

# **Transcript of Hearing**

Date: February 7, 2022

Case: Andrew Conner & Estefania Puricelli Equestrian Facility

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1 OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS	1 APPEARANCES
2 FOR MONTGOMERY COUNTY, MARYLAND	2
3x	3 ON BEHALF OF THE MONTGOMERY COUNTY OFFICE
ANDREW CONNER and :	4 OF ZONING AND ADMINISTRATIVE HEARINGS
ESTEFANIA PURICELLI : Case No.: CU 22-03	5
5 EQUESTRIAN FACILITY :	6 DEREK BAUMGARDNER, HEARING EXAMINER
Applicants :	7
3x	8 APPLICANTS:
	9
0 HEARING	10 ANDREW CONNER and ESTEFANIA PURICELLI
1 BEFORE DEREK BAUMGARDNER, HEARING EXAMINER	11 6001 Warm Springs Drive
2 Held Virtually	12 Derwood, MD 20855
3 Monday, February 7, 2022	13
4 9:33 a.m. EST	14 ALSO PRESENT:
5	15
16	16 BARBARA COX, MONTGOMERY COUNTY
7	17 DEPARTMENT OF PERMITTING SERVICES
18	18 NANA YAA JOHNSON, OZAH
9	19 SARA BEHANNA, OZAH
20	20 JESSE GREER, PLANET DEPOS
21	21
22	22
23 Job: 431277	23
24 Pages 1-34	24
25 Transcribed by: Jo Ann Pawela	25
	2
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7 Rockville, MD 20850 8 (240) 777-6660 9	7 8 #7 - Conditional Use Site Plan 11 9 #4 - Zoning Map 13 10 #17 - Staff Report 13 11 12 13 14 15 16 17 18 19 20 21 22 23

1 Can we identify the parties for the record? 2 (The hearing commenced at 9:33 a.m.) 3 MR, BAUMGARNNER. Good morning, everyone. 4 My name is Derck Baumgardner. Im going to be the hearing a case here today, February 7th, 2022. 5 MS, PuRICELLE HI. Yes. This is 6 Office of Zoning and Administrative Hearings, 7 hearing a case here today, February 7th, 2022. 8 The time is approximately 9:34 a.m. We are 9 hearing OZAH Case CU 22-03, requesting a 10 conditional use for an equestrian facility 11 located at the property at 6001 Warm Springs 12 Drive in Derwood, Maryland, all located within 13 Montgomery County, Maryland, all located within 13 Montgomery County, Maryland, all located within 14 Maryland, all contend within 15 Montgomery County, Maryland, and my email 8 devices in esterian puricellify genal loc. more in the 11 background? 14 As I mentioned, my name is Derck 17 lake in evidence here today and issue a written 18 decision of my findings. You may request an 19 appeal to the Board of Appeals within 10 days 20 from the date of that written decision. 21 A couple of brief things about our hearing 22 process, and sepcially our hearing process as 23 if applies in this virtual formar that we're 24 currently using, which is Microsoft Teams. 22 First of all, if you have any issues with 24 Microsoft Teams. 23 First of all, if you have any issues with 25 morning is being recorded. You should 36 see a bamer across the top of your screen 7 notifying you of such. We also have our court 8 properter on the line with us tody. He will be 9 recording this session for purposes of the 13 that. 14 Please—it looks like we only have the 15 court reporter and the applicants on the line, 16 as well as Ms. Cox. Generally speaking, we ask 17 you to multe yourselves when you are not speaking 18 as background mise can become a problem. But, 19 with only the applicant and the court reporter 20 on the line, we don't need to do mutting for this 21 case. 2 Hyou have any questions throughout this 2 morning's proceeding, please feel free to let	5		7
2 So, Ms. Puricelli, if you can just give us your 3 mme and your address and a good email address 4 for you, please? 5 the hearing examiner for this case. This is the 6 Office of Zoring and Administrative Heurings, 5 hearing a case here today. February 7th, 2022. 8 The time is approximately 9:34 a.m. We are 9 hearing CYAH Case CU 22-03, requesting a 10 conditional use for an equestrian facility 11 located at the property at 6001 Warm Springs 12 Drive in Derwood, Maryland, all located within 13 Montgomery County, Maryland, 14 As I mentioned, my name is Derek 15 Baumgardner. I will be the hearing examiner for 16 this case, which means I will listen to you and 17 take in evidence here today and issue a written 19 appeal to the Bourd of Appeals within 10 days 20 from the date of that written decision. 19 appeal to the Bourd of Appeals within 10 days 21 a couple of brief things about our hearing 22 process, and especially our hearing process as 23 it applies in this virtual format that we're 24 currently using, which is Microsoft Teams. 25 First of all, if you have any issues with 3 (240) 777-6663 - with any questions about 4 Microsoft Teams. 5 This hearing is being recorded. You should 6 see a barner across the top of your screen 7 notifying you of such. We also have our court 8 reporter on the line with us today. He will be 9 recording this session for purposes of the 10 transcript afterwards. Please speak clearly so 11 that the court reporter can get down annes and 15 wort reporter and the applicants on the line, 16 as well as Ms. Cox. Generally speaking, we ask 17 you to mute yourselves when you are not speaking 18 as background noise can become a problem. But, 19 with only the applicant and the court reporter 20 on the line, we don't need to do mutting for this 21 and, maan, do you swesse or affirm under 22 the penalties of perjury that the testimony 23 you're about to give is the truth! 24 how either by raising your thand or otherwise	5 PROCEEDINGS		7
13 MR. BALMGARDNER. Good morning, everyone. 14 My name is Derek Baumgardner. I'm going to be 15 the hearing examiner for this case. This is the 16 Office of Zoning and Administrative Hearings, 16 bearing a case here today. Pebranary 7th, 2022. 18 The time is approximately 9:34 a.m. We are 10 conditional use for an equestrian facility 11 located at the property at 6001 Warm Springs 12 Drivie in Drewood, Maryland, all located within 13 Montgomery County, Maryland. 14 As I mentioned, my name is Derek 15 Baumgardner. I will be the hearing examiner for 16 this case, which means I will listen to you and 17 take in evidence here today and issue a written 18 decision of my findings. You may request an 19 appeal to the Board of Appeals within 10 days 20 from the date of that written decision. 21 A couple of brief things about our hearing 22 process, and agood email address 8 14 MR BAUMGARDNER: This is 6001 Warm 15 limits within 10 days 20 from the date of that written decision. 21 A couple of brief things about our hearing 22 process, and agood email address 8 14 MR PAUMGARDNER: This is 6001 Warm 15 limits within 10 days 20 from the date of that written decision. 21 A couple of brief things about our hearing 22 process, and agood email address 8 14 MR PAUMGARDNER: This is 6001 Warm 16 address is estefania puricelli agymail.com. 9 MR BAUMGARDNER: Thank you very much, 10 ma/am. And is that Mr. Conner in the 11 background? 15 lifyou can just give as your fill name and your 16 address is estefania puricelli.gymail.com. 9 MR. BAUMGARDNER: This will be will be and the property and the address is the same — 6001 19 Warm Springs Drive, Derwood, 20855; and the 20 email address is 6001 Warm 21 MR. CONNER: Wes. This of the address is the same — 6001 21 MR. CONNER: Yes. This Andrew Conner, 23 GMR. BAUMGARDNER: Thank you very much, 21 ma/am. 22 margaretic and propertion and the address and a good email address set of 601 Warm 24 MR. CONNER: Wesh S. Andrew Conner, 25 CN-N-E-R. and the address is the same — 6001 29 Warm Springs Drive,			
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25 indicating that there's a question or an issue.   25 (No audible reply.)		_	
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# Transcript of Hearing

	11
9 1 MR. BAUMGARDNER: Thank you very much. All	11 MR. CONNER: Yeah, that's fine.
2 right. Tell me about your project.	2 MR. BAUMGARDNER: raise your hand.
3 MS. PURICELLI: So, we have the house, and	3 MR. CONNER: Yeah.
4 we have a barn, and	4 MR. BAUMGARDNER: No problem.
5 REPORTER: Oh, I'm sorry.	5 MR. CONNER: Sorry.
6 MS. PURICELLI: I'm working 7 REPORTER: Before we begin. She was	
_	
9 REPORTER: muted when swearing in, so I	9 is the truth, the whole truth, and nothing but
10 didn't hear her say yes or no.	10 the truth?
11 MR. BAUMGARDNER: Gotcha.	11 MR. CONNER: Yes, I swear.
12 MS. PURICELLI: Sorry.	12 MR. BAUMGARDNER: Thank you very much. So
13 MR. BAUMGARDNER: Can you repeat your Yes	13 where is that barn located on the property, sir?
14 from the swearing in?	MR. CONNER: So, it's in the corner of the
15 MS. PURICELLI: Yes, I swear.	15 property that is adjacent to Avery Lane, and
16 MR. BAUMGARDNER: Okay. Is that good, Mr.	16 also close to our neighbor's property on Amelung
17 Court Reporter?	17 Drive. I forget the precise address of that,
18 REPORTER: Yes, that's perfect. Thank you	18 but sorry, I don't know if it's the north
19 so much.	19 quadrant or I don't know the geolocation, but
20 MR. BAUMGARDNER: Great. Thank you. All	20 it's alongside Avery Lane and the neighboring
21 right. Sorry. About your project, you're	21 property.
22 welcome to proceed.	22 MR. BAUMGARDNER: All right. I'm going to
23 MS. PURICELLI: Yes. We basically want to	23 pull up let's do so, I have pulled up what
24 have like the permit to be able to have a couple	24 we have as marked Exhibit 7, which looks like a
25 of horses on the property. I'm familiar with	25 conditional use site plan of your property. I
10	12
1 the horse industry, and I have horses all my	1 am showing your home in the center of the
2 life. I currently work for a barn. I have	2 property. Is that correct?
<ul><li>2 life. I currently work for a barn. I have</li><li>3 another full-time job, but it's something that I</li></ul>	<ul><li>2 property. Is that correct?</li><li>3 MS. PURICELLI: Yes.</li></ul>
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	13
1 would be from any homes on this side?	1 refresh the windows. Let me pull
2 MS. PURICELLI: Not	2 MS. PURICELLI: Yes. Now I can see.
3 MR. CONNER: From yeah. From the barn	3 MR. BAUMGARDNER: There we go.
4 itself, I'm not sure the exact distance. I	4 MS. PURICELLI: Yes.
5 think in the application that we had submitted,	5 MR. BAUMGARDNER: So again, this is marked
6 I measured the distance from where we were	6 as Figure 2 in the staff report, and I have my
7 thinking to install the compost, and that was	7 cursor circling what I believe to be the stable
8 over a hundred feet. But, from that barn, the	8 where the horses will be kept.
9 straight-line distance from the pasture to that	9 MR. CONNER: Yes.
10 home, I don't know precisely.	10 MR. BAUMGARDNER: And then immediately to
	11 the right of that stable was marked in the
<b>1</b>	
12 what's been marked as Exhibit 4, which is a	12 previous exhibit as an asphalt or a paved area
13 zoning map, just to review	13 of some variety, and then Avery Road is running
14 MS. PURICELLI: Yeah. So	14 here.
15 MR. CONNER: I guess I and I would say,	15 Mr. Conner just stated that there is a
16 for what it's worth, there is about a six-foot	16 fence, I believe, running in a general north-
17 fence that runs along the edge of our property	17 south direction along this side of the property
18 on Avery. So, it's a six-foot wood panel fence,	18 on the Avery Road side of the property.
19 so it blocks visibility into our property from	19 And, for what it's worth, I see a little
20 that the property on the other side of Avery.	20 bit of tree cover on the east side of Avery
21 MR. BAUMGARDNER: Okay. I'm pulling up	21 Road, which might further block view of the
22 what's been marked as Exhibit 17, which is a	22 stable area.
23 staff report from the Planning Department.	23 MS. PURICELLI: Yes.
24 And for the record, Planning is	24 MR. BAUMGARDNER: Now, I don't really know
25 recommending approval of this application,	25 why folks would have a problem looking at
	14 16
1 subject to various conditions.	1 horses. And okay, just getting an idea.
2 Oftentimes, the Planning report will have	2 We had spoken about this the last hearing.
3 some maps and things like that which are helpful	3 Ms. Puricelli, the area where the horses would
4 in our review. Let's see what we have here.	4 be able to graze or to otherwise be free to roam
5 Here we go. So, what the Planning staff	5 around, obviously this area right here, which
6 report has marked as Figure 2 is an aerial of	6 I'm indicating with my cursor, is the area
7 this particular property that shows what I	7 immediately around the stable. Would the horses
8 believe to be a single-family home, which is the	8 have access to this area, which is to the
9 applicants' residence. And then it's oriented	9 northwest of that stable which surrounds the
10 in a different direction than the previous	10 single-family residence?
11 exhibit, but I believe what I have my cursor on	11 MS. PURICELLI: Yeah. I mean, if they
12 right now is the stable?	12 behave, yes. It's fenced, too, so it should be
13 MS. PURICELLI: Yeah. It's in that it's	13 okay.
14 not still it's not yet showing on the screen,	14 MR. CONNER: There is a I don't know if
15 that what you're trying to show or because	15 you can see it on that map, but there is a fence
16 I think that I know which map you are talking	16 that cuts across
17 about, and I don't think it's (audio glitch)	17 MS. PURICELLI: The front yard.
18 MR. BAUMGARDNER: Okay.	18 MR. CONNER: the front yeah, it cuts
19 MS. PURICELLI: that you are showing.	19 across the front yard from effectively the front
20 MR. BAUMGARDNER: Let me do this.	20 of the house, straight across. So, that whole
21 MS. PURICELLI: (Audio glitch.)	21 area can be fenced in, and so we can they
22 MR. BAUMGARDNER: Sometimes it does this	
23 thing where you have to	23 MS. PURICELLI: I mean, yeah, it's already
24 MS. PURICELLI: It's slower, yeah.	24 fenced.
25 MR. BAUMGARDNER: Yeah. You have to	25 MR. CONNER: We need to rotate them to give
23 IVIN, DAUIVIOANDINEN, TOAH, TOUHAVE IO	23 IVIA, COTATALA, WE HELD TOTALE THEIR TO GIVE

17	Cordary 1, 2022	19
1 the pasture area on the kind of main pasture	1 MR. CONNER: Yeah.	19
2 area a break. They yeah, we can they can	2 MR. BAUMGARDNER: a letter of support.	
3 be completely fenced into that area.	3 I mentioned this last hearing, but we did	
4 MR. BAUMGARDNER: Okay. So you have either	4 receive a letter in opposition. It was from	
5 currently, or you would have the ability to make	5 general residents of Avery Village. There was	
6 sure that there was permanent fencing around any 7 area in which the horses might be free to roam		
•	7 it in the record. We require the letters and	
8 around?	8 testimony to be sworn or to have a name attached	
9 MS. PURICELLI: Yes. It's currently	9 to it, so but, we did receive that. But,	
10 fenced. It's fenced, and it has like doors and	10 again, it's not included in the record for	
11 everything, and it we're able to lock the	11 consideration here today.	
12 doors, too. It's not only fenced, but also has	12 MR. CONNER: And that property is the one	
13 like kind of like chicken wire.	13 that's immediately adjacent, Gus, the letter of	
14 MR. CONNER: Yeah.	14 support, so that would be the one that would be	
15 MS. PURICELLI: Is that what you call	15 closest to the stable.	
16 MR. CONNER: Yeah. So, it's kind of the	16 MS. PURICELLI: Yeah. I also think that	
17 three row, kind of panel fence going across, and	17 the house with the (indiscernible) with the	
18 then chicken wire around the surrounds the	18 signs that says that it's like an equestrian	
19 property. The only place where there isn't	19 facility, perhaps people think that it might be	
20 permanent fencing is the entrance to the	20 like a big commercial commercially-run, you	
21 driveway, so that's why that little that	21 know, facility, and that perhaps somebody was	
22 sliver, effectively the front yard, doesn't have	22 kind of	
23 permanent fencing all around it.	23 MR. CONNER: Yeah.	
MR. BAUMGARDNER: Okay. But this is not an	24 MS. PURICELLI: uncomfortable with that,	
25 area where the horses would be; correct?	25 you know, and I understand.	
18		20
1 MR. CONNER: Correct.	1 MR. BAUMGARDNER: No, definitely. I think	
2 MR. BAUMGARDNER: Okay. These don't look	2 and this is just what it's termed in the	
3 the Amelung Lane and Warm Springs and Avery	3 zoning ordinance. But, having two horses, you	
4 do not look like heavily congested roads, but	4 know, does not necessarily equate to what we	
5 obviously there would be a concern of horses	5 commonly think of as an equestrian facility.	
6 getting into roadways with vehicles, which no	6 But, for whatever reason, the powers that be	
7 one wants, so just making sure that either	7 decided to call this particular thing, this	
8 currently the property is fenced, or will be	8 conditional use, an equestrian facility. But,	
9 have permanent fencing that would be up to	9 that is a very good point.	
10 whatever standard is required for horses.	To that point, we had talked about this a	
11 Do you know of any community concerns that	11 little bit in the last hearing. What will be	
12 have been voiced to you personally about holding	12 your intended use for the horses on the	
13 horses on your property?	13 property?	
14 MS. PURICELLI: No. Quite the opposite.	14 MS. PURICELLI: So, I would like to teach	
15 Like, all the neighbors are asking all the time,	15 my kids well, they more or less know, the	
	16 older one, but for my kids to, like, learn	
116 When are they coming?	TO OTHER OHE, OUR TOT HIS KIED ID, HKC, ICALH	
16 When are they coming?		
17 MR. BAUMGARDNER: Great.	17 horsemanship and learn how to ride, and then for	
<ul><li>17 MR. BAUMGARDNER: Great.</li><li>18 MS. PURICELLI: Yeah.</li></ul>	17 horsemanship and learn how to ride, and then for 18 me to be able to ride and, you know, work with	
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21	2	23
1 something kind of like on the side. But, yeah,	1 a truck, but we don't have a trailer yet.	
2 that's the intent. Like, if I give lessons, it	2 MR. CONNER: Yeah.	
3 would be not all day or anything like that	MS. PURICELLI: But, we need the horse to	
4 because so, with two horses, you have to give	4 get the trailer.	
5 them rest. So, yeah, it would be perhaps once a	MR. CONNER: Yeah. And what we've talked	
6 day per horse, or twice tops. But, yeah.	6 about, too, is potentially the barn that she	
7 MR. BAUMGARDNER: What do you think would	7 works at, where if we need transportation, they	
8 be the maximum number of people that would be	8 have the transportation equipment. So, that's	
9 visiting the property for the purpose of	9 something we haven't really made a decision on,	
10 something like lessons?	10 whether we'd get our own transportation; or, if	
11 MS. PURICELLI: It would be like I don't	11 it's needed, we'd basically rent it for the day	
12 know. I will say one car per time because I'm	12 or something from the barn	
13 only one person. So, if I have to teach a kid,		
14 I have to be full in. So, it's going to be one	_	
15 kid per time, and that will if they bring one	15 So, that's not something we've fully worked out	
16 other with them, there will be like just one car	16 at this point.	
17 per time, tops.	17 MS. PURICELLI: Yeah.	
18 Or, perhaps it will be like the only	18 MR. BAUMGARDNER: Understood. The staff	
19 traffic that I will see if we need to get	19 report, which, again, is marked as Exhibit 17	
20 hey, you know, one day, they will bring like a	20 let me see. There were a number of conditions	
21 truck and bring hey, you know, but it would be	21 that were listed by the staff. Just to make	
22 kind of like the normal movement of whenever you	22 sure that you are aware of these, there's 12.	
23 buy wood or buy something like	23 I'm just going to read through them very	
24 MR. BAUMGARDNER: Okay.	24 quickly. Stop me if you have any questions	
25 MR. CONNER: Yeah. And for the lessons, we	25 about any of the particular conditions that are	
22		24
1 do have excess space in our driveway, and so it	1 being recommended by Planning staff.	
	, ,	
2 wouldn't be something necessarily that like	Number 1. All uses on the site must	
<ul><li>wouldn't be something necessarily that like</li><li>there'd be cars blocking the street or anything</li></ul>	Number 1. All uses on the site must conform to the Conditional Use Site Plan that	
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Conducted on 1	Columny 1, 2022	
25		27
1 All animal waste storage areas must be	1 neighbors who live are very like gardening-	
2 located at least 100 feet from the nearest	2 oriented, so they're all looking for that waste	
3 dwelling and must be screened.	3 fertilizer for their gardens, too.	
4 The applicants must obtain and satisfy the	4 So, I don't know how much it will be left	
5 requirements of all licenses and permits,	5 to then ask for a service to take it out, but	
6 including county and state requirements.	6 it's going to be yeah. I mean, we live here,	
7 And, the equestrian facility must be	7 so I don't want a big pile of smelly anything,	
8 renewed every five years.	8 you know. So, the idea is to keep it tidy and	
9 That's a new one.	9 to keep it if we see that like there's	
10 MS. PURICELLI: And by renew, it's like the	10 compost that we can manage ourselves, we'll do	
11 whole process again or it's just something	11 it; but if we see that it's too much, we are	
12 that's more admin?	12 going to just order a service.	
13 MR. BAUMGARDNER: That's a great question.	MR. CONNER: And in the application, too,	
14 I've never seen that one before, to be honest.	14 we included plans for a compost bin that's	
15 Equestrian facility must be renewed every five	15 impermeable base, and then build it up a few	
16 years. I will find out, and we will let you	16 feet. I forget the precise dimensions of it	
17 know.	17 that we included, but and, yeah, I just found	
18 MS. PURICELLI: Okay.	18 that on a public horse website, plans around	
19 MR. BAUMGARDNER: This is not a standard	19 that. So, the idea being keep it from leaching	
20 condition that we normally see, so I wonder what	20 into the soil or running off into the drainage	
21 that	21 ditches.	
22 MR. CONNER: I think Barbara has her hand	22 MR. BAUMGARDNER: Okay. And you would	
23 up.	23 accept a condition on that or contracting	
24 MR. BAUMGARDNER: Ms. Cox, are you there?	24 actually, that plus contracting through some	
25 MS. COX: Hello. This is Barbara Cox from	25 kind of animal waste removal service would be a	
26	25 mile of difficult waster ratio (at 50) 120 we did of the	28
1 the Department of Permitting Services. I didn't	1 condition of approval?	20
2 mean to interject, but I did deal with a case	2 MS. PURICELLI: Yeah.	
3 rather recently for another Conditional Use for	3 MR. CONNER: Yeah. Yeah.	
4 an equestrian facility out in the Poolesville	4 MR. BAUMGARDNER: If you know, are there	
5 area. And Lynn handled that case it was	5 any streams close to your property?	
6 primarily just a review of the case so you	6 MR. CONNER: We live relatively close to	
7 may want to talk to Lynn about that.	7 Lake Needwood, so there are there is drainage	
8 MR. BAUMGARDNER: Okay. Thank you very	8 in the neighborhood that I can only assume	
9 much, Ms. Cox.	9 somehow ends up in Lake Needwood.	
10 MS. PURICELLI: Thank you.	10 MS. PURICELLI: I'm not so sure about that.	
11 MS. COX: Thank you.	11 MR. CONNER: But, yeah, I don't know.	
12 MR. BAUMGARDNER: All right. Let me see.	12 MS. PURICELLI: No. Nothing that would	
13 Any other	13 nothing that is nearby, walking distance. You	
14 Nutrient management issues. Can you talk a	14 have to for the first creek that you will see	
15 little bit about how waste will be stored and	15 is in the near the lake.	
16 shipped off or otherwise managed?	16 MR. CONNER: Yeah. Yeah. The first creek	
17 MS. PURICELLI: Yeah. So, there's a	17 that you would see is in Lake Needwood Park.	
18 I've been asking my friends at the different	18 MS. PURICELLI: Yeah.	
19 barns, and there are like services that are like		
	19 MR. BAUMGARDNER: Okay. I was just	
20 the trash service that you have, that they pick	20 curious. I'm just writing notes.	
21 up whatever manure you have once a week, or as	21 MS. PURICELLI: I have a question, if I	
22 often as you need. So, there's an option for 23 that service.	22 could, about the so, the maximum is two	
	23 horses. But, if in the case that I get only	
Now we're thinking of like putting	24 one horse, they get lonely and they shouldn't be	
25 everything at compost pile. Like, all my	25 by themselves. We are still able to have a	

29		31
1 goat, for example, or a sheep? Or that would be	1 MR. BAUMGARDNER: Yes.	31
2 something different?	2 MR. CONNER: Yeah. Okay.	
3 MR. BAUMGARDNER: That would most likely be	3 MR. BAUMGARDNER: They'll be able to walk	
4 something different. I would check with the	4 you through that process. It's not particularly	
5 Department of Permitting Services about other	5 complicated. This is the more this part	
6 animals on the property.	6 isn't exactly complicated, but this is the	
7 Every county has different rules and	7 public hearing part of it so that members of the	
8 restrictions regarding not only number of	8 community can testify if they are in opposition	
9 animals, but their type of use, whether they're	9 or in support, and to make sure that there are	
10 going to be livestock use or pet use. I'm not	10 certain things that are put in place if the	
11 familiar with all those regulations, so I would	11 application is approved.	
12 check with DPS before you did that. But,	The variance for the distance is not a	
13 because this particular conditional use is	13 particularly complicated procedure, but I would	
14 listed an equestrian facility, that would only	14 just follow DPS and Planning's direction on that	
15 cover horses.	15 process.	
16 MS. PURICELLI: Okay.	16 MR. CONNER: Okay. Thank you.	
17 MR. CONNER: Okay.	17 MR. BAUMGARDNER: Great.	
18 MR. BAUMGARDNER: And then lastly, we have	18 MS. PURICELLI: Thank you.	
19 the exhibit Affidavit of Posting, which was	19 MR. BAUMGARDNER: Well, thank you both for	
20 submitted. Does the property currently have the	20 your time today. It is approximately 10:05 a.m.	
21 three signs up announcing the hearing?	21 We are going to close this case. I am going to	
22 MS. PURICELLI: Yes.	22 keep the record open for 10 days after today's	
23 MR. CONNER: Yes.	23 date for receipt of the transcript from the	
24 MR. BAUMGARDNER: Okay. And just to orient	24 court reporter. Otherwise, we are closing	
25 myself, that's so those signs would be off of	25 testimony here today. We thank everyone for	
30		32
1 Warm Springs, Amelung, and Avery Road; correct?	1 your testimony and your participation, and wish	
2 MR. CONNER: Yeah.	2 everyone has a good Monday.	
3 MS. PURICELLI: Yes.	3 MS. PURICELLI: Thank you.	
4 MR. BAUMGARDNER: Okay. Great. I think I	4 MR. CONNER: Thank you. You, too.	
5 have everything that I need. We will issue our	5 MR. BAUMGARDNER: Thank you. Have a good	
6 report, our decision, within 30 days. As I	6 day.	
7 mentioned earlier, if you don't like that	7 MS. PURICELLI: Thanks for your time.	
8 decision, you can request an appeal to the Board	8 MR. CONNER: Thanks so much.	
9 of Appeals within 10 days after we issue that	9 (The hearing concluded at 10:05 a.m.)	
10 decision.	10	
11 Any final questions today?	11	
12 MS. PURICELLI: No. Once you imagine if	12	
13 you approve this, yeah, my question is more	13	
14 related to like the timing. When are we allowed	14	
15 to get a horse?	15	
16 MR. CONNER: We would have to get the	16	
17 variance next; right? Is that	17	
18 MR. BAUMGARDNER: That's correct.	18	
19 MR. CONNER: And would that be would you	19	
20 recommend we just continue to work with the	20	
21 Department of Permitting Services on how to	21	
22 proceed with the variance?	22	
23 MR. BAUMGARDNER: That's correct.	23	
24 MR. CONNER: If we're lucky to get through	24	
25 this stage and	25	

	Coldary 1, 2022
33 1 CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC	
2	
3 I, Brendon Cuenca, the officer before whom	
4 the foregoing hearing was conducted, do hereby	
5 certify that said proceedings were	
6 electronically recorded by me; and that I am	
7 neither counsel for, related to, nor employed by	
8 any of the parties to this case and have no	
9 interest, financial or otherwise, in its	
10 outcome.	
11 IN WITNESS WHEREOF, I have hereunto set my	
12 hand this 13th day of February, 2022.	
13	
14 15	
15 16 Page 1	
17 Brendon Cuenca, Court Reporter	
18 Notary Public, State of Maryland	
19	
20	
21 22 23	
23	
24	
25	
34	
1 CERTIFICATE OF TRANSCRIBER	
2	
3 I, Jo Ann Pawela, do hereby certify that	
4 the foregoing transcript is a true and correct	
5 record of the recorded proceedings; that said	
6 proceedings were transcribed to the best of my	
7 ability from the audio recording and supporting 8 information; and that I am neither counsel for,	
8 information; and that I am neither counsel for, 9 related to, nor employed by any of the parties	
10 to this case and have no interest, financial or	
11 otherwise, in its outcome.	
12 13 14 JO ANN PAWELA	
14 Shouly muleca	
15 JO ANN PAWELA	
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A	affidavit	animals	approved
ability	7:25, 29:19	29:6, 29:9	31:11
_	affirm	ann	approximate
17:5, 34:7	8:21, 11:7	1:25, 34:3,	10:9
able	after	34:15	approximately
9:24, 10:5,	30:9, 31:22	announcing	5:8, 12:24,
10:7, 16:4,	afterwards	29:21	31:20
17:11, 20:18,	6:10	another	area
22:20, 28:25,	again	10:3, 26:3	10:14, 12:7,
31:3 <b>about</b>	6:2, 15:5,	any	12:11, 12:16,
	19:10, 23:19,	5:25, 6:3,	12:19, 15:12,
5:21, 6:3, 8:5,	25:11	6:22, 12:18,	15:22, 16:3,
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