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Transcript of Public Hearing - Petition No. AB-780

Date: February 23, 2022

Case: Public Hearing/Montgomery County Department of Transportation

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Public Hearing, conducted virtually.

Pursuant to agreement, before
Carl Hellandsjo, Court Reporter.

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A P P E A R A N C E S

ON BEHALF OF THE MCDOT:

TIARA MCCRAY
MONTGOMERY COUNTY DEPARTMENT OF TRANSPORTATION
DIVISION OF TRANSPORTATION ENGINEERING
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240.777.8792

ON BEHALF OF THE APPLICANT:

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ALSO PRESENT:

MICHAEL PAYLOR, HEARING OFFICER
CHARLES STRUSE, APPLICANT REPRESENTATIVE
ERIC WILLIS, MCDOT
GREG PUGH, ATTENDEE
MIKE DEROSA, ATTENDEE
ANGIE MCCARTHY, ATTENDEE

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C O N T E N T S

ARGUMENT	PAGE
By Ms. McCray	7
By Ms. Girard	19

E X H I B I T S

(None marked.)

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P R O C E E D I N G S

(Whereupon, the court reporter was duly sworn.)

THE HEARING OFFICER: Greetings, and good afternoon to all of you. It is now 1 o'clock or 1:03 on February 23rd, 2022. We are conducting this hearing virtually via Zoom. We are here for a public hearing on abandonment petition AB 780, to consider an application received from Miles & Stockbridge PC, representing Miller Development Corporation to abandon a public assets easement of Landy Lane in Bethesda. My name is Michael Paylor, and I am the County Executive's designated hearing officer with the County's Department of Transportation.

This right-of-way abandonment hearing is being conducted pursuant to Section 49-62(f) of the Montgomery County Code. My role in the abandonment process is to receive testimony concerning the abandonment request and then write a report and recommendation to the County Executive concerning the Applicant's petition for abandonment. To do this, I will consider statements made during this hearing, written comments received within the comment period, as

1 well as documents submitted to Ms. McCray to
2 support or explain the position on this
3 abandonment case.

4 Please be advised that comments will be
5 accepted until March 8th, 2022, at 5 p.m. My
6 report and recommendation will then be forwarded
7 to the County Executive for consideration, and the
8 County Executive will then forward the report and
9 the county -- and his recommendation of the County
10 Executive's recommendation to the county council.
11 It is the County Council that will decide whether
12 to grant or deny the Applicant's petition for
13 abandonment.

14 For those who wish to submit written
15 comments, please submit them to Ms. Tiara McCray
16 at Montgomery County Department of Transportation,
17 100 Edison Park Drive, Fourth Floor, Gaithersburg,
18 Maryland 20878, or e-mail them to:
19 tiara.mccray@montgomerycountymd.gov by March 8th,
20 2022. There are a few ground rules that we must
21 cover before Ms. McCray introduces the abandonment
22 petition into the record. First, please turn off
23 or silence your cell phones. Second, as an issue
24 of decorum, all participants must be given due
25 consideration.

1 Those seeking to offer comment following
2 the close of the petitioner's case for
3 abandonment, are asked to be mindful of the time
4 and limit their comments to relevant matters. If
5 an interruption occurs, I will give that
6 individual their first warning. If there is a
7 second interruption, I will give that individual a
8 second warning, and they will be muted. If that
9 same individual receives a third warning, that
10 person will be removed from the call, and if there
11 are several people making interruptions, I may
12 close the hearing.

13 Following Ms. McCray's introduction, the
14 Applicant will submit its case for why it believes
15 the right-of-way should be abandoned. After the
16 Applicant has completed its case, those who have
17 registered to speak will be afforded the
18 opportunity to make relevant comments. Ms. Tiara
19 McCray is a real estate specialist for the
20 Montgomery County Department of Transportation,
21 and she will now present the case. Ms. McCray?

22 MS. MCCRAY: I'll make sure I unmute
23 myself before I start talking. Thank you, Mr.
24 Paylor, and good afternoon everyone. My name is
25 Tiara McCray, and, as Mr. Paylor noted, I am a

1 real estate specialist with the property
2 acquisition section for Montgomery County DOT. My
3 section is responsible for administering requests
4 for abandonment of public right-of-way. As Mr.
5 Paylor noted earlier, this process is governed by
6 County Code Article 49, Section 6. The county
7 code details the county council's authority to
8 abandon a public right-of-way if it finds that: 1,
9 the right-of-way is no longer needed for public
10 use or anticipated future public use, or 2, the
11 abandonment is necessary to protect the health,
12 safety, and welfare of the residents near the
13 right-of-way to be abandoned.

14 The subject of this case is a public
15 access easement covering an approximately 1.3-acre
16 parcel located at the terminus of Landy Lane in
17 Bethesda. The PAE or Public Access Easement was
18 initially established in connection with
19 Preliminary Plan Number 1-98045, approved by the
20 planning board on March 23rd, 1999 and later
21 recorded among Montgomery County Land Records
22 Liber 20877, Folio 313 on September 22nd, 2005,
23 and later depicted on the subdivision plat Number
24 22176.

25 The previous developer, as noted in the

1 PAE, was required to, and I quote, Grant a
2 non-exclusive easement to Montgomery County,
3 allowing continuous public vehicular access
4 through the property, including adequate access
5 from Montgomery County emergency vehicles, in
6 order to avoid the need for the re-dedication of
7 the property.

8 Since the establishment of the PAE, the
9 property never having been developed under the
10 Preliminary Plan Number 1-98045, seemed to serve
11 primarily as a surface parking lot to the
12 adjoining Washington Episcopal School and --
13 excuse me, the school field. As a condition of
14 the approved Preliminary Plan Number 120150160,
15 the Applicant, as part of the project, must, I
16 quote, Dedicate and construct the extension of
17 Landy Lane to applicable Montgomery County
18 secondary street structural standards -- try
19 saying that fast -- requiring the construction of
20 a new cul-de-sac on the property where Landy Lane
21 dead-ends at the school's property. Site Plan
22 Number 820150080 depicts the proposed
23 redevelopment of this property.

24 The Applicant asserts in its petition
25 that through the dedication of a previously

1 abandoned portion of Landy Lane extending just
2 north of the PAE, and construction of a new
3 cul-de-sac, it provides continuous public
4 vehicular access and an emergency access to Landy
5 Lane. The office of the County Attorney has
6 advised through discussions with the Applicant
7 that because the property is subject to a public
8 access easement, having been used by the public,
9 it is legally county right-of-way and thus
10 requiring the need for this abandonment process
11 today.

12 As part of the administrative process,
13 we have provided requisite notices to other public
14 agencies, abiding property owners, and the public
15 at large. During this process, we have collected
16 a number of exhibits that I will now introduce
17 into the hearing record. Give me one second, I
18 will go ahead and share my screen, and if I could
19 get a head-nod indicating that everyone can see my
20 screen, that would be really helpful. Awesome.
21 Thank you.

22 Exhibit A is the abandonment petition.
23 This letter that we received on June 25th, 2021
24 from the Applicant's representative shows several
25 exhibits here, and the first thing, Exhibit A,

1 which is the declaration and grant of public
2 access easement, which is Liber 20877, Folio 313
3 that I referenced in my -- in my comment earlier.
4 And then Exhibit B, which is plat Number 22176,
5 the subdivision record plat that references
6 Exhibit C, which shows relevant sections -- excuse
7 me -- of the Westbard Sector Plan. Can you guys
8 still hear me? Okay. All right. Exhibit D,
9 which is the preliminary plan that I referenced,
10 calling for the redevelopment of the property to
11 -- excuse me -- 121-unit age-restricted and
12 multi-family residential development, and then
13 Exhibit E, which is the site plan, and I will show
14 larger depictions of this later.

15 Exhibit B is the declaration and grant
16 of public access easement that I referenced
17 earlier, also depicted in the Applicant's letter.
18 Exhibit C is the subdivision plat Number 22176.
19 Exhibit D is the Preliminary Plan Number
20 120150160, with pre-approval of the proposed
21 multi-family residential development of the
22 property. Exhibit E is the site plan showing the
23 proposed redevelopment of the surface parking lot
24 or PAE. Exhibit F is the executive order number
25 164-21, authorizing today's public hearing.

1 Exhibit G is an aerial of the approximate
2 abandonment location. Exhibit H is the comment
3 solicitation e-mails that were submitted to county
4 agencies.

5 You'll note that there are two
6 announcements that were submitted, one on
7 September 10th, 2021. I will pause for a moment
8 and note that we had an original public hearing
9 scheduled for November 10th. Due to my error, I
10 had sent out notices to county agencies requesting
11 comments for the abandonment petition. However,
12 they were sent to my outbox and they did not go
13 out, and so we had to reschedule this hearing.
14 And you'll notice on the second page of this
15 exhibit, there is also another e-mail that was
16 sent out on January 13th.

17 Okay. Exhibit I shows the same
18 announcement that was sent out to public utility
19 companies, also, noting that there was one sent
20 out on September 10th, and then another sent out
21 on January 13th. Exhibit J -- let me focus in, so
22 everyone can see -- Exhibit J is the Washington
23 Times affidavit of publication advertising today's
24 hearing and the registration process that ran on
25 February 4th and February 11th. Exhibit K is the

1 public hearing traffic sign that was posted in
2 front of the public access easement.

3 It also advertises the public hearing
4 and the QR code that directed interested parties
5 to the registration portal for today's hearing.
6 Exhibit L is the Montgomery County Department of
7 Transportation calendar events submission,
8 providing notice of the hearing and registration
9 information. Exhibit M is a HOACA contact list;
10 it indicates all of the community associations and
11 housing associations -- homeowners' associations,
12 excuse me, that received notice of today's
13 hearing.

14 You'll note that the lines or the items
15 listed in green, they do not have an e-mail
16 address, and so they did receive a notice via
17 mail, and those with a red marking here, we
18 received an undeliverable message for those -- for
19 those parties. Exhibit N is the e-mail that was
20 sent out to those points of contact just shown in
21 the mailing list in Exhibit M. Exhibit O is the
22 general public notice that was submitted to
23 abutting and affected property owners, advertising
24 today's hearing along with registration
25 information.

1 You'll also note, on the next page that
2 we sent notices out to those parties via certified
3 mail, and that's the tracking information, and the
4 notice was sent out on January 19th, 2022.
5 Exhibit P is the Department of Transportation
6 Development Review Committee comment, dated
7 November 2nd, 2021, with conditional approval,
8 noting that the PAE would -- should not take
9 effect until the substantial construction of the
10 cul-de-sac shown on the site plan, noting that
11 substantial construction does consist of, at
12 minimum, a base coat curb and gutter.

13 Exhibit Q is a comment received from the
14 division of Traffic Engineering and Operations,
15 dated September 24th, 2021, with no objection.
16 Exhibit R is a comment received from the
17 Department of Transportation Division of
18 permitting services plan review. You'll note that
19 there was original comment that was updated on
20 September 24th, 2021, providing an excerpt of an
21 e-mail from the representative from the office of
22 County Attorney, noting that the turnaround be
23 built before the current right-of-way is abandoned
24 and suggesting that construction and the
25 abandonment happen parallel or could happen

1 parallel to one another.

2 Atiq, who is the manager of the
3 right-of-way plan review section, requested an
4 update from the Applicant on the cul-de-sac
5 construction. You'll note here at the bottom of
6 this e-mail conversation that the Applicant did in
7 fact provide a response explaining their agreement
8 with the abandonment being conditioned upon the
9 dedication of the formerly abandoned right-of-way
10 and substantial completion of -- of the
11 cul-de-sac.

12 All right. There we go. All right.
13 Exhibit S is a comment received from the division
14 of permitting services DOT in the fire and rescue
15 section noting conditional approval as long as the
16 previous -- as long as provisions of the approved
17 preliminary plan are met, particularly the
18 cul-de-sac as noted earlier in other comments.
19 And also requesting that the approved fire
20 department access and water supply plan be
21 accompanied with their notes, which it is on the
22 second page. I'm not sure if you guys can see
23 that. It takes a while for it to load. It's a
24 pretty large file.

25 Exhibit T is a comment received by the

1 planning board, Montgomery County Planning Board,
2 dated November 8th, 2021, recommending approval of
3 the petition with the condition that the
4 abandonment does not take effect until the
5 condition cul-de-sac is substantially constructed
6 to base coat with curb and gutter. Noting that
7 planning board approved the recommendation for
8 approval for the abandonment, and the staff report
9 goes on to explain that the subject abandonment
10 has met all of the listed criteria for abandonment
11 in Section 49-63(c), Items 1 and 2 of the County
12 Code, and the report includes several attachments
13 that have been read into record already, such as:
14 Exhibit 1 is the Applicant letter, Exhibit C,
15 which is the plat -- subdivision plat, Exhibit D,
16 which is the preliminary plan and Exhibit E.

17 Exhibit U is a comment received from
18 WSSC Water, dated November 8th, 2021, noting an
19 8-inch water main within the proposed abandonment
20 area, and that any approval to vacate the public
21 access easement would be conditioned on the
22 Applicant granting --

23 -- sufficient right-of-way for the
24 existing structures -- excuse me. Exhibit V is a
25 comment received from Washington Gas, dated January

1 24th, 2022, with no objection as long as their
2 existing facilities can remain in place, and
3 should be later -- and should later field
4 observations, indicate that the lines would not be
5 able to exist within the public right-of-way, that
6 the Applicants, or its -- that the Applicant would
7 contact Colin Burke (phonetic), the Maryland
8 distribution engineer.

9 Exhibit W is a comment received from
10 PEPCO, dated January 31st, 2022, providing an
11 initial objection, but later requesting that the
12 Applicant provide a sketch or a drawing indicating
13 an area for their equipment, and should any
14 equipment be required to relocate, that it would
15 be at the Applicant's expense. Exhibit X is the
16 Applicant's response to PEPCO's comment, dated
17 February 20th, 2022, indicating that PEPCO
18 equipment is located within a separately dedicated
19 right-of-way to PEPCO, and that it will not be
20 encroached or abandoned by this proposed
21 development of the property.

22 Exhibit Z, which is the right-of-way
23 deeds to PEPCO that the Applicant was referring to
24 in their -- in the previous exhibit, Liber 2157,
25 Folio 153. And then you'll note here a little

1 change -- make sure I have that right -- 156, here
2 we go, and then the second right-of-way deed,
3 which is Liber 2157, Folio 156. This is
4 right-of-way between the former property owner and
5 PEPCO. Exhibit AA, it is executed, PEPCO
6 quitclaim request letter.

7 This details the agreements that the
8 Applicant has had with PEPCO noting that the
9 existing facilities will be placed underground
10 with cost to be shared between the Applicant and
11 PEPCO, and that PEPCO will move forward with
12 quitclaiming both easements that were read into
13 record in Exhibit Z. And then, finally, Exhibit
14 AB, which is the Applicant's public hearing
15 presentation, which I won't click through as they
16 will be presenting that here shortly. Thank you,
17 Mr. Paylor. I'll go ahead and turn this back over
18 to you.

19 THE HEARING OFFICER: Thank you, Tiara.
20 It's my recollection that we can move forward with
21 the testimony at this time.

22 MS. MCCRAY: Would you want the -- the
23 Applicant to do their presentation first?

24 THE HEARING OFFICER: Yes, ma'am,
25 please.

1 MS. MCCRAY: Okay.

2 THE HEARING OFFICER: Thank you.

3 MS. GIRARD: All right. Erin Girard,
4 with Miles & Stockbridge, on behalf of the
5 Applicant. With me today is also Laura Tallerico,
6 my associate who's been assisting me on this
7 matter. I'm going to try to share my screen to do
8 the PowerPoint. Can everyone see that? Okay. I
9 was like waiting for response, then I saw the
10 thumbs up, so I -- apologies for that. Okay. I
11 will try not to be repetitive.

12 Many of the things in our letter were
13 also covered by Ms. McCray a minute ago, so I'm
14 going to try to kind of keep at high-level, but as
15 mentioned Miller is the contract purchaser of the
16 properties, they're assumed to be the owner of the
17 property who is requesting the approval of the
18 abandonment of the public access easements, which
19 is depicted in red on the aerial that's before
20 you. As Ms. McCray noted, so River Road is to the
21 left of the screen, bottom left of the screen.
22 Landy Lane comes in. It dead ends right now at
23 Washington Episcopal School, which is shown --
24 hopefully you can see my cursor moving just to the
25 north. Okay. Good.

1 So that's the episcopal -- Washington
2 Episcopal School building. You can see it faintly
3 here, but they often fence off the extension
4 through, and that's private property beyond that
5 fence, but they do use this parking area that's
6 the subject of the abandonment, for -- for parking
7 for their turf field, which they rent out to --
8 for various uses. The -- you can't quite tell on
9 here, but when you come in, if you can follow my
10 cursor, there's an entrance here, and cars can
11 circulate around, pursuant to the intent of the
12 public access easement, and come back out to go to
13 Landy Lane.

14 So it provides that turnaround for when
15 you hit the gate for Washington Episcopal School.
16 As Ms. McCray noted, the public access easement
17 was established in connection with the 1999
18 preliminary plan. I tried to get some background.
19 Actually, some of my colleagues handled this
20 matter way back in the '90s. As to why they
21 subjected the entire property to public access
22 easement in exchange for the abandonment, no one
23 seemed to recall the history there. So I would
24 just note that it is -- this is an unusual case
25 where there was a dedication for Landy Lane, as

1 shown where my icon is, that was abandoned in
2 exchange for this much larger public access
3 easement, and that project never went forward.

4 So what we're attempting to do now is to
5 abandon the larger public access easement and go
6 back essentially to publicly dedicated
7 right-of-way, and as I'll explain in a minute, a
8 cul-de-sac for the Landy Lane extension. This is
9 just a quick picture of the relevant language from
10 the public access easement, which I believe Ms.
11 McCray mentioned as well.

12 It calls for the continuous public
13 vehicular access through the property and adequate
14 access for Montgomery County emergency vehicles,
15 and this is an attachment to the public access
16 easement that again shows what I described. So,
17 River Road, coming off River, cars come down and
18 take the long route around the parking area to get
19 back out, and I would note I've actually been out
20 there a couple of times for my daughters using
21 that field, and there's quite a great difference
22 between the -- this roadway and the parking lot.

23 So if you're not careful, you can bottom
24 out your car, so it's not exactly a very easy
25 turnaround. This is an excerpt from the approved

1 preliminary plans -- preliminary plan and site
2 plan were approved in 2016 for a 121 unit
3 age-restricted multi-family building. As noted,
4 Condition 9 of that approval requires the
5 dedication of Landy Lane and this cul-de-sac that
6 I'm showing with my cursor. This -- where, Lot 2,
7 is written in the hatching, that is the proposed
8 building. There's a little courtyard and then, as
9 I mentioned, the turnaround.

10 So this turnaround was the subject of
11 much discussion during the preliminary plan
12 proceedings to make sure that it adequately could
13 accommodate emergency vehicles and regular
14 vehicles, to turn around quickly and efficiently
15 and was determined to do that, and that's why it's
16 condition of the approval. Again -- again, as
17 noted by Ms. McCray, the staff report for parking
18 planning picked up the condition that we had
19 agreed to with Montgomery County Department of
20 Transportation and Montgomery County Department of
21 Permanent Services in recognition of the fact --
22 and if I can just go back one slide -- that there
23 will never be a time when there is not public
24 access.

25 So everyone was in agreement that to

1 just abandon the PAE without anything else in
2 place was not going to be acceptable. So what is
3 going to occur is: As soon as the cul-de-sac is
4 constructed and it's defined, substantial
5 construction, what that means in the condition, as
6 soon as that is dedicated and constructed, then
7 the PAE will be lifted to allow for the
8 re-development of the remainder of the property as
9 envisioned in the entitlements.

10 Again, a quick look at the planning
11 board letter of recommendation, and then I realize
12 this is a lot of colors, and a lot of lines on a
13 small plan, but that was -- we have submitted the
14 utility plan, and we did get comments from, as was
15 noted, Washington Gas, WSSC, PEPCO. The Applicant
16 has been working through those to really just --
17 to explain to them that their lines are -- in the
18 case of Washington Gas and WSSC, their lines are
19 already within what will be the dedicated
20 right-of-way.

21 So there will never be a time at which
22 their lines are not protected. They're going to
23 go directly into the public right-of-way from the
24 PAE, and so they're not going to be subject to
25 being on private property at any point in time,

1 and, as noted, we had originally responded to
2 PEPCO regarding their lines, and the Applicant,
3 through the letter that was submitted this
4 morning, has demonstrated that they have been
5 working closely with PEPCO to -- although it's
6 really irrelevant to this proceeding because the
7 lines would've been protected by the easements
8 anyway, that they're working with PEPCO to make
9 sure that those lines are relocated underground in
10 connection with the project.

11 So as detailed in our letter, pursuant
12 to Section 49-63(c) of the Montgomery County Code,
13 Abandonments are allowed upon a finding that
14 either: 1, the right-of-way is no longer necessary
15 for public present -- public -- present public use
16 or anticipated public use in the foreseeable
17 future, or 2, the abandonment is necessary to
18 protect the health, safety and welfare of the
19 residents near the right-of-way to be abandoned.

20 As we noted in our letter, although only
21 one needs to be met to allow for an abandonment,
22 we believe that both are met in this case as
23 demonstrated by the material of record and from my
24 explanation. The current turnaround is pretty
25 cumbersome, and the grade is not -- is not great.

1 This will facilitate a much easier turnaround for
2 emergency vehicles and for regular vehicles who
3 encounter the gates and private property of
4 Washington Episcopal School and needs to turn
5 around.

6 So it will be a much safer and more
7 efficient turnaround. We also noted, as was shown
8 in the exhibits, that the Westbard Sector Plan
9 calls for the re-development of the property. As
10 you've seen in the exhibits, the public access
11 easement currently covers the property corner to
12 corner, so obviously no re-development could occur
13 on the site as long as that public access easement
14 is in place, so it needs to be lifted to allow for
15 the re-development in conformance with the sector
16 plan, and the County Council, obviously, has
17 adopted the sector plan as being in the public
18 interest.

19 Finally, the facts and circumstances
20 have changed since the initial dedication and --
21 or the recordation of the public access easement.
22 As noted, that was predicated on the 1999 plan
23 that never proceeded to development, and the
24 assumptions upon which it was granted have
25 obviously changed to give way to this new

1 cul-de-sac, new dedication, and new proposed
2 project that was approved in 2016.

3 So with that -- because it's -- you
4 know, there's not a full-on abandonment it's
5 really kind of switching one for the other, we
6 weren't going to do a more detailed presentation
7 than that. As noted, Charles Struse is here on
8 behalf of Millard Bowman. If there's any
9 technical questions about construction or the
10 utilities that I can't answer, but I believe,
11 pursuant to the materials of the record and this
12 presentation, we've met the burdens to show that
13 an abandonment of the public access easement is
14 appropriate in this case. Thank you.

15 THE HEARING OFFICER: Thank you very
16 much. Is -- so are there any other individuals
17 associated with you, the Applicant, that wish to
18 make comments on this?

19 MS. GIRARD: I don't believe so, unless
20 Charlie has something I forgot. No. We can
21 answer questions.

22 THE HEARING OFFICER: Okay. Great. I
23 don't have any questions at this time. I guess
24 therefore we'll allow anybody or any individuals
25 on the call who registered to speak, do so and --

1 and make relevant comments.

2 MS. MCCRAY: I believe I received notice
3 from Mr. Greg that he might be interested in
4 speaking.

5 THE HEARING OFFICER: Yes.

6 MR. PUGH: I just had two quick
7 questions, and I apologize, I'm very much a
8 layman, and -- but my -- my child's a student at
9 Washington Episcopal. As I understand the plans,
10 there is still access from the -- the new
11 cul-de-sac to the gate at Washington Episcopal.
12 So they would be able to continue to use the
13 roadway at Landy Lane to enter and exit the
14 school; is that right?

15 MS. GIRARD: Correct.

16 MR. PUGH: Okay, and have you all had
17 any contact with the school in terms of like, you
18 know, what construction disruptions would be and
19 that sort of thing or --

20 MS. GIRARD: Very, very close contact,
21 yes.

22 MR. PUGH: Great, great. That was my
23 only two concerns. Thank you.

24 MS. GIRARD: Yes.

25 THE HEARING OFFICER: Mr. Pugh. Thank

1 you so much. Tiara, do you know if anyone else
2 wants to be afforded the opportunity to offer
3 comments?

4 MS. MCCRAY: No, sir. No one had made
5 note in their registration information, but I do
6 know that Ms. Angie had signed up to participate.
7 I'm not sure if -- Ms. Angie, you'd, you know, be
8 interested in making a comment at this time?

9 MS. MCCARTHY: Fine, but thank you for
10 opening up to me.

11 MS. MCCRAY: You're more than welcome.
12 Seeing no requests in the chat, Mr. Paylor, I
13 think you're good to go.

14 THE HEARING OFFICER: All right. If
15 there are no additional comments, I'm declaring
16 this hearing closed. As I mentioned earlier, the
17 record will remain open until March the 8th, 2022,
18 to accommodate any additional comments for the
19 record, and please if those comments do surface,
20 please make sure that they're addressed to Ms.
21 Tiara McCray, Montgomery County Department of
22 Transportation, 100 Edison Park Drive,
23 Gaithersburg, Maryland 20878. And so with that, I
24 call this hearing closed.

25 (Off the record at 1:35 p.m.)

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CERTIFICATE OF COURT REPORTER

I, Carl Hellandsjo, the officer
before whom the foregoing proceedings were taken,
do hereby certify that said proceedings were
electronically recorded by me; and that I am
neither counsel for, related to, nor employed by
any of the parties to this case and have no
interest, financial or otherwise, in its outcome.

Notary Registration No.: 7885926

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Carl Hellandsjo, Court Reporter

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CERTIFICATION OF TRANSCRIPT

I, Brandi McLean, do hereby certify that the foregoing transcript, to the best of my ability, knowledge, and belief, is a true and correct record of the proceedings; that said proceedings were reduced to typewriting under my supervision; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.



Brandi McLean
Planet Depos, LLC
3/7/2022

A			
aa	10:8, 11:2,	affidavit	15:19, 19:5,
18:5	11:16, 13:2,	12:23	19:13, 25:7
ab	15:20, 16:21,	afforded	although
1:5, 5:8, 18:14	19:18, 20:12,	7:17, 28:2	24:5, 24:20
abandon	20:16, 20:21,	after	among
5:11, 8:8,	21:2, 21:5,	7:15	8:21
21:5, 23:1	21:10, 21:13,	afternoon	angie
abandoned	21:14, 21:15,	5:5, 7:24	3:25, 28:6,
7:15, 8:13,	22:24, 25:10,	again	28:7
10:1, 14:23,	25:13, 25:21,	21:16, 22:16,	announcement
15:9, 17:20,	26:13, 27:10	23:10	12:18
21:1, 24:19	accommodate	age-restricted	announcements
abandonment	22:13, 28:18	11:11, 22:3	12:6
5:8, 5:16,	accompanied	agencies	another
5:19, 5:20,	15:21	10:14, 12:4,	12:15, 12:20,
5:23, 6:3, 6:13,	acquisition	12:10	15:1
6:21, 7:3, 8:4,	8:2	ago	answer
8:11, 10:10,	acre	19:13	26:10, 26:21
10:22, 12:2,	8:15	agreed	anticipated
12:11, 14:25,	actually	22:19	8:10, 24:16
15:8, 16:4,	20:19, 21:19	agreement	any
16:8, 16:9,	additional	2:10, 15:7,	16:20, 17:13,
16:10, 16:19,	28:15, 28:18	22:25	23:25, 26:8,
19:18, 20:6,	address	agreements	26:16, 26:23,
20:22, 24:17,	13:16	18:7	26:24, 27:17,
24:21, 26:4,	addressed	ahead	28:18, 29:7,
26:13	28:20	10:18, 18:17	30:8
abandonments	adequate	all	anybody
24:13	9:4, 21:13	5:5, 6:24,	26:24
abiding	adequately	11:8, 13:10,	anyone
10:14	22:12	15:12, 16:10,	28:1
ability	adjoining	19:3, 27:16,	anything
30:3	9:12	28:14	23:1
able	administering	allow	anyway
17:5, 27:12	8:3	23:7, 24:21,	24:8
about	administrative	25:14, 26:24	apologies
26:9	10:12	allowed	19:10
abutting	adopted	24:13	apologize
13:23	25:17	allowing	27:7
acceptable	advertises	9:3	applicable
23:2	13:3	along	9:17
accepted	advertising	13:24	applicant
6:5	12:23, 13:23	already	3:11, 3:21,
access	advised	16:13, 23:19	7:14, 7:16,
8:15, 8:17,	6:4, 10:6	also	9:15, 9:24,
9:3, 9:4, 10:4,	aerial	3:19, 11:17,	10:6, 15:4,
	12:1, 19:19	12:15, 12:19,	15:6, 16:14,
	affected	13:3, 14:1,	16:22, 17:6,
	13:23		

<p>17:12, 17:23, 18:8, 18:10, 18:23, 19:5, 23:15, 24:2, 26:17 applicant's 5:22, 6:12, 10:24, 11:17, 17:15, 17:16, 18:14 applicants 17:6 application 5:9 appropriate 26:14 approval 14:7, 15:15, 16:2, 16:8, 16:20, 19:17, 22:4, 22:16 approved 8:19, 9:14, 15:16, 15:19, 16:7, 21:25, 22:2, 26:2 approximate 12:1 approximately 8:15 area 16:20, 17:13, 20:5, 21:18 argument 4:2 around 20:11, 21:18, 22:14, 25:5 article 8:6 asked 7:3 asserts 9:24 assets 5:11 assisting 19:6</p>	<p>associate 19:6 associated 26:17 associations 13:10, 13:11 assumed 19:16 assumptions 25:24 atig 15:2 attachment 21:15 attachments 16:12 attempting 21:4 attendee 3:23, 3:24, 3:25 attorney 10:5, 14:22 authority 8:7 authorizing 11:25 avoid 9:6 awesome 10:20</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>back 18:17, 20:12, 20:20, 21:6, 21:19, 22:22 background 20:18 base 14:12, 16:6 because 10:7, 24:6, 26:3 been 9:9, 10:8, 16:13, 19:6, 21:19, 23:16,</p>	<p>24:4, 24:7 before 2:10, 6:21, 7:23, 14:23, 19:19, 29:3 behalf 3:3, 3:11, 19:4, 26:8 being 5:17, 15:8, 23:25, 25:17 belief 30:4 believe 21:10, 24:22, 26:10, 26:19, 27:2 believes 7:14 best 30:3 bethesda 5:12, 8:17 between 18:4, 18:10, 21:22 beyond 20:4 board 8:20, 16:1, 16:7, 23:11 both 18:12, 24:22 bottom 15:5, 19:21, 21:23 bowman 26:8 brandi 30:2, 30:14 building 20:2, 22:3, 22:8 built 14:23 burdens 26:12 burke 17:7</p>	<hr/> <p style="text-align: center;">C</p> <hr/> <p>calendar 13:7 call 7:10, 26:25, 28:24 calling 11:10 calls 21:12, 25:9 can't 20:8, 26:10 car 21:24 careful 21:23 carl 1:25, 2:11, 29:2, 29:15 cars 20:10, 21:17 case 6:3, 7:2, 7:14, 7:16, 7:21, 8:14, 20:24, 23:18, 24:22, 26:14, 29:7, 30:8 cell 6:23 certificate 29:1 certification 30:1 certified 14:2 certify 29:4, 30:2 change 18:1 changed 25:20, 25:25 charles 3:21, 26:7 charlie 26:20 chat 28:12</p>
---	--	--	--

<p>child's 27:8 circulate 20:11 circumstances 25:19 click 18:15 close 7:2, 7:12, 27:20 closed 28:16, 28:24 closely 24:5 coat 14:12, 16:6 code 5:18, 8:6, 8:7, 13:4, 16:12, 24:12 colin 17:7 colleagues 20:19 collected 10:15 colors 23:12 come 20:9, 20:12, 21:17 comes 19:22 coming 21:17 comment 5:25, 7:1, 11:3, 12:2, 14:6, 14:13, 14:16, 14:19, 15:13, 15:25, 16:17, 16:25, 17:9, 17:16, 28:8 comments 5:25, 6:4, 6:15, 7:4, 7:18,</p>	<p>12:11, 15:18, 23:14, 26:18, 27:1, 28:3, 28:15, 28:18, 28:19 commission 29:11 committee 14:6 community 13:10 companies 12:19 completed 7:16 completion 15:10 concerning 5:20, 5:22 concerns 27:23 condition 9:13, 16:3, 16:5, 22:4, 22:16, 22:18, 23:5 conditional 14:7, 15:15 conditioned 15:8, 16:21 conducted 1:9, 2:1, 5:17 conducting 5:6 conformance 25:15 connection 8:18, 20:17, 24:10 consider 5:9, 5:23 consideration 6:7, 6:25 consist 14:11 construct 9:16 constructed 16:5, 23:4,</p>	<p>23:6 construction 9:19, 10:2, 14:9, 14:11, 14:24, 15:5, 23:5, 26:9, 27:18 contact 13:9, 13:20, 17:7, 27:17, 27:20 continue 27:12 continuous 9:3, 10:3, 21:12 contract 19:15 conversation 15:6 corner 25:11, 25:12 corporation 5:11 correct 27:15, 30:4 cost 18:10 could 10:18, 14:25, 22:12, 25:12 council 6:10, 6:11, 25:16 council's 8:7 counsel 29:6, 30:7 county 1:2, 3:5, 5:13, 5:18, 5:21, 6:7, 6:8, 6:9, 6:10, 6:11, 6:16, 7:20, 8:2, 8:6, 8:7, 8:21, 9:2, 9:5, 9:17, 10:5, 10:9, 12:3, 12:10, 13:6,</p>	<p>14:22, 16:1, 16:11, 21:14, 22:19, 22:20, 24:12, 25:16, 28:21 county's 5:14 couple 21:20 court 2:11, 5:2, 29:1, 29:15 courtyard 22:8 cover 6:21 covered 19:13 covering 8:15 covers 25:11 criteria 16:10 cul-de-sac 9:20, 10:3, 14:10, 15:4, 15:11, 15:18, 16:5, 21:8, 22:5, 23:3, 26:1, 27:11 cumbersome 24:25 curb 14:12, 16:6 current 14:23, 24:24 currently 25:11 cursor 19:24, 20:10, 22:6</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>dated 14:6, 14:15, 16:2, 16:18, 16:25, 17:10,</p>
---	--	---	---

<p>17:16 daughters 21:20 dead 19:22 dead-ends 9:21 decide 6:11 declaration 11:1, 11:15 declaring 28:15 decorum 6:24 dedicate 9:16 dedicated 17:18, 21:6, 23:6, 23:19 dedication 9:25, 15:9, 20:25, 22:5, 25:20, 26:1 deed 18:2 deeds 17:23 defined 23:4 demonstrated 24:4, 24:23 deny 6:12 department 1:1, 3:5, 5:14, 6:16, 7:20, 13:6, 14:5, 14:17, 15:20, 22:19, 22:20, 28:21 depicted 8:23, 11:17, 19:19 depictions 11:14 depicts 9:22</p>	<p>depos 30:15 derosa 3:24 described 21:16 designated 5:13 detailed 24:11, 26:6 details 8:7, 18:7 determined 22:15 developed 9:9 developer 8:25 development 5:10, 11:12, 11:21, 14:6, 17:21, 25:23 difference 21:21 directed 13:4 directly 23:23 discussion 22:11 discussions 10:6 disruptions 27:18 distribution 17:8 division 3:6, 14:14, 14:17, 15:13 documents 6:1 dot 8:2, 15:14 down 21:17 drawing 17:12 drive 3:7, 6:17,</p>	<p>28:22 due 6:24, 12:9 duly 5:2 during 5:24, 10:15, 22:11</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>e-mail 6:18, 12:15, 13:15, 13:19, 14:21, 15:6 e-mails 12:3 earlier 8:5, 11:3, 11:17, 15:18, 28:16 easement 5:11, 8:15, 8:17, 9:2, 10:8, 11:2, 11:16, 13:2, 16:21, 20:12, 20:16, 20:22, 21:3, 21:5, 21:10, 21:16, 25:11, 25:13, 25:21, 26:13 easements 18:12, 19:18, 24:7 easier 25:1 easy 21:24 edison 3:7, 6:17, 28:22 effect 14:9, 16:4 efficient 25:7 efficiently 22:14 either 24:14</p>	<p>electronically 29:5 else 23:1, 28:1 emergency 9:5, 10:4, 21:14, 22:13, 25:2 employed 29:6, 30:8 encounter 25:3 encroached 17:20 ends 19:22 engineer 17:8 engineering 3:6, 14:14 enter 27:13 entire 20:21 entitlements 23:9 entrance 20:10 envisioned 23:9 episcopal 9:12, 19:23, 20:1, 20:2, 20:15, 25:4, 27:9, 27:11 equipment 17:13, 17:14, 17:18 eric 3:22 erin 3:12, 19:3 error 12:9 esquire 3:12, 3:13 essentially 21:6</p>
---	--	---	---

<p>est 1:11 established 8:18, 20:17 establishment 9:8 estate 7:19, 8:1 events 13:7 everyone 7:24, 10:19, 12:22, 19:8, 22:25 exactly 21:24 excerpt 14:20, 21:25 exchange 20:22, 21:2 excuse 9:13, 11:6, 11:11, 13:12, 16:24 executed 18:5 executive 5:22, 6:7, 6:8, 11:24 executive's 5:13, 6:10 exhibit 10:22, 10:25, 11:4, 11:6, 11:8, 11:13, 11:15, 11:18, 11:19, 11:22, 11:24, 12:1, 12:2, 12:15, 12:17, 12:21, 12:22, 12:25, 13:6, 13:9, 13:19, 13:21, 14:5, 14:13, 14:16, 15:13, 15:25, 16:14, 16:15, 16:16, 16:17, 16:24,</p>	<p>17:9, 17:15, 17:22, 17:24, 18:5, 18:13 exhibits 10:16, 10:25, 25:8, 25:10 exist 17:5 existing 16:24, 17:2, 18:9 exit 27:13 expense 17:15 expires 29:11 explain 6:2, 16:9, 21:7, 23:17 explaining 15:7 explanation 24:24 extending 10:1 extension 9:16, 20:3, 21:8</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>facilitate 25:1 facilities 17:2, 18:9 fact 15:7, 22:21 facts 25:19 faintly 20:2 fast 9:19 february 1:10, 5:6, 12:25, 17:17 fence 20:3, 20:5</p>	<p>few 6:20 field 9:13, 17:3, 20:7, 21:21 file 15:24 finally 18:13, 25:19 financial 29:8, 30:9 finding 24:13 finds 8:8 fine 28:9 fire 15:14, 15:19 first 6:22, 7:6, 10:25, 18:23 floor 3:7, 6:17 focus 12:21 folio 8:22, 11:2, 17:25, 18:3 follow 20:9 following 7:1, 7:13 foregoing 29:3, 30:3 foreseeable 24:16 forgot 26:20 former 18:4 formerly 15:9 forward 6:8, 18:11, 18:20, 21:3 forwarded 6:6</p>	<p>fourth 6:17 front 13:2 full-on 26:4 future 8:10, 24:17</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>gaithersburg 3:8, 6:17, 28:23 gas 16:25, 23:15, 23:18 gate 20:15, 27:11 gates 25:3 general 13:22 girard 3:12, 4:4, 19:3, 26:19, 27:15, 27:20, 27:24 give 7:5, 7:7, 10:17, 25:25 given 6:24 go 10:18, 12:12, 15:12, 18:2, 18:17, 20:12, 21:5, 22:22, 23:23, 28:13 goes 16:9 going 19:7, 19:14, 23:2, 23:3, 23:22, 23:24, 26:6 good 5:5, 7:24, 19:25, 28:13</p>
---	--	--	--

<p>gov 6:19</p> <p>governed 8:5</p> <p>grade 24:25</p> <p>grant 6:12, 9:1, 11:1, 11:15</p> <p>granted 25:24</p> <p>granting 16:22</p> <p>great 21:21, 24:25, 26:22, 27:22</p> <p>green 13:15</p> <p>greetings 5:4</p> <p>greg 3:23, 27:3</p> <p>ground 6:20</p> <p>guess 26:23</p> <p>gutter 14:12, 16:6</p> <p>guys 11:7, 15:22</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>handled 20:19</p> <p>happen 14:25</p> <p>hatching 22:7</p> <p>head-nod 10:19</p> <p>health 8:11, 24:18</p> <p>hear 11:8</p> <p>hearing 1:8, 2:1, 3:20, 5:4, 5:7, 5:8, 5:14, 5:16,</p>	<p>5:24, 7:12, 10:17, 11:25, 12:8, 12:13, 12:24, 13:1, 13:3, 13:5, 13:8, 13:13, 13:24, 18:14, 18:19, 18:24, 19:2, 26:15, 26:22, 27:5, 27:25, 28:14, 28:16, 28:24</p> <p>hellandsjo 1:25, 2:11, 29:2, 29:15</p> <p>helpful 10:20</p> <p>here 5:7, 10:25, 13:17, 15:5, 17:25, 18:1, 18:16, 20:3, 20:9, 20:10, 26:7</p> <p>hereby 29:4, 30:2</p> <p>high-level 19:14</p> <p>history 20:23</p> <p>hit 20:15</p> <p>hoaca 13:9</p> <p>homeowners 13:11</p> <p>hopefully 19:24</p> <p>housing 13:11</p> <p>however 12:11</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>icon 21:1</p> <p>includes 16:12</p>	<p>including 9:4</p> <p>indicate 17:4</p> <p>indicates 13:10</p> <p>indicating 10:19, 17:12, 17:17</p> <p>individual 7:6, 7:7, 7:9</p> <p>individuals 26:16, 26:24</p> <p>information 13:9, 13:25, 14:3, 28:5</p> <p>initial 17:11, 25:20</p> <p>initially 8:18</p> <p>intent 20:11</p> <p>interest 25:18, 29:8, 30:9</p> <p>interested 13:4, 27:3, 28:8</p> <p>interruption 7:5, 7:7</p> <p>interruptions 7:11</p> <p>introduce 10:16</p> <p>introduces 6:21</p> <p>introduction 7:13</p> <p>irrelevant 24:6</p> <p>issue 6:23</p> <p>items 13:14, 16:11</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>january 12:16, 12:21,</p>	<p>14:4, 16:25, 17:10</p> <p>job 1:23</p> <p>june 10:23</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>keep 19:14</p> <p>kind 19:14, 26:5</p> <p>know 26:4, 27:18, 28:1, 28:6, 28:7</p> <p>knowledge 30:4</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>land 8:21</p> <p>landy 5:12, 8:16, 9:17, 9:20, 10:1, 10:4, 19:22, 20:13, 20:25, 21:8, 22:5, 27:13</p> <p>lane 5:12, 8:16, 9:17, 9:20, 10:1, 10:5, 19:22, 20:13, 20:25, 21:8, 22:5, 27:13</p> <p>language 21:9</p> <p>large 10:15, 15:24</p> <p>larger 11:14, 21:2, 21:5</p> <p>later 8:20, 8:23, 11:14, 17:3, 17:11</p> <p>laura 3:13, 19:5</p>
--	---	---	--

<p>layman 27:8 left 19:21 legally 10:9 letter 10:23, 11:17, 16:14, 18:6, 19:12, 23:11, 24:3, 24:11, 24:20 liber 8:22, 11:2, 17:24, 18:3 lifted 23:7, 25:14 limit 7:4 lines 13:14, 17:4, 23:12, 23:17, 23:18, 23:22, 24:2, 24:7, 24:9 list 13:9, 13:21 listed 13:15, 16:10 little 17:25, 22:8 llc 30:15 load 15:23 located 8:16, 17:18 location 12:2 long 15:15, 15:16, 17:1, 21:18, 25:13 longer 8:9, 24:14 look 23:10 lot 9:11, 11:23,</p>	<p>21:22, 22:6, 23:12 <hr/>M<hr/>ma'am 18:24 made 5:24, 28:4 mail 13:17, 14:3 mailing 13:21 main 16:19 make 7:18, 7:22, 18:1, 22:12, 24:8, 26:18, 27:1, 28:20 making 7:11, 28:8 manager 15:2 many 19:12 march 6:5, 6:19, 8:20, 28:17 marked 4:8 marking 13:17 maryland 1:2, 3:8, 3:16, 6:18, 17:7, 28:23 material 24:23 materials 26:11 matter 19:7, 20:20 matters 7:4 mccarthy 3:25, 28:9 mccray 3:4, 4:3, 6:1,</p>	<p>6:15, 6:21, 7:19, 7:21, 7:22, 7:25, 18:22, 19:1, 19:13, 19:20, 20:16, 21:11, 22:17, 27:2, 28:4, 28:11, 28:21 mccray's 7:13 mccray@montgomer- ycountymd 6:19 mcdot 3:3, 3:22 mclean 30:2, 30:14 means 23:5 mentioned 19:15, 21:11, 22:9, 28:16 message 13:18 met 15:17, 16:10, 24:21, 24:22, 26:12 michael 3:20, 5:12 might 27:3 mike 3:24 miles 3:14, 5:9, 19:4 millard 26:8 miller 5:10, 19:15 mindful 7:3 minimum 14:12 minute 19:13, 21:7 moment 12:7</p>	<p>montgomery 1:2, 3:5, 5:18, 6:16, 7:20, 8:2, 8:21, 9:2, 9:5, 9:17, 13:6, 16:1, 21:14, 22:19, 22:20, 24:12, 28:21 more 25:6, 26:6, 28:11 morning 24:4 move 18:11, 18:20 moving 19:24 much 21:2, 22:11, 25:1, 25:6, 26:16, 27:7, 28:1 multi-family 11:12, 11:21, 22:3 must 6:20, 6:24, 9:15 muted 7:8 myself 7:23 <hr/>N<hr/>name 5:12, 7:24 nd 8:22 near 8:12, 24:19 necessary 8:11, 24:14, 24:17 need 9:6, 10:10 needed 8:9 needs 24:21, 25:4,</p>
--	--	--	--

<p>25:14 neither 29:6, 30:7 never 9:9, 21:3, 22:23, 23:21, 25:23 new 9:20, 10:2, 25:25, 26:1, 27:10 next 14:1 non-exclusive 9:2 none 4:8 north 10:2, 19:25 notary 29:10 note 12:5, 12:8, 13:14, 14:1, 14:18, 15:5, 17:25, 20:24, 21:19, 28:5 noted 7:25, 8:5, 8:25, 15:18, 19:20, 20:16, 22:3, 22:17, 23:15, 24:1, 24:20, 25:7, 25:22, 26:7 notes 15:21 notice 12:14, 13:8, 13:12, 13:16, 13:22, 14:4, 27:2 notices 10:13, 12:10, 14:2 noting 12:19, 14:8, 14:10, 14:22,</p>	<p>15:15, 16:6, 16:18, 18:8 november 12:9, 14:7, 16:2, 16:18 number 8:19, 8:23, 9:10, 9:14, 9:22, 10:16, 11:4, 11:18, 11:19, 11:24 <hr/> <p style="text-align: center;">O</p> <hr/> o'clock 5:5 objection 14:15, 17:1, 17:11 observations 17:4 obviously 25:12, 25:16, 25:25 occur 23:3, 25:12 occurs 7:5 offer 7:1, 28:2 office 10:5, 14:21 officer 3:20, 5:4, 5:14, 18:19, 18:24, 19:2, 26:15, 26:22, 27:5, 27:25, 28:14, 29:2 often 20:3 okay 11:8, 12:17, 19:1, 19:8, 19:10, 19:25, 26:22, 27:16 one 10:17, 12:6, 12:19, 15:1,</p>	<p>20:22, 22:22, 24:21, 26:5, 28:4 only 24:20, 27:23 open 28:17 opening 28:10 operations 14:14 opportunity 7:18, 28:2 order 9:6, 11:24 original 12:8, 14:19 originally 24:1 other 10:13, 15:18, 26:5, 26:16 otherwise 29:8, 30:9 out 12:10, 12:13, 12:16, 12:18, 12:20, 13:20, 14:2, 14:4, 20:7, 20:12, 21:19, 21:24 outbox 12:12 outcome 29:8, 30:10 over 18:17 owner 18:4, 19:16 owners 10:14, 13:23 <hr/> <p style="text-align: center;">P</p> <hr/> pae 8:17, 9:1, 9:8, 10:2, 11:24, 14:8, 23:1, 23:7, 23:24</p>	<p>page 4:2, 12:14, 14:1, 15:22 pages 1:24 parallel 14:25, 15:1 parcel 8:16 park 3:7, 6:17, 28:22 parking 9:11, 11:23, 20:5, 20:6, 21:18, 21:22, 22:17 part 9:15, 10:12 participants 6:24 participate 28:6 particularly 15:17 parties 13:4, 13:19, 14:2, 29:7, 30:8 pause 12:7 paylor 3:20, 5:13, 7:24, 7:25, 8:5, 18:17, 28:12 pc 5:10 people 7:11 pepco 17:10, 17:17, 17:19, 17:23, 18:5, 18:8, 18:11, 23:15, 24:2, 24:5, 24:8 pepco's 17:16 period 5:25</p>
---	--	---	---

<p>permanent 22:21</p> <p>permitting 14:18, 15:14</p> <p>person 7:10</p> <p>petition 1:5, 5:8, 5:22, 6:12, 6:22, 9:24, 10:22, 12:11, 16:3</p> <p>petitioner's 7:2</p> <p>phones 6:23</p> <p>phonetic 17:7</p> <p>picked 22:18</p> <p>picture 21:9</p> <p>place 17:2, 23:2, 25:14</p> <p>placed 18:9</p> <p>plan 8:19, 9:10, 9:14, 9:21, 11:7, 11:9, 11:13, 11:19, 11:22, 14:10, 14:18, 15:3, 15:17, 15:20, 16:16, 20:18, 22:1, 22:2, 22:11, 23:13, 23:14, 25:8, 25:16, 25:17, 25:22</p> <p>planet 30:15</p> <p>planning 8:20, 16:1, 16:7, 22:18, 23:10</p> <p>plans 22:1, 27:9</p>	<p>plat 8:23, 11:4, 11:5, 11:18, 16:15</p> <p>please 6:4, 6:15, 6:22, 18:25, 28:19, 28:20</p> <p>point 23:25</p> <p>points 13:20</p> <p>portal 13:5</p> <p>portion 10:1</p> <p>position 6:2</p> <p>posted 13:1</p> <p>powerpoint 19:8</p> <p>pre-approval 11:20</p> <p>predicated 25:22</p> <p>preliminary 8:19, 9:10, 9:14, 11:9, 11:19, 15:17, 16:16, 20:18, 22:1, 22:11</p> <p>present 3:19, 7:21, 24:15</p> <p>presentation 18:15, 18:23, 26:6, 26:12</p> <p>presenting 18:16</p> <p>pretty 15:24, 24:24</p> <p>previous 8:25, 15:16, 17:24</p> <p>previously 9:25</p> <p>primarily 9:11</p>	<p>private 20:4, 23:25, 25:3</p> <p>proceeded 25:23</p> <p>proceeding 24:6</p> <p>proceedings 22:12, 29:3, 29:4, 30:5</p> <p>process 5:19, 8:5, 10:10, 10:12, 10:15, 12:24</p> <p>project 9:15, 21:3, 24:10, 26:2</p> <p>properties 19:16</p> <p>property 8:1, 9:4, 9:7, 9:9, 9:20, 9:21, 9:23, 10:7, 10:14, 11:10, 11:22, 13:23, 17:21, 18:4, 19:17, 20:4, 20:21, 21:13, 23:8, 23:25, 25:3, 25:9, 25:11</p> <p>proposed 9:22, 11:20, 11:23, 16:19, 17:20, 22:7, 26:1</p> <p>protect 8:11, 24:18</p> <p>protected 23:22, 24:7</p> <p>provide 15:7, 17:12</p> <p>provided 10:13</p> <p>provides 10:3, 20:14</p> <p>providing 13:8, 14:20,</p>	<p>17:10</p> <p>provisions 15:16</p> <p>public 1:8, 2:1, 5:8, 5:11, 8:4, 8:8, 8:9, 8:10, 8:14, 8:17, 9:3, 10:3, 10:7, 10:8, 10:13, 10:14, 11:1, 11:16, 11:25, 12:8, 12:18, 13:1, 13:2, 13:3, 13:22, 16:20, 17:5, 18:14, 19:18, 20:12, 20:16, 20:21, 21:2, 21:5, 21:10, 21:12, 21:15, 22:23, 23:23, 24:15, 24:16, 25:10, 25:13, 25:17, 25:21, 26:13</p> <p>publication 12:23</p> <p>publicly 21:6</p> <p>pugh 3:23, 27:6, 27:16, 27:22, 27:25</p> <p>purchaser 19:15</p> <p>pursuant 2:10, 5:17, 20:11, 24:11, 26:11</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>qr 13:4</p> <p>questions 26:9, 26:21, 26:23, 27:7</p> <p>quick 21:9, 23:10,</p>
---	---	---	--

<p>27:6 quickly 22:14 quitclaim 18:6 quitclaiming 18:12 quite 20:8, 21:21 quote 9:1, 9:16</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>ran 12:24 rd 5:6, 8:20 re-dedication 9:6 re-development 23:8, 25:9, 25:12, 25:15 read 16:13, 18:12 real 7:19, 8:1 realize 23:11 really 10:20, 23:16, 24:6, 26:5 recall 20:23 receive 5:19, 13:16 received 5:9, 5:25, 10:23, 13:12, 13:18, 14:13, 14:16, 15:13, 15:25, 16:17, 16:25, 17:9, 27:2 receives 7:9 recognition 22:21 recollection 18:20</p>	<p>recommendation 5:21, 6:6, 6:9, 6:10, 16:7, 23:11 recommending 16:2 record 6:22, 10:17, 11:5, 16:13, 18:13, 24:23, 26:11, 28:17, 28:19, 28:25, 30:5 recording 25:21 recorded 1:25, 8:21, 29:5 records 8:21 red 13:17, 19:19 redevelopment 9:23, 11:10, 11:23 reduced 30:6 referenced 11:3, 11:9, 11:16 references 11:5 referring 17:23 regarding 24:2 registered 7:17, 26:25 registration 12:24, 13:5, 13:8, 13:24, 28:5, 29:10 regular 22:13, 25:2 related 29:6, 30:7 relevant 7:4, 7:18,</p>	<p>11:6, 21:9, 27:1 relocate 17:14 relocated 24:9 remain 17:2, 28:17 remainder 23:8 removed 7:10 rent 20:7 repetitive 19:11 report 5:21, 6:6, 6:8, 16:8, 16:12, 22:17 reporter 2:11, 5:2, 29:1, 29:15 representative 3:21, 10:24, 14:21 representing 5:10 request 5:20, 18:6 requested 15:3 requesting 12:10, 15:19, 17:11, 19:17 requests 8:3, 28:12 required 9:1, 17:14 requires 22:4 requiring 9:19, 10:10 requisite 10:13 reschedule 12:13 rescue 15:14</p>	<p>residential 11:12, 11:21 residents 8:12, 24:19 responded 24:1 response 15:7, 17:16, 19:9 responsible 8:3 review 14:6, 14:18, 15:3 right 11:8, 15:12, 18:1, 19:3, 19:22, 27:14, 28:14 right-of-way 5:16, 7:15, 8:4, 8:8, 8:9, 8:13, 10:9, 14:23, 15:3, 15:9, 16:23, 17:5, 17:19, 17:22, 18:2, 18:4, 21:7, 23:20, 23:23, 24:14, 24:19 river 19:20, 21:17 road 19:20, 21:17 roadway 21:22, 27:13 rockville 3:16 role 5:18 route 21:18 rules 6:20</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>s 20:20</p>
---	---	---	---

<p>safer 25:6</p> <p>safety 8:12, 24:18</p> <p>said 29:4, 30:5</p> <p>same 7:9, 12:17</p> <p>saw 19:9</p> <p>saying 9:19</p> <p>scheduled 12:9</p> <p>school 9:12, 9:13, 19:23, 20:2, 20:15, 25:4, 27:14, 27:17</p> <p>school's 9:21</p> <p>screen 10:18, 10:20, 19:7, 19:21</p> <p>second 6:23, 7:7, 7:8, 10:17, 12:14, 15:22, 18:2</p> <p>secondary 9:18</p> <p>section 5:17, 8:2, 8:3, 8:6, 15:3, 15:15, 16:11, 24:12</p> <p>sections 11:6</p> <p>sector 11:7, 25:8, 25:15, 25:17</p> <p>see 10:19, 12:22, 15:22, 19:8, 19:24, 20:2</p> <p>seeing 28:12</p> <p>seeking 7:1</p>	<p>seemed 9:10, 20:23</p> <p>seen 25:10</p> <p>sent 12:10, 12:12, 12:16, 12:18, 12:19, 12:20, 13:20, 14:2, 14:4</p> <p>separately 17:18</p> <p>september 8:22, 12:7, 12:20, 14:15, 14:20</p> <p>serve 9:10</p> <p>services 14:18, 15:14, 22:21</p> <p>several 7:11, 10:24, 16:12</p> <p>share 10:18, 19:7</p> <p>shared 18:10</p> <p>shortly 18:16</p> <p>should 7:15, 14:8, 17:3, 17:13</p> <p>show 11:13, 26:12</p> <p>showing 11:22, 22:6</p> <p>shown 13:20, 14:10, 19:23, 21:1, 25:7</p> <p>shows 10:24, 11:6, 12:17, 21:16</p> <p>sign 13:1</p> <p>signature-oso 30:11</p>	<p>signature-zrhbi 29:12</p> <p>signed 28:6</p> <p>silence 6:23</p> <p>since 9:8, 25:20</p> <p>sir 28:4</p> <p>site 9:21, 11:13, 11:22, 14:10, 22:1, 25:13</p> <p>sketch 17:12</p> <p>slide 22:22</p> <p>small 23:13</p> <p>solicitation 12:3</p> <p>some 20:18, 20:19</p> <p>something 26:20</p> <p>soon 23:3, 23:6</p> <p>sort 27:19</p> <p>speak 7:17, 26:25</p> <p>speaking 27:4</p> <p>specialist 7:19, 8:1</p> <p>st 17:10</p> <p>staff 16:8, 22:17</p> <p>standards 9:18</p> <p>start 7:23</p> <p>statements 5:24</p> <p>still 11:8, 27:10</p>	<p>stockbridge 3:14, 5:10, 19:4</p> <p>street 3:15, 9:18</p> <p>structural 9:18</p> <p>structures 16:24</p> <p>struse 3:21, 26:7</p> <p>student 27:8</p> <p>subdivision 8:23, 11:5, 11:18, 16:15</p> <p>subject 8:14, 10:7, 16:9, 20:6, 22:10, 23:24</p> <p>subjected 20:21</p> <p>submission 13:7</p> <p>submit 6:14, 6:15, 7:14</p> <p>submitted 6:1, 12:3, 12:6, 13:22, 23:13, 24:3</p> <p>substantial 14:9, 14:11, 15:10, 23:4</p> <p>substantially 16:5</p> <p>sufficient 16:23</p> <p>suggesting 14:24</p> <p>suite 3:15</p> <p>supervision 30:6</p> <p>supply 15:20</p> <p>support 6:2</p>
---	--	--	---

<p>sure 7:22, 15:22, 18:1, 22:12, 24:9, 28:7, 28:20</p> <p>surface 9:11, 11:23, 28:19</p> <p>switching 26:5</p> <p>sworn 5:3</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>take 14:8, 16:4, 21:18</p> <p>taken 29:3</p> <p>takes 15:23</p> <p>talking 7:23</p> <p>tallerico 3:13, 19:5</p> <p>technical 26:9</p> <p>tell 20:8</p> <p>terminus 8:16</p> <p>terms 27:17</p> <p>testimony 5:19, 18:21</p> <p>th 10:23, 12:7, 12:9, 12:16, 12:20, 12:21, 12:25, 14:4, 14:15, 14:20, 17:1, 17:17</p> <p>thank 7:23, 10:21, 18:16, 18:19, 19:2, 26:14, 26:15, 27:23, 27:25, 28:9</p>	<p>therefore 26:24</p> <p>thing 10:25, 27:19</p> <p>things 19:12</p> <p>think 28:13</p> <p>third 7:9</p> <p>through 9:4, 9:25, 10:6, 18:15, 20:4, 21:13, 23:16, 24:3</p> <p>thumbs 19:10</p> <p>tiara 3:4, 6:15, 6:19, 7:18, 7:25, 18:19, 28:1, 28:21</p> <p>time 7:3, 18:21, 22:23, 23:21, 23:25, 26:23, 28:8</p> <p>times 12:23, 21:20</p> <p>today 10:11, 19:5</p> <p>today's 11:25, 12:23, 13:5, 13:12, 13:24</p> <p>tracking 14:3</p> <p>traffic 13:1, 14:14</p> <p>transcript 30:1, 30:3</p> <p>transportation 1:1, 3:5, 3:6, 5:15, 6:16, 7:20, 13:7, 14:5, 14:17, 22:20, 28:22</p> <p>tried 20:18</p>	<p>true 30:4</p> <p>try 9:18, 19:7, 19:11, 19:14</p> <p>turf 20:7</p> <p>turn 6:22, 18:17, 22:14, 25:4</p> <p>turnaround 14:22, 20:14, 21:25, 22:9, 22:10, 24:24, 25:1, 25:7</p> <p>two 12:5, 27:6, 27:23</p> <p>typewriting 30:6</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>undeliverable 13:18</p> <p>under 9:9, 30:6</p> <p>underground 18:9, 24:9</p> <p>understand 27:9</p> <p>unit 11:11, 22:2</p> <p>unless 26:19</p> <p>unmute 7:22</p> <p>until 6:5, 14:9, 16:4, 28:17</p> <p>unusual 20:24</p> <p>update 15:4</p> <p>updated 14:19</p> <p>use 8:10, 20:5, 24:15, 24:16,</p>	<p>27:12</p> <p>uses 20:8</p> <p>using 21:20</p> <p>utilities 26:10</p> <p>utility 12:18, 23:14</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>vacate 16:20</p> <p>various 20:8</p> <p>vehicles 9:5, 21:14, 22:13, 22:14, 25:2</p> <p>vehicular 9:3, 10:4, 21:13</p> <p>via 5:7, 13:16, 14:2</p> <p>virtually 1:9, 2:1, 5:7</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>waiting 19:9</p> <p>want 18:22</p> <p>wants 28:2</p> <p>warning 7:6, 7:8, 7:9</p> <p>washington 3:15, 9:12, 12:22, 16:25, 19:23, 20:1, 20:15, 23:15, 23:18, 25:4, 27:9, 27:11</p> <p>water 15:20, 16:18, 16:19</p> <p>way 20:20, 25:25</p>
---	---	--	--

Transcript of Public Hearing - Petition No. AB-780
 Conducted on February 23, 2022

we'll 26:24	(1999 8:20, 20:17, 25:22	2nd 14:7
we're 21:4	(c 16:11, 24:12		3
we've 26:12	(f 5:17	2	3/7/2022 30:16
wednesday 1:10	.	20 17:17	30 1:24, 29:11
welcome 28:11	.1600 3:17	2005 8:22	301.762 3:17
welfare 8:12, 24:18	.8792 3:9	2016 22:2, 26:2	31 17:10
went 21:3	0	2021 10:23, 12:7, 14:7, 14:15, 14:20, 16:2, 16:18	313 8:22, 11:2
weren't 26:6	02 1:11	2022 1:10, 5:6, 6:5, 6:20, 14:4, 17:1, 17:10, 17:17, 28:17	35 28:25
westbard 11:7, 25:8	03 5:6		4
whereupon 5:2	1		4229 3:16
whether 6:11	1 1:11, 5:6, 8:19, 9:10, 28:25		435238 1:23
willis 3:22	1.3 8:15		49 5:17, 8:6, 16:11, 24:12
wish 6:14, 26:17	10 12:7, 12:9, 12:20		4th 3:7, 12:25
within 5:25, 16:19, 17:5, 17:18, 23:19	100 3:7, 6:17, 28:22		6
without 23:1	11 3:15, 12:25		62 5:17
working 23:16, 24:5, 24:8	120150160 9:14, 11:20		63 16:11, 24:12
would've 24:7	121 11:11, 22:2		7
write 5:20	13 12:16, 12:21		700 3:15
written 5:24, 6:14, 22:7	153 17:25		74 30:11
wssc 16:18, 23:15, 23:18	156 18:1, 18:3		780 1:5, 5:8
Z	164 11:25		7885926 29:10
zoom 5:7	19 4:4, 14:4		8
			8-inch 16:19
			820150080 9:22

8th 6:5, 6:19, 16:2, 16:18, 28:17	
<hr/> 9 <hr/>	
90 20:20 98045 8:19, 9:10	