 chtd 2:8 circle 45:22 circulation 18:22, 80:3, 81:25, 88:17, 88:20, 90:1, 90:2 circumstances 87:2 cited 90:17 city 41:21, 97:21 civil 80:12 clarification 34:12, 47:9 clarity 90:3</p>	<p>class 23:13, 25:5, 25:10, 102:5 classes 22:23, 25:3, 25:8, 26:14, 33:2, 33:22, 38:8, 87:2 classroom 23:20, 33:1, 51:13 classrooms 33:16, 100:1 cleaned 100:10 cleaner 62:9 cleanly 85:10 cleanup 18:25 clear 15:21, 49:6, 50:19 clearing 58:22 clearly 68:9 clears 65:18 click 6:25 clinical 21:2, 21:12 clock 78:4 close 21:15, 31:12, 46:18, 76:8, 105:25 closed 88:25, 89:1, 89:13 closely 36:21, 36:25, 85:12 closes 8:4</p>
---	---	---	--

closing 90:4 closure 90:6 club 17:9, 27:18, 27:21, 27:23, 44:11, 48:2, 66:16 clubs 66:2, 66:22, 66:25, 68:3, 68:12, 68:25, 69:13, 69:19 code 66:4, 73:3, 77:8, 108:22 codes 85:11 coffee 100:6 collect 52:4 collected 85:17 collection 39:8, 39:9 collins 22:18, 37:20 collocated 55:12 color 20:13, 56:6 columbus 31:10, 37:17, 43:25, 44:8, 65:1 combination 45:21, 55:18, 56:11, 57:10, 59:16 come 11:22, 24:3, 25:16, 55:21, 65:17, 67:19, 67:20, 89:8 comfortable 95:3, 95:16	coming 29:9, 67:14, 84:11, 85:19, 89:14, 104:11, 104:14 comment 23:9, 25:4, 27:14, 46:21, 61:2, 72:11, 84:25, 92:9 commentary 20:13 comments 82:14, 82:19, 91:4, 109:17 commercial 97:14, 97:15 commission 64:17 commissioned 27:18 committee 22:7, 88:14 commonly 86:1 communicate 38:17 communications 37:18 communities 70:25, 71:19 community 7:8, 7:25, 8:2, 16:7, 18:9, 18:11, 20:21, 21:18, 23:2, 23:4, 24:4, 27:10, 31:8, 33:11, 33:12, 34:3, 35:24, 36:16, 36:21, 36:23, 37:6, 37:15, 38:4, 38:7, 44:3, 53:19, 53:22, 70:23, 71:6, 71:23, 73:11 community's 38:3	company 43:25 compare 86:12 comparing 87:5 compatible 57:5, 73:11, 73:17, 74:10, 106:18 compiled 109:13 complaints 74:11 complete 15:17 completed 78:13, 92:16 completely 6:11, 6:13, 57:18, 100:8 comply 66:20, 69:17, 76:12 composition 102:1 comprehensive 108:22 computer 67:11 concept 42:21, 47:7, 76:15, 76:17, 76:18 concern 91:5 concerned 103:21, 105:23 concerns 24:1, 32:6, 89:11 concerts 18:9 conclude 107:21 concluded 110:6 concludes 109:25	conclusion 93:14, 107:25 concrete 46:15, 47:14 concurred 89:25, 90:20, 90:21, 92:9, 95:8 condensing 100:20 condition 62:6 conditions 18:23, 36:8, 36:10, 44:23, 45:10, 49:13, 56:24, 73:6, 74:3, 82:6, 84:10, 86:15, 87:5, 87:6, 88:3, 95:7, 109:15 conductive 23:18 conduct 86:10, 90:10, 91:11, 92:16 conducted 1:11, 25:3, 89:21, 90:24, 93:1, 93:5, 93:16 conference 25:17, 25:19, 35:6 conferences 20:22, 25:23, 35:8, 35:9, 35:12, 35:15 configuration 35:2, 88:9, 88:10 confirmation 109:5 confused 108:15 confusing 34:13, 89:17,
--	---	---	---

89:18 confusion 101:9, 102:22 connect 46:9, 52:16, 52:18 connected 46:17 connecting 6:3, 52:14 connection 33:19, 36:17, 94:15 conservation 42:20, 58:18, 58:20, 76:21, 76:24 considerably 21:25, 22:2 consideration 90:4 considerations 72:25, 80:8 considered 69:1 considering 74:13 consistent 69:23, 70:5, 93:15 consultant 81:21 consultation 81:23, 81:25, 94:6 consulted 33:12 consulting 9:14, 78:25, 79:21 cont'd 4:2 contained 11:16, 85:7 contains 59:8 context 22:11	continue 33:24, 35:3, 35:11, 39:23, 48:2, 48:3, 50:12 continuing 70:20 control 6:19, 7:15, 43:2 convenience 24:7 convenient 46:19 conversation 19:8 cooperate 50:7 coordinate 88:12 coordinating 42:23, 89:11 coordination 94:6 copy 64:15 corner 29:20, 31:18, 47:5, 50:14, 100:3 correct 13:6, 15:9, 34:16, 36:14, 38:24, 41:14, 41:15, 47:11, 51:7, 64:11, 77:24, 77:25, 81:6, 81:7, 83:7, 83:19, 83:20, 90:17, 99:7, 103:6, 105:1, 107:11, 107:12, 108:16, 108:21, 108:23, 109:1, 109:4, 111:3 correctly 5:10, 27:25,	37:12, 82:21 correspond 37:16 corridor 49:23, 57:25, 72:1 could 8:11, 24:10, 30:10, 43:11, 46:2, 50:13, 51:5, 52:20, 55:20, 57:16, 67:7, 83:5, 86:22, 89:4, 89:7, 89:12, 89:16, 89:17, 89:18, 91:8, 93:2, 94:10, 99:13, 108:11 couldn't 60:16 council 65:8 counsel 7:8, 8:6, 110:2, 111:6 count 77:24, 93:1 counted 47:21 counts 92:17, 92:23, 93:3 county 1:2, 2:2, 5:4, 5:17, 32:16, 36:23, 38:9, 38:18, 41:17, 41:22, 51:23, 56:19, 57:1, 59:13, 64:25, 65:14, 66:8, 72:5, 74:19, 76:19, 80:15, 80:22, 80:24, 82:15, 85:12, 87:8, 89:23, 91:5, 92:22,	92:23, 93:3, 94:23, 97:18, 97:21, 97:22 county's 81:22, 82:11, 84:5, 84:6, 84:13, 84:18, 86:8 couple 6:6, 6:17, 59:10 course 22:22, 22:24, 24:8, 25:9, 25:11, 26:2, 26:5, 26:15, 32:5, 35:13, 37:17, 82:8, 90:1 courses 20:22, 22:20, 23:2, 23:14, 23:15, 32:22 court 2:16, 5:9, 7:12, 8:16, 8:23, 97:15, 109:23, 110:3 cover 3:22, 12:17, 13:5, 14:8, 18:17, 42:18, 74:6 coverage 66:25, 67:1, 68:5, 68:6 covers 80:13 covid 6:11, 26:5, 28:15, 35:11, 35:23, 92:21, 93:1, 93:3 create 15:22, 53:24, 57:16, 89:5 created 20:18, 57:8
--	--	---	---

creates 57:5	27:1, 32:12, 34:21, 43:22,	deciduous 57:12	26:21, 35:4, 41:24, 52:10
creating 52:7, 72:21	46:11, 46:22, 46:23, 47:1,	decision 5:21, 5:22, 5:23, 13:2	depicted 68:4
creative 26:4	58:11, 59:7, 61:19, 62:3,	dedicated 26:19	derek 1:12, 2:4, 5:3, 5:19
credentialling 80:7	62:14, 62:15, 76:6, 79:20,	dedicating 62:18	describe 20:14, 21:22, 22:10, 22:11,
credentials 41:9	84:3, 87:25, 100:9	dedication 62:22, 62:23, 63:2	26:11, 28:21, 29:7, 29:15,
critical 45:23	cyclists 59:22	dedications 49:24, 62:12	29:17, 32:11, 33:3, 40:20,
cross-examination 7:25	cypress 21:16	defer 54:4	41:10, 42:14, 43:11, 44:15,
cross-walks 60:3	cyprus 37:5	defined 73:3	48:4, 59:4, 59:5, 64:13,
crosshatched 60:6, 60:23	D	definitely 95:22	70:1, 80:6, 80:18, 81:18,
crossing 60:15	d-a-v-i-d 9:20	degree 40:24, 45:10, 98:1, 98:2	83:25, 90:24, 97:23, 102:15,
crosstalk 7:7, 7:13	d-r-i-b-a-n 9:13	delaware 40:25	104:23, 105:9
cultivating 36:24	danger 60:14	delay 31:22, 89:16	described 48:2, 48:20, 88:9
cultural 20:19, 20:23, 24:2	dark 50:21	delineation 45:7, 58:18	describing 101:16
curiosity 55:5	dash 46:14, 91:19	demands 50:2	design 33:13, 51:24, 71:23, 73:4,
current 16:6, 16:10, 23:10, 24:12, 24:13, 25:4, 26:10, 28:22, 29:6, 33:24, 34:19, 43:22, 48:8, 48:19, 49:16, 53:15, 57:2, 62:7, 62:17, 62:18, 63:24, 79:18, 83:6, 87:12, 93:3, 93:21, 97:10, 106:13	dashed 45:15, 46:13, 46:14	deminimus 84:24, 94:25	73:9, 73:17, 98:15, 98:18, 98:25, 99:2, 99:24, 100:18, 102:15, 106:17
currently 6:1, 6:11, 13:1, 24:24, 25:6, 26:18,	data 85:16, 85:20	demonstrate 68:22, 70:20	designated 42:7, 81:11, 98:16, 104:10
	date 5:23, 83:3	demonstrates 108:2	designations 40:22
	dated 36:2, 83:11	density 65:9, 65:11, 65:15, 73:1, 73:4, 73:7, 73:9	designed 23:13
	david 3:8, 9:15, 9:16, 17:18, 96:17, 96:18	dental 21:4	detail 50:4, 50:13
	day 59:20, 101:2	department 60:21, 76:19, 89:23, 93:13, 95:9	detailed 48:16, 84:19
	days 5:23, 109:22	depending 7:21, 26:15,	details 3:21, 4:6,
	decades 20:20, 21:24		
	decided 65:8		

12:17, 12:18, 42:19, 85:4, 102:20, 105:4 determination 74:21 determine 55:5, 55:6, 85:12, 88:3, 92:19 determined 61:17, 74:10, 75:6, 88:8 detrimental 74:22 detrimentally 75:16 develop 85:21 developed 94:8 developer 65:10, 65:13 development 20:19, 38:9, 47:6, 65:10, 65:11, 66:20, 66:21, 67:5, 67:24, 68:2, 68:3, 68:25, 69:2, 71:14, 74:17, 76:12, 80:2, 80:5, 88:13 diban 3:14 die 109:9 different 12:8, 27:9, 27:23, 31:3, 41:8, 54:4 difficult 6:9, 7:14, 7:17 diligence 38:3 diligently 36:20 direct 107:22	direction 34:12, 54:4 directly 21:16, 31:7, 31:24, 37:11, 43:23, 52:6, 70:15 director 9:1, 17:15, 19:10, 22:18, 40:3 disapproval 109:1 disapprove 108:14 disconnected 6:3 discontinued 28:10, 28:15 discourage 71:20, 71:22 discrepancy 11:10 discuss 17:21, 54:2, 70:14 discussed 74:2, 74:3, 77:8, 99:21, 103:23 discussing 99:15 discussion 43:7, 61:15, 67:22, 72:8, 93:22, 93:25, 102:25, 103:4 discussions 94:13, 100:11, 103:20 disjointed 36:11 distance 52:15, 92:6 disturbance 57:6, 58:16 disturbed 55:12	document 13:8, 13:9, 14:4, 84:2, 84:8, 84:21, 84:22, 85:5 documenting 86:12 documents 84:1 doesn't 85:10, 106:7 doing 26:5, 35:11, 35:16, 37:9, 52:22 done 18:12, 18:25, 20:21, 23:3, 23:6, 23:16, 33:21, 39:10, 46:25, 54:9, 74:4, 86:5 door 30:16, 99:22, 99:23 doors 102:8, 102:9, 102:10 dot 84:21, 90:19, 90:21, 92:8, 94:7 dot's 91:5 dots 64:25 down 7:12, 8:7, 15:22, 29:21, 32:10, 52:9, 52:15, 53:14, 57:18, 61:20, 64:20, 65:13, 108:20 dr 22:18, 37:20, 37:22 draft 83:17	drain 52:14, 52:15, 52:16, 52:17, 52:19, 54:17 drainage 47:4, 52:18, 54:7, 54:13, 55:9, 55:20, 76:2 drained 52:11, 52:12 draining 55:17, 55:18 dramatically 26:6, 51:3, 73:21 drawing 4:6, 102:18 driban 3:7, 9:11, 9:12, 17:17, 18:21, 78:17, 78:18, 78:22, 78:23, 79:7, 79:12, 79:13, 79:16, 79:20, 79:24, 80:9, 80:17, 80:20, 81:2, 81:7, 81:9, 81:15, 81:17, 81:20, 82:4, 82:8, 82:23, 83:2, 83:16, 83:22, 84:2, 85:3, 87:19, 88:8, 90:8, 90:18, 91:2, 92:15, 93:23, 94:22, 95:8, 95:14, 96:3, 96:8, 96:12 drive 19:21, 40:5 driveway 45:19 driveways 93:10
--	---	---	--

<p>due 91:3, 92:25 dumpster 103:14, 103:17 during 7:7, 11:21, 12:3, 12:15, 26:13, 28:5, 37:4, 51:12, 84:12, 86:4, 86:6, 86:14, 91:17, 93:3 dust 75:3, 75:6 duties 39:17 dynamic 52:7</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>e-l 9:21 each 11:13, 29:15, 55:20 earlier 10:24, 25:7, 73:20 early 2:8, 16:23 ease 35:14 easement 104:2 easements 49:21 easier 7:16, 11:24, 17:2 easiest 54:21 east 43:25, 64:21 east-west 43:20 easy 88:19 economic 38:9, 74:17,</p>	<p>74:22 edge 57:9 education 1:6, 9:2, 16:25, 19:11, 40:21 educational 20:19, 20:25, 97:14, 98:11 effect 18:3, 95:6 effectively 17:24 effects 94:21 efficient 91:8, 92:10 efficiently 93:17 efforts 93:15 egress 87:24, 92:10, 103:10, 104:12 eight 13:3, 25:13 either 10:1, 22:8, 25:20, 41:23, 46:17, 47:1, 57:1, 77:16, 101:23, 106:4 element 51:18 elements 49:10, 50:25, 82:17 elevation 3:17, 100:25, 101:19, 102:8 elevations 11:15, 43:6, 98:25, 99:10, 100:24, 101:6, 101:18, 101:20 elevator 100:7</p>	<p>eliminate 54:15 else 29:10, 38:1, 77:11, 96:1, 106:4, 106:20 elsewhere 80:16 email 12:7, 13:4, 14:14, 37:8, 101:6, 110:4 emailed 11:20 emerges 83:12 emoticon 6:20, 6:21 employed 20:3, 40:16, 40:18, 79:14, 79:16, 79:20, 97:6, 97:7, 111:6 employer 79:19 employment 23:25, 72:2, 79:18 enable 17:23 enclosed 43:21, 54:17 enclosure 4:6, 99:1, 102:15, 102:20, 103:5, 103:6, 103:11 encourage 71:24 end 12:1 ended 53:17 ends 59:17 engineer 17:17, 74:2,</p>	<p>76:4, 80:10, 80:11 engineering 78:24, 80:4, 80:12, 81:2, 81:10, 81:12, 86:2, 91:13, 94:1 engineers 55:11 enhance 57:12, 57:13, 70:16, 70:20, 71:3 enhancement 95:24 enhancing 70:23 enjoy 28:5 enjoyment 74:17, 74:23 enlarge 50:13 enlarged 68:2 enlarging 73:12 enough 28:14, 62:24, 105:18 ensure 94:8, 105:14 entailed 91:1 enter 30:24, 89:2, 89:4 entertain 72:7 entire 5:12, 42:17, 60:16, 60:18, 60:25, 61:11, 61:14, 61:21, 61:22, 64:23 entity 17:1, 20:25,</p>
--	---	---	---

22:15, 42:23, 85:14, 98:5 entrance 45:20, 62:6, 62:7, 62:10, 62:11, 91:15 environment 71:5 environmental 45:8, 51:24, 75:17, 75:19 envision 38:7 equipment 100:22 especially 5:25, 59:20 esquire 2:7 essentially 21:4, 84:10, 84:24, 85:14 establish 103:20 established 65:7 esthetically 100:22 et 14:9, 33:25, 76:2, 85:19 euclidean 64:24 evaluate 85:13, 90:12, 91:14, 91:17 evaluated 92:7 evaluating 82:6 evaluation 87:16, 92:13 even 35:21, 35:22, 57:7 evening 23:16, 91:19 event 22:9, 23:3,	26:22, 35:5, 35:22, 53:20, 86:22, 87:4 events 20:20, 20:23, 22:4, 23:2, 23:22, 24:2, 24:5, 25:15, 25:25, 26:23, 26:25, 27:4, 27:7, 27:9, 33:25, 34:4, 34:6, 39:6, 86:19, 86:25, 87:3, 87:8, 87:15 eventually 61:11, 61:24 ever 24:24, 25:10, 26:21, 31:13, 35:13, 53:20, 59:19, 74:11, 80:14, 82:5, 97:17 evergreens 32:3, 57:9, 57:11 everyone 6:25, 14:11, 29:10, 37:24, 50:15, 78:2, 83:14, 110:5 everything 7:12, 35:16, 47:2, 57:18, 106:4 evidence 5:21, 108:1 evidenced 37:10 evolution 38:6 evolved 21:24, 27:13 exact 58:25 exactly 85:17	exam 70:9 examination 107:22, 109:18 examine 7:23 excellent 83:22 except 16:1 exception 5:14, 14:21, 14:25, 17:6, 17:9, 17:11, 17:12, 17:22, 18:17, 20:10, 22:12, 24:13, 24:14, 27:13, 27:15, 27:25, 28:7, 28:17, 33:6, 33:19, 34:6, 36:18, 42:11, 42:18, 44:9, 44:12, 47:25, 49:2, 58:21, 62:13, 62:24, 66:20, 68:25, 69:8, 69:10, 69:14, 69:16, 69:17, 69:22, 71:15, 71:16, 72:11, 74:16, 74:20, 75:1, 75:9, 75:11, 75:13, 75:24, 76:12, 76:20, 76:25, 77:1, 77:7, 78:11, 81:16, 82:2, 82:7, 85:1, 87:18, 94:19, 94:20, 95:12, 98:7, 98:20, 98:23, 104:17, 108:3, 108:10, 108:14 exceptions 36:9, 42:19,	44:7, 66:12, 66:17, 66:22, 70:4, 71:21, 71:22 excited 37:21, 37:23, 38:19 excuse 46:4, 68:7, 92:17 executive 9:1, 17:15, 19:10 exempt 58:20, 76:24 exemption 42:21 exhibit 3:12, 3:13, 3:14, 3:15, 3:16, 3:17, 3:18, 3:19, 3:20, 3:21, 3:22, 3:23, 3:24, 3:25, 4:4, 4:5, 4:6, 4:7, 4:8, 4:9, 4:10, 11:8, 11:12, 11:13, 11:15, 11:16, 12:14, 12:25, 13:2, 14:8, 15:4, 15:10, 15:14, 28:23, 28:24, 29:22, 32:8, 33:4, 41:14, 43:1, 43:2, 43:4, 43:15, 43:18, 43:20, 44:20, 44:21, 44:25, 45:6, 45:11, 48:9, 48:15, 48:18, 50:3, 50:5, 50:14, 50:15, 51:6, 53:1, 53:5, 53:6, 56:3, 56:4,
--	--	--	--

56:6, 59:5, 63:23, 64:8, 64:15, 64:18, 67:8, 67:25, 68:2, 81:6, 82:22, 82:25, 83:5, 83:7, 83:12, 83:19, 84:2, 93:12, 98:7, 99:4, 101:3, 101:10, 102:17, 103:3, 104:25, 106:2 exhibits 11:5, 11:11, 11:19, 11:20, 14:10, 14:23, 15:1, 15:25, 16:9, 18:25, 48:5, 83:1 exist 94:2 existing 17:5, 18:22, 23:20, 43:21, 44:4, 44:16, 44:23, 45:9, 45:15, 48:18, 48:21, 49:13, 49:17, 49:18, 50:20, 52:16, 53:6, 57:15, 60:2, 61:5, 82:6, 84:10, 85:21, 86:12, 86:14, 87:5, 88:2, 88:9, 89:6, 89:25, 93:20, 100:13, 101:24, 101:25, 102:5, 106:16, 106:18, 106:25 exists 70:17 exit 30:24, 89:2, 91:7, 91:15, 91:17, 91:21	exiting 95:20 expand 32:15 expanded 60:25 expanding 23:19, 26:1, 33:1 expansion 16:6, 23:5, 23:9, 25:1, 26:2, 51:11, 85:23 expect 17:19, 35:4, 35:15, 65:5 expected 85:8 experience 75:22, 98:10 expert 41:16, 42:2, 42:5, 42:8, 80:15, 80:20, 81:1, 81:9, 81:12, 96:17, 97:17, 97:25, 98:14, 98:17 expertise 69:9, 94:1 explanation 43:13, 55:24 expressed 18:10 extend 34:2, 61:20, 102:11, 102:12 extending 61:16, 93:20 extension 30:17, 39:7 extent 16:6 extra 51:16, 52:19 extrapolate 85:22	extremely 24:9, 26:8, 30:25, 36:21 <hr/> F <hr/> f-a-r-i-a-s 19:9 f-o-s-t-e-r 9:6, 40:2 fabric 44:4, 72:22 face 72:19, 101:20 facilitate 94:15 facilities 38:5, 51:22, 52:2, 52:7, 55:22, 57:13, 75:25, 81:22, 81:24, 84:5, 94:2, 94:8, 95:1, 95:7, 95:16, 97:15 facility 17:23, 18:18, 22:21, 23:19, 23:22, 24:25, 26:7, 26:18, 27:24, 28:22, 29:6, 29:17, 29:20, 30:19, 30:24, 31:10, 34:21, 35:18, 35:19, 35:23, 38:16, 49:1, 52:10, 54:12, 55:10, 55:20, 57:11, 82:11, 94:16, 95:20, 103:16, 104:14 facing 30:22 fact 22:17, 24:6, 25:23, 27:3, 31:12, 36:19, 37:3, 58:21,	75:18 factor 92:24 faes 3:22, 17:2, 17:6, 17:11, 17:15, 17:19, 20:4, 20:14, 21:9, 21:19, 24:5, 25:18, 27:22, 32:18, 35:24, 43:22, 48:17, 51:16, 53:16, 56:20, 56:22, 57:3 faes's 35:8 faes-se 3:23, 3:24, 3:25, 4:4, 4:5, 13:10, 14:8 fairfax 97:21 fairly 46:17, 55:11, 56:7, 59:21, 94:2, 98:9 familiar 20:9, 27:18, 28:18, 42:11, 63:9, 66:7, 66:11, 66:15, 81:15, 82:2, 98:20 familiarity 69:8, 69:23 family 56:12, 72:17 far 44:12, 44:13, 74:12, 85:17, 92:4, 103:21 farias 3:5, 8:21, 8:24, 8:25, 17:14, 18:14, 19:3, 19:4, 19:6, 19:9,
--	---	--	--

19:17, 19:20, 19:25, 20:2, 20:6, 20:12, 20:16, 21:8, 21:11, 21:21, 21:24, 22:13, 23:10, 24:15, 24:18, 24:20, 24:23, 25:7, 26:12, 26:19, 27:2, 27:15, 28:9, 28:19, 29:10, 29:12, 29:18, 29:24, 30:4, 30:7, 30:10, 30:13, 31:22, 32:7, 32:10, 32:21, 33:7, 33:20, 34:2, 34:7, 34:10, 34:22, 35:3, 35:10, 36:4, 36:7, 36:12, 36:15, 36:19, 38:2, 38:22, 38:25, 39:3, 39:15, 39:16, 39:21, 40:15, 47:15, 48:2 farias's 43:13 farmer 65:12 fas 70:4, 70:22, 72:3, 74:12, 74:13, 85:14, 99:16 fauci 37:22 façade 99:19, 106:25 feasible 90:14 feature 6:22, 6:24 february 20:6	fed 27:11 feedback 82:14, 101:18 feel 37:9, 57:4, 72:22, 73:10, 110:4 feet 6:15, 23:11, 48:21, 48:22, 48:24, 49:4, 53:8, 55:10, 59:14, 59:17, 62:19, 62:21, 65:25, 66:5, 68:8, 68:15, 68:16, 68:17, 68:20, 103:11, 103:22, 104:10 fence 24:7, 32:4, 32:24 few 25:9, 56:16, 58:14, 58:23, 59:22, 66:24, 70:6, 70:8, 70:15, 72:15, 85:4 figuring 55:19 file 63:3 filing 62:25 filled 52:8 final 83:17, 84:21 finally 89:8 financial 20:8, 111:8 find 101:5, 101:13 finding 84:14, 90:20,	91:25, 94:22 findings 84:1, 88:6, 89:3, 89:22, 90:16 finish 7:9, 87:11 finished 7:11 fire 43:24, 76:1, 76:7, 88:12, 88:14, 88:18, 89:11, 89:13 firehouse 31:16, 31:17 firm 16:23 first 6:2, 8:21, 10:25, 11:2, 18:13, 19:1, 30:2, 48:7, 51:4, 54:6, 84:2, 99:13, 99:14 fit 66:6, 85:10 fits 62:17, 72:22 five 100:1, 104:9 five-minute 78:2 fixed 11:19 flat 100:17, 100:19 flavor 72:9 flexibility 35:24, 51:12 flip 29:18 floor 3:18, 16:18, 38:24, 39:2, 39:3, 40:13,	79:10, 98:25, 99:6, 99:14, 100:1, 100:3, 100:7, 100:9, 100:16 flow 17:2, 54:14 flowering 58:2 flowers 31:3 flowing 55:14, 55:15 flows 52:9, 52:13 focus 71:7 focused 85:15 focusing 65:19 foliage 32:2 folks 5:3, 8:9 follow 82:14 follow-up 106:25, 110:4 following 18:19, 109:3 food 27:5 foot 46:11, 53:7, 59:8, 59:11, 59:16, 59:17, 61:10, 65:4, 95:18, 95:21, 104:9 footage 23:11 footcandle 105:20 footcandles 105:16 footprint 100:13
--	--	--	---

for-profit 21:6 force 108:17 foregoing 111:2 forest 42:20, 45:7, 58:17, 58:18, 58:20, 58:22, 76:21, 76:24 forth 24:1, 87:9, 109:15 fortunate 62:24 forward 15:25, 19:8, 34:21, 72:19 found 92:7, 93:14 foundation 1:5, 9:2, 16:25, 19:10, 20:8 four 8:20, 25:18, 55:6 francis 22:18, 37:20 frank 8:25 free 110:4 frequent 23:22 frequently 22:17, 23:23, 24:6, 31:13 friday 1:14 friendly 106:7 front 12:1, 29:19, 30:3, 30:7, 30:8, 30:14, 30:22, 32:12,	46:4, 57:21, 57:22, 61:20, 65:4, 68:14, 71:3, 71:4, 72:20, 80:21, 93:20, 99:22, 99:23 frontage 46:8, 46:10, 46:11, 46:12, 49:21, 59:6, 59:7, 59:9, 59:15, 59:19, 60:1, 61:14, 61:17, 61:21, 61:25, 62:19, 67:2, 67:3, 68:7, 73:12, 75:20, 94:16, 95:19 frontages 46:14, 68:19 frugal 27:2 fsd 44:21 full 17:1, 78:22, 96:19, 103:13 fumes 75:2, 75:5 function 20:16, 100:10, 105:18, 106:16 functional 103:8 functions 20:15, 87:5, 100:6 further 18:8, 61:23, 74:2, 77:14, 77:16, 96:5, 106:23, 107:14, 109:17 future 54:16, 60:24, 65:9, 71:13	G g-u-t-s-c-h-i-c-k 9:10 gables 101:23, 102:4 gap 3:20, 82:18, 82:21, 90:24, 91:2, 91:13, 92:16, 93:11, 93:15 gaps 91:20, 91:22, 92:1 gates 46:19 gathering 100:11 gears 63:5 general 7:20, 18:15, 22:11, 29:14, 29:16, 69:7, 72:12, 72:14, 74:18, 75:15, 88:17, 102:6 generally 66:13, 83:25, 88:15 generate 84:15, 84:16 generated 52:4, 52:5, 86:4 generation 84:9, 85:6, 85:11, 85:13, 85:21, 85:25, 86:13 georges 41:21 georgetown 5:16, 17:8, 21:15, 25:23, 28:13, 30:23, 31:18, 43:17,	43:18, 45:11, 45:18, 45:20, 46:5, 46:7, 46:8, 46:16, 47:3, 47:11, 49:22, 50:18, 51:1, 55:18, 57:25, 58:6, 59:6, 59:8, 59:12, 60:17, 61:4, 61:6, 61:12, 61:19, 61:21, 62:5, 62:6, 62:19, 62:20, 64:19, 68:9, 71:4, 71:19, 78:12, 87:20, 87:21, 87:22, 88:25, 89:1, 89:6, 89:9, 89:10, 89:12, 89:16, 89:19, 90:5, 90:6, 90:22, 91:10, 92:18, 93:1, 94:5, 95:21, 96:20, 99:20, 101:20, 103:24, 104:6 getting 7:19, 73:22, 93:8 give 7:21, 11:1, 13:4, 16:16, 19:15, 27:5, 40:9, 48:13, 79:5, 85:16, 96:25 given 6:10, 7:18, 7:21, 8:3, 11:1, 23:23, 25:18, 46:24, 49:18, 57:2, 57:6, 91:9, 92:21 giving 7:24, 60:24
--	--	--	---

<p>glance 51:4 glare 75:3, 75:6 global 107:22 glw 9:7, 39:18, 39:25, 40:17, 42:16 go 8:7, 10:25, 12:1, 13:3, 13:7, 16:2, 16:12, 24:19, 29:14, 31:22, 45:5, 50:6, 51:5, 53:3, 54:20, 55:11, 55:20, 70:6, 72:25, 73:2, 73:6, 78:23, 86:18, 91:14, 99:13, 100:24, 101:13, 101:15, 106:2, 108:20 goals 70:14 goes 30:19, 61:7, 65:11, 71:1, 74:13 going 10:5, 10:8, 10:17, 10:22, 14:3, 14:7, 16:4, 17:25, 19:2, 26:3, 29:6, 31:1, 32:4, 33:20, 34:20, 35:17, 38:12, 38:17, 39:17, 43:1, 48:4, 48:22, 50:1, 50:7, 54:3, 57:8, 58:3, 59:23, 61:19, 63:5,</p>	<p>67:9, 68:23, 69:5, 73:8, 73:21, 74:7, 75:21, 78:9, 104:5, 109:21 gone 62:16 good 5:2, 8:24, 9:12, 9:16, 15:20, 19:4, 19:5, 19:6, 19:25, 20:2, 28:24, 38:4, 40:14, 40:15, 51:12, 56:7, 57:16, 58:4, 59:5, 64:2, 78:18, 79:12, 79:13, 96:18, 103:16, 110:5 goods 103:9 govern 18:17 government 22:15, 80:15 gray 50:17, 50:21, 59:25, 68:10 great 8:18, 9:24, 31:23, 37:6, 83:16 green 32:4, 50:25, 57:24, 64:22, 74:6 greenbelt 97:21 greenway 49:22 grew 109:7 ground 6:6 group 23:24, 31:11</p>	<p>grow 32:4 growing 17:24 grown 57:18, 93:2 growth 92:24 gtm 9:22, 10:14, 96:20, 97:8, 97:11 guess 60:14, 72:20, 90:8, 99:3, 100:24 guidelines 71:24, 84:7, 86:9, 87:10, 94:24, 95:6 gutschick 9:9, 40:4</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>habit 108:17 habits 109:9 hand 6:21, 6:22, 6:24, 7:3, 10:21, 19:13, 40:7, 45:13, 77:18, 79:3, 96:10, 96:23, 107:17 handicap 47:19, 47:20 handicapped 100:8 handle 100:2 hands 96:9 happen 7:13, 56:8 happening 29:15</p>	<p>happens 56:21, 72:5 happy 22:16, 27:10, 37:21, 72:7, 109:18 hard 31:2, 38:4, 38:5, 107:5, 109:9 harder 38:12 hardy 107:4, 107:7 harmony 72:12, 72:14, 72:24, 73:18 head 6:15 heading 54:2 health 20:17, 21:3, 22:15, 24:4, 27:17, 31:17, 75:14, 75:20 hear 6:9, 6:14, 17:25 hearings 1:1, 2:3, 5:5, 6:6, 41:18, 97:19 heaviest 91:18 heavily 59:21 height 68:20, 101:24, 101:25, 103:13 help 21:18, 22:16, 23:5, 24:4, 26:3, 26:25, 32:5, 32:23, 35:24, 95:2, 95:19 helped 71:5</p>
---	--	--	--

<p>helpful 8:15, 28:22, 64:1, 67:5, 70:7, 83:5, 99:11 here 5:14, 7:4, 8:7, 9:17, 9:25, 10:3, 12:6, 12:25, 30:2, 37:9, 37:10, 38:15, 57:7, 59:1, 60:16, 69:4, 72:15, 73:22, 77:17, 83:14, 94:3, 94:10, 101:13, 103:22, 107:16 hereby 111:2 herself 17:14 hi 9:5 high 70:16, 70:23, 70:24, 71:6 highlight 66:24 highway 62:8, 89:24 highways 60:21 hired 20:6, 81:20 historic 107:10 hit 28:15 hits 47:2 hitting 24:25 hold 23:15, 25:12, 33:2, 83:8, 87:3, 109:21, 109:22</p>	<p>holder 17:11, 17:12 holds 45:18 holiday 27:8, 27:9, 39:6 holidays 28:5 honor 19:7 hope 5:10, 28:1, 65:18, 110:5 hopefully 30:25 hoping 33:1 host 20:22, 22:22, 23:17, 25:17, 25:22 hosted 25:19 hosting 22:8 hotels 25:22, 26:1 hour 34:6, 84:16, 84:17, 85:25, 86:1, 86:2, 86:3, 86:10, 86:13, 86:15, 91:18 hours 26:10, 26:11, 26:16, 33:24, 34:2, 34:8, 34:14, 34:18, 34:19, 57:6, 84:12, 86:5, 86:15, 91:17 house 22:21, 23:12, 29:19, 30:14, 30:15, 30:20, 30:22, 31:4,</p>	<p>31:24, 33:8, 33:11, 33:14, 39:4, 43:21, 48:19, 48:21, 72:17, 99:16, 101:21 houses 21:15, 21:17, 56:12, 56:16 housing 21:1 howard 41:22 hug 23:20, 33:8, 48:20 hugging 33:10 humbly 25:1 hundreds 28:20 hurt 37:23 hvac 100:21, 100:22 hybrid 34:17</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>i-c-k 8:20 icons 6:19 idea 15:20, 99:5, 99:19, 102:11 ideal 90:1 identification 8:23, 83:24, 104:14 identified 17:14, 34:18, 71:9, 81:6, 82:21, 82:25, 98:7, 99:11, 101:10, 101:11,</p>	<p>108:8 identify 8:5, 8:12, 9:4, 10:2, 10:6, 10:10, 10:19 illustrate 70:8 image 31:19, 31:23, 31:25 imagine 35:7, 39:4 immediate 44:7, 94:21, 106:14 impact 73:9, 74:9, 74:16, 75:13, 75:16, 76:6, 80:2, 82:6, 84:19, 84:22, 94:25 impacted 58:12, 88:24 impacting 58:23 impacts 16:7, 59:2, 72:21, 76:4 implement 104:18 implemented 88:5, 94:10, 95:1 importance 72:1 important 22:4, 26:8, 27:7, 36:22, 72:3, 72:4, 73:25, 88:11 improve 26:3, 74:4, 95:12 improved 61:22, 75:20 improvements 44:16, 46:25,</p>
---	--	--	---

<p>48:17, 49:25, 56:10, 60:7, 70:21, 75:21, 75:22 improving 75:21 inc 16:25 include 12:9, 21:3 included 93:11, 93:12 includes 22:7, 27:19, 42:17, 88:14 including 27:9, 31:13, 61:22, 66:8, 69:7, 72:25, 75:25, 80:23, 82:10, 91:12, 94:4, 106:11 incorporated 23:1 increase 53:9, 65:8, 65:15, 75:10, 87:14 increased 35:7 incubator 38:13 indeed 37:25 indicate 77:19, 107:17 indicated 13:8 indicates 65:2 indicating 10:7 indication 10:7, 13:8, 96:10, 104:11 individual 100:12 individuals 22:1, 25:8,</p>	<p>25:13, 25:14, 25:16, 25:19, 35:22 industry 38:13 infiltrate 52:5 initial 55:11 initially 92:8 initiatives 20:25 inside 20:17, 21:2, 21:12, 33:15, 45:17 inspection 28:17, 44:14, 82:1 installation 58:16 institute 28:11, 41:3, 98:3 institutes 20:17, 22:15, 31:17 institution 36:22 instrument 102:4 insurance 21:3, 21:4 intend 12:14 intended 99:16, 100:10, 100:18, 102:6, 104:3 intensity 73:5, 73:19, 73:20, 75:10, 94:20, 103:16, 106:13 intent 101:23 intention 70:19</p>	<p>intentionally 103:7 interactions 8:2 interest 22:2, 23:8, 111:7 interested 16:5, 16:13, 90:5, 108:10 interesting 56:17 interfacing 42:23 interim 60:22 internal 50:25, 51:13 interrupt 48:25, 58:8, 67:4 interrupted 54:1 interrupting 29:13 intersection 60:3, 60:5, 60:7, 60:11, 60:16, 60:19, 60:22, 60:25, 61:18, 61:22, 64:19, 89:6, 91:10, 91:12, 94:13 intersections 60:9, 60:10, 93:8, 93:10 intricate 94:2 introduce 8:11, 8:22, 12:14, 16:15, 43:1 introduced 14:23, 15:2, 15:14 introducing 15:11</p>	<p>introduction 5:24 inventory 42:20, 45:7, 45:9, 58:17 invest 22:25 involved 93:22, 93:23, 93:25, 94:12 involvement 82:9, 94:18 islands 105:12 issue 6:23, 7:2, 65:18, 92:3, 92:4 issued 108:24 issues 11:3, 43:7, 54:15, 89:5, 91:9, 102:25 ite 85:6, 85:11 item 11:13 itemized 77:9 items 19:2 iterations 83:4 itself 27:13, 30:1, 30:20, 30:24, 30:25, 31:25, 33:14, 49:11, 102:2, 107:10</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>job 1:23 join 23:24 jumps 51:19</p>
--	---	--	--

jurisdictions 41:20, 80:23 <hr/> K <hr/> k-e-v-i-n 9:5, 40:2 k-o-n-a-p 9:20 k-o-n-a-p-e-l-s-- k-y 9:21 keep 13:11, 14:4, 31:2, 33:8, 38:5, 53:22, 99:22 keeping 15:3, 62:10, 106:16 kept 73:15 kevin 3:6, 9:3, 9:4, 9:5, 13:16, 13:19, 17:15, 39:18, 39:25, 40:1, 43:3, 93:18, 93:23, 94:3, 94:13 kids 6:15 kind 7:1, 7:16, 12:19, 30:8, 33:7, 33:10, 33:15, 57:7, 57:10, 80:13, 84:17, 85:3, 86:18, 87:11, 93:7, 103:15, 108:20 kinds 56:23 kitchen 100:5, 103:9 knights 31:10, 37:16, 43:25, 44:8,	65:1 know 11:4, 24:8, 35:13, 36:21, 37:7, 44:12, 44:13, 47:23, 48:5, 54:2, 59:22, 71:1, 71:17, 72:2, 74:19, 80:2, 83:6, 94:1, 95:21, 99:11 knowledge 69:6 known 82:18, 84:9 knows 37:22, 37:24 konapalsky 3:12 konapelsky 3:8, 9:15, 9:16, 9:17, 9:20, 10:12, 10:14, 17:18, 18:23, 96:17, 96:18, 96:19, 97:2, 97:5, 97:7, 97:13, 97:20, 98:1, 98:8, 98:12, 98:14, 98:19, 98:21, 98:24, 99:6, 99:13, 101:1, 101:16, 101:19, 102:17, 102:21, 103:6, 104:19, 104:25, 105:3, 105:6, 105:11, 106:15, 106:22, 107:3, 107:12 <hr/> L <hr/> l-e-n-h-a-r-t 9:14 l-i-t-t-l-e 9:10	labeled 48:17 lack 7:13 laid 100:23 land 17:16, 40:17, 40:19, 40:23, 41:3, 63:4, 71:9, 85:7, 85:11 landscape 12:17, 12:19, 17:16, 40:3, 40:17, 40:18, 40:23, 41:1, 41:2, 41:5, 41:11, 42:3, 42:5, 42:8, 42:19, 51:15, 52:8, 56:7, 57:9, 58:4, 71:24, 104:5 landscaping 31:2, 45:22, 49:20, 49:22, 51:2, 53:24, 57:11, 57:23, 70:21, 71:4 lane 43:19, 43:24, 45:12, 45:18, 45:20, 46:16, 47:4, 50:17, 52:15, 58:7, 60:17, 61:3, 61:6, 61:8, 61:10, 61:13, 61:20, 61:24, 62:4, 62:11, 64:20, 87:24, 88:24, 89:3, 89:4, 89:7, 89:15, 90:13, 91:6, 91:17, 91:22, 92:2, 92:5, 92:18,	93:2, 93:16, 93:20, 94:15, 104:8 lanes 32:17 lap 107:7 laptops 100:12 large 26:2, 30:25, 32:1, 54:9, 71:9 larger 27:4, 68:9, 73:22 largest 25:10 larry 9:21 last 5:10, 9:15, 9:18, 11:5, 12:25, 14:24, 20:20, 37:11, 56:16 lastly 18:23 later 82:18 law 16:22, 104:5 lawn 45:22 layers 58:1 layout 99:1 lead 42:23, 90:8 leadership 23:25, 37:19 leads 93:24, 103:15 learned 109:7 lease 28:10, 32:13 leased 28:9
---	--	---	---

Transcript of Hearing
Conducted on May 7, 2021

49

<p>leasing 28:7, 28:14 least 106:25 leave 55:2, 85:18 leaving 84:12, 91:24, 92:2, 92:4, 104:13 left 31:7, 31:24, 43:19, 45:17, 47:5, 48:23, 51:22, 64:21, 87:23, 100:3, 103:24 legal 78:22 legs 78:3 lenhart 9:13, 78:24, 79:20, 79:23, 79:24 lerch 2:8, 16:23 less 84:16, 86:15 let's 12:25, 14:2, 53:3, 78:4, 99:3, 101:4 level 56:22, 57:6, 90:11 licensure 41:9, 41:10, 80:7, 97:24 life 70:17, 70:24 light 50:17, 64:22, 105:14, 106:5 lighting 3:21, 99:1, 104:23, 105:4, 105:18, 105:24,</p>	<p>106:1, 106:2, 106:3, 106:6, 106:11 lights 60:13, 105:12, 106:1 likely 15:14, 35:14, 95:22 limit 8:1 limitations 22:16, 23:23 limited 23:4, 24:10, 25:15, 58:16, 87:12 limiting 25:21 line 5:9, 10:9, 39:20, 49:17, 62:17, 96:7, 104:1, 105:16, 105:21, 105:25, 110:3 lines 105:15 list 8:7, 10:8, 10:18, 11:8, 11:12, 11:16, 45:2, 82:22 listed 8:10, 11:11, 34:15, 45:2, 68:3 listen 5:20, 10:4 lists 12:8 little 7:14, 7:16, 9:9, 17:2, 30:17, 30:18, 32:25, 33:15, 34:17, 34:20, 36:11, 39:13,</p>	<p>40:4, 51:15, 52:7, 53:5, 57:5, 60:6, 62:8, 73:13, 73:24, 90:25, 105:12, 107:7 live 6:11, 7:15 ln 104:12, 104:15 lobby 33:16 local 52:18, 56:14, 75:18, 82:12, 84:7, 86:8, 94:24, 95:5, 106:7 located 5:16, 5:17, 17:7, 21:1, 21:12, 25:20, 40:4, 43:17, 45:22, 52:17, 55:7, 55:22, 77:4 location 21:13, 21:16, 23:5, 24:6, 24:9, 32:22, 33:24, 43:12 logged 8:8, 10:1, 10:18, 96:8 login 35:22 long 20:3, 22:14, 40:16, 46:1, 46:13, 53:19, 53:23, 74:13, 79:14, 97:5 longer 32:13, 54:14, 109:9 longfellow 93:24 longhand 7:4</p>	<p>look 7:4, 31:1, 32:25, 44:22, 47:21, 48:17, 49:12, 51:4, 54:22, 55:14, 55:16, 56:9, 71:17, 83:15, 85:24, 85:25, 86:3, 86:19, 88:1, 88:23, 90:13, 91:19, 100:15, 102:6, 107:8 looked 61:16, 74:1, 103:19 looking 19:8, 30:14, 32:16, 33:9, 45:14, 51:19, 53:16, 54:6, 55:19, 56:18, 57:24, 71:15, 81:4, 89:15, 93:7, 107:4 looks 6:20, 10:8, 13:4, 14:5, 49:12, 50:9 lot 16:12, 20:21, 30:20, 30:25, 32:2, 32:12, 35:16, 35:21, 35:23, 36:24, 38:11, 38:18, 43:22, 45:17, 48:24, 49:11, 49:16, 49:17, 49:20, 50:2, 50:16, 50:20, 50:21, 50:23, 51:2, 52:1, 53:9, 56:10, 57:23, 59:2, 61:16, 65:21, 66:3, 66:25,</p>
---	---	---	--

67:1, 68:5, 68:6, 68:7, 72:18, 73:13, 85:16, 99:24, 105:24, 106:3, 106:4 lots 73:15 loud 6:14 love 39:11 lovingly 23:19 low 73:15, 106:1 lower 50:14, 90:11, 101:24, 103:24	34:11, 46:6, 49:6, 67:10, 82:20, 86:7, 89:18, 109:2 makes 13:11, 62:9 making 12:2, 60:7, 64:7, 95:3 management 42:21, 46:22, 47:2, 51:20, 51:24, 52:1, 54:11, 54:12, 75:19, 76:15 manicured 38:6 manner 91:8, 109:4 manual 85:6, 85:7, 85:11 many 15:19, 15:20, 27:9, 27:23, 35:22, 39:9, 39:10, 46:2, 50:10, 55:22, 57:15, 84:11, 85:18, 92:1 map 3:16, 63:20, 63:24, 64:16 maplewood 36:25, 37:6, 37:12 march 83:11 marked 43:4, 47:20, 56:3, 67:25 martin 2:16 maryland 1:2, 1:13, 2:11, 5:17, 5:18, 17:8, 19:21, 40:5,	41:2, 41:9, 41:10, 41:12, 64:16, 72:6, 78:12, 79:1, 89:6, 89:24, 92:18, 94:14, 96:21 master 49:24, 57:24, 59:13, 60:8, 61:3, 62:21, 63:7, 63:10, 63:12, 63:15, 63:16, 64:3, 69:23, 70:1, 70:3, 70:5, 70:12, 70:13, 71:11, 71:17, 72:10, 90:10, 93:21 masters 40:25, 98:1 match 107:5 matching 102:4 material 102:5, 104:3, 107:1 materials 73:16, 83:24 math 49:6 matter 72:6 mature 58:11 maximum 21:25, 25:18, 62:20, 66:5, 67:1, 68:5, 68:20, 86:21, 86:22, 87:14 maybe 13:15, 32:10, 63:23, 70:8, 102:19, 103:18 mean 24:15	means 5:20, 51:25 meant 99:20, 104:11 media 52:8 median 87:22 medical 56:14, 72:2 meet 6:7, 24:3, 24:6, 49:24, 50:2, 53:15, 53:23, 68:13, 84:20, 87:9, 105:17, 105:20 meeting 23:21, 36:5 meetings 24:5, 25:12, 27:7, 37:19, 103:23 meets 108:3 member 7:8, 18:11, 22:5, 26:20, 36:23, 38:5, 41:4, 41:5, 98:3, 98:4 members 22:3, 22:6, 22:7, 26:21, 26:24, 27:3, 27:10, 35:4 membership 21:19, 21:22, 22:2, 22:3 memory 108:20 mention 54:5, 57:22, 87:11, 87:12 mentioned 10:24, 16:1, 20:24, 23:12, 25:7, 32:13,
M			
ma'am 19:13 made 5:12, 28:2, 28:16, 30:17, 30:18, 44:14, 74:21, 82:1, 107:1 maintain 71:24, 100:14 maintained 101:21 maintaining 88:22 major 1:5, 49:10, 51:18 majority 21:11, 22:22, 23:15, 26:12, 44:5, 54:10, 86:5, 87:1 make 6:8, 12:6, 15:16, 15:20, 17:2, 17:3, 32:5, 33:15,			

33:7, 35:6, 37:20, 54:6, 56:2, 65:21, 86:23, 102:14 met 94:11, 105:14 mews 31:8, 32:1, 32:3, 37:14, 44:2, 47:5, 54:2, 54:8, 54:14, 54:23, 55:17, 56:11, 56:13, 56:25, 104:4 mews's 56:20 microbio 51:22, 55:6 microbios 55:8 microsimulation 80:4, 92:13, 93:6 microsoft 6:2 middle 6:18, 50:19, 64:18, 86:6, 100:19 might 28:22, 28:24, 34:12, 48:11, 59:5, 82:7, 99:4, 99:6 mind 67:9 minimize 100:21 minimum 65:4, 65:22, 65:23, 66:1, 66:3, 66:4, 68:6, 68:10, 68:11, 68:14 minimums 67:2, 68:10 miscellaneous 100:5	missed 89:14 mission 72:3 mitigation 16:8, 16:11, 58:13, 58:24, 59:2 mod 14:21 modern 62:7 modernize 17:24 modest 39:9 modification 1:5, 4:8, 5:14, 12:18, 14:5, 14:25, 15:7, 17:20, 17:22, 18:16, 24:14, 28:7, 49:9, 51:10, 62:13, 62:24, 63:7, 75:4, 78:11, 94:19, 95:5, 95:12, 108:3 modifications 70:4, 74:24 modified 92:24 modify 5:15, 17:5 molly 1:25, 111:2, 111:12 momentarily 43:6 monday 23:16, 26:13 montgomery 1:2, 2:2, 5:4, 5:17, 32:16, 36:23, 38:9, 38:18, 41:17, 59:13, 64:24, 66:8, 72:5,	76:19, 80:15, 80:22, 82:15, 89:23, 97:18, 97:20 monthly 37:18 more 7:14, 7:17, 10:4, 22:19, 23:2, 23:6, 23:17, 23:22, 32:22, 33:15, 33:22, 34:3, 34:20, 35:8, 35:23, 38:7, 38:9, 48:20, 70:9, 72:8, 73:13, 84:19, 90:25, 95:3, 95:16, 95:22, 103:14, 107:6, 107:7, 107:22 morning 5:2, 8:24, 9:12, 9:16, 11:5, 12:7, 16:21, 19:4, 19:5, 19:6, 19:25, 20:2, 40:14, 40:15, 78:18, 79:12, 79:13, 91:18, 96:18, 101:6 most 23:13, 26:20, 27:2, 27:5, 35:14, 39:6, 46:25, 55:9, 73:23, 83:6, 83:17, 88:11, 105:23 mostly 47:3 mounted 106:4 mouthful 84:17 move 10:23, 15:24,	49:19, 56:3, 81:8, 98:13 moved 42:4, 49:14 movement 89:19, 92:16 moving 30:2, 72:18, 78:14, 91:3 much 7:16, 9:25, 16:20, 19:7, 19:8, 19:13, 19:24, 20:16, 32:23, 38:20, 40:13, 55:13, 55:19, 64:22, 79:9, 84:10, 97:4, 100:19, 103:16, 106:15, 109:6, 109:8, 109:20 multiple 25:3, 33:2, 41:19 musical 20:23 myers 37:1 <hr/> N <hr/> n-e-i-l 8:20 n-i-c-k 9:12 name 5:3, 5:10, 5:19, 8:14, 8:16, 8:19, 8:24, 9:18, 16:16, 16:22, 17:1, 19:9, 40:1, 78:19, 78:22, 96:18, 96:19 national 20:17, 22:15, 28:11, 31:17,
--	---	--	--

<p>40:5, 64:16 natural 42:20, 45:6, 58:17 naturally 57:10 nature 86:17, 86:24, 94:20, 103:12, 106:12 ncarb 98:5 nci 28:11, 32:13 nearby 95:6 nearly 92:1 need 6:23, 7:6, 10:6, 12:21, 12:22, 13:14, 22:5, 26:21, 29:14, 31:13, 32:23, 37:9, 78:21 needed 50:3, 53:16, 90:16 needs 6:12, 17:24, 53:16, 53:18 negative 72:21 negligible 84:24 neighbor 31:9, 53:21 neighborhood 57:5, 57:17, 72:12, 72:14, 72:16, 72:23, 74:12, 74:18, 94:21, 102:2, 104:7, 106:14, 106:18 neighbors 28:13, 53:21,</p>	<p>100:21 neither 111:6 net 35:20, 53:2, 86:13 network 24:4, 84:23 never 62:16 new 31:8, 35:1, 35:19, 38:16, 44:2, 50:7, 50:22, 51:23, 52:3, 53:2, 56:10, 73:4, 84:16, 85:1, 93:1 next 54:4, 62:25, 73:13, 78:17, 96:15, 106:2 nic 78:17, 78:23 nice 31:2, 32:3, 32:11, 32:15, 39:13, 57:9 nicholas 78:23 nick 3:7, 9:11, 9:12, 17:17, 78:19 night 11:5, 106:6 nih 20:18, 20:20, 20:21, 21:2, 21:4, 21:5, 21:12, 21:17, 22:18, 22:23, 23:22, 23:24, 23:25, 24:2, 24:7, 24:10, 25:20, 26:1, 27:5, 27:19,</p>	<p>28:12, 32:24, 35:25, 37:18, 37:19, 38:13, 46:18, 46:19, 72:4, 85:14 nih-ers 39:10 nine 20:7 noise 6:8, 6:9, 6:14, 32:6, 56:22, 100:21 noises 75:2, 75:5 non-approval 108:9 none 10:22, 77:21, 107:18 nonprofit 21:6, 21:8 nonresidential 31:5 normal 92:23 north 19:22, 37:15, 44:2, 44:3, 60:3, 61:7, 64:19, 87:22, 103:7, 103:10, 104:5, 104:7, 105:22, 105:25 note 11:19, 18:4, 18:8, 18:9, 60:4, 89:9, 92:6, 92:21 noted 11:10, 11:18, 16:5, 95:14 notes 7:3 nothing 19:16, 40:10, 79:6, 97:1 notice 95:23</p>	<p>nri 44:20, 44:21 number 6:2, 6:7, 11:13, 12:3, 12:8, 12:25, 13:8, 13:17, 14:6, 14:7, 14:16, 14:24, 16:5, 16:8, 20:10, 24:16, 33:4, 44:21, 44:25, 45:25, 47:22, 53:14, 53:17, 55:7, 58:25, 64:8, 70:16, 70:24, 71:16, 73:2, 74:8, 75:10, 80:23, 85:8, 86:4, 87:7, 91:20, 91:22, 92:2, 98:20, 99:21, 101:3, 103:4 numbered 13:20, 14:4 numbers 25:5 numerous 95:17</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>objectionable 75:2, 75:5 objective 23:1 objectives 18:15 observe 10:4 obviously 57:1, 72:15, 73:7, 76:5, 89:1 occasion 25:16 occasional 26:15</p>
---	---	--	--

<p>occasions 41:19 occupancy 24:15, 24:18, 24:24, 85:1 occupants 87:7, 87:8, 87:13, 87:15 occupation 24:13, 24:20, 78:20 occur 22:5, 22:23, 35:1, 86:22, 92:23 occurred 74:12, 94:5 occurring 50:17 occurs 52:6 october 18:4 odors 75:2, 75:5 offered 32:22 office 1:1, 2:2, 5:4, 6:2, 6:4, 11:9, 39:7, 41:17, 56:14, 97:18, 100:11, 108:24 officer 2:4 officers 27:18, 27:21, 27:23 offices 21:9, 21:12, 40:4, 99:16 official 63:20, 63:24, 64:16 often 54:8 oh 28:9, 28:19,</p>	<p>31:19 okay 11:18, 12:16, 12:24, 13:22, 13:25, 14:2, 14:10, 14:13, 15:7, 15:15, 29:10, 30:9, 31:19, 31:23, 32:11, 39:14, 45:5, 47:8, 47:15, 48:15, 54:19, 65:2, 67:12, 67:15, 68:1, 83:16, 101:12, 108:18 old 5:16, 17:7, 21:14, 25:23, 26:9, 28:13, 30:22, 31:16, 31:18, 43:17, 43:18, 45:11, 45:18, 45:20, 46:5, 46:7, 46:8, 46:16, 47:3, 47:11, 49:18, 49:22, 50:18, 51:1, 51:25, 55:18, 57:24, 57:25, 58:6, 59:6, 59:7, 59:12, 60:17, 61:4, 61:6, 61:12, 61:18, 61:21, 62:4, 62:6, 62:19, 64:19, 68:8, 71:4, 78:12, 87:20, 87:21, 87:22, 88:25, 89:1, 89:6, 89:9, 89:10, 89:12, 89:15, 89:19, 90:4, 90:6, 90:22, 91:10, 92:18, 93:1,</p>	<p>94:5, 95:21, 96:20, 99:20, 101:20, 103:24, 108:12, 109:9 on-site 52:14 once 63:2 one 6:7, 6:20, 7:10, 10:9, 11:10, 12:14, 13:3, 13:5, 14:14, 16:5, 22:1, 22:22, 23:15, 23:17, 25:3, 26:19, 27:4, 28:12, 30:23, 31:1, 31:6, 32:25, 36:10, 36:19, 38:23, 44:24, 45:8, 46:20, 47:19, 48:7, 48:13, 49:10, 51:21, 54:5, 55:2, 57:17, 61:7, 61:18, 62:4, 70:16, 71:12, 73:6, 83:3, 83:8, 87:25, 88:11, 88:16, 88:20, 89:3, 101:13, 104:9, 105:5, 106:24 ones 16:1, 34:15, 77:8 online 38:12 only 8:2, 22:22, 23:15, 23:17, 31:5, 31:6, 31:9, 32:25, 36:22, 38:2, 38:8, 57:19,</p>	<p>62:11, 70:21, 90:13, 91:7 onuegbu 2:16, 5:10 open 12:6, 26:13, 27:9, 38:18, 50:7, 53:23, 90:22, 92:10, 109:21, 109:22 opening 3:3, 7:22, 11:1 operate 21:10, 91:8, 93:17 operated 74:14 operates 61:19 operating 88:4 operation 26:11 operational 20:8, 33:18, 92:3 operations 18:17, 25:5, 33:20, 34:1, 34:20, 80:1, 80:11, 84:4, 86:7, 86:10, 88:2, 88:12, 88:23, 93:8 opinion 66:19, 69:25, 70:5, 72:13, 74:16, 75:8, 77:6, 94:19, 95:4, 95:11, 106:10 opportunity 7:18, 7:21, 8:3, 11:1, 11:8, 16:2, 17:21, 37:19, 38:18 opposed 46:15, 47:10</p>
---	--	--	---

<p>options 7:5</p> <p>order 13:9, 13:11, 13:14, 14:4, 14:22, 14:23, 18:19, 27:3, 52:17, 87:8</p> <p>ordinance 18:2, 18:3, 66:8, 66:12, 66:16, 69:7, 69:18, 84:13, 103:20, 108:4, 108:12</p> <p>organization 17:25, 20:5, 21:7, 21:20, 21:23, 22:4, 22:14</p> <p>organized 13:24</p> <p>oriented 45:10, 99:20</p> <p>original 59:2, 99:15, 104:4, 108:17</p> <p>originally 17:10, 46:25, 49:15, 51:3, 56:14, 74:21, 99:15</p> <p>other 6:17, 9:25, 12:14, 14:14, 16:14, 16:18, 19:2, 41:20, 44:16, 49:9, 51:18, 73:14, 80:8, 80:23, 88:22, 89:8, 93:15, 96:7, 96:10, 97:19, 100:3</p> <p>others 77:8, 80:24, 93:14</p> <p>otherwise 10:21, 33:23,</p>	<p>77:19, 107:17, 109:25, 111:8</p> <p>out 9:7, 21:10, 25:13, 30:17, 37:14, 49:15, 49:18, 51:15, 51:19, 55:4, 55:19, 56:9, 59:19, 61:9, 61:11, 62:17, 71:12, 73:3, 73:14, 87:6, 87:20, 87:21, 87:23, 91:14, 100:10, 100:23, 102:11, 102:12, 103:17, 105:22, 108:17</p> <p>outcome 111:8</p> <p>outdoor 51:12</p> <p>outlined 43:16, 82:11, 84:6, 86:8</p> <p>outreach 18:11, 36:16</p> <p>outside 24:7, 26:24, 32:24, 104:17</p> <p>over 16:14, 16:18, 17:11, 20:20, 21:24, 22:1, 23:2, 23:6, 26:4, 27:13, 28:2, 38:14, 40:22, 43:3, 53:9, 57:18, 60:4, 64:25, 78:15, 82:8, 85:17, 89:11, 107:20, 109:18</p> <p>overall 13:17, 73:9, 99:24, 104:10</p> <p>overarching 70:14</p>	<p>overlap 68:24</p> <p>overlay 65:2, 65:7, 65:17</p> <p>overly 92:12</p> <p>own 55:4</p> <p>owned 74:14</p> <p>ozha 78:10</p> <hr/> <p>P</p> <hr/> <p>p-a-t-r 8:19</p> <p>package 13:16, 13:17, 42:17</p> <p>pad 47:10, 47:13, 47:14</p> <p>page 3:2, 3:11, 4:3, 12:7, 15:18, 70:12, 70:13, 71:18</p> <p>pages 1:24</p> <p>pan 60:4</p> <p>parcel 62:15, 68:17</p> <p>parcels 65:8</p> <p>park 13:20, 60:20, 64:16, 79:1, 82:15, 83:18, 84:21, 85:12, 86:18, 89:22, 90:9, 90:19, 91:4, 93:13, 94:7</p> <p>parking 28:3, 28:8, 28:14, 31:13,</p>	<p>31:14, 32:12, 43:22, 44:1, 45:17, 45:19, 47:16, 47:17, 47:21, 47:22, 48:24, 49:10, 49:11, 49:16, 49:17, 49:20, 50:2, 50:3, 50:16, 50:18, 50:20, 50:21, 50:22, 50:23, 51:2, 52:23, 53:7, 53:9, 53:12, 53:14, 53:15, 53:18, 53:21, 56:10, 72:18, 73:6, 74:2, 74:3, 74:4, 74:5, 74:6, 80:3, 88:13, 95:9, 99:24, 105:20, 106:3, 106:4</p> <p>parlance 86:2</p> <p>part 12:13, 15:11, 32:22, 41:14, 44:4, 45:7, 46:7, 47:6, 49:8, 49:19, 51:9, 52:19, 52:20, 55:16, 55:17, 58:17, 59:1, 61:9, 62:16, 67:5, 71:3, 72:4, 72:16, 76:24, 85:23, 88:1, 88:12, 92:15, 93:22, 94:5, 95:15, 98:6, 104:21</p> <p>participant 6:10, 96:7</p> <p>participants 9:25</p>
---	--	---	---

<p>participating 7:1, 77:17, 107:16</p> <p>particular 7:2, 7:5, 12:9, 13:9, 23:8, 24:9, 46:20, 101:16</p> <p>particularly 16:5, 16:13, 56:9, 94:12</p> <p>parties 7:17, 7:20, 8:6, 86:24, 111:7</p> <p>partnered 27:23</p> <p>partnerships 38:11</p> <p>party 7:21, 27:8, 27:10, 39:6, 108:10</p> <p>passing 91:15</p> <p>past 41:18</p> <p>path 46:12, 59:8, 59:9, 59:17, 60:2, 95:3, 95:18, 95:22</p> <p>patio 51:10, 51:16, 58:16, 105:20</p> <p>patrick 2:7, 8:14, 8:19, 16:22, 85:23</p> <p>paul 9:21, 96:19</p> <p>pause 30:10</p> <p>paved 60:15</p> <p>pavement 53:1, 53:2</p> <p>paving 50:20, 59:18,</p>	<p>61:9</p> <p>pe 80:10</p> <p>peaceful 74:16, 74:22</p> <p>peak 25:17, 84:12, 84:16, 84:17, 85:25, 86:2, 86:3, 86:4, 86:10, 86:13, 86:15, 91:17</p> <p>pedestrian 46:18, 47:10, 60:24, 71:5, 75:21, 95:7, 95:13</p> <p>pedestrians 58:5, 58:7, 59:16, 59:18, 60:12, 62:9, 95:2, 95:17, 95:23</p> <p>penalties 19:14, 40:9, 79:4, 96:24</p> <p>pennsylvania 80:12</p> <p>people 23:14, 24:25, 25:10, 25:25, 35:21, 38:14, 53:21, 59:22, 84:11, 85:17, 100:2, 109:8</p> <p>percent 53:9, 67:1, 68:5, 68:10, 68:11</p> <p>percolates 52:9</p> <p>perhaps 71:7, 77:9</p> <p>perimeter 51:17, 51:20</p> <p>period 73:24</p> <p>perjury 19:15, 40:9,</p>	<p>79:5, 96:24</p> <p>permit 104:20, 104:21</p> <p>permitting 76:19</p> <p>perpetuate 70:16</p> <p>person 7:11, 22:8, 84:16, 84:18, 86:16</p> <p>personal 28:17, 44:14, 82:1</p> <p>perspective 30:13, 84:23, 108:1</p> <p>pertaining 82:10</p> <p>pertains 81:24</p> <p>pet 6:13</p> <p>petition 17:5, 18:2</p> <p>petitioner 8:15, 17:13, 18:14</p> <p>phone 2:12, 6:2</p> <p>photo 29:15, 29:16, 32:9, 33:4</p> <p>photograph 30:2, 30:3, 30:6, 30:14, 30:16, 31:7, 43:15</p> <p>photographs 28:24, 30:1</p> <p>photometric 3:19, 105:2, 105:5, 105:6, 105:13</p> <p>photos 3:15, 29:6, 29:7, 32:8</p> <p>physical 7:3, 54:22,</p>	<p>75:3, 77:18, 96:9</p> <p>physicians 27:20</p> <p>pick 55:15</p> <p>picture 32:11</p> <p>piece 52:19, 59:10</p> <p>pieces 105:13</p> <p>pike 46:16</p> <p>piped 54:13</p> <p>pitched 100:17</p> <p>place 17:9, 36:11, 64:3, 92:22, 103:20</p> <p>plan 3:17, 3:19, 11:15, 12:19, 18:13, 32:15, 45:9, 45:10, 45:14, 45:23, 46:1, 48:5, 48:9, 48:13, 48:16, 49:13, 49:24, 51:5, 51:19, 52:25, 54:3, 54:6, 56:7, 57:2, 57:24, 58:19, 58:24, 59:13, 60:8, 61:3, 62:2, 62:21, 63:1, 63:3, 63:7, 63:10, 63:12, 63:15, 63:16, 64:4, 69:23, 70:1, 70:3, 70:6, 70:12, 70:13, 71:11, 71:17, 71:19, 72:10,</p>
---	---	---	--

<p>76:16, 76:17, 76:18, 76:22, 76:25, 77:2, 77:5, 90:10, 93:21, 98:25, 99:7, 99:14, 100:1, 100:3, 100:15, 100:16, 101:17, 105:2, 105:5, 105:6, 105:10, 105:13 planet 109:7, 109:8, 109:9 planned 8:21, 94:3 planner 17:16, 40:17, 40:19, 40:23, 41:3, 79:15 planners 41:4 planning 11:25, 12:12, 13:2, 13:21, 18:5, 18:6, 22:19, 36:3, 38:15, 40:3, 41:6, 41:23, 42:3, 42:5, 42:8, 42:24, 60:20, 64:16, 70:18, 70:25, 73:22, 80:22, 81:3, 81:10, 81:13, 82:15, 83:18, 84:21, 85:12, 86:18, 88:13, 89:23, 90:9, 90:19, 91:4, 93:14, 94:1, 94:7, 95:9, 109:15, 109:16 plans 3:18, 14:1, 16:2, 35:8, 37:7, 38:10,</p>	<p>38:12, 42:19, 42:21, 45:8, 58:18, 104:23, 104:24, 106:10, 106:11, 106:12 planted 32:3, 57:10 planting 52:8, 56:24 plat 63:3 platform 6:1 play 65:17 played 92:13 playing 6:15 please 6:4, 6:7, 6:24, 7:8, 7:10, 8:1, 8:12, 9:8, 19:13, 19:18, 22:11, 28:21, 30:11, 40:7, 41:10, 43:11, 50:12, 77:18, 78:19, 79:3, 80:6, 80:18, 96:15, 96:23, 107:17, 110:4 pleased 17:21, 18:9, 33:13 pleasure 16:23 plenty 32:13 plus 58:3, 65:1, 104:4 pluto 109:7, 109:8 pm 86:3, 86:10, 86:14 point 16:21, 17:4,</p>	<p>18:10, 22:1, 22:3, 28:23, 28:25, 29:17, 31:1, 42:4, 47:8, 67:6, 88:17, 88:20, 88:25, 89:8, 89:13, 89:16, 90:3, 90:7, 91:6, 91:10, 91:15, 92:3, 92:7, 92:9, 93:16, 99:5, 103:10, 104:12 points 62:3, 88:2, 88:16, 88:23, 92:20 pole 106:3 police 76:1, 76:9 policy 57:24, 82:12, 84:6, 92:22, 93:3 polka 64:25 ponds 55:6 poplar 46:3, 46:4, 57:20, 58:3 popular 27:5 population 24:3, 72:25, 73:4, 73:7, 73:9 portal 6:14, 6:20 portion 47:11, 61:6, 65:19, 101:18, 104:9 position 79:22, 97:10, 97:12 possible 15:21, 61:20,</p>	<p>71:13, 86:21, 94:10 post-covid 22:24 posted 11:8 potential 91:9, 95:23 potentially 89:5 pre 35:10, 35:22 pre-covid 22:24 predecessor 17:10 preliminary 11:3, 76:21 preparation 11:25, 42:18, 76:21 prepare 82:5 prepared 11:10, 11:14, 50:15, 82:9, 82:16, 82:18, 106:10, 106:12 preparing 104:23 present 2:14, 22:8 presentation 11:21, 109:21 presented 44:17, 108:2 presenting 50:8 preserved 107:10 president 9:13, 37:1, 78:24, 79:25 pretty 32:5, 51:3, 64:22, 100:19, 108:20 previous 37:4, 58:10,</p>
--	--	---	--

<p>75:7 previously 12:12, 41:13, 48:20, 51:25, 54:7, 74:3, 74:10, 74:20, 75:6, 76:11, 76:23, 78:11, 93:19, 99:21 primarily 20:21, 22:20, 26:13, 39:10, 91:12 primary 78:20 prince 41:21 principal 97:13 principle 40:2 prior 18:3, 36:9, 103:20, 103:23, 108:22 private 17:9, 38:11, 44:11, 48:2, 66:2, 66:16, 66:22, 66:25, 68:3, 68:12, 68:25, 69:13, 69:19 privilege 19:7 probably 48:8, 50:4, 54:21, 68:21, 103:12 problem 12:5, 67:13 problematic 89:7 problems 6:3, 15:22, 67:22 procedure 7:20, 10:24,</p>	<p>108:23 proceed 19:1 proceeding 5:12, 42:6 proceedings 5:25, 111:4 process 12:1, 72:9, 76:25, 82:18, 88:13, 91:3, 104:21, 104:24, 105:10, 108:7, 108:15, 109:3 product 103:13 professional 16:17, 20:19, 40:21, 69:9, 77:6, 80:7, 80:8, 80:9, 80:10, 95:4, 95:11, 97:24, 98:10 program 18:24 project 17:17, 18:4, 18:7, 18:21, 37:22, 69:9, 70:2, 73:8, 76:5, 76:16, 81:21, 81:25, 82:9, 94:5, 94:18, 95:16, 99:25 projects 9:23, 97:16 pronouncing 5:10 properties 37:5, 68:19, 71:11, 74:18, 74:23 property 5:16, 18:22, 21:15, 28:22, 31:6, 33:23,</p>	<p>43:12, 43:16, 43:17, 44:10, 44:15, 45:21, 45:25, 46:4, 46:22, 46:23, 46:24, 49:19, 53:17, 56:20, 57:20, 59:3, 59:6, 62:15, 62:17, 63:13, 63:14, 63:17, 63:20, 63:25, 64:17, 65:1, 65:23, 65:24, 70:16, 71:8, 72:15, 74:14, 74:20, 76:6, 77:3, 78:12, 82:3, 82:7, 92:14, 93:21, 104:1, 105:15, 105:16, 105:21, 105:25, 107:10, 108:3 proposal 65:17, 67:1, 71:1 proposed 11:20, 18:22, 18:24, 33:3, 33:5, 36:17, 47:24, 48:1, 48:5, 48:16, 48:20, 62:2, 62:5, 73:10, 74:25, 77:7, 82:7, 84:10, 84:16, 84:25, 85:2, 85:22, 86:13, 86:14, 87:5, 87:17, 88:3, 91:7, 95:1, 95:5, 95:12, 101:17, 108:2, 108:9, 108:14 proposing 32:18, 33:14,</p>	<p>85:23 protect 46:6, 53:19, 70:24, 75:1 protected 60:9, 60:16, 60:22, 94:13 protecting 71:6 protection 60:24, 76:1, 77:4 proud 18:11 provide 49:20, 49:21, 49:23, 50:2, 50:24, 51:1, 51:15, 51:24, 59:18, 65:10, 68:18, 70:22, 74:4, 74:5, 81:23, 93:25, 95:16 provided 74:7, 85:20, 94:6, 111:5 provisions 66:9 proximity 76:9, 91:9 ptoe 80:11 public 5:4, 27:17, 38:10, 38:11, 49:21, 75:25, 76:1, 76:7, 81:22, 82:11, 84:5 published 11:17 pull 29:3, 43:5, 48:12, 55:1, 83:9, 83:14, 99:8 pulling 48:13, 102:23</p>
---	---	---	--

<p>pulls 47:14 purchased 27:24 purposely 100:18 purposes 8:22, 15:3, 42:9, 100:14 pursuant 18:1, 47:24 put 13:14, 14:7, 32:2, 33:9, 33:16, 35:20, 36:10, 38:16, 45:8, 52:5, 52:18, 54:3, 54:17, 72:19, 83:24, 100:20 putting 52:14</p>	<p>69:6, 77:14, 77:16, 77:17, 82:14, 91:3, 96:4, 96:5, 96:7, 96:8, 96:10, 106:23, 107:14, 107:16, 110:4 queuing 89:5, 93:8 quick 5:24, 39:19, 55:2, 78:2, 78:4, 106:25 quickly 49:12 quite 22:25, 45:24, 46:1, 49:14, 59:22, 62:17, 72:15</p>	<p>rather 53:22 rd 87:20, 87:21, 88:25, 89:1, 89:10, 89:19, 91:10 reach 37:14 read 15:19 ready 19:1 real 39:19, 47:22, 57:6 realize 26:2, 59:20 really 22:7, 24:4, 26:3, 27:7, 31:2, 32:3, 33:11, 33:21, 38:3, 38:14, 38:17, 39:12, 51:18, 52:1, 55:21, 56:21, 56:25, 57:8, 57:9, 57:12, 57:16, 57:19, 57:24, 58:1, 58:3, 58:4, 60:18, 71:3, 71:4, 71:14, 71:15, 72:22, 73:8, 74:11, 85:16, 93:8 realm 7:17 rear 47:5, 51:10, 68:16, 100:20 rearranged 49:14, 50:24 reason 13:10, 88:22 reasons 88:11, 90:17,</p>	<p>99:21 recall 24:24, 27:25, 37:12 recalled 28:1 receipt 109:23 received 37:8, 40:22, 82:14, 82:19 receiving 65:14 recent 82:25, 94:4 recently 32:2 receptions 86:24 recess 78:4, 78:8 recognize 72:1 recollection 101:5 recommend 108:5, 109:14 recommendation 34:8, 87:7, 90:21, 108:13, 108:24 recommendations 60:8, 70:5, 71:11, 71:17 recommended 18:7, 62:21, 109:15 recommends 59:14, 60:9 record 5:3, 8:6, 8:12, 10:2, 10:6, 10:20, 12:2, 12:13, 12:20, 12:21, 12:23, 13:1, 15:16, 16:10, 16:22, 17:18, 19:1,</p>
<p>Q</p>	<p>R</p>		
<p>qualifications 80:7, 80:8, 97:24, 98:11 qualified 42:1 quality 70:17, 70:23, 70:24, 71:6, 71:24, 77:2, 77:4, 102:4, 103:12, 107:6 question 6:8, 6:22, 7:2, 7:9, 8:1, 11:4, 32:20, 38:24, 41:7, 52:23, 55:2, 77:20, 85:24, 107:18, 108:7 questions 7:10, 8:2, 10:20, 10:22, 38:21, 39:20, 63:6, 64:1,</p>	<p>r 44:4, 64:23, 65:3, 65:19, 66:9, 66:21, 67:2, 68:7, 68:13, 69:1, 69:10, 69:14, 76:12 rain 47:2 raise 6:21, 6:24, 7:2, 10:21, 19:13, 40:7, 77:18, 79:3, 96:23, 107:17 raised 6:21, 92:8, 96:9 ramp 30:19 rare 25:16 rates 21:18</p>		

<p>24:23, 29:25, 32:7, 34:5, 40:1, 41:14, 43:7, 63:3, 67:22, 78:3, 78:10, 78:20, 81:4, 81:21, 82:21, 83:19, 83:25, 102:25, 109:12, 109:21, 109:22, 111:3 recorded 5:6, 5:8, 111:3 recording 110:6, 111:5 records 63:4 rectangles 46:13 rectangular 47:9 red 43:16, 43:20, 43:21 redeveloped 56:16 redevelopment 49:8, 49:19, 51:9, 52:20 redo 60:18 reduce 25:24, 32:6 reduces 60:13, 60:15 reducing 53:14 refer 17:1, 85:5 reference 12:2, 12:4, 17:4, 28:23, 29:16, 33:5, 48:6, 64:1, 64:9, 67:6, 99:5 referenced 93:11 referencing 45:6, 48:15,</p>	<p>68:1, 70:12 referred 86:1, 86:20 referring 32:8, 34:7, 43:14, 47:10, 103:3 reflect 34:18 reflected 36:9, 69:1, 69:4 reflects 34:19 refresh 101:5 regard 11:11, 18:13, 18:15, 42:15, 81:19, 88:7, 98:23, 103:4 regarding 23:8, 27:12, 87:17 regards 32:17 registered 41:2, 41:11, 96:19, 98:4 registration 98:5 regs 52:1 regular 37:17 regularly 26:20, 31:14, 37:18 regulations 52:3 rejoin 6:4 relate 70:15 related 66:9, 93:19, 94:13, 97:11, 111:6</p>	<p>relates 25:5, 35:9, 61:3, 70:2, 80:3, 80:5, 84:4 relation 34:1, 63:17, 65:23 relationship 13:17, 31:12, 36:24, 54:23, 56:9 relatively 23:14, 25:4, 30:7, 30:20, 31:8, 39:5, 44:2 relevant 94:11 relied 11:24 relieved 39:17 remain 62:5, 90:16, 90:22, 91:7, 92:10, 99:17 remainder 45:21, 61:10 remaining 50:20, 77:24 remains 74:24 remote 5:25, 6:6, 6:11 removed 48:23, 50:19, 53:1, 58:15 removing 53:7 rendering 4:7, 12:20, 14:6, 14:21, 14:25, 15:4, 52:21, 54:21, 56:2, 56:6, 59:25, 101:3, 101:10 renderings 101:14</p>	<p>renovation 18:20, 18:24 renovations 84:15 rent 21:17 replace 11:14 replacing 101:3, 101:10 replant 59:1 report 12:1, 34:15, 34:18, 36:2, 80:4, 82:6, 90:21, 108:8, 108:12, 108:23, 109:16 reporter 2:16, 5:9, 7:12, 8:16, 8:23, 109:24, 110:3 reports 82:10 represent 46:15, 98:10 representation 56:8 representative 18:14 representatives 88:14 represented 10:18 representing 16:24 request 5:21, 17:5, 43:4, 108:5, 109:13 requested 34:15, 90:9, 90:25, 91:2, 91:11 requests 28:2</p>
--	---	--	---

<p>require 52:3, 76:21, 88:15, 88:19, 89:2</p> <p>required 10:3, 10:11, 45:8, 50:24, 51:23, 53:18, 55:22, 56:18, 56:19, 57:2, 58:19, 62:13, 66:3, 67:2, 76:16, 76:18, 77:5, 84:19, 104:1, 104:18, 108:4</p> <p>requirement 55:21, 66:6, 84:13</p> <p>requirements 49:24, 53:24, 62:8, 66:12, 66:16, 69:7, 69:18, 71:8, 71:16, 71:18, 77:8, 81:23, 82:11, 82:13, 84:5, 87:9, 94:11, 105:14, 105:17</p> <p>requires 58:24, 66:3</p> <p>requiring 89:4</p> <p>requitement 68:8</p> <p>rescue 88:12, 88:15, 88:18, 89:11, 89:13</p> <p>researchers 23:25, 27:19, 27:20</p> <p>reserve 65:12</p> <p>residences 32:5</p> <p>residential 31:9, 44:2,</p>	<p>64:24, 65:3, 65:5, 65:15, 65:16, 70:25, 71:2, 71:6, 71:20, 71:25, 73:8, 73:11, 73:16, 76:5, 102:1, 102:3, 103:12, 103:14, 105:24, 107:6</p> <p>residentially 33:9</p> <p>residents 75:15, 75:18</p> <p>resources 31:12, 42:20, 45:6, 58:17</p> <p>respect 81:22</p> <p>respectfully 108:4, 109:13</p> <p>respecting 102:1</p> <p>response 82:19, 89:17</p> <p>responsibilities 20:4, 42:15, 79:23, 81:19, 97:11, 98:22</p> <p>responsible 20:7, 42:16, 42:22, 80:1, 98:24</p> <p>restrictive 34:20</p> <p>restricts 87:23</p> <p>result 62:13, 94:17, 106:9, 109:11</p> <p>resume 3:12, 3:13, 3:14, 41:13, 81:5, 98:6</p> <p>retail 21:1, 97:15</p> <p>retain 33:11, 71:20,</p>	<p>72:18</p> <p>retained 33:14, 72:16, 88:10</p> <p>retaining 89:25</p> <p>retention 51:22</p> <p>returning 35:15</p> <p>review 11:8, 16:2, 63:19, 82:13, 84:4, 84:7, 86:9, 87:4, 88:13, 94:24, 95:6, 108:25, 109:19</p> <p>reviewed 11:14, 15:25, 18:3, 18:5, 36:1, 36:14, 37:7, 63:16, 69:21, 70:3, 84:8, 93:13</p> <p>reviewers 91:5</p> <p>reviewing 18:5</p> <p>rezoning 108:22</p> <p>right 6:16, 6:18, 15:5, 15:14, 19:13, 22:20, 24:19, 26:8, 28:1, 28:6, 30:16, 31:15, 32:24, 35:14, 35:16, 39:2, 39:23, 40:7, 43:19, 45:12, 50:10, 50:11, 51:21, 64:21, 67:16, 76:8, 78:1, 79:3, 85:6, 86:11, 87:20, 87:21,</p>	<p>90:15, 92:22, 96:23, 101:4, 102:10, 102:24, 107:3</p> <p>right-hand 50:14</p> <p>right-of-way 49:17, 49:18, 61:3, 62:20, 63:1</p> <p>rights 65:10, 65:11</p> <p>ripples 105:12</p> <p>risk 92:11</p> <p>road 5:16, 15:22, 17:8, 21:15, 28:13, 30:23, 31:18, 43:17, 43:18, 45:11, 45:18, 45:20, 46:5, 46:7, 46:8, 46:14, 47:4, 47:12, 49:24, 49:25, 50:18, 51:1, 55:18, 57:25, 58:7, 59:6, 59:8, 59:12, 60:18, 61:4, 61:6, 61:12, 61:21, 62:6, 62:19, 62:20, 64:19, 68:9, 71:19, 78:12, 87:22, 89:7, 89:12, 89:16, 90:6, 90:22, 92:18, 93:1, 94:5, 95:21, 96:21, 99:20, 101:20, 103:24, 104:2, 104:6</p> <p>roads 76:2</p> <p>roadway 95:7</p>
---	---	---	--

rockville 1:13, 41:21 role 36:20, 79:23, 92:13 roof 100:17, 100:19, 100:21 room 59:18 rooms 39:13, 100:9 root 45:23 roughly 64:17, 104:9 rules 6:6 run 20:24, 25:9, 25:10, 26:14, 26:16, 26:23, 27:3, 33:1, 53:19, 54:10, 103:18 runners 58:5, 59:22 running 43:18, 43:19, 79:25, 87:22, 95:19 runoff 54:16 runs 47:3, 47:5, 54:11, 59:9, 59:11, 59:12 rush 86:1	safer 95:16 safety 60:12, 75:14, 75:17, 92:4, 95:13, 95:25, 105:19 said 6:10, 24:20, 49:7, 57:2, 90:19, 93:2, 111:4 same 11:12, 12:7, 15:17, 33:9, 57:4, 71:1, 72:18, 74:24 sanitary 76:1 satisfy 77:7, 95:5 save 46:2, 57:15, 58:19, 58:24, 76:25 saw 52:1 say 35:11, 37:21, 50:7, 68:24, 72:20, 79:19, 93:17, 109:8 saying 37:8 says 63:17, 71:18 scale 57:16, 71:2, 73:4, 73:9, 73:13, 73:15, 73:16, 106:17 scape 74:6 scenario 85:5 schools 75:25, 76:6 science 1:7, 80:11,	85:15, 98:2 sciences 9:2, 16:25, 19:11 scientists 20:18, 23:24, 39:11 scope 18:20, 75:10 score 15:4 screen 5:6, 5:7, 6:18, 29:9, 43:9, 48:14, 56:4, 64:6, 64:14, 64:18, 83:15, 84:4, 86:11, 100:22, 103:25, 105:8 scroll 5:7, 29:21, 31:20, 32:10, 86:11 scrolling 31:20 seating 51:17 second 13:5, 30:2, 38:24, 39:2, 39:3, 44:24, 48:13, 83:9, 88:17, 100:7, 100:9, 100:16, 101:13 section 18:1, 18:2, 66:2, 66:25, 68:4, 68:14, 86:12 security 24:7, 75:14, 75:17 see 5:6, 7:4, 8:8, 9:17, 10:22, 12:25, 13:10,	14:3, 29:10, 29:20, 30:16, 30:19, 31:1, 44:1, 45:22, 50:23, 53:3, 60:4, 60:5, 83:5, 83:12, 88:19, 95:21, 100:16, 100:17, 101:5, 101:12, 101:19, 101:22, 102:3, 102:8, 103:22, 103:24, 105:11, 105:18, 105:22 seeing 10:7, 12:17, 77:21, 96:9, 107:18 seeking 24:14 seeks 71:19 seen 43:3, 83:3 sell 65:13 send 34:12 sense 13:11 sent 13:4 sequential 14:6, 14:7 series 30:1, 69:6, 100:9 served 75:24, 76:6 service 27:17, 27:20 services 5:11, 21:2, 75:25, 76:9, 76:19 serving 71:23, 100:6
s			
s-k-y 9:21 safe 68:24, 91:8, 92:9 safely 93:17			

set 13:23, 87:9, 94:2, 109:15 setback 65:4, 68:14, 68:16 setbacks 68:15, 68:18, 104:2 sets 101:25, 104:2 setting 83:11 seven 14:10 several 6:18, 80:24, 82:9, 83:4, 88:10 severna 79:1 sewer 76:1, 76:7 sha 84:22, 90:19, 94:7 sha's 94:5, 94:15 shade 58:2 shading 74:5 shapes 51:21 share 31:12 shared 59:8, 60:2, 89:22 sheet 3:22, 12:17, 13:5, 14:8, 42:18, 45:12, 45:13, 50:4, 51:5, 67:7, 67:14, 67:18 shield 56:24	shift 32:15, 63:5 shifted 50:24 shine 106:7 short 52:15 shortly 29:9, 67:14 should 5:6, 12:13, 29:8, 43:8, 45:3, 48:14, 51:7, 53:4, 56:4, 64:5, 67:14, 79:19, 83:15, 87:11, 87:12, 88:5, 88:10, 90:22, 92:6, 92:21, 105:7 show 29:7, 63:1 showed 52:25, 53:1, 94:14 showing 29:20, 83:15, 86:13 shown 59:1, 59:25, 60:23, 64:13, 64:22, 64:23 shows 48:16 shred 23:3 shuttle 85:19 side 31:6, 45:13, 45:24, 48:23, 50:21, 51:21, 52:5, 60:17, 65:4, 68:15, 101:23, 103:7, 103:8, 103:10,	105:23, 105:25 sides 31:5 sidewalk 59:11, 59:12, 59:16 siding 107:4, 107:8 sign 4:6, 102:20, 103:19, 103:23, 104:8, 104:11 signage 12:17, 103:19, 103:21, 103:22, 104:20, 106:11 signal 7:1, 10:21 signature-k9lvk 111:10 significant 46:3, 50:1, 50:25, 58:4, 61:15 significantly 49:14 signs 104:18 similar 26:16, 31:11, 33:21, 35:3, 49:12, 74:8 simply 32:15 simtraffic 93:7 simultaneously 33:2 since 7:16, 11:24, 17:10, 25:17, 36:20, 54:16, 65:16, 84:20, 108:21 single 56:11, 72:17 single-family 22:21, 23:12,	30:15, 39:4, 44:4 sir 5:11, 9:19, 40:8, 79:2, 96:22 site's 84:4, 84:22 sites 52:2, 85:24, 86:5 sits 49:16 situated 31:4 situation 60:19 six 12:12, 20:20, 25:9, 25:11 size 23:4, 23:8, 24:11, 24:25, 25:4, 25:12, 26:22, 35:4, 49:1, 49:3, 65:22, 65:24, 66:3, 66:5, 68:5, 68:17, 85:8 sizes 25:5 sky 106:7 small 5:6, 6:20, 22:21, 23:14, 24:11, 25:4, 30:20, 39:5, 45:17, 48:22, 52:7, 100:4, 104:8, 104:13 smaller 104:10 smarter 109:8 social 17:6, 25:6,
---	---	---	--

25:15, 39:6 society 41:4 soil 52:6 sold 56:15 sole 17:12 solid 103:11 some 12:19, 20:22, 21:1, 22:16, 23:8, 24:2, 28:2, 28:3, 32:3, 34:8, 34:19, 38:10, 47:4, 49:17, 51:11, 51:12, 52:10, 52:11, 52:14, 54:7, 56:12, 58:16, 60:6, 60:24, 71:18, 73:14, 82:16, 87:3, 94:12, 100:15, 105:17, 106:5, 107:4 someone 65:12, 104:11 something 6:23, 18:10, 28:5, 107:4, 107:6 sometimes 47:20, 50:7, 51:4, 109:9 somewhat 23:23, 33:21 somewhere 26:21 sorry 5:6, 14:19, 24:21, 24:22, 44:25, 48:25, 67:4, 67:21, 101:8, 102:22	sort 32:6, 85:4, 86:1, 86:7, 86:19, 86:21, 86:24, 88:19, 95:19 sorts 7:15 sought 33:5, 33:19, 34:1 sound 15:4 south 43:23, 60:17, 61:23, 64:19, 87:22 southward 93:20 space 23:17, 23:20, 30:24, 32:1, 32:14, 32:25, 33:1, 35:7, 47:19, 47:21, 51:1, 51:13, 51:16, 53:23, 53:24, 74:6, 100:4, 100:9, 100:11, 102:11, 102:12 spaces 23:21, 28:3, 28:8, 28:10, 32:12, 33:9, 45:19, 47:16, 47:17, 47:22, 53:12, 53:14, 91:23 spacious 33:15 speak 7:18, 37:16 speaker 6:9 speakers 35:19 speaking 6:7, 83:6	special 5:14, 14:21, 14:25, 17:6, 17:9, 17:10, 17:12, 17:22, 18:16, 20:9, 22:12, 24:13, 24:14, 27:6, 27:12, 27:15, 27:25, 28:7, 28:17, 33:6, 33:19, 33:24, 34:6, 36:9, 36:17, 42:11, 42:18, 42:19, 44:6, 44:9, 44:11, 47:24, 49:2, 58:21, 62:13, 62:24, 66:12, 66:17, 66:19, 66:22, 68:25, 69:8, 69:10, 69:14, 69:15, 69:17, 69:22, 70:4, 71:15, 71:16, 71:21, 71:22, 72:11, 74:15, 74:20, 75:1, 75:9, 75:11, 75:13, 75:24, 76:11, 76:20, 77:1, 77:4, 77:7, 78:11, 81:15, 82:2, 82:7, 85:1, 86:19, 87:3, 87:4, 87:7, 87:15, 87:18, 94:19, 94:20, 95:12, 98:7, 98:20, 98:23, 104:17, 108:2, 108:9, 108:14 specialty 86:25 specific 32:20, 58:24,	66:1, 66:16, 66:21, 68:13, 69:7, 71:8, 71:10, 72:24, 82:17, 82:19, 83:3, 85:23, 91:5 specifically 37:1, 39:6, 42:18, 44:8, 44:19, 58:20, 66:24, 68:12, 71:12, 76:11, 77:9, 102:6 specificity 90:25 specifics 44:23 specimen 45:24, 58:11, 58:15, 58:23 speculations 55:19 spell 8:15, 9:7, 9:18 spelled 8:25 spent 36:24 spiel 108:19 spill 89:5 spillage 105:14 spoke 37:11 sponsored 22:5 sponsoring 22:8 sponsorship 22:7 spouses 24:3 spread 105:20 square 23:10, 23:11,
--	---	---	--

48:21, 48:22, 48:24, 49:3, 53:7, 53:8, 55:10, 65:25, 66:5, 103:22, 104:10, 105:13 square-foot 65:3, 65:21, 65:23, 66:1 staff 11:25, 12:12, 13:21, 18:5, 26:19, 26:21, 26:24, 27:3, 34:15, 34:18, 35:4, 36:1, 36:10, 39:7, 42:24, 46:6, 50:15, 57:15, 60:20, 61:15, 82:15, 85:12, 86:17, 87:4, 90:19, 90:21, 91:11, 94:7, 94:9, 95:9, 95:10, 109:16, 110:4 staff's 34:8, 90:20 staffed 26:18 staffing 26:17, 34:25, 35:1 staging 82:12, 84:6 stand 45:7, 58:17, 60:12 standard 62:7, 65:3, 65:4, 65:22, 67:3, 88:13 standardized 92:25 standards 51:23, 53:15, 66:2, 66:20,	66:21, 67:24, 68:2, 68:3, 68:11, 68:13, 68:25, 69:18, 76:12, 94:10, 94:24, 108:3 standpoint 29:14, 29:16 start 13:3, 64:3, 70:11, 99:3 started 11:6 starting 16:21, 28:24 starts 61:6, 73:12 stat 72:5 state 19:19, 41:2, 41:9, 41:12, 51:23, 60:21, 62:8, 78:19, 80:12, 89:24 stated 89:21 statement 4:9, 7:22, 11:1, 12:18, 14:5, 14:15, 14:20, 14:21, 14:22, 14:25, 15:1, 15:8, 82:10, 82:25, 83:17, 84:3, 84:8, 84:20, 85:4, 86:21 statements 3:3, 12:18 states 27:17 stating 5:7 station 76:7 stay 67:11, 87:8	stays 46:7 step 62:25 still 50:2, 53:23, 67:18, 72:17, 74:24, 88:16, 109:7 stone 30:15, 51:16, 99:15, 101:21, 103:23, 104:3, 104:6, 107:1, 107:5 stop 47:11, 50:8, 61:18, 95:22 stops 46:12, 46:16, 59:11 storage 100:14 store 39:8, 39:12 storm 42:21, 46:21, 47:1, 51:20, 51:24, 52:1, 52:4, 52:14, 52:15, 52:16, 52:17, 52:19, 54:11, 54:12, 54:13, 54:16, 54:17, 76:2, 76:15, 76:17, 76:18 stormwater 16:8, 16:11, 47:7, 57:11, 75:19 street 60:15, 68:19, 71:3, 72:20, 76:8, 90:11 streets 53:21 streetscape 46:7	stretch 61:12, 78:3 strike 24:23 strip 51:2 striped 61:9, 61:11 structure 16:11, 26:9, 31:7, 31:15, 31:25, 32:19, 33:10, 33:16, 101:25, 106:17 structures 73:5 student 21:2 students 21:5 studies 80:2 studio 97:14 study 3:20, 82:18, 82:21, 83:4, 84:14, 84:19, 90:24, 90:25, 91:2, 91:13, 91:25, 92:16, 93:11, 93:15, 100:12 stuff 56:24 subdivision 37:4, 62:16, 63:1, 63:2, 82:12, 84:6 subject 7:24, 20:10, 21:14, 42:12, 43:16, 44:5, 44:9, 44:15, 46:5, 62:15, 63:13, 63:14, 63:17, 64:17, 65:1, 70:15,
---	--	---	--

77:2, 77:3, 109:14 subjects 80:5 submission 42:17 submit 98:6, 108:1 submittal 11:10, 11:14, 82:25 submitted 11:15, 12:12, 13:20, 41:13, 63:25, 81:5, 83:4, 108:25 subsequent 82:16, 92:15 substantially 89:16 sufficiently 75:10 suggest 11:13 suggestion 101:9 suite 2:10, 19:21, 40:5, 79:1, 96:21 sum 86:12 summary 36:8 sunny 59:20 super 37:21, 37:22 supersede 36:10 supplement 43:13 support 22:14, 72:4, 97:24, 100:4 supporting 85:14 sure 12:2, 12:6,	13:18, 15:16, 15:20, 17:3, 35:13, 40:24, 44:24, 46:6, 52:24, 54:5, 58:9, 59:7, 63:8, 64:15, 67:10, 70:3, 70:11, 82:20, 83:2, 83:8, 86:7, 99:8, 103:2, 109:3 surprised 39:11 surrounding 16:7, 28:18, 43:12, 43:23, 63:21, 68:19, 73:17, 74:17, 74:23, 82:3, 84:23 surrounds 44:5 swear 16:17, 19:14, 40:8, 79:4, 96:24 sworn 16:16, 78:21 symmetrical 101:23 synchor 93:7 system 52:16, 52:18, 54:11, 54:13, 54:18 <hr/> T <hr/> table 67:5, 69:2 tabulation 53:4 take 5:21, 7:12, 51:14, 62:22, 78:2, 78:4, 83:14, 95:23	taken 54:9, 61:9, 78:8 takes 10:17 talent 38:13 talk 22:17, 31:14, 37:20, 44:18, 64:3 talked 58:10, 68:4 talking 32:14, 54:22, 66:24 tan 45:15 taneytown 80:24 tasked 105:13 tasks 87:25 tdr 65:2, 65:7, 65:17 tdr's 65:13, 65:15 tdrs 65:9 team 80:1, 93:24 teams 6:2 tear 57:18 technical 43:7, 67:22, 102:25 technology 22:25, 26:7, 35:20, 38:16 telephonically 2:14 telework 6:10 telling 56:21	tells 85:7 terms 18:16, 25:5, 26:10, 26:17, 34:25, 53:12, 83:23 terrace 102:10 testified 37:3, 41:16, 42:2, 47:16, 73:20, 76:10, 76:23, 80:14, 80:20, 86:23, 87:13, 90:15, 90:23, 93:19, 94:3, 97:17, 97:20, 104:22 testifies 68:22 testify 7:19, 8:3, 8:7, 8:9, 10:3, 10:8, 17:17, 17:19, 18:15, 18:20, 18:21, 18:23, 25:2, 39:25, 42:1, 67:24, 76:4 testifying 10:2, 10:6, 10:22 testimony 3:5, 3:6, 3:7, 3:8, 7:8, 7:24, 11:2, 12:3, 12:15, 15:12, 16:4, 18:13, 19:15, 38:1, 39:17, 40:9, 44:17, 58:10, 65:21, 79:5, 96:2, 96:11, 96:17, 96:25, 97:25, 108:1, 109:12 th 109:23
--	--	---	--

Transcript of Hearing
Conducted on May 7, 2021

66

<p>thank 5:11, 8:13, 8:18, 9:3, 9:11, 9:24, 11:7, 15:15, 16:20, 19:6, 19:12, 19:18, 19:23, 19:25, 22:10, 27:12, 28:16, 37:25, 38:20, 38:22, 39:14, 39:15, 39:16, 39:24, 40:12, 40:14, 42:10, 43:10, 45:5, 47:23, 49:7, 54:1, 55:23, 56:5, 59:4, 62:1, 63:5, 64:12, 66:7, 67:15, 67:16, 68:23, 69:5, 72:7, 74:15, 77:21, 77:22, 78:6, 78:7, 78:16, 79:2, 79:8, 79:11, 81:14, 83:22, 83:23, 87:16, 90:3, 92:11, 93:18, 94:17, 96:1, 96:11, 96:12, 96:13, 97:3, 97:5, 98:19, 101:15, 103:1, 104:22, 106:9, 106:20, 107:14, 107:18, 109:2, 109:4, 109:10, 109:20, 110:2, 110:3 thanks 16:20, 49:5, 96:16 themselves 10:2, 10:10, 10:19, 85:15 thing 7:6, 11:2,</p>	<p>38:2, 38:15, 54:6, 54:21, 57:17, 88:22 things 6:13, 6:17, 7:15, 16:4, 16:12, 21:3, 23:3, 23:6, 23:23, 25:14, 25:21, 26:6, 32:14, 36:19, 38:11, 56:22, 86:23, 86:24, 87:3, 95:3 think 21:25, 25:9, 25:13, 25:17, 29:21, 32:8, 33:8, 33:11, 37:23, 38:2, 39:16, 43:2, 44:18, 44:20, 44:22, 47:9, 47:18, 47:20, 48:7, 48:9, 51:6, 51:18, 52:25, 54:21, 54:25, 56:7, 56:21, 56:25, 57:1, 57:8, 60:4, 63:23, 64:2, 65:25, 67:8, 68:21, 70:19, 71:1, 72:3, 72:13, 73:19, 73:25, 74:1, 74:13, 74:19, 74:23, 75:18, 76:3, 78:20, 80:13, 86:20, 86:22, 88:11, 89:8, 95:18, 95:24, 99:6, 99:10, 99:23, 100:25, 105:5, 105:23, 106:15, 107:21, 109:12</p>	<p>thinking 28:23, 29:12, 107:6 third 30:6, 32:9, 61:8, 78:14 thorough 70:9, 70:25, 92:12, 93:9, 109:12, 109:18 thoroughness 83:10 thought 15:17, 33:12, 56:17, 72:9, 87:12, 104:24, 105:9 thoughts 54:3 three 13:3, 14:24, 31:5, 51:19 threshold 84:18, 84:20 thresholds 87:9 through 10:8, 10:17, 12:1, 14:10, 16:4, 16:12, 23:16, 29:15, 29:18, 46:10, 46:17, 52:9, 54:12, 55:11, 62:16, 68:23, 70:6, 73:2, 73:6, 88:8, 88:20, 91:3, 99:13 throughout 17:1, 92:23 thursday 26:13, 86:6 thursdays 23:16 tie 51:13, 60:2, 102:9, 102:10,</p>	<p>103:18, 104:4 tie-in 104:3 ties 104:6 tim 93:24 time 5:13, 8:16, 22:14, 22:22, 23:15, 23:17, 25:3, 27:16, 36:24, 37:11, 40:23, 46:1, 61:25, 77:13, 77:21, 78:13, 87:1, 91:14, 96:3, 106:22, 107:19, 109:11, 110:1 times 17:2, 28:20, 50:10, 89:17, 92:1, 92:21, 93:4 title 13:14, 14:4 titled 5:15, 13:10 today 5:20, 5:25, 7:1, 7:20, 9:25, 10:3, 12:14, 14:23, 15:2, 15:11, 16:3, 16:12, 17:13, 18:9, 44:17, 74:25, 77:17, 83:1, 87:19, 87:25, 91:7, 96:8, 96:11, 107:16, 108:2, 109:11, 109:12, 109:22 today's 19:7, 20:11, 21:14, 42:12, 109:25</p>
--	---	---	---

<p>together 45:8, 59:17, 83:24 tool 93:6, 93:7 top 5:7, 6:17, 43:18, 53:4, 53:6, 68:4 total 47:22, 48:24, 49:1, 49:3, 53:8, 55:20 toward 61:7 towards 6:18, 45:25, 55:17, 55:18, 89:14 townhouse 71:13, 73:13 townhouses 56:12, 71:13 traffic 4:9, 9:14, 12:18, 14:15, 14:20, 14:22, 15:1, 15:8, 17:17, 25:24, 73:5, 74:1, 74:2, 76:3, 76:4, 78:24, 79:21, 79:24, 80:1, 80:2, 80:3, 80:4, 81:2, 81:10, 81:12, 81:20, 82:10, 82:24, 83:17, 84:3, 84:8, 84:12, 84:19, 84:20, 84:22, 85:4, 86:1, 86:21, 89:2, 91:5, 91:13, 91:18, 91:20, 91:23, 92:17, 92:19, 92:25, 93:3,</p>	<p>93:25, 94:23, 94:25, 95:13 trail 46:9, 49:23, 58:6, 59:14, 59:21, 60:1, 62:10, 62:18, 75:23, 95:15, 95:24 trained 54:8 trainee 24:3 trainees 21:4, 21:18 trainings 38:13 transcribed 1:25, 111:4 transcriber 111:1 transcript 5:12, 15:21, 109:23, 111:3 transcripts 15:20 transfer 65:9, 65:11 transferred 27:25 transit 46:17 transition 61:23 translate 53:11 transportation 60:21, 79:15, 80:10, 81:3, 81:9, 81:13, 81:24, 82:13, 82:16, 84:7, 84:23, 86:9, 89:23, 93:13, 94:1, 94:24, 95:5, 95:9 trash 4:6, 99:1,</p>	<p>102:14, 102:20, 103:4, 103:6, 103:11, 103:13, 103:14 traversing 62:9 treat 52:5 treated 52:9, 52:13, 54:12, 54:17, 55:13 tree 46:6, 58:3, 58:19, 58:24, 74:6, 76:25 trees 31:3, 44:1, 45:24, 45:25, 51:1, 57:12, 57:15, 57:23, 58:1, 58:2, 58:3, 58:11, 58:12, 58:15, 58:23, 58:25, 59:2 trial 59:10 tried 27:2, 57:14, 71:2 trip 84:9, 84:18, 85:6, 85:11, 85:13, 85:21, 85:25, 86:13, 87:9 trips 84:17, 85:8, 86:4, 86:14, 86:16 trolley 46:9, 49:23, 58:6, 59:10, 59:14, 59:21, 60:1, 62:10, 62:18, 75:23, 95:15</p>	<p>trucks 88:18 true 111:3 truth 19:15, 19:16, 40:10, 79:5, 79:6, 96:25, 97:1 try 6:24, 53:19, 53:22, 57:15 trying 49:6, 72:17, 72:19 tuesday 86:6 tulip 46:3, 46:4, 57:20 turn 16:14, 16:18, 60:17, 67:10, 78:15, 89:14, 92:4, 109:18 turned 99:16 turning 92:16, 101:17, 107:20 turns 87:23 twice 66:3, 67:2, 68:6 two 7:5, 16:4, 16:8, 16:12, 46:12, 49:9, 51:21, 55:5, 57:13, 58:1, 62:3, 62:5, 77:24, 78:13, 88:2, 88:15, 92:20 type 25:14, 52:10, 99:19, 103:13,</p>
--	---	--	--

<p>103:14, 106:1, 106:5, 107:4, 107:8 types 34:1, 71:20, 87:3 typical 85:5, 86:7, 86:9, 86:15, 86:19, 86:22, 87:1, 106:3 typically 25:8, 41:23, 65:5, 85:24, 97:14, 97:16</p> <hr/> <p>U</p> <p>u-shape 33:10 ultimately 17:12, 17:23, 34:8, 36:2, 90:20, 92:8, 94:8, 108:13 under 18:3, 18:22, 19:14, 23:11, 24:13, 34:16, 40:8, 44:1, 51:23, 51:25, 52:10, 52:12, 62:5, 66:2, 68:4, 68:14, 68:21, 79:4, 84:9, 84:13, 85:4, 87:1, 88:2, 108:4 undergraduate 40:24 understand 6:12, 13:16, 16:9, 27:16, 34:24, 50:16, 92:12 understandable 6:13 understanding 20:14, 27:22,</p>	<p>63:7, 93:9, 103:15, 108:12 understands 17:3 understood 10:17, 15:23, 109:3, 109:10 undertaken 49:10 undertaking 36:17 underutilized 39:12 unexpected 89:19 uniformed 27:20 united 27:17 units 100:20, 107:22 university 20:17, 40:25, 41:1, 80:12, 98:2 university-like 20:24 unless 63:6, 107:22 unrecorded 62:15 until 7:10, 28:15, 61:21, 109:23 updated 14:1, 16:2, 38:5, 48:8, 102:19 upgraded 60:1, 61:1 upgrades 49:23, 59:23, 84:15 upgrading 62:6 upper 100:15 use 6:24, 17:9,</p>	<p>33:24, 47:24, 48:1, 48:3, 50:3, 57:4, 58:6, 59:8, 59:19, 60:2, 65:14, 69:10, 69:14, 69:16, 74:9, 74:12, 74:22, 85:8, 85:10, 85:11, 85:21, 85:22, 94:20, 106:13 user 71:9 users 95:3 uses 23:22, 31:6, 48:3, 57:2, 72:21, 74:8, 75:11, 85:7 using 6:1, 33:4, 59:23, 93:6, 107:4 usually 56:23 utilities 100:15 utility 49:21, 104:2 utilize 25:6, 91:21</p> <hr/> <p>V</p> <p>valley 40:25 valuable 24:9, 59:24 value 74:17, 74:22 variety 68:24, 90:16 various 88:1, 97:15 vehicle 18:21 vehicles 84:11, 88:18,</p>	<p>89:4, 89:14, 91:14, 92:4, 95:20 vehicular 95:13 versus 105:4 via 85:19 vibrations 75:2, 75:5 vice 9:13, 78:23, 79:25 vicinity 44:7, 63:20 videocast 35:20 view 4:10 virginia 41:1 virtual 5:25, 7:14, 7:17, 10:21, 35:17, 77:18, 96:9, 107:17 virtually 1:11, 56:19 vision 21:3 visitors 75:15, 89:18 volume 55:9, 55:13, 91:19, 91:23, 92:19 volumes 92:25 volunteer 43:24</p> <hr/> <p>W</p> <p>w-e-b-b-e-r 9:10 wait 7:8, 7:10 waiting 67:18</p>
--	--	--	--

Transcript of Hearing
Conducted on May 7, 2021

69

<p>walking 46:19, 85:19 walkway 106:1, 106:8 walkways 105:19 wall 51:17 waned 22:2 want 8:22, 9:4, 10:3, 17:3, 32:21, 32:22, 33:8, 33:10, 34:11, 38:2, 38:6, 38:8, 38:16, 53:20, 54:20, 57:17, 57:22, 71:23, 72:1 wanted 11:6, 12:9, 15:16, 56:3, 56:9, 65:8, 72:8, 90:5, 90:12, 109:2 wants 71:22 washington 97:16, 97:21 watch 35:22 water 42:21, 46:21, 47:1, 51:20, 51:24, 52:1, 52:4, 52:9, 52:13, 54:10, 54:11, 54:12, 54:16, 55:13, 55:14, 76:1, 76:7, 76:15, 76:17, 76:18, 77:2, 77:4 way 13:14, 13:20, 23:13, 29:1,</p>	<p>31:4, 32:15, 41:8, 51:4, 57:4, 61:13, 61:18, 64:7, 74:13 ways 27:5, 27:23, 62:17 we'll 14:20, 78:3, 83:12 we're 9:22, 14:3, 14:7, 16:4, 35:16, 37:9, 52:22, 60:7, 68:9, 68:15, 68:16, 71:1, 71:5, 72:17, 72:18, 72:20, 73:22, 75:21, 82:20, 92:21, 107:3, 107:6, 109:21 we've 18:25, 25:9, 25:10, 25:13, 26:4, 33:21, 36:24, 37:8, 38:4, 50:25, 54:9, 54:17, 57:25, 58:2, 71:2, 74:4, 82:9, 86:20, 99:14 weather 51:12, 102:12 webber 9:9 weber 40:4 website 11:9, 13:1 wednesday 86:6 week 26:13, 86:7 weekend 26:16</p>	<p>weekends 34:3 welcome 10:5, 20:1, 67:23 welfare 75:15, 75:18 went 24:8, 54:7, 57:7, 72:9, 104:24 weren't 58:21 weresuccessful 53:25 west 21:16, 31:18, 37:5, 43:19, 43:24, 44:4, 45:12, 45:18, 45:20, 46:16, 47:4, 50:17, 52:15, 58:7, 61:19, 62:4, 62:11, 64:20, 64:21, 68:9, 71:4, 87:24, 88:24, 89:2, 89:4, 89:7, 89:15, 90:13, 91:6, 91:16, 91:22, 92:2, 92:5, 92:18, 93:2, 93:16, 104:8 whatnot 100:12 wheeled 103:17 wheels 103:15 whenever 11:21, 15:14 whether 11:23, 55:5, 72:11, 84:18, 85:18, 88:4, 89:12, 90:14,</p>	<p>91:6, 91:8, 91:19, 91:22 white 30:16, 60:6 whole 13:23, 19:16, 37:12, 40:10, 50:23, 60:5, 79:6, 97:1 wide 59:15, 95:18, 95:22 widely 64:24 widened 60:1, 60:11 widening 95:2, 95:15 wider 62:8 window 50:8 wisconsin 2:9 within 5:17, 5:22, 43:20, 56:16, 62:21, 63:14, 77:4, 87:8, 87:10, 105:15 witness 7:24, 11:2, 16:15, 16:16, 19:2, 19:24, 78:15, 78:17, 80:21, 96:5, 96:15, 107:17 witnesses 7:24, 8:6, 8:12, 8:21, 10:20, 77:24, 78:14, 110:2 wonder 11:23 wonderful 23:6, 38:14 wondering 99:4</p>
--	---	---	---

Transcript of Hearing
Conducted on May 7, 2021

70

<p>wood 103:13</p> <p>work 31:2, 36:21, 38:5, 38:12, 46:6, 50:1, 57:14, 58:18, 60:19, 88:25, 96:20, 97:14, 98:10</p> <p>worked 36:20, 36:25, 38:4, 46:1, 60:20, 85:11, 97:8</p> <p>working 16:21, 22:13, 31:12, 38:13, 71:5, 93:10</p> <p>works 14:12, 21:23, 50:9, 99:24</p> <p>workshops 20:22</p> <p>world 6:11, 7:14, 38:14</p> <p>worry 7:18</p> <p>wrapped 101:22</p> <p>wraps 99:17, 107:2</p> <p>write 5:21</p> <p>writing 7:3</p> <p>written 82:5, 83:24</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>yard 43:23</p> <p>yards 65:4</p> <p>yeah 13:12, 24:18, 24:20, 27:6,</p>	<p>45:2, 47:18, 48:7, 78:4, 83:20, 90:8, 105:11</p> <p>year 25:18, 35:12</p> <p>years 17:11, 20:7, 22:1, 23:3, 23:6, 26:4, 27:13, 28:2, 39:10, 40:19, 56:15, 56:16, 57:19, 72:15, 79:17, 85:17, 97:8, 97:9</p> <p>yourself 8:11, 8:22, 9:4</p> <p>yourselves 6:7</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p>zero 25:11</p> <p>zone 64:24, 65:2, 65:3, 65:7, 65:17, 65:22, 66:1, 66:4, 66:21, 67:2, 68:7, 68:14, 69:1, 69:11, 76:13</p> <p>zones 45:23</p> <p>zoning 1:1, 2:2, 3:16, 5:5, 11:9, 18:2, 18:3, 41:17, 63:20, 63:24, 64:1, 64:3, 64:16, 65:5, 65:13, 65:18, 65:20, 66:4, 66:8, 66:9, 66:12, 66:16, 69:6, 69:18, 73:3, 97:18,</p>	<p>108:4, 108:12, 108:22</p> <p>zoom 105:22</p> <hr/> <p style="text-align: center;">.</p> <hr/> <p>.01 105:16</p> <p>.2 66:2, 66:25, 68:4, 68:14</p> <hr/> <p style="text-align: center;">0</p> <hr/> <p>00 26:14, 34:3, 34:7</p> <p>01 13:10, 14:3, 14:8</p> <p>02 3:23, 14:3, 14:9, 99:2</p> <p>03 3:24, 13:10, 14:3, 14:9</p> <p>04 3:25, 14:3</p> <p>05 4:4, 14:3</p> <p>06 4:5</p> <p>08 14:3</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p>1 34:3, 34:7</p> <p>1-1 30:20</p> <p>1.3 68:14</p> <p>1.47 65:24, 66:6</p> <p>10 3:14, 5:22, 6:15, 19:20, 25:13, 37:15, 53:9, 59:17,</p>	<p>81:6, 92:1, 109:22</p> <p>100 24:24, 24:25, 35:12, 87:13, 87:15</p> <p>102 4:6</p> <p>105 3:19, 3:21</p> <p>11 3:17, 24:8, 58:25, 78:3, 78:5, 78:13</p> <p>111 1:24</p> <p>12 23:14, 25:8, 110:1</p> <p>12,000 66:5</p> <p>120 25:19, 68:15</p> <p>13 3:15, 28:24, 29:23, 29:24, 32:8, 33:4</p> <p>130 62:21</p> <p>1300 2:12</p> <p>14 3:16, 3:22, 3:23, 3:24, 3:25, 4:4, 4:5, 63:23, 64:10, 64:15</p> <p>14.3 67:1, 68:6</p> <p>145 25:1, 35:14, 85:2, 87:8, 87:15</p> <p>15 4:7, 4:8, 4:9, 62:18, 66:25, 68:5, 79:17</p> <p>15,600 53:7</p>
--	---	--	---

Transcript of Hearing
Conducted on May 7, 2021

71

<p>16 3:4, 23:14, 25:8, 59:14, 59:17, 95:18, 95:21 161 1:25, 111:12 17 109:23 18 100:2 187 89:6, 92:18, 94:14 19 3:5, 3:17, 11:12, 11:15, 101:3, 101:10 1927 26:9, 30:15, 46:25 1959 20:18 1960 17:10 197 68:9 1978 28:1 1990 63:9, 70:13 1:: 75:14 1n 19:21</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2.4 66:2, 66:25, 68:4 20 11:12, 25:16, 68:16 20,000 55:10 2000 10:9, 10:12 2004 17:12</p>	<p>2012 20:6 2014 18:4, 108:22 2020 37:13, 37:16 2021 1:14, 5:13, 18:6, 36:2, 83:11 20814 2:11, 96:21 20866 40:5 20892 19:21 21146 79:1 214 79:1 22 36:2, 97:9 23 44:20, 44:21, 45:1, 45:2, 45:6, 99:2 24 53:18, 100:2 240 6:4, 10:12 241 19:22 248 68:9 25 3:18, 28:10, 65:4, 68:8, 68:15, 99:6 250 40:5 26 18:6, 36:5, 83:11 28 3:15, 110:1 29 18:4</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p>3,279 48:21</p>	<p>30 26:14, 26:15 301 2:12 3300 23:11 333 10:12 35 40:19, 68:20 36 78:3, 78:5, 97:8 372430 1:23 38 78:13 39 1:15, 5:13 3909 40:4</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p>4,695 53:8 40 3:6, 22:3, 68:17, 99:2, 103:21, 104:10 400 22:1 41 3:13 42 3:19, 105:1, 105:5 43 4:10 45 75:14, 87:14 49 75:14</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p>5 26:14 50 25:14, 68:8,</p>	<p>68:10, 84:16, 84:17, 86:15 51 3:20, 53:14, 53:18, 82:22, 93:12 53 45:19, 47:17, 47:22, 102:17 54 3:21, 32:12, 47:16, 68:11, 105:4 59 13:2, 66:2, 66:25, 68:4, 68:14</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>6,000 65:3, 65:21 6,254 53:8 6,799 48:24 60 3:22, 13:3, 14:8, 25:11, 27:17, 44:4, 47:1, 53:7, 64:23, 65:3, 65:19, 66:9, 66:21, 67:2, 67:8, 67:25, 68:2, 68:7, 68:13, 69:1, 69:10, 69:14, 76:12 6000 65:23, 65:25 61 3:23, 14:9, 48:9 62 3:24 63 3:16, 3:25, 14:9, 48:11,</p>
--	---	--	--

<p>48:14, 48:16, 51:6, 55:2, 68:16 64 4:4, 50:5, 50:14, 52:25, 53:1 64, 633 65:25 641 78:25 65 4:5 66 4:6, 102:20, 103:4 6663 6:5 67 4:7, 15:4, 54:24, 56:3, 56:6 68 4:8, 15:8 69 4:9, 15:8, 82:25, 83:19, 83:21, 84:3 6th 37:13</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p>7.7 18:2 7.71 18:1 70 4:10, 15:14, 27:22, 43:4, 43:15, 43:18, 47:1 70, 159 53:8 700 2:10, 96:21 7600 2:9 7735 96:20</p>	<p>777 6:4 78 3:7 781 48:22</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p>8 26:15 81 3:14 82 3:20</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>9 1:15, 5:13, 26:14, 41:14 9, 264 49:3 90 45:10 91 68:15 9101 5:16, 17:7, 21:14, 22:12, 25:23, 43:17, 78:12, 89:9 916 1:5, 5:15, 17:22, 20:10, 78:10, 98:20 96 3:8 98 3:12 986 2:12 99 3:18</p>	
--	---	--