



Planet Depos®
We Make It *Happen™*

Transcript of Administrative Hearing

Date: May 11, 2020

Case: Edmonson & Gallagher Property Services

Planet Depos

Phone: 888.433.3767

Email: transcripts@planetdepos.com

www.planetdepos.com

Transcript of Administrative Hearing
Conducted on May 11, 2020

1 (1 to 4)

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

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

Transcript of Administrative Hearing
Conducted on May 11, 2020

2 (5 to 8)

<p>5</p> <p>1 PROCEEDINGS</p> <p>2 HEARING EXAMINER ROBESON: This is the</p> <p>3 public hearing in the application of Edmondson &</p> <p>4 Gallagher Property Services, LLC, for an</p> <p>5 independent living facility for seniors. The</p> <p>6 property is Parcel 507, Middlebrook Subdivision.</p> <p>7 It is located 0.14 -- approximately 0.14 miles from</p> <p>8 the intersection of Frederick Road and Maryland</p> <p>9 Route 355.</p> <p>10 My name is Lynn Robeson. I am the</p> <p>11 Hearing Examiner in this case, which means that I</p> <p>12 will listen to all the testimony today, take</p> <p>13 evidence, and write a decision. Anybody that</p> <p>14 disagrees with the decision may request an appeal</p> <p>15 to the Board of Appeals within ten days of the date</p> <p>16 of this decision.</p> <p>17 A word on this remote hearing. Due to</p> <p>18 the Governor's order limiting gatherings, we are</p> <p>19 holding this hearing remotely on Microsoft Teams.</p> <p>20 Mailed notice of the hearing and the</p> <p>21 motion to amend mentioned the possibility of having</p> <p>22 this hearing remotely, and contained instructions</p> <p>23 that we post the hearing on OZAH's website. A</p> <p>24 meeting invitation with instructions to join has</p> <p>25 been posted on OZAH's website, along with the</p>	<p>7</p> <p>1 it at the time as each one of them shows up.</p> <p>2 HEARING EXAMINER ROBESON: Let's do it at</p> <p>3 the time each one of them shows up.</p> <p>4 MR. KLINE: That would be fine.</p> <p>5 I have my first witness, Mr. Jim</p> <p>6 Edmondson here. We have submitted an affidavit of</p> <p>7 posting, which I believe is in the record as</p> <p>8 Exhibit 55, and I'd ask that that be incorporated</p> <p>9 into the record. I guess I don't even need to ask</p> <p>10 that. It's 54, and it is on -- in the record</p> <p>11 already.</p> <p>12 HEARING EXAMINER ROBESON: Nana is good.</p> <p>13 MR. KLINE: Yes. I don't think an</p> <p>14 opening statement is necessary. I know you read</p> <p>15 the record and you've been getting materials, staff</p> <p>16 reports, and eventually, the -- eventually, the</p> <p>17 chairman's recommendation.</p> <p>18 So unless you have any questions for me,</p> <p>19 I would just begin with our first witness.</p> <p>20 HEARING EXAMINER ROBESON: Okay. Now,</p> <p>21 something just happened. Who is your first</p> <p>22 witness?</p> <p>23 MR. KLINE: It would be Mr. Edmondson,</p> <p>24 Mr. James Edmondson.</p> <p>25 MS. PRZYGOCKI: I'm sorry, I</p>
<p>6</p> <p>1 exhibit list, and many of the exhibits we'll be</p> <p>2 discussing today.</p> <p>3 There are some important reminders.</p> <p>4 Because this is remote, the hearing -- the court</p> <p>5 reporter has more difficulty keeping track of what</p> <p>6 is said. Therefore, please try not to interrupt or</p> <p>7 talk amongst each other or what they call</p> <p>8 cross-talk.</p> <p>9 I will ask, periodically, if there was</p> <p>10 anyone who has joined the meeting that would like</p> <p>11 to testify. If there's anyone now -- is there</p> <p>12 anyone on this meeting, that is not represented by</p> <p>13 Mr. Kline, that would like to testify?</p> <p>14 Okay. Seeing -- hearing none, Mr. Kline,</p> <p>15 why don't you go ahead and, again, identify</p> <p>16 yourself for the record, and your client.</p> <p>17 MR. KLINE: Good morning, Ms. Robeson.</p> <p>18 For the virtual record, my name is Jody Kline. I'm</p> <p>19 an attorney at the law firm of Miller, Miller &</p> <p>20 Canby, with offices at 200-B Monroe Street in</p> <p>21 Rockville. And the picture that some of you are</p> <p>22 seeing is actually our board room in that law</p> <p>23 office.</p> <p>24 We have six witnesses to testify today.</p> <p>25 I'm glad to give you their names now, or we can do</p>	<p>8</p> <p>1 accidentally -- I think I somehow clicked out. I</p> <p>2 can't see you-all anymore. This is Jane Przygocki.</p> <p>3 HEARING EXAMINER ROBESON: You're in the</p> <p>4 meeting, I think you turned your camera or --</p> <p>5 MS. PRZYGOCKI: I'm not sure what</p> <p>6 happened.</p> <p>7 (Technical difficulties.)</p> <p>8 HEARING EXAMINER ROBESON: Are you back?</p> <p>9 MS. PRZYGOCKI: I'm back. Thank you.</p> <p>10 I'm sorry about that.</p> <p>11 HEARING EXAMINER ROBESON: I do want to</p> <p>12 say, we have on this hearing, Mr. Jon Frey, from</p> <p>13 the Department of Technology Services. He is our</p> <p>14 Microsoft Teams guru, and he is listening and ready</p> <p>15 to help if there are any issues.</p> <p>16 MR. KLINE: You may recall, when we had a</p> <p>17 hearing Friday a week ago, Mr. Frey jumped in and</p> <p>18 was able to straighten things out for us.</p> <p>19 But having said that, I'll call my first</p> <p>20 witness, Mr. Edmondson.</p> <p>21 HEARING EXAMINER ROBESON: Mr. Edmondson,</p> <p>22 please raise your right hand.</p> <p>23 Whereupon,</p> <p>24 JAMES EDMONDSON,</p> <p>25 being first duly sworn or affirmed to testify to</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

3 (9 to 12)

<p>9</p> <p>1 the truth, the whole truth, and nothing but the 2 truth, was examined and testified as follows: 3 HEARING EXAMINER ROBESON: Please state 4 and spell your name and address for the record. 5 THE WITNESS: My name is James H. 6 Edmondson. Edmondson is spelled E-d-m-o-n-d-s-o-n. 7 (Home address retracted per Hearing Examiner.) 8 And my offices are also in McLean, Virginia. The 9 office address is 1651 Old Meadow Road, Suite 305, 10 McLean, Virginia 22102. 11 HEARING EXAMINER ROBESON: Okay. I'm 12 going to ask the court reporter to delete 13 Mr. Edmondson's home address because I don't want 14 any personal identifying information in the record. 15 THE WITNESS: Thank you. 16 HEARING EXAMINER ROBESON: All right. Go 17 ahead, Mr. Edmondson -- or Mr. Kline. 18 MR. KLINE: Sure. 19 EXAMINATION BY COUNSEL FOR THE APPLICANT 20 BY MR. KLINE: 21 Q. Well, simple question: Mr. Edmondson, 22 what is your affiliation with the Applicant in this 23 case, Edmondson & Gallagher Property Services? 24 A. I am the developer of the property, the 25 lead developer for my company. My -- my business</p>	<p>11</p> <p>1 in the world, to do something that we, children of 2 the '60s, thought was important, and doing 3 affordable housing was that thing. 4 We -- we got started in 1982. We 5 purchased and redeveloped properties, starting in 6 1982, and have been in that business ever since. 7 As I explained earlier, one company is a property 8 management firm, primarily, and the -- the -- kind 9 of the centerpiece of our organizations; and the 10 second -- the second company is the development 11 entity, which doesn't have any employees, but 12 provides guarantees, as necessary, for our 13 projects. 14 We've done between -- in our -- in our 15 various roles, over the last 38-plus years, we've 16 done about 10,000 units of acquisitions and 17 development. We've -- among our projects are 18 the -- are the two largest affordable housing 19 projects that have been financed by -- with the 20 help of Washington; one called Fort Chaplin Park 21 Apartments, which we sold a number of years ago. 22 Another one is called Meadow Green Courts, which 23 was -- which we still own. We -- in fact, we now 24 own it in fee simple. 25 We have done a number of projects. Most</p>
<p>10</p> <p>1 is in two entities; one is called E&G Property 2 Services, LLC, which is primarily a property 3 management company, and it serves as the -- the 4 primary organization for -- for us. I'm also a 5 member of E&G Group 2, LLC, which -- which is a 6 development entity and -- and serves as a guarantor 7 for the affordable housing projects which we 8 conduct, of which the proposed project will be one. 9 Q. And that's probably a good segue, then, 10 into property services, activities, and portfolio 11 in the affordable housing realm. 12 Could you please explain what it is 13 you've done, maybe give some example of projects, 14 and how this project would fit into that portfolio. 15 A. Yes. Our business, since 1982, has been 16 the development and operation of affordable 17 housing. My -- my partner and I met as young 18 consultants in 1972, at a firm then called Touche, 19 Ross & Company, which is now Deloitte. My partner 20 stayed. I left after three or so years, and went 21 into the real estate development business. 22 I eventually coaxed him out of his 23 partnership at Touche Ross, and in 1982, we formed 24 a general partnership called Edmondson & Gallagher. 25 Our goal was basically to -- to make a difference</p>	<p>12</p> <p>1 of -- most of what we have done in the District, 2 not all, but most, have been financed using the 3 financing facilities of one of two agencies in the 4 District; one of which is called the Department of 5 Housing and Community Development, the other one is 6 the D.C. Housing Finance Agency. We continue to 7 own and operate these projects, some with partners, 8 some exclusively ourselves. 9 One such is a -- is a project that we 10 delivered in 2016, called 2321 4th Street, 11 Northeast, right near the Rhode Island Avenue Metro 12 stop. It's 116 units of new construction, at the 13 time, and is operating at capacity. Has been very 14 successful, both programmatically and financially. 15 Another project which we just delivered 16 last year is called Milestone Senior. It is the 17 first phase of multiple phases that will result in 18 the demolition and the redevelopment of the large 19 project that we -- that we bought and now own in 20 fee simple at the -- at East Capitol Street and 21 Minnesota Avenue. It is an elderly project, all 22 elderly, all tax credits, which models pretty well 23 after the project that we're proposing to do on -- 24 on Rockville Pike. 25 The other example worth noting is what we</p>

<p>13</p> <p>1 called E&G DC Co-Op. We bought five properties, 2 ranging in size from 12 units to, roughly, 50 3 units, scattered around the District. We bought 4 them in 2010, in the midst of the Great Recession, 5 and it was -- it was an amazing feat to pull off 6 that.</p> <p>7 The things that we've done in the 8 District over the decades have been novel, 9 creative, couldn't have done them without the help 10 of the District, which -- and the same thing will 11 be true here in Montgomery County, when we -- when 12 we finance the proposed development that we're 13 discussing today.</p> <p>14 The -- we have -- we have two different 15 modes of operation now, in connection with E&G. We 16 own a substantial number of properties in the 17 District, all of which, over the next decade, will 18 be redeveloped, they're of that age. And in 19 addition, we have a number of -- of project 20 opportunities in the pipeline, including the 21 Frederick Road-Rockville Pike one, that are 22 suburban, and we -- we ultimately intend to develop 23 the one on Frederick Road through an affiliated 24 organization, of which I'm a -- the principal, 25 separate from the E&G opportunities and projects</p>	<p>15</p> <p>1 will be the residents of our communities to -- to 2 be able to care for themselves, to live in an 3 environment with friends, many activities, to live 4 full and enriched lives, despite modest incomes, by 5 Washington area standards.</p> <p>6 We would try to create and operate a 7 facility that they could stay in and would want to 8 stay in until, perhaps, they get so frail that they 9 can't live independently.</p> <p>10 Q. Can we go from there, sort of as a 11 general statement, to the particulars. How many 12 units do you contemplate having in this structure?</p> <p>13 A. I can be pretty precise, 111 units 14 designed to fit within the parameters of the rules 15 that govern land use in multifamily properties in 16 Montgomery County.</p> <p>17 Q. And present, and you contemplate a mix of 18 single-family -- I'm sorry, of one-bedroom and 19 two-bedrooms?</p> <p>20 A. Yes.</p> <p>21 Q. And that mix would be what?</p> <p>22 A. The mix is mostly one-bedrooms. 97 23 one-bedrooms, 14 two-bedroom units. And that -- 24 the two-bedroom units will accommodate couples or 25 family members that -- that might want to live</p>
<p>14</p> <p>1 that we own in the District. Same idea, but just 2 different organizational entities.</p> <p>3 Q. And before you leave that, so it is 4 conceivable that sometime in the future, you may be 5 coming back to the Hearing Examiner and asking them 6 to transfer the conditional use to an entity to be 7 formed --</p> <p>8 A. Yes.</p> <p>9 Q. -- to accomplish what you're talking 10 about today?</p> <p>11 A. Yes. With -- with me as the common 12 principal, but it's highly likely that that's 13 exactly the way we'll be proceeding.</p> <p>14 Q. Well, and again, then, so with all that 15 as background, kind of give us a flavor or the 16 theme for this independent seniors' development on 17 Frederick -- not Frederick Road --</p> <p>18 A. What we're trying to do here is to -- is 19 to create an independent living facility for people 20 of low and moderate income. We're not going to be 21 competing with the -- the fancy high-rise 22 developments in Bethesda, totally different income 23 categories and -- but in many respects, with 24 similar kinds of -- of amenities and opportunities. 25 We want the -- the households and individuals who</p>	<p>16</p> <p>1 together, provided that they -- they meet the 2 income criteria.</p> <p>3 Q. You mentioned an attractive, active 4 community. The staff report lists a fairly rich 5 description of the amenities that you'd provide. 6 Can you just kind of run through them? You don't 7 have to tell what each one is for, but just kind of 8 run through, so the Hearing Examiner appreciates 9 the scope of services you're contemplating.</p> <p>10 A. Yes. It's interesting that, while we, as 11 developers, have specific intentions to do things 12 that -- and to provide spaces and services that our 13 residents would want, in order for us to get 14 financing from Montgomery County and the State of 15 Maryland, in order to make the projects financially 16 feasible, we're required to do certain things. And 17 we try to go beyond that, but -- but anyone who 18 wants to use the financing that is available for 19 affordable housing through government entities has 20 certain criteria that have to be met. I think 21 our -- when our architect speaks a little bit 22 later, he can go into some of the absolute 23 specifics.</p> <p>24 But the building, which, in order for us 25 to get to the number of units that would make the</p>

<p>17</p> <p>1 project feasible for us, it's an unusual -- it's an 2 unusual shape and configuration. It's got a lobby, 3 a primary entrance and a secondary entrance into 4 the main floor of the building. It's got resident 5 lounges, just comfortable seating areas with 6 tables. We'll have a room designated as a library. 7 We'll have a fitness room with equipment that we 8 provide and maintain. 9 We'll have internet service. It's -- we 10 have what we frequently call an internet café. 11 It's a centralized room that -- where members who 12 don't have their own computers might actually go 13 and hook into the internet. 14 There are outdoor courtyards, small 15 garden areas. We'll even have rooftop seating, and 16 we'll be meeting some requirements of a green 17 building that would include rooftop facilities. 18 I think it may be -- it would be 19 overstating to call it self-contained because, 20 certainly, we're going to have folks who are 21 wanting to get out and get into the community as 22 well. But the building, both physically, from what 23 we call curb appeal and on the interiors, will not 24 be easily identified as, ooh, that's low-income 25 housing.</p>	<p>19</p> <p>1 But when the office isn't staffed, there 2 are emergency numbers for maintenance or other -- 3 or other requirements that are available. And if, 4 for example, a major water leak were to develop on 5 a Sunday, there would be easy access and we 6 would -- we would immediately have a maintenance 7 person respond. We find that frequently the -- 8 with properties, after they've aged some, some of 9 the most significant, quote, emergencies, are if 10 they -- the heating and ventilating and cooling 11 system doesn't work in the middle of the summer or 12 the middle of the winter. And those kinds of 13 things get dealt with right away. 14 Q. So the staff report says up to a maximum 15 of six employees during the week. That allows you, 16 possibly, to grow the staff, if -- maybe if the 17 building ages, or for special events, things like 18 that? 19 A. Yes. We, the property management 20 company, will -- we'll arrange for activities; 21 picnics, evening speakers, classes. I mean, we 22 are -- most of our residents will no longer be 23 working, so we will -- we will arrange activities 24 for them; education classes, financial literacy, 25 maybe second -- second-language classes. The sorts</p>
<p>18</p> <p>1 The financing tool we're using, 2 low-income housing tax credits, has that 3 unfortunate term, low income, but to get approval 4 of that kind of financing, if we make it look what 5 you might have thought of as low-income housing in 6 the 1960s and '70s, we don't get funded. It's 7 really very much market-rate-like. 8 Q. How many people will it take to manage 9 this? And break it down into weekday, weekend, 10 evening, special events. 11 A. Typical hours of the offices and the 12 primary services are -- are delivered during the 13 week. Basic office hours are Monday through 14 Friday, from about 9:00 to about 5:00. We, 15 typically, also have weekend hours, usually a 16 Saturday morning. The staff for a hundred-unit 17 property of this type is, typically, two 18 administrative people, a site manager, and a clerk, 19 and at least a person -- and two maintenance 20 people. And those -- their hours are, typically, 21 the Monday through Friday times. They have 22 vacation time. They have somebody usually 23 scheduled to meet -- or to work in the office on a 24 Saturday morning. So there's some -- there's some 25 shifting.</p>	<p>20</p> <p>1 of things that would be of interest to our 2 residents that we, E&G, aren't going to be doing 3 ourselves, but will arrange for the -- for the 4 experts who would come in and -- and organize or 5 teach those things. 6 Q. So you've been talking about how, maybe, 7 people would be coming in to do some educational 8 or -- programs. 9 Conversely, what will you be doing to try 10 and help people get out, in order to take advantage 11 of the facilities around them or recreational 12 events? The staff report says, explain to the 13 Hearing Examiner how you're going to handle that, 14 sort of, transportability issues. 15 A. Yes. 16 Q. So what do you think is the program that 17 is going to be at this site? 18 A. This is people who are living 19 independently, many of them will have cars. And 20 they'll be able to get around themselves. We 21 have -- we have a number of parking spaces here 22 that -- to accommodate the cars of the individual 23 owners. But we will arrange group activities. 24 When -- the other senior-oriented properties that 25 we have, this is a common need. We'll -- we will</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

6 (21 to 24)

<p>21</p> <p>1 have -- we will arrange for buses, depending on the 2 size of the activity. Maybe if it ever happens 3 again, we can go to baseball games or to the 4 museums or to the Kennedy Center or whatever. And 5 we'll arrange for transportation for that sort of 6 thing.</p> <p>7 There are organizations which -- some of 8 them are for-profit, some of them not-for-profit, 9 that actually provide transportation services; 10 vans, you know, big vans, small buses for such 11 activities, and we'll rely on those kinds of 12 services to accommodate our residents and their 13 off-campus activities.</p> <p>14 HEARING EXAMINER ROBESON: If I could ask 15 a question?</p> <p>16 THE WITNESS: Sure.</p> <p>17 HEARING EXAMINER ROBESON: I thought that 18 the staff report was talking about how are you 19 going to handle parking for -- we have a number of 20 these facilities come through, and they have 21 Mother's Day and everybody comes on Mother's Day, 22 or Easter or, you know, holidays. And the question 23 is always, how are you going to handle all of those 24 visitors?</p> <p>25 THE WITNESS: The -- we have -- we'll</p>	<p>23</p> <p>1 have to come back to you someday and ask for an 2 administrative modification, simply because that's 3 just not going to work for the population he has at 4 that time.</p> <p>5 THE WITNESS: And it really is, sort of, 6 age-dependent and activity-dependent.</p> <p>7 And I should point out, Ms. Robeson, that 8 this is -- this -- getting the land-use approvals 9 and the plan for this property is the first of many 10 steps that we have to go through. And so making a 11 specific arrangement, for example, with a shuttle 12 service, at this point, would be really premature. 13 It's two years, at least, before we would have a 14 first resident in that building. And you don't 15 make those kind -- at least, I would certainly 16 prefer, as a developer, not to have to make 17 arrangements that are subject to major changes 18 because of the time limits involved.</p> <p>19 HEARING EXAMINER ROBESON: How about 20 this -- yeah. How about this, what do you do in 21 your other facilities?</p> <p>22 THE WITNESS: A mix of things. We -- I, 23 for example, I developed and I sit on the board of 24 directors of a nonprofit that operates an assisted 25 living facility in Northern Virginia, in McLean,</p>
<p>22</p> <p>1 have more parking spaces than we expect to have 2 resident cars. So that we -- there certainly will 3 be opportunity for people to park on-site. If we 4 have an activity where we expect to draw scores of 5 additional cars, we'll figure out how to -- how to 6 park them off-site and -- and take some sort of a 7 shuttle service to get people back and forth. That 8 is -- that would be an unusual situation.</p> <p>9 HEARING OFFICER ROBESON: Okay. Usually, 10 we do have that information now. So --</p> <p>11 MR. KLINE: Madam Hearing Examiner, I 12 understand your point, and when Phillip asked us to 13 write the staff report and asked me about that, I 14 said, to be determined, and had hoped that we would 15 be able to progress a little bit further.</p> <p>16 The Applicant feels that the -- actually, 17 the best program is one to be determined by the 18 demographics of the residents. We could pick one, 19 but I wouldn't be surprised if sometime, we didn't 20 come back to you and say, we'd like to convert it 21 into something else or have an additional program. 22 If -- if it was to be a specific program come, or 23 similar, as a condition, that would be great. 24 Otherwise, I guess I would ask Mr. Edmondson to 25 pick what is his preference as of today, but I may</p>	<p>24</p> <p>1 actually, and very few drivers in that group. And 2 so that -- that apartment facility or assisted 3 living facility has its own van and its own -- and 4 staff person who drives that for everything from 5 shopping trips to -- to recreational activities, 6 even sometimes to medical appointments.</p> <p>7 That -- having a -- having something 8 similar to that, in the setting here, where we've 9 got independent residents, many with their own 10 cars, and with the availability of Lyft and Uber 11 and others to get people around is -- it's -- that 12 would be overkill. There are -- there are 13 nonprofit organizations that operate primarily in 14 the District of Columbia that provide on-call 15 van-type services for activities like the ones we 16 are providing here. That -- that, I think, might, 17 ultimately, be our solution here, but I can't -- 18 you know, and whether those services are going to 19 be in business two years from now, I certainly hope 20 so, but it's premature, I think, to --</p> <p>21 MR. KLINE: Do you know the name of the 22 county program, that you've mentioned to me, that 23 does exist in the county?</p> <p>24 THE WITNESS: Yes, but I don't have it at 25 my fingertips, I'm sorry.</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

7 (25 to 28)

<p>25</p> <p>1 HEARING EXAMINER ROBESON: Mr. Kline, do 2 you want to think of a condition that might address 3 this? 4 MR. WIENCEK: Jody, this is Mike Wiencek, 5 can I -- 6 HEARING EXAMINER ROBESON: I'm sorry, 7 who's talking? 8 MR. WIENCEK: This is Michael Wiencek, 9 the architect. Could I add something? 10 HEARING EXAMINER ROBESON: Wait. Wait. 11 You're not sworn in. 12 MR. WIENCEK: Sorry. 13 HEARING EXAMINER ROBESON: If you want to 14 address it when it's your time, you can do that. 15 Okay? We're going to hear from many people, and 16 I'm just trying to address an issue, that's all. 17 MR. WIENCEK: Sure. 18 HEARING EXAMINER ROBESON: Okay. Go 19 ahead. 20 MR. KLINE: Madam Hearing Examiner, yeah, 21 I would like the opportunity to do that. And what 22 I'll do is, maybe not offer something right now, 23 but either maybe by the end of the hearing, or when 24 the record's open, after getting some of this -- 25 HEARING EXAMINER ROBESON: Well, we can</p>	<p>27</p> <p>1 units you're going to have to deliver, meeting 2 various financing requirements. 3 Let's start off with what you have done 4 so far with Montgomery County, in terms of 5 approaching them about the availability of funds, 6 and then where you think you're going to end up for 7 the affordability of the units. 8 A. Yes, certainly. The -- delivering 9 affordable housing at targeted income groups is 10 a -- it requires the assistance of the -- and 11 financing tools that are provided by state and 12 local government, using a primary tool that's 13 actually provided by the federal government called 14 the Low-Income Housing Tax Credit. 15 Just to give you some simple arithmetic, 16 Ms. Robeson, it will cost us to deliver that 17 building that we're talking about here, something 18 over \$300,000 per apartment. 19 HEARING EXAMINER ROBESON: Yeah. 20 A. However, the one-bedroom rents that we 21 will able to charge will be very round numbers, a 22 thousand dollars a month. 23 HEARING EXAMINER ROBESON: Right. 24 A. In some cases, much lower, for a certain 25 number of the units there. Those two numbers don't</p>
<p>26</p> <p>1 leave the record open. I have to leave it open for 2 ten days because, you know, we don't get the 3 transcript for ten -- 4 MR. KLINE: Sure. 5 HEARING EXAMINER ROBESON: So go ahead. 6 MR. KLINE: Well, I will just say, with 7 Mr. Wiencek's help and Mr. Edmondson's help, we'll 8 come up with something for you that will be firm 9 and, hopefully, not too equivocal, so that we don't 10 have to bother you in the future. 11 HEARING EXAMINER ROBESON: Right. 12 MR. KLINE: We'll come up with something. 13 HEARING EXAMINER ROBESON: That's the 14 goal. 15 MR. KLINE: Yeah. Right. 16 HEARING EXAMINER ROBESON: That you can 17 go forward and not have to come back. 18 MR. KLINE: Great. 19 Thank you, Mr. Wiencek. We would like to 20 hear your observations, when we get there. 21 BY MR. KLINE: 22 Q. Mr. Edmondson, you have spent a lot of 23 time talking about affordable housing, and that is 24 really an essential component of this application, 25 and I've talked to you about the categories of</p>	<p>28</p> <p>1 work in the market rate setting. If I was spending 2 \$300,000 to build it, but only getting a thousand 3 dollars of rent, there's -- I can't finance it with 4 traditional tools, so we use -- 5 HEARING EXAMINER ROBESON: I understand. 6 I'm familiar with that program. 7 A. Okay. I'm sorry, I won't bore you with 8 the details. 9 In any event, we start -- 10 HEARING EXAMINER ROBESON: Yes, go ahead. 11 A. The first step -- the first step is, in 12 this -- in this process is to go to the local 13 government, in this case, Montgomery County, to ask 14 for what we call subordinate debt or gap financing, 15 and that's a substantial amount of money. And 16 if -- if that is available, then we go to a 17 subsequent step to -- to get the tax credit 18 financing, and there are a couple of ways to do 19 that. 20 But, in any event, the first essential 21 step is to go to Montgomery County. In 22 anticipation of gaining approvals from -- for both 23 land-use purposes and -- and in our general 24 planning process, we've already introduced a 25 preliminary application, by no means final, to the</p>

<p style="text-align: right;">29</p> <p>1 people at the Montgomery County Department of 2 Housing and Community Affairs, and that -- we will 3 subsequently meet with them and they'll evaluate 4 our proposal, and we hope to get it funded so that 5 we could move the process forward also with 6 Maryland -- the Maryland CDA. And, ultimately, if 7 we're lucky, we'd, perhaps, be able to close on the 8 financing of putting all these pieces together by 9 about this time next year. 10 Q. And the zoning ordinance does have a 11 table of minimum unit eligibility, based on 12 percentages. 13 A. Yes. 14 Q. Would you mind sharing with the 15 Hearing Examiner how you anticipate satisfying that 16 requirement of Section 59.3.3.2 of the zoning order 17 on the split of the units -- 18 A. Yes. 19 Q. -- their affordability? 20 A. We have to have a project in this case 21 where every unit is considered tax-credit eligible, 22 meaning that we -- the occupants of those units 23 will have -- will meet income criteria. 24 And the income mix is the following -- I 25 can be quite specific because these are the --</p>	<p style="text-align: right;">31</p> <p>1 The average income across all 111 units 2 in our proposal is just below 60 percent -- 3 59 percent of area median. And with -- with 4 adjustments for household size, that's -- that 5 averages something on the order of \$45,000, plus or 6 minus. So we're dealing with households who's -- 7 who are -- where the people are not destitute, but 8 they're clearly far below the -- the substantial 9 area medians which apply to the greater Washington, 10 D.C. area. 11 Q. But you're not holding back any 12 market-rate units? 13 A. No. 14 Q. It's all -- 15 A. No, this is all affordable. So there's 16 no question we're meeting the requirements of 17 the -- of the coordinates that you cited. 18 Q. And, unfortunate, the zoning ordinance 19 uses the terms very low, low, and MPDU income, so 20 it doesn't quite correlate into the percentages of 21 AMI. But the schedule you just talked about, you 22 understand, satisfies the requirement of the zoning 23 ordinance for providing affordable housing? 24 A. I think, in fact, it exceeds the 25 requirements, yes.</p>
<p style="text-align: right;">30</p> <p>1 these are the numbers that we've included in our 2 application to Montgomery County. There will be 12 3 units whose residents will have incomes below 4 30 percent of area median, and that's adjusted for 5 household size, so we're talking about people whose 6 incomes are at \$30,000 per year or substantially 7 less. 8 We'll have 10 units where the incomes are 9 between 30 percent and 50 percent of area median, 10 again, adjusted for -- for household size. 11 We'll have 51 units between -- where the 12 income limits are between 50 and 60 percent of area 13 median income, and -- and this is an unusual 14 feature that's only been allowed for the last few 15 years -- we'll have 38 units for households whose 16 incomes are up to 70 percent of area median. 17 The program that was put into place at 18 the -- in the tax law change that happened in 2017 19 allows for what they call income averaging. So to 20 the extent that you got a number of households and 21 units, where the incomes and rents are very 22 substantially below 60 percent of median, you can 23 have some more whose incomes are above 60 percent 24 of median and they're all considered tax-credit 25 eligible.</p>	<p style="text-align: right;">32</p> <p>1 Q. Thank you. Thank you. 2 Let me ask you this: What have you done 3 to go out and introduce yourself to your neighbors? 4 What community outreach did you go through before 5 we filed the application? 6 A. Well, we tried. We couldn't stir much 7 interest. We sent out notices. We held a meeting 8 at a -- one of the hotels a little bit further 9 north on Rockville Pike, inviting representatives 10 of community associations up and down Rockville 11 Pike. We got no interest. There were no 12 attendees. And we have not heard from a single 13 community group that even had questions, let alone 14 posed any opposition to the project. 15 Q. Based on your experience in developing 16 housing of this type for 38 years, and the 17 portfolio you currently manage, do you feel that 18 the proposed development can be constructed and 19 operated in a manner that's harmonious with the 20 character of the setting in which it's located? 21 A. Yes. No question about that. In fact, 22 we think it will be a substantial enhancement to 23 that section of the highway. One of the things I 24 love about it is that, as you're driving north on 25 Rockville Pike, the building will kind of sit above</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

9 (33 to 36)

<p>33</p> <p>1 the road, and -- and it will have a very attractive 2 design. We think it will be a really nice addition 3 to that -- to that part of the Pike. 4 Q. And a question to appeal to your '67 5 sensitivity, do you feel that this would be a 6 development that would be in the public interest to 7 deliver because of its affordable housing element? 8 A. Absolutely. This is -- delivering this 9 kind of product, providing this kind of housing and 10 the associated services is what we've been about 11 throughout our entire company's existence and -- 12 and we'll be very proud of it. 13 MR. KLINE: I have no further questions 14 of Mr. Edmondson. 15 HEARING EXAMINER ROBESON: All right. Is 16 there anyone on this meeting -- in this meeting 17 that would like to ask Mr. Edmondson any questions 18 that is not represented by Mr. Kline? 19 Okay. Hearing none, you can be excused, 20 Mr. Edmondson. Thank you. 21 MR. KLINE: Thank you very much. 22 Unless you have any questions yourself, 23 our next witness would be Ms. Jane Przygocki. 24 HEARING EXAMINER ROBESON: Okay. Go 25 ahead.</p>	<p>35</p> <p>1 make sure that all of the application materials 2 are -- are provided in a -- in an acceptable 3 fashion and a professional fashion, and I direct 4 employees with similar expertise in landscape 5 architecture and land planning to provide these. 6 Q. Have you ever -- 7 HEARING EXAMINER ROBESON: I'm sorry to 8 interrupt. Has Ms. Przygocki, Mr. Kline, ever 9 testified as an expert? 10 Q. Ms. Przygocki, have you ever qualified as 11 an expert in the field of land-use planning before 12 the Hearing Examiner of Montgomery County? 13 A. Yes, I've qualified as an expert in land 14 planning before the Board of Appeals and also the 15 Hearing Examiner in -- I'm sorry, I don't remember 16 what case. 17 HEARING EXAMINER ROBESON: That's fine. 18 That's fine. 19 I'll accept her. Is -- are you 20 proffering her as an expert in land planning? 21 MR. KLINE: That is correct. 22 HEARING EXAMINER ROBESON: Okay. I'll 23 accept her as an expert land planner. 24 BY MR. KLINE: 25 Q. Ms. Przygocki, let's start off by trying</p>
<p>34</p> <p>1 MR. KLINE: Ms. Przygocki, would you 2 please raise your hand to be sworn in. 3 Whereupon -- 4 JANE PRZYGOCKI, 5 being first duly sworn or affirmed to testify to 6 the truth, the whole truth, and nothing but the 7 truth, was examined and testified as follows: 8 HEARING EXAMINER ROBESON: Please state 9 your name and business address for the record, and 10 spell your name, please. 11 THE WITNESS: My name is Jane Przygocki, 12 that is J-a-n-e, and the last name is 13 P-r-z-y-g-o-c-k-i. I'm a land planner and 14 technical director at Soltesz, with the address at 15 2 Research Place, Suite Number 100, Rockville, 16 Maryland 20850. 17 HEARING EXAMINER ROBESON: Okay. Go 18 ahead, Mr. Kline. 19 EXAMINATION BY COUNSEL FOR THE APPLICANT 20 BY MR. KLINE: 21 Q. Ms. Przygocki, just give us a quick 22 overview of the work you're doing at Soltesz. 23 A. I'm a land -- my position title is 24 technical director. I do land planning services, 25 zoning consultation. I am a project manager, so I</p>	<p>36</p> <p>1 to set the -- give us an understanding of the 2 setting in the context where the property is 3 located. Using whatever exhibit you think is the 4 best one, and you'll have to advise the 5 Hearing Examiner which one that would be, would you 6 please describe the surrounding area -- and by 7 that, I mean the general surrounding area, not the 8 zoning surrounding area, and where this property is 9 located within that context. 10 A. So the -- 11 Q. What exhibit do you need? 12 A. So I would say for the larger surrounding 13 area, I think Exhibit Number 8 would be 14 appropriate. Exhibit Number 8 indicates -- can we 15 call that up or how did you -- how are we doing 16 this? 17 MR. KLINE: Ms. Robeson -- 18 HEARING EXAMINER ROBESON: And is 19 Jon Frey there? Jon? 20 MR. FREY: Yes, I am. 21 HEARING EXAMINER ROBESON: For some 22 reason, again, I can't get it, and we just 23 practiced this, and I don't know why. 24 MR. FREY: One of the things that I do 25 notice is the fact that it looks like somebody is</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

10 (37 to 40)

<p>37</p> <p>1 showing their screen.</p> <p>2 HEARING EXAMINER ROBESON: Yes, exactly.</p> <p>3 MR. FREY: Or many, I don't know the last</p> <p>4 time -- maybe the Court Examiner or somebody.</p> <p>5 HEARING EXAMINER ROBESON: It's on now?</p> <p>6 MR. FREY: Yes, it's still on. They</p> <p>7 still have the screen occupied.</p> <p>8 (Technical difficulties.)</p> <p>9 BY MR. KLINE:</p> <p>10 Q. So, Ms. Przygocki, what we have now up on</p> <p>11 our screen is Exhibit 8, the aerial -- aerial image</p> <p>12 vicinity map. And using that, can you, first of</p> <p>13 all, help the Hearing Examiner locate the location</p> <p>14 of the subject property?</p> <p>15 A. Yes.</p> <p>16 Q. I guess it's in the --</p> <p>17 A. Okay. So the subject property is -- if</p> <p>18 you notice, there are some concentric circles.</p> <p>19 It's right in the center on that circle, right near</p> <p>20 someone who has the cursor has their -- that's the</p> <p>21 site right there. It is along Maryland --</p> <p>22 HEARING EXAMINER ROBESON: Okay. You</p> <p>23 can't say "right there" for the court reporter.</p> <p>24 So what we're looking at is a triangular</p> <p>25 red dot in the center of all the circles.</p>	<p>39</p> <p>1 out of the parking lot.</p> <p>2 Further down the road, there is a credit</p> <p>3 union, and a gas station at the corner of</p> <p>4 Plummer Drive and 355. But confronting and -- the</p> <p>5 property across the street is residential</p> <p>6 properties, and behind the property is a</p> <p>7 residential community as well.</p> <p>8 Q. And, Ms. Przygocki, be a little bit more</p> <p>9 specific on the nature of the form of development</p> <p>10 on the west side of 355, and then both forms of</p> <p>11 development on the east side, either adjacent or</p> <p>12 immediately behind our property.</p> <p>13 A. Yeah. Okay. So adjacent to our property</p> <p>14 and behind, it is actually surrounded by a</p> <p>15 single-family detached development. There is a --</p> <p>16 on the other side of Wheatfield Drive, there is a</p> <p>17 town house community. And across 355, it's all</p> <p>18 single-family detached units. And in between</p> <p>19 Parkside and Plummer Drive are commercial entities.</p> <p>20 Q. Thank you.</p> <p>21 A. Farther down to the south, there is Great</p> <p>22 Seneca Park and there is a trailhead there.</p> <p>23 Frederick Road is a divided highway and</p> <p>24 with 150-foot right-of-way at this point.</p> <p>25 Q. Ms. Przygocki, what I'd like to do is</p>
<p>38</p> <p>1 A. It is irregularly shaped. It's actually</p> <p>2 white. The red next to it is the commercial site.</p> <p>3 HEARING EXAMINER ROBESON: Oh, okay. So</p> <p>4 it's an oblong or -- yes, I see it.</p> <p>5 A. Irregular square, for the most part, but</p> <p>6 irregularly shaped. And there is a red property to</p> <p>7 the left -- to the left, if you're looking at the</p> <p>8 map.</p> <p>9 HEARING EXAMINER ROBESON: To the south</p> <p>10 or --</p> <p>11 A. To the north. To the north.</p> <p>12 HEARING EXAMINER ROBESON: Use</p> <p>13 directions. Okay. To the north?</p> <p>14 A. Yes. That is the adjacent property,</p> <p>15 which is a (Indiscernible) food truck and it's also</p> <p>16 the --</p> <p>17 HEARING EXAMINER ROBESON: Wait, I can't</p> <p>18 hear you. Okay, now go.</p> <p>19 A. The property is along Maryland Route 355</p> <p>20 in Germantown. It's about halfway between</p> <p>21 Montgomery Village Avenue and Maryland 118. The</p> <p>22 neighborhood surrounding it is a mix of residential</p> <p>23 and commercial. The adjacent property is a</p> <p>24 restaurant/private club, as well as a -- they have</p> <p>25 a food truck in the parking lot that sells seafood</p>	<p>40</p> <p>1 have the photograph kind of step back, or less</p> <p>2 detail, because I'd like you to describe for the</p> <p>3 Hearing Examiner the general location of activity</p> <p>4 nodes that would provide services needed by the</p> <p>5 residents of this -- this community, once we get it</p> <p>6 going. You probably need to step back one more</p> <p>7 notch.</p> <p>8 That should do it.</p> <p>9 So, Ms. Przygocki, within that red radii</p> <p>10 that I can see surrounding the property at which</p> <p>11 the subject property is the center, would you just</p> <p>12 identify the places where medical services would be</p> <p>13 available, recreational services, retailing</p> <p>14 opportunities, shopping, the things that seniors</p> <p>15 living in the building would need.</p> <p>16 A. So within that mile, there are multitude</p> <p>17 of commercial activities and -- and shopping</p> <p>18 available. There's hairdressers. There are</p> <p>19 emergency services. There are medical clinics.</p> <p>20 Recreational activities. Within a mile and 1.9</p> <p>21 miles, there's the Holy Cross Hospital, as well as</p> <p>22 there's numerous medical clinics down, more towards</p> <p>23 Montgomery Village.</p> <p>24 When you get down to Maryland Route 124,</p> <p>25 which is Montgomery Village Avenue, that -- there</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

11 (41 to 44)

<p>41</p> <p>1 is multitude of shopping opportunities there as 2 well. 3 Q. So to try and quantify what you're 4 talking about, are the red designations a 5 commercial classification? 6 A. Yes. 7 Q. Okay. And then what's the -- what's the 8 blue, institutional or something? 9 A. Blue are institutional properties, such 10 as -- 11 Q. Okay. 12 A. -- schools, emergency services. There -- 13 the site is well served by police and fire. Less 14 than 3 -- I think the police station is about 15 3.9 miles away and another police station even 16 less. Fire access is within 3 miles as well, and 17 there are libraries. There are post offices, all 18 just outside of that 1-mile radius. As you can 19 see, all the blue-colored properties are public 20 service properties. 21 Q. And in your professional opinion, then, 22 within an area reasonably accessible to the 23 facility, depending whether it's private vehicle or 24 some kind of community-provided transportation, 25 there are adequate services available for the</p>	<p>43</p> <p>1 THE WITNESS: Um-hum. 2 MR. KLINE: Ms. Robeson, could you take 3 us back to -- what I'd like to do now is ask 4 Ms. Przygocki to talk about the zoning 5 neighborhood, for purposes of determining what 6 we're going to be influencing. 7 And you had a great exhibit up there 8 earlier, with a much more focused view of the 9 subject property. And because we don't -- I don't 10 believe we have the zoning neighborhood boundary 11 lines anywhere, other than in the staff report, I 12 was going to ask you if you could take us back to 13 that more detailed version of this exhibit and have 14 Ms. Przygocki kind of outline -- 15 HEARING EXAMINER ROBESON: In the staff 16 report? 17 MR. KLINE: Yes, it's on page -- 18 THE WITNESS: I'm sorry, Jody. Technical 19 Staff Report, it's in Figure 3 of the Technical 20 Staff Report. 21 HEARING EXAMINER ROBESON: Okay. I just 22 need the exhibit number. 23 MR. KLINE: Of the staff report? 24 THE WITNESS: Oh, the staff report 25 exhibit number is -- let me get the number.</p>
<p>42</p> <p>1 residents of a seniors' community, such as the one 2 being proposed in this application? 3 A. Yes. I would say there are ample 4 services, and I think they're very quite -- quite 5 fortunate to be so close to so many and -- and as 6 well as close to a brand-new hospital as well. 7 HEARING EXAMINER ROBESON: I just had one 8 question. I heard her description of what's in the 9 area. Did she characterize -- 10 Ms. Przygocki, did you characterize the 11 area? 12 THE WITNESS: I would characterize it as 13 a mixed-use neighborhood because it is a mix of 14 both residential and commercial and public uses. 15 It's in the Fox Chapel, Germantown -- Germantown 16 Master Plan, in the Fox Chapel District, and that 17 is -- is a commercial area starting up more towards 18 Middlebrook Road, and extending about down to where 19 the Seneca Park is. But there are commercial nodes 20 at both ends of -- within a mile going both north 21 and south -- 22 HEARING EXAMINER ROBESON: Right. 23 THE WITNESS: -- of the property. 24 HEARING EXAMINER ROBESON: All right. 25 Thank you.</p>	<p>44</p> <p>1 MR. KLINE: Okay. That would be 52. 2 HEARING EXAMINER ROBESON: Okay. Hold on 3 one second. 4 MR. KLINE: I'm going to try to ask you 5 to do this as few times as possible. 6 HEARING EXAMINER ROBESON: All right. My 7 computer is slow today, so I apologize. 8 And it's Figure 3? 9 MR. KLINE: Figure 3 on page 6. There 10 you go. Very good. 11 HEARING EXAMINER ROBESON: Do you have it 12 up? 13 MR. KLINE: It is on our screen. 14 HEARING EXAMINER ROBESON: Okay. Go 15 ahead. 16 BY MR. KLINE: 17 Q. Okay. Ms. Przygocki, looking at Figure 3 18 in the Technical Staff Report, there's a red dotted 19 line around the -- and, basically, with the 20 properties located in the middle -- center, 21 uncolored. Would you describe what that red 22 line -- what it is and the significance of it? 23 A. So the red line is what we would define 24 as the zoning neighborhood. It is basically those 25 properties that would be impacted by the addition</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

12 (45 to 48)

<p>45</p> <p>1 of this proposal. We take the neighborhood -- we 2 define the neighborhood as being basically from 3 Wheatfield Drive to Plummer Drive and along the 4 back side at -- along Wheatfield Drive. So all of 5 the properties --</p> <p>6 HEARING EXAMINER ROBESON: Just out of 7 curiosity, why didn't you do the buildings -- why 8 does it end at the far side of Rockville Pike, when 9 there's properties directly confronting the 10 property there?</p> <p>11 THE WITNESS: Those properties are 12 actually internal to that drive. They are backing 13 to 355.</p> <p>14 HEARING EXAMINER ROBESON: But wouldn't 15 they experience some traffic, and don't they see 16 it? Can't they see it from their property?</p> <p>17 THE WITNESS: Yes, they could --</p> <p>18 HEARING EXAMINER ROBESON: The standard 19 for aggrievement is sight and sound to the subject 20 property.</p> <p>21 THE WITNESS: Okay.</p> <p>22 HEARING EXAMINER ROBESON: But it's -- 23 you know, I would include them, but if -- you know, 24 I don't think it makes a difference for the purpose 25 of this. I don't think it changes the character,</p>	<p>47</p> <p>1 Plummer Drive, you enter into a residential 2 neighborhood, which its spine road is -- basically, 3 is Wheatfield Drive, which also interacts with 4 Frederick Road. So we're -- we included that 5 triangle of properties that are within that 6 neighborhood, and both those that are on both sides 7 of Wheatfield Drive that are using Wheatfield Drive 8 for egress and ingress.</p> <p>9 HEARING EXAMINER ROBESON: But, see, for 10 the same reason -- okay, I won't argue. It doesn't 11 matter. But Rambling Road, they're going to have 12 traffic too, but I won't -- it doesn't matter.</p> <p>13 So go -- so how would you characterize 14 the neighborhood?</p> <p>15 THE WITNESS: As a single-family detached 16 neighborhood, mixed with commercial entities and 17 offices.</p> <p>18 HEARING EXAMINER ROBESON: Okay.</p> <p>19 BY MR. KLINE:</p> <p>20 Q. Ms. Przygocki, what I'd like you to do 21 is -- as you can tell, I'm trying to go from the 22 broad down to the site-specific. So using whatever 23 exhibit you think is the best one to pull up, I'm 24 guessing it's probably the existing conditions 25 plan, which is Exhibit 44(b), would you describe</p>
<p>46</p> <p>1 but I do think they should be included. 2 Anyway, go ahead.</p> <p>3 THE WITNESS: Well, staff did concur with 4 our definition of the neighborhood. Basically, 5 it's all of the adjacent and confronting properties 6 to the property and those within the neighborhood 7 that is accessed from Wheatfield Drive and along 8 355. So they would be within sight and sound and 9 be experiencing any of the traffic that may or may 10 not be generated from this particular site.</p> <p>11 BY MR. KLINE:</p> <p>12 Q. And, I'm sorry, I was looking for 13 something.</p> <p>14 Did you kind of describe the overall 15 character of the property -- I'm sorry, the 16 surrounding area?</p> <p>17 A. Yes. The properties fronting on 355 are 18 residential properties and -- and/or green space. 19 And at the corner of Plummer Drive and Maryland 20 Route 355, there is a gas station. In between 21 our -- next to -- adjacent to our property, there 22 is a private club and restaurant. And in between 23 those two is a credit union, Teachers Federal 24 Credit Union.</p> <p>25 If you -- once you take a right on</p>	<p>48</p> <p>1 the features of the property for us. Thank you.</p> <p>2 HEARING EXAMINER ROBESON: Can you see -- 3 let me get that -- maybe I can get it a little 4 bigger. Well --</p> <p>5 THE WITNESS: It's kind of hard to see 6 with lines on it.</p> <p>7 HEARING EXAMINER ROBESON: I know. I 8 know. How's that? Better?</p> <p>9 THE WITNESS: Yes. Yes. So the property 10 is directly adjacent to Frederick Road, which is a 11 155-foot right-of-way, approximately, at this 12 point. It is all commercial. It's a wooded site 13 with, largely, tulip poplars and oaks, not much 14 understory. A lot of honeysuckle, multiflora rose 15 as understory.</p> <p>16 The highest point is at the center of the 17 site, which is about 440 elevation. And it is 18 relatively flat for the majority of the portion, 19 but at the -- around the perimeter, the property 20 slopes down away from the center of the site. Some 21 of the most severe slopes are going towards 355 at 22 the southern end. However, at the northern end, 23 the slopes from 355 into the property right there 24 between those two lines --</p> <p>25 HEARING EXAMINER ROBESON: Wait. What</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

13 (49 to 52)

<p>49</p> <p>1 two lines?</p> <p>2 THE WITNESS: Between the master plan</p> <p>3 right-of-way and the existing right-of-way, it</p> <p>4 flattens out a little bit there, they're not as</p> <p>5 steep. Whereas, at the southern end, adjacent to</p> <p>6 355, they are more steep, which kind of lends to</p> <p>7 why we selected -- part of the reason we selected</p> <p>8 that area for an entrance.</p> <p>9 BY MR. KLINE:</p> <p>10 Q. Okay. Ms. Przygocki, I guess I probably</p> <p>11 should have started off with a little bit more</p> <p>12 about the size of the lot.</p> <p>13 What is the area of land we're dealing</p> <p>14 with?</p> <p>15 A. It's 2.64 acres, of which, I think, 2.29</p> <p>16 is forested.</p> <p>17 Q. And it's interesting how much frontage</p> <p>18 there is on Route 355.</p> <p>19 What's the linear length of that</p> <p>20 frontage?</p> <p>21 A. To be exact, it's 412 feet. So, roughly,</p> <p>22 400 feet along that property frontage.</p> <p>23 Q. All right. And then I'd like you to</p> <p>24 elaborate on the boundary line, which is the line</p> <p>25 shown on the left, adjacent to the right-of-way,</p>	<p>51</p> <p>1 So that second line represents 125 feet</p> <p>2 from the --</p> <p>3 HEARING EXAMINER ROBESON: When you say,</p> <p>4 second line, you are referring to the 2009 Master</p> <p>5 Plan Right-of-Way?</p> <p>6 THE WITNESS: Yes. The 2009 Master Plan</p> <p>7 Right-of-Way line is 125 feet from the centerline</p> <p>8 of the existing Frederick Road.</p> <p>9 HEARING EXAMINER ROBESON: Okay.</p> <p>10 BY MR. KLINE:</p> <p>11 Q. So, in essence, when you get into the</p> <p>12 site plan, you're going to be talking about</p> <p>13 everything to the right, or northeast of the Master</p> <p>14 Plan Right-of-Way line?</p> <p>15 A. Right. We will be considering that</p> <p>16 dedication as being required through preliminary</p> <p>17 plan of subdivision. So all of -- that would --</p> <p>18 becomes our future property line. And so all of</p> <p>19 our plan's setbacks and plan's dimensional</p> <p>20 requirements are based on the 2009 Master Plan</p> <p>21 Right-of-Way, as opposed to our current</p> <p>22 right-of-way.</p> <p>23 Q. And the last question I should have asked</p> <p>24 you, probably, earlier, is access to the subject</p> <p>25 property.</p>
<p>50</p> <p>1 and then the parallel line inside of that, which I</p> <p>2 can't read, but I'm sure that's the master plan.</p> <p>3 HEARING EXAMINER ROBESON: It's a 2009</p> <p>4 Master Plan Right-of-Way.</p> <p>5 Q. All right. So would you please explain</p> <p>6 to the Hearing Examiner the significance of those</p> <p>7 two dimensions for those two lines?</p> <p>8 A. So there are two lines and the -- the</p> <p>9 lower one was the master plan.</p> <p>10 HEARING EXAMINER ROBESON: It says, 1998</p> <p>11 Master Plan Right-of-Way.</p> <p>12 THE WITNESS: That's correct.</p> <p>13 HEARING EXAMINER ROBESON: Just for the</p> <p>14 record.</p> <p>15 A. The 1998 Master Plan envisioned a</p> <p>16 150-foot right-of-way for Frederick Road. When the</p> <p>17 2009 Master Plan came out, they projected that we</p> <p>18 would need a 250-foot right-of-way to accommodate a</p> <p>19 future bus rapid rail transit -- Bus Rapid Transit,</p> <p>20 BRT. So the right-of-way for Frederick Road was</p> <p>21 significantly widened via the Master Plan. And we</p> <p>22 have respected the Master Plan Right-of-Way. It</p> <p>23 was contingent on whether M83 were ever to be</p> <p>24 built, they've never taken it off of the</p> <p>25 Right-of-Way Master Plan.</p>	<p>52</p> <p>1 MR. KLINE: And because we have a bar on</p> <p>2 the bottom of the screen we're looking at, I was</p> <p>3 going to ask you if Ms. Robeson could rotate the</p> <p>4 existing conditions plan a little bit -- up a</p> <p>5 little bit, so we could see the properties below us</p> <p>6 better.</p> <p>7 There we go. Good.</p> <p>8 Q. I think you probably have better</p> <p>9 visibility now.</p> <p>10 Would you describe to the Hearing</p> <p>11 Examiner how access to the subject property is</p> <p>12 achieved and what is that relationship, and the</p> <p>13 shared use for the properties to the southeast as</p> <p>14 well?</p> <p>15 A. Adjacent to the property, there is a</p> <p>16 single-family detached house which accesses the</p> <p>17 property also from 355, Frederick Road. But</p> <p>18 they -- actually, their access is via an access</p> <p>19 drive that goes through the subject property. This</p> <p>20 was a long time ago, before the Applicant ever</p> <p>21 became interested in the property. That same</p> <p>22 access drive also serves the property immediately</p> <p>23 adjacent to the south of the -- our adjacent</p> <p>24 property. And so it's really serving two --</p> <p>25 HEARING EXAMINER ROBESON: When you say,</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

14 (53 to 56)

<p>53</p> <p>1 "immediately" -- oh, you're talking about Lot 1, 2 Seneca Park? 3 THE WITNESS: That's correct. Their 4 access is via that drive as well. So it goes -- 5 the access drive goes behind the existing 6 building -- 7 HEARING EXAMINER ROBESON: I see it. 8 THE WITNESS: I believe it's 19021, and 9 then it goes -- 10 HEARING EXAMINER ROBESON: I think it's 11 marked "asphalt" on your existing condition plan. 12 THE WITNESS: Correct. 13 HEARING EXAMINER ROBESON: Okay. I see 14 it. 15 THE WITNESS: So the Applicant is willing 16 to allow the adjacent neighbors to continue to use 17 that access drive. In order to do that, we will 18 need to prepare an access easement. And the 19 Applicant has already been in conversations with 20 the adjacent owner, and we plan to work with them 21 to provide that, as part of the application, either 22 between now and preliminary plan, when this is all 23 finalized. 24 HEARING EXAMINER ROBESON: Right. 25 BY MR. KLINE:</p>	<p>55</p> <p>1 this layout, did you move the driveway all the way 2 to the far north of the property and, sort of, give 3 up on the existing driveway on the southern end? 4 A. Well, the existing driveway on the 5 southern end, again, the -- the -- that does not 6 serve this subject property. The subject property 7 has never been developed. However, while we intend 8 to preserve that for the adjacent properties, we 9 have to prove they're going to separate that 10 entrance to be solely for this particular use. 11 There are a number of reasons that the 12 entrance ended up at -- where you see it on this 13 exhibit, and that is; one, because the slopes 14 are -- are less substantial there; and two, it 15 provided a better sight distance for entry and exit 16 from the property. 17 The property's entrance drive there is 18 a -- provided as a standard SHA commercial 19 entrance, as requested by the SHA and by the 20 Transportation staff. And so because it is a 21 divided highway, it would be a right in, right out 22 only, so you won't have the danger of people trying 23 to cross in the left-hand turn lane of oncoming 24 traffic. 25 So that explains why that entrance is</p>
<p>54</p> <p>1 Q. Ms. Przygocki, Condition Number 8 2 recommended by the staff does talk about the 3 creation of such an easement to serve those lots, 4 and as you just explained, that is already in 5 process and will be ready by the time preliminary 6 plan of subdivision is -- application is filed for 7 the subject property, correct? 8 A. Correct. 9 Q. So what I'd like to do is, now kind of 10 transition you into the conditional use, maybe this 11 is a good place to start. We -- you've got a 12 different driveway shown for the site plan now. 13 HEARING EXAMINER ROBESON: Now, I'm 14 showing Exhibit 44. Is this the correct exhibit? 15 MR. KLINE: 44(c) is the most current 16 conditional use plan, that's correct. 17 HEARING EXAMINER ROBESON: I'm looking at 18 that. That's what you're looking at. We're all 19 looking at it. 20 MR. KLINE: We've got the right one. 21 Eventually, I think we'll ask you to go 22 to the rendered illustration because I think things 23 pop up a little bit better. 24 BY MR. KLINE: 25 Q. But, Ms. Przygocki, why, in the design of</p>	<p>56</p> <p>1 where it is. And then that entrance start must get 2 us up the site, up from 355 to the center of the 3 site, where the proposed building is to be located. 4 Q. Okay. 5 A. And going -- 6 Q. I was going to say the -- I mean, if 7 you've got something else to talk about, go right 8 ahead, but I was thinking, I'd like to kind of have 9 something that gives a little bit more better 10 detail, and I think the rendered illustration, 11 which is 44 -- I'm sorry, 45, would be an exhibit I 12 wonder if you could pull up. 13 Fine. 14 Ms. Przygocki, using Exhibit 45, would 15 you kind of basically walk us through the layout of 16 how this site works, how everything circulates. 17 And then I'll get into the details about the 18 various elements, but give us the overview first. 19 A. The project is basically -- well, access, 20 again, is from 355. It provides a singular access 21 and a loop drive to serve the site. The -- the 22 building is located in the center of the site. 23 It's a multi-wing or two-wing building that is -- 24 opens to interior courtyards for the enjoyment of 25 the residents and for gathering spaces. It also</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

15 (57 to 60)

<p>57</p> <p>1 opens -- and I'm sure the architect will describe 2 this more, it also helps to bring light and nature 3 into the -- each of the units in the different 4 wings of the building. 5 So for convenience, there is a circular 6 drive that makes it easy for both residents and 7 emergency and those vehicles alike to access the 8 site. There is an ADA-accessible dropoff at the 9 front door, which is a covered access. It doesn't 10 show up real well here, if you're looking -- unless 11 you zoom in, but that eyebrow right there in 12 front -- 13 HEARING EXAMINER ROBESON: Right. 14 There's one exhibit that shows that, this -- 15 THE WITNESS: So that's the covering. 16 It's a porte cochère -- 17 HEARING EXAMINER ROBESON: It's 18 Exhibit 51 -- just a second. This is Exhibit 51(a) 19 and (b). It all was together in one exhibit, but 20 I'll go back to this. 21 THE WITNESS: So that -- that covering 22 and that -- the walkways around the entrance and, 23 actually, around the entire site area have all been 24 designed to be ADA accessible, so that there are no 25 steep slopes and there -- of the width and slope</p>	<p>59</p> <p>1 handled? 2 A. I guess that's something I had to 3 address, as a site planner, as well as the 4 architect had to address, and we worked together to 5 resolve those issues. 6 The bicycle requirement for this site is 7 28 parking spaces for bicycles. Those are being 8 met by -- and per the requirements. They are 9 divided into long-term and short-term spaces. 10 So there is one short-term space adjacent 11 to the handicapped parking there. Immediately to 12 the north of that, there's a bike rack. And then 13 the additional 27 spaces are being provided in an 14 internal protected bicycle storage room in the 15 building. And those are the long-term spaces. 16 HEARING EXAMINER ROBESON: Okay. 17 Q. And let me just kind of make sure I've 18 got everything. 19 So northwest of the property, abutting 20 and northwest, it looks like just a parking lot 21 serving one of the nonresidential uses to the 22 north? 23 A. Yes. That parking lot serves the 24 restaurant there, which is now, actually, a 25 fraternal order private club, and it also serves --</p>
<p>58</p> <p>1 needed for ADA access. The residents can be 2 dropped off at a covered entrance, and there is -- 3 all of the parking is either to the rear or to the 4 side of the site, with the only exception being the 5 three handicapped parking spaces which are provided 6 close to the door, as required by ADA. 7 HEARING EXAMINER ROBESON: Okay. 8 BY MR. KLINE: 9 Q. Since you brought up the parking, can you 10 tell us the number -- and it goes back to something 11 Mr. Edmondson said, the number of spaces required 12 for the use of the formula, and then what is 13 actually being provided? 14 A. Yes. According to the formula in the 15 zoning ordinance, 60 parking spaces are required. 16 We are providing 60 parking spaces, and as well as 17 loading areas and dropoff. Three of those are 18 handicapped spaces and including a van-accessible 19 space. 20 Q. Since I have you here, and talking about 21 transportation issues, I don't recall seeing 22 anything in the staff report about how we're 23 handling the bicycle requirement. Is that 24 something the architect was going to address, or do 25 you happen to know how those are going to be</p>	<p>60</p> <p>1 if you notice, there are some food trucks parked 2 along the road there. That's called Seafood in the 3 Buff, and they -- they, apparently, sell seafood 4 out of those trucks. So that's immediately 5 adjacent to our property. 6 HEARING EXAMINER ROBESON: I'm not going 7 to make you be compatible with the food trucks. 8 Q. Well, since we're talking about trucks, I 9 was going to -- my next question was going to be 10 the properties to the southeast. I believe you 11 called them single-family detached residential 12 dwelling units, but, in fact, there's a lot of 13 commercial activity going on there. Can you 14 describe that, please. 15 HEARING EXAMINER ROBESON: Pardon me. Is 16 that the one with the shared drive? 17 MR. KLINE: Yes, ma'am. 18 HEARING EXAMINER ROBESON: Is that the 19 property we're talking about? 20 MR. KLINE: No, the first one for sure, 21 I'm not sure about the second one. 22 HEARING EXAMINER ROBESON: The big 23 asphalt drive -- big asphalt parking area? 24 THE WITNESS: Right. So -- 25 HEARING EXAMINER ROBESON: Adjacent to</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

16 (61 to 64)

<p>61</p> <p>1 the south, correct?</p> <p>2 MR. KLINE: Southeast, yes.</p> <p>3 HEARING EXAMINER ROBESON: Okay. Go</p> <p>4 ahead.</p> <p>5 BY MR. KLINE:</p> <p>6 Q. Ms. Przygocki, what have you observed</p> <p>7 going on in the property?</p> <p>8 A. In walking the site, I discovered that</p> <p>9 there are a number of U-Haul trucks parked behind</p> <p>10 that building, and it operates as a U-Haul rental</p> <p>11 center. It's even marked on a Google Map as a</p> <p>12 U-Haul center.</p> <p>13 HEARING EXAMINER ROBESON: Okay.</p> <p>14 A. So there is more activity there than</p> <p>15 meets the eye, I suppose, from the street. But --</p> <p>16 and then the access drive to the adjacent property,</p> <p>17 which also looks like a single-family house, but I</p> <p>18 believe is being run -- it's a care facility for</p> <p>19 less than -- I'm not sure how many people, but it</p> <p>20 is being run as a care facility.</p> <p>21 HEARING EXAMINER ROBESON: You don't --</p> <p>22 you couldn't find any special exceptions on -- or</p> <p>23 conditional uses for those?</p> <p>24 THE WITNESS: Not for those. I suppose</p> <p>25 if it's -- they have less than nine --</p>	<p>63</p> <p>1 exception on that. I don't -- I don't know why.</p> <p>2 HEARING EXAMINER ROBESON: It's okay.</p> <p>3 MR. KLINE: So, Ms. Robeson, under the</p> <p>4 zoning ordinance, it looks like that property is</p> <p>5 zoned in the NR classification, so I would think --</p> <p>6 HEARING EXAMINER ROBESON: Oh, that's</p> <p>7 right.</p> <p>8 MR. KLINE: I would think that would be</p> <p>9 allowed use in a commercial zone.</p> <p>10 HEARING EXAMINER ROBESON: Okay.</p> <p>11 THE WITNESS: Right.</p> <p>12 HEARING EXAMINER ROBESON: You're right.</p> <p>13 I was thinking it was R, residential. Okay.</p> <p>14 THE WITNESS: All of the other properties</p> <p>15 are R-90, but that -- from there to the corner,</p> <p>16 it's NR, neighborhood residential.</p> <p>17 HEARING EXAMINER ROBESON: Okay.</p> <p>18 BY MR. KLINE:</p> <p>19 Q. So, Ms. Przygocki, kind of getting down</p> <p>20 to the nuts and bolts of the zoning ordinance, on</p> <p>21 page 11 of the Technical Staff Report, there's a</p> <p>22 very detailed development standards table, and I'm</p> <p>23 not going to ask you to go through every one of</p> <p>24 those, but are all the dimensional requirements of</p> <p>25 the -- both the zone and the use satisfied by the</p>
<p>62</p> <p>1 HEARING EXAMINER ROBESON: Eight.</p> <p>2 THE WITNESS: Or eight units that they're</p> <p>3 caring for, that could be operated by right. I'm</p> <p>4 not sure about the U-Haul business. I think that</p> <p>5 normally would require a conditional use, but --</p> <p>6 HEARING EXAMINER ROBESON: It does.</p> <p>7 THE WITNESS: -- that's not part of</p> <p>8 our -- our assignment to --</p> <p>9 HEARING EXAMINER ROBESON: We won't</p> <p>10 prosecute.</p> <p>11 A. So there were some conditional uses</p> <p>12 directly across the street at one time. There was</p> <p>13 a facility that was a care home for less than</p> <p>14 eight, and then they eventually got a care -- a</p> <p>15 conditional use, or special exception it was at the</p> <p>16 time, for 9 to 16 persons. However, since then,</p> <p>17 that special exception has been revoked. Both of</p> <p>18 them -- the special exceptions have been revoked.</p> <p>19 So the only special exception that is</p> <p>20 current in the area is the automobile filling</p> <p>21 station, which is at the corner of Plummer Drive</p> <p>22 and Maryland 355.</p> <p>23 HEARING EXAMINER ROBESON: Doesn't a</p> <p>24 private club have to have a special exception?</p> <p>25 THE WITNESS: There is no special</p>	<p>64</p> <p>1 plan you're showing, that's up there right now, as</p> <p>2 Exhibit 45?</p> <p>3 A. Yes. We have met all of the parking</p> <p>4 setback requirements, as well as the building</p> <p>5 setback requirements. The conditional use only</p> <p>6 requires that the building be set back 50 feet.</p> <p>7 The dimensional requirements of the zone are</p> <p>8 somewhat less, due to the conditional use of --</p> <p>9 even the parking is twice the side-yard setback of</p> <p>10 the -- what would be required of a single-family</p> <p>11 detached building. But we have met all of those</p> <p>12 requirements, and we've met the green requirement</p> <p>13 for the parking, the overall tree canopy plan</p> <p>14 and --</p> <p>15 Q. I'll have Mr. Park take care of all those</p> <p>16 for you. However, I will ask you, do you meet the</p> <p>17 green-area requirement for the lot itself?</p> <p>18 A. Yes. The green-area requirement for the</p> <p>19 lot is 50 percent, and we are about 50.5 or . -- I</p> <p>20 think our latest measurement was 50.9 --</p> <p>21 Q. Correct.</p> <p>22 A. -- for the site.</p> <p>23 Q. And one of the other use requirements for</p> <p>24 this use is that that 50 feet in the front, for the</p> <p>25 front-yard setback, has to be a green area. And as</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

17 (65 to 68)

<p>65</p> <p>1 we look at Exhibit 45, I guess we've satisfied that 2 requirement, given all the green you've got between 3 the front of the building and 355. 4 A. Right. That is all provided -- and 5 the -- and the ordinance does say, except for the 6 access drive, all of that area shall be kept in 7 green. And so we have provided landscaping on both 8 sides of the access drive, as well as the green 9 area in the middle of the eyebrow circle for the 10 access. 11 The rest is in landscaping, and again, 12 with the exception of the three handicapped spaces 13 that are -- they are within that 50-foot setback, 14 but that is -- that is the only exception to that 15 that is -- that is not green. 16 Q. Okay. One last question about what I'll 17 call, sort of, a numerical or dimensional 18 requirement, I'm not sure that this -- this 19 category of use actually even requires a 20 demonstration that we satisfy the recreational 21 guidelines published by a Park and Planning 22 Commission, but I know you looked into it, and did 23 you conclude, I guess; one, are they applicable; 24 but two, even if they aren't, how do we do relative 25 to satisfying the recreational requirements that</p>	<p>67</p> <p>1 that buildings be no more than 60 feet along 355, 2 and then transitioning down, as you go towards the 3 east. And this building will be less than 3 -- 4 less than 60 feet, as the architect will describe. 5 I believe that's it. They envision this 6 master -- this area of the -- of the plan to be, 7 kind of, use and transitional neighborhood. 8 They -- also, the Master Plan did recommend 9 retaining the R-90 zone, and we have retained the 10 R-90 zone and the facility is a permitted use 11 within the R-90 form as a condition of use. 12 Q. Ms. Przygocki, is there any noninherent 13 feature of this property that, in conjunction with 14 the natural inherent features included in the use, 15 that would have an effect on the character of the 16 surrounding neighborhood? 17 A. No. I believe that all of the features 18 of this are inherent to that particular use. One 19 would anticipate occasional -- the traffic 20 generated by the residents, as well as occasional 21 service vehicles. There's nothing extraordinary 22 about this particular use, as it's placed on the 23 site, that would produce a noninherent effect on 24 the neighborhood. It's very much like other -- 25 other independent living facilities built in</p>
<p>66</p> <p>1 the county likes to impose for new development? 2 A. We did -- we did study that and we, in 3 combination with the existing recreational 4 opportunities that are with -- within the 5 surrounding neighborhood, and those that we're 6 offering on-site, which are generous, in terms of 7 courtyards and seating areas and internal lounges 8 and so forth and (Indiscernible), et cetera, are 9 well within the guidelines of the recreational 10 requirements. 11 Q. Thank you. 12 So let's ask you some planner questions. 13 What is the -- what is the applicable master plan? 14 Does it give us any guidance about what should 15 happen on this property or this area? 16 A. The property lies within the Germantown 17 Master Plan. It is within the Fox Chapel District. 18 The -- there are no specific recommendations for 19 this particular property; however, the only -- the 20 Master Plan recommendations that would apply to the 21 property are more of a general nature, and that is 22 that they recommend the 250-foot right-of-way for 23 Frederick Road. They also recommend a ten-foot 24 bikeway or shared-use path, which we have provided 25 along the frontage of the property. They recommend</p>	<p>68</p> <p>1 similar locations around the county. 2 Q. Using the various provisions and 3 standards in the zoning ordinance, in your 4 professional opinion as a land planner, will the 5 proposed use have an undue -- cause an undue harm 6 or have an adverse effect on the use or peaceful 7 enjoyment or the development of adjoining or 8 surrounding properties? 9 A. No, I don't believe so. I believe it 10 will operate very independently with -- with very 11 little impact on adjacent uses. 12 Q. Similarly, from your professional point 13 of view, is there anything about the proposal that 14 would have an adverse effect or cause an undue harm 15 for the health, safety, or welfare of the 16 residents, the neighbors, the workers, or visitors 17 to the subject property? 18 A. No, I don't believe so. 19 HEARING EXAMINER ROBESON: Is there a 20 generator with this site? 21 THE WITNESS: There -- I think the 22 architect can answer to that questioning much 23 better than I can. There is not a separate on-site 24 generator shown in -- on the plan, internal to the 25 site, and they can answer to that.</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

18 (69 to 72)

<p>69</p> <p>1 HEARING EXAMINER ROBESON: Okay.</p> <p>2 Q. But that's a good cue, I should have</p> <p>3 thought of it earlier, and that is, how are we</p> <p>4 handling waste removal? Why -- do we have a</p> <p>5 Dumpster? And how is it screened, and where is it</p> <p>6 located, and how do you move to and from it?</p> <p>7 A. The Dumpster is located in the rear of</p> <p>8 the site, and not adjacent to any -- it's actually</p> <p>9 closer to a wooded site than to any of the homes.</p> <p>10 You access it from the internal drive and --</p> <p>11 Q. Can you give the Hearing Examiner an</p> <p>12 idea, so she could put her cursor on it, because I</p> <p>13 can't see it anywhere on the drawing.</p> <p>14 A. That's -- that is the Dumpster right</p> <p>15 there. And we have provided a truck turning</p> <p>16 exhibit which shows that the -- how the trucks can</p> <p>17 access the -- they can come in with their forks</p> <p>18 into the Dumpster, lift it up, and back out and go</p> <p>19 take the rest of the entire loop to go -- to exit</p> <p>20 the site.</p> <p>21 The truck turning exhibit, I'm sorry, I</p> <p>22 don't -- I don't know what exhibit number that is.</p> <p>23 Q. It is in the record, though.</p> <p>24 HEARING EXAMINER ROBESON: Yeah, I have</p> <p>25 seen it, yeah.</p>	<p>71</p> <p>1 parking, which it is not necessarily at grade with</p> <p>2 the surrounding neighborhood. In this case,</p> <p>3 because of the -- our trying to keep the slopes to</p> <p>4 a minimum, I think it's lower than the adjacent</p> <p>5 site. In addition, it will be screened by a --</p> <p>6 HEARING EXAMINER ROBESON: I'm sorry,</p> <p>7 it's lower than the adjacent property, is that what</p> <p>8 you said?</p> <p>9 THE WITNESS: Yes.</p> <p>10 HEARING EXAMINER ROBESON: The adjacent</p> <p>11 property to the east?</p> <p>12 THE WITNESS: Yes.</p> <p>13 Q. By what order of magnitude?</p> <p>14 A. I apologize, I don't have the grading in</p> <p>15 front of me, so I can't really say. But if we put</p> <p>16 the site plan up, I could tell you how many feet.</p> <p>17 However, I can tell you that it is totally enclosed</p> <p>18 by a 6-foot wood fence, which is also landscaped</p> <p>19 with shrubs, and there are considerable landscape</p> <p>20 screening around that entire area.</p> <p>21 Q. We'll get Mr. Park to talk about that</p> <p>22 also, when he does the landscaping plan.</p> <p>23 A. So if you look, the adjacent property is</p> <p>24 at, roughly, 438. And we have a 4 -- it's about</p> <p>25 2 feet lower, I believe that next line is 436. So</p>
<p>70</p> <p>1 MR. KLINE: It's 12, and then probably --</p> <p>2 it's 12, and 48 as well.</p> <p>3 HEARING EXAMINER ROBESON: Do you want me</p> <p>4 to bring it up?</p> <p>5 MR. KLINE: I just wanted to make sure</p> <p>6 you knew where it was and how we were handling it.</p> <p>7 HEARING EXAMINER ROBESON: Here, are you</p> <p>8 seeing it now?</p> <p>9 THE WITNESS: Yes.</p> <p>10 MR. KLINE: Yes. Right.</p> <p>11 A. So, as I mentioned, the trucks come in</p> <p>12 off of Frederick Road. They go along the left-hand</p> <p>13 side of the building there, and they front in with</p> <p>14 their -- the forks that pull -- lift the Dumpster</p> <p>15 up and dump it into the back of their truck, put</p> <p>16 the Dumpster back, and then they -- it would be</p> <p>17 turning around in the yard to get out of the site</p> <p>18 and leave.</p> <p>19 BY MR. KLINE:</p> <p>20 Q. Ms. Przygocki, refresh my memory, is that</p> <p>21 compound, whatever the right term would be for the</p> <p>22 Dumpster, is that at grade or is it actually built</p> <p>23 into a hillside?</p> <p>24 A. There will be some -- it will be</p> <p>25 surrounded by -- it's basically at grade with the</p>	<p>72</p> <p>1 it's about 2 feet lower than the adjacent existing</p> <p>2 grade.</p> <p>3 Q. All right.</p> <p>4 A. So together with it being lower than,</p> <p>5 plus being screened by a 6-foot fence, plus the</p> <p>6 trees and the shrubs, it should have very little</p> <p>7 visual impact to the surrounding homes. And that</p> <p>8 part of the adjacent area is also wooded.</p> <p>9 Q. Ms. Przygocki, this question's probably a</p> <p>10 bit redundant, having asked you some similar</p> <p>11 questions earlier, but it's on the checklist of the</p> <p>12 development standards, so I'll ask it again. So is</p> <p>13 the use close to and has accessibility to medical</p> <p>14 services, shopping areas, recreation, and other</p> <p>15 community services desired or needed by seniors?</p> <p>16 A. Yes.</p> <p>17 HEARING EXAMINER ROBESON: I think she</p> <p>18 already answered that, didn't she?</p> <p>19 MR. KLINE: Yep, I -- yes, ma'am.</p> <p>20 A. Yes. I would say I did answer that, but</p> <p>21 I will answer it again. I would say yes to all of</p> <p>22 the above. I think it's well situated close to all</p> <p>23 of the services that -- that seniors would -- would</p> <p>24 desire and -- and to use. Everything from medical</p> <p>25 services to veterinary services to hairdressers, to</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

19 (73 to 76)

<p>73</p> <p>1 movies and theaters and shopping.</p> <p>2 HEARING EXAMINER ROBESON: If we can ever</p> <p>3 go there again.</p> <p>4 THE WITNESS: That's right. Once they</p> <p>5 open, if we can ever go shopping again.</p> <p>6 MR. KLINE: If you could get your message</p> <p>7 to the governor, that would be very good,</p> <p>8 Ms. Robeson.</p> <p>9 That was my last question for</p> <p>10 Ms. Przygocki.</p> <p>11 HEARING EXAMINER ROBESON: All right. Is</p> <p>12 there anyone here, who is not represented by</p> <p>13 Mr. Kline, that has a question for Ms. Przy -- I'm</p> <p>14 sorry.</p> <p>15 THE WITNESS: Przygocki.</p> <p>16 HEARING EXAMINER ROBESON: I knew that,</p> <p>17 Ms. Przygocki.</p> <p>18 Okay. Hearing none, you can be excused.</p> <p>19 THE WITNESS: Thank you.</p> <p>20 HEARING EXAMINER ROBESON: And,</p> <p>21 Mr. Kline, do you want to -- let's take a five --</p> <p>22 go off the record for five minutes, take a</p> <p>23 five-minute break, and we'll be back on the record.</p> <p>24 MR. KLINE: Yes, ma'am. Thank you.</p> <p>25 HEARING EXAMINER ROBESON: Don't leave</p>	<p>75</p> <p>1 Jr., the president of Wiencek & Associates</p> <p>2 Architects and Planners.</p> <p>3 HEARING EXAMINER ROBESON: Can you spell</p> <p>4 Wiencek?</p> <p>5 THE WITNESS: Yes. Wiencek is spelled</p> <p>6 W-i-e-n-c-e-k. And the business address is</p> <p>7 1100 Vermont Avenue, 8th Floor, Northwest,</p> <p>8 Washington, D.C.</p> <p>9 HEARING EXAMINER ROBESON: I used to work</p> <p>10 in that building.</p> <p>11 THE WITNESS: Oh, really?</p> <p>12 HEARING EXAMINER ROBESON: Anyways --</p> <p>13 THE WITNESS: When it was HUD?</p> <p>14 HEARING EXAMINER ROBESON: Yes -- no, no.</p> <p>15 All right. Go ahead, Mr. Kline.</p> <p>16 MR. KLINE: Sure.</p> <p>17 EXAMINATION BY COUNSEL FOR THE APPLICANT</p> <p>18 BY MR. KLINE:</p> <p>19 Q. Mr. Wiencek, your résumé is in the</p> <p>20 record, which is part of our prehearing submission,</p> <p>21 the number of which escapes me right now, but I can</p> <p>22 see by your distinguished look in age, you've</p> <p>23 obviously been practicing architecture for a long</p> <p>24 time.</p> <p>25 Have you ever qualified as an expert in</p>
<p>74</p> <p>1 the meeting.</p> <p>2 (Recess taken from 11:08 a.m. until</p> <p>3 11:15 p.m.)</p> <p>4 HEARING EXAMINER ROBESON: Okay.</p> <p>5 Mr. Kline, do you want to call your next</p> <p>6 witness?</p> <p>7 MR. KLINE: Mr. Agba, I think we need to</p> <p>8 see your face, so can you go ahead and open up your</p> <p>9 camera?</p> <p>10 MR. AGBA: Yes, my camera is on.</p> <p>11 Can you hear me well?</p> <p>12 MR. KLINE: We can hear you, yes, but we</p> <p>13 can't see you yet.</p> <p>14 (Technical difficulties.)</p> <p>15 HEARING EXAMINER ROBESON: Please raise</p> <p>16 your right hand.</p> <p>17 Whereupon --</p> <p>18 MICHAEL A. WIENCEK, JR.,</p> <p>19 being first duly sworn or affirmed to testify to</p> <p>20 the truth, the whole truth, and nothing but the</p> <p>21 truth, was examined and testified as follows:</p> <p>22 HEARING EXAMINER ROBESON: Please state</p> <p>23 and spell your name and business address for the</p> <p>24 record.</p> <p>25 THE WITNESS: I'm Michael A. Wiencek,</p>	<p>76</p> <p>1 the field of architecture before a court or a</p> <p>2 Hearing Examiner or a board or a body, such as what</p> <p>3 we're dealing with right now?</p> <p>4 A. Yes, I have.</p> <p>5 HEARING EXAMINER ROBESON: All right.</p> <p>6 MR. KLINE: Madam Chairman -- or Madam</p> <p>7 Hearing Examiner, based on the résumé in the file</p> <p>8 and Mr. Wiencek's long experience in architecture,</p> <p>9 I'd like to offer him as an expert in that field,</p> <p>10 having qualified before.</p> <p>11 HEARING EXAMINER ROBESON: That's fine.</p> <p>12 Q. Michael, you've had the --</p> <p>13 HEARING EXAMINER ROBESON: I'll qualify</p> <p>14 him as an expert in architecture.</p> <p>15 MR. KLINE: Thank you.</p> <p>16 Q. Mr. Wiencek, you've had the advantage of</p> <p>17 listening to a lot of dialogue already. I'm not</p> <p>18 going to ask you any questions. I'd like you to</p> <p>19 basically tell the Hearing Examiner when your</p> <p>20 client called you and said, here's what we'd like</p> <p>21 to do in this property, what you did to make it</p> <p>22 happen, and then take us into the actual drawings</p> <p>23 to explain what you ended up with.</p> <p>24 A. Sure.</p> <p>25 Q. So remembering anything you do want to</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

20 (77 to 80)

<p style="text-align: right;">77</p> <p>1 show the Hearing Examiner, you'll have to tell her 2 the number. I understand we've communicated the 3 exhibit numbers to you, but you decide where you 4 want to start. 5 HEARING EXAMINER ROBESON: Are you seeing 6 my screen? 7 THE WITNESS: Yes. 8 If I could go to the front sheet of those 9 drawings. It gives you a good overview. 10 So this gives you a quick, good overview 11 of the site. And it's an aerial view, as if you 12 are rising up from the south on Frederick Road. 13 And I've known this site since I was very young. I 14 grew up in this area. And it's been a tree site 15 for as long as I've known; more sparsely treed when 16 I was young, and I know the surrounding area very 17 well. 18 So we went out and we did a site visit, 19 and walked through the understory of the large 20 trees and its -- the adjacency of the surrounding 21 uses, and we looked at a lot of different schemes 22 to try to deal with this property in the most 23 sensitive way, and still bring a good number of 24 affordable units -- affordable senior units to this 25 area.</p>	<p style="text-align: right;">79</p> <p>1 properties, to see what would be conducive to 2 making this property work. 3 As Jane has already mentioned, the 4 property is relatively flat up at the top, which is 5 the plan left on the rendering you're looking at 6 right now. But it drops down significantly as it 7 goes down to the plan right. 8 And you'll see that the building actually 9 appears to be another story tall at that point. 10 It's a four-story wood building, with a cellar 11 under the southern half of the building, that's 12 partially exposed at this area and more exposed in 13 the courtyards. 14 We were really trying to leave a lot of 15 the trees. Most of the trees that are going to be 16 saved are going to be in the right-of-way area. 17 Park & Planning has asked that we main -- keep the, 18 at least the specimen and heritage trees in 19 those -- those areas. And then we've worked 20 closely with the civil engineer to work on the 21 grading, as it goes around the site, so that we 22 have the least impact. 23 One of the reasons you see that we 24 took -- actually, if you could move to the third 25 sheet on this exhibit.</p>
<p style="text-align: right;">78</p> <p>1 We did a property for Montgomery County 2 Coalition for the Homeless and for Montgomery 3 County Department of Housing just about a quarter 4 mile further south from this. So, again, we are 5 very familiar with the area. 6 One of the big challenges was the 7 right-of-way setback that Jane, the civil engineer, 8 mentioned. We originally were trying to set the 9 building much more forward than this. But after 10 long discussions with Park & Planning and Jody and 11 others -- 12 HEARING EXAMINER ROBESON: Just a second. 13 I'm sorry. 14 Did the court reporter start the -- I 15 can't remember suddenly if I said, we're back on 16 the record. 17 THE REPORTER: Yes, I started when you 18 swore him in, yes. 19 HEARING EXAMINER ROBESON: Okay. Thank 20 you. 21 THE REPORTER: Sure. 22 HEARING EXAMINER ROBESON: I apologize. 23 A. No, that's fine. 24 So we explored eight or ten different 25 options, as we typically do on these kind of</p>	<p style="text-align: right;">80</p> <p>1 So one of the reasons we've taken the 2 drive all the way around was, first of all, for 3 fire access, and if you can (Inaudible) -- 4 HEARING EXAMINER ROBESON: I can't hear 5 you. 6 A. There we go. 7 To get the parking to work. And as you 8 notice, we ended up putting the parking away from 9 the building, which is not what we typically try to 10 do. But here, we felt it provided better screening 11 of the parking for both the residents and the 12 surrounding community. 13 If necessary, later on, we can go back to 14 Jane's exhibits -- and she has them -- sections 15 that show how we've worked with them to screen, so 16 that the headlights and the sight line of the -- 17 the cars that are parked around the perimeter are 18 screened from the two adjacent houses and you won't 19 have any light enter in there. They've used 20 nice -- the way they graded it, plus put in a small 21 fence, plus used a variety of heights of 22 landscaping and types of landscaping, it provides a 23 great, sort of, adjacency. 24 The other thing that putting that drive 25 all the way around the building did for us was to</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

21 (81 to 84)

<p>81</p> <p>1 get it so that the rear of the building, we're 2 63 feet from the property line and about 89 feet 3 from the closest point of the -- of the closest 4 house, which we were trying to do to have as little 5 impact as possible. 6 As you know, from looking at some of her 7 exhibits, to the south of the house at our rear, 8 there is a big tree area as well, which I'll talk 9 more about. It relates to why -- how we located 10 our rooftop amenity, which is that dark element you 11 see in the center of the rear wing. 12 Yes. 13 So -- and we actually even explored to 14 try to make this building not be so -- to not have 15 to have two buildings actually, was we looked at 16 placing the building overtop of portions of the 17 parking. But after talking with the fire 18 reviewers, they were very hesitant and reluctant to 19 have us -- even if we had concrete construction 20 over that area, to allow us to do that because fire 21 trucks would have to access through that 22 underbuilding area. So that we got not forced into 23 this, but there was a lot of reasons that this plan 24 came about. 25 As you can see to it, the front wing and</p>	<p>83</p> <p>1 northern portion -- the northeast portion of the 2 larger wing. 3 THE WITNESS: Correct. 4 HEARING EXAMINER ROBESON: Okay. 5 THE WITNESS: And that opens up into an 6 enlarged corridor area because one of the two 7 elevators comes down just in front of that area. 8 That elevator, you'll see later, accesses the main 9 lobby. And as Jody mentioned in his early 10 introduction, the building has, actually, a smaller 11 rear lobby, which has a second elevator on it, 12 which is in the -- 13 HEARING EXAMINER ROBESON: I apologize. 14 I just messed up the -- here, let's go back. Okay. 15 Trying to get it a little bigger. 16 For the record, I'm messing with the 17 floor plan. Did I change -- and I changed -- 18 THE WITNESS: You have to go back one 19 sheet. 20 HEARING EXAMINER ROBESON: Okay. There. 21 THE WITNESS: And at the northwest corner 22 of the rear/smaller wing, there is a box set into 23 the grade, and you can see that's the second 24 elevator coming down to serve this. 25 The -- so I wanted to go through the</p>
<p>82</p> <p>1 the rear wing of the building create two triangular 2 courtyards; one open and one closed. The open one 3 at the south side of this site is actually a story 4 lower than the one at the north side of the site 5 because of the way the grade works. And so when 6 you're walking through the corridor at the first -- 7 or at the various floors that link the two 8 buildings, you'll be looking much further down into 9 the lower level courtyard, and then you look 10 straight in from the first floor into the 11 upper-level courtyard. 12 If we can go to the floor plans, which 13 are Sheets 5 through 9 -- so it's two more sheets. 14 Yeah. 15 So this is the ground-floor plan. Let me 16 just bring it up for myself. So it may be somewhat 17 hard for you to see, I don't know how big it is for 18 you. But the -- in the back left corner of the 19 front wing is a large fitness center. 20 HEARING EXAMINER ROBESON: Okay. 21 Directionally, that would be the north corner? 22 THE WITNESS: Right below -- right there, 23 that's it. 24 HEARING EXAMINER ROBESON: Well, I can't 25 do "there," but it's the eastern corner of the</p>	<p>84</p> <p>1 amenity spaces. I've got the fitness center there. 2 Across from the fitness center, plan south, off of 3 the large corridor, is a library and computer 4 room -- 5 HEARING EXAMINER ROBESON: Okay. 6 THE WITNESS: -- which will have built-in 7 facilities for people who don't have computer 8 access and printers and scanners, et cetera, as 9 well as hobbies or -- or sitting space for a 10 library-type function. 11 And then directly south and adjacent to 12 that is, right now, an unplanned amenity space. We 13 usually have hobby rooms. We have salons that are 14 used -- that are manned by beauticians who come in 15 periodically, and we just have not programmed those 16 with the owner completely at this point. But we 17 wanted to leave enough space to allow for those 18 various types of amenities. 19 Then you'd asked about the bicycle 20 parking. As Jane mentioned, there is one temporary 21 space outside. But for the green communities 22 requirements, which because we're using the 23 Maryland CDA Low-Income Housing Tax Credit 24 financing, we need to have a certain percentage of 25 our park -- of our bicycle parking within the</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

22 (85 to 88)

<p>85</p> <p>1 building, as part of the green communities, and so 2 we have 27 spaces for bikes inside here. 3 Then just south of that is a maintenance 4 area for the building. And then you can see the 5 remainder of the front wing and the rear wings -- 6 or rear wing, are units. And the units are mostly 7 ones where the two-bedroom at the corner -- at the 8 southeast corner, and also at the ends of the small 9 wing at the rear of the site. 10 Going to the front of the building, just 11 below the fitness center -- 12 HEARING EXAMINER ROBESON: I'm sorry. 13 THE WITNESS: Yeah. 14 HEARING EXAMINER ROBESON: Okay. 15 THE WITNESS: So there is a large 16 electrical room, which has got a diagonal face on 17 it, which is at the south of the building, just 18 adjacent to the main ground-floor lobby area. That 19 is located in that location so that it's easy to 20 access from Frederick Road, the utilities. The 21 building, right now, is going to be an all-electric 22 building. 23 We are still awaiting information on the 24 water pressure for the site, but based on some 25 preliminary information we saw, we may not have the</p>	<p>87</p> <p>1 bottom of the sheet, where you see the driveway 2 coming up, you'll see the main entrance to the 3 building. You drive into the building -- 4 HEARING EXAMINER ROBESON: When I'm 5 apologizing for the record, it's because I'm going 6 between page numbers. 7 Okay. Go ahead. 8 THE WITNESS: And so we've got a 9 vestibule, as you come in. And then a large lobby 10 that is overlooked by a concierge/security desk, 11 which we use in -- the type of thing we use in a 12 lot of our properties, which is right to -- just to 13 the right of the entrance, as you enter the 14 building. 15 Right behind that, with visual access to 16 it, is an office -- an administrative office, which 17 has a conference room and an office space for the 18 manager, and some file and secure storage space, 19 because in the tax credit cap, you need to make 20 sure that you keep privacy issue of all the 21 residents very tight. 22 As you can see, directly ahead of the 23 entrance is the first elevator I was mentioning 24 earlier, which you see as you walk in the building. 25 And as you walk towards it, to your left, is a</p>
<p>86</p> <p>1 water pressure we need for the sprinkler system. 2 And so you'll see, we have a fire pump 3 room and an underbuilding generator room shown 4 here. If, in fact, we do not require the fire 5 pump, the generator would go away and it would -- 6 we would be using a battery system for emergency 7 and exit lighting in the building. 8 That generator, the way the green 9 communities now requires us to vent it, it gets 10 vented up through the roof so that there isn't 11 noxious fumes down below, and that actually helps 12 mitigate the noise. And we kept it at the front of 13 the building again, so that there would be 14 mitigation of the noise because a generator's 15 exercised once a week. 16 So you can see also in this plan a little 17 bit of the green space that's -- that's defined by 18 the two wings in this lower courtyard. And in 19 there, we have grills for the residents and picnic 20 tables. Our -- this is an older plan. Jane's is 21 more up to date. It shows a large paved area for 22 more of a hardscape layout, and it becomes the 23 large outdoor gathering space for the residents. 24 And then if you move to the next sheet, 25 which is the first floor. So if we look at the</p>	<p>88</p> <p>1 mailroom area that has a packet -- it has the mail 2 slots for all of the residents. But it also has a 3 package concierge built into that U-shaped element 4 that is at the entrance to the mailroom. That 5 allows for residents to get packages delivered at 6 any time; whereas, in the old days, we used package 7 rooms, and only when the office was open could 8 people either get the packages or could delivery 9 services drop them off. 10 Moving plan south from the main lobby, we 11 have a very large community room just to the left 12 of the main entrance. When we get to the 13 elevations, you'll see that we've opened that up 14 with lots of glass. It has -- it will have a 15 kitchenette in it. And it's sized so that we can 16 have a community meeting in there, if needed. 17 Typically, our clients allow surrounding 18 neighborhood residents to use this for larger 19 meetings, if needed or wanted. And it just becomes 20 a great gathering space. 21 We -- we have chairs and tables that fold 22 up, and we'll have a -- a storage area up against 23 the corridor wall, where those can be stored so 24 they're out of the way. So we can use this for 25 family dining. We can use this for parties. We</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

23 (89 to 92)

<p style="text-align: right;">89</p> <p>1 can use this for -- well, actually, we'll have a 2 projector and a movie screen in here as well. So 3 we have movie nights in most of our senior 4 facilities. 5 And then just between that room and the 6 entry vestibule is a small seating area. We, 7 again, try to do that. It's the -- just the open 8 indentation right beside the vestibule, and that is 9 a great place for people to sit, when they're 10 waiting for a loved one, or an Uber or someone to 11 come pick them up, and it becomes a nice gathering 12 space. We place it right there so the people can 13 meet and greet each other. There's a lot of 14 activities that happen, and that's why you see so 15 much circulation space. 16 Then the remainder of this wing is taken 17 up by units. Some facing -- looking down into the 18 open courtyard at plan south, and then some looking 19 directly into the more closed courtyard. 20 And as you come through the main entrance 21 again, and you look straight ahead, you'll see that 22 there's a connecting corridor that has glass and a 23 lounge on both -- one side or the other. And that 24 connects the rear wing of units to the front wing. 25 We have a one-story lounge that projects</p>	<p style="text-align: right;">91</p> <p>1 And then the remainder of that wing is 2 residential. As -- just at the -- just as you come 3 to the ramp, to your left is that secondary 4 elevator that I mentioned. And to the right is one 5 of the exit stairs. Both of those actually lead 6 to -- all the way up through the building to the 7 rooftop amenity as well. So they -- there's an 8 elevator access from that elevator to the rooftop 9 and that stairwell to the rooftop. 10 If you go to the next floor plan. 11 So this is typical of floors two, three, 12 and four. I won't take you through each one of 13 them because they're, essentially, identical. 14 Again, the front wing, in this case, is all units. 15 There's a big gathering space at the elevators. We 16 did widen out the corridor, not by having a lounge, 17 per se, as we do on the ground floor, but we've 18 widened it out so we can get seating along that 19 area. Nice two or three sets of two-piece seating, 20 with a small table in between, for people to visit 21 with each other, or for residents to visit with 22 family. 23 If you go three more sheets down to the 24 roof plan, which is Sheet 10. 25 HEARING EXAMINER ROBESON: Am I there?</p>
<p style="text-align: right;">90</p> <p>1 out at this area, and this courtyard is much more 2 of a garden-type courtyard, a more contemplative 3 space, a quieter space for you to get away and sort 4 of commune with the landscape. 5 And as you walk along that corridor, 6 before you get to the lounge, if you look to your 7 right, you'll look down into the lower courtyard 8 again. 9 Directly ahead of you, then, is a small 10 ramp that leads to the rear vestibule. Because of 11 the way the grades work and the grades start to 12 fall off around the site, you actually have to ramp 13 down within the building, come to a flat, then go 14 out through a vestibule. And then we actually, on 15 the outside of the building, which we'll see on the 16 elevations, even have some additional ramps 17 adjacent to the driveway to hit grade as you leave. 18 But, again, we're trying to work this into the 19 natural landscape. 20 If you'll look at Jane's plan, you'll see 21 that the green space, the 25-foot rear-yard 22 setback, we did not affect the grading at all, even 23 though we've shown that all the trees are coming 24 out of it. So, again, we're trying to be 25 respectful of the adjacent residents.</p>	<p style="text-align: right;">92</p> <p>1 THE WITNESS: Yes. That's it. 2 So you can see that we've got our 3 compressors for our HVAC system up on the roof. 4 But you can also see the extent of the green roof, 5 which we needed to have for stormwater management. 6 We needed to make a significant portion of the roof 7 green for stormwater management. 8 We have the nice pergola structure up 9 there. As I mentioned before, when you're up 10 there, that pergola actually looks -- we placed it 11 on that side of the building, so we weren't looking 12 out over Frederick Road, even though 13 Frederick Road's relatively far away, but we're 14 actually focused on the tree area that's left 15 beside the house at the rear. And the trees in 16 that area are tall enough that they'll actually -- 17 we'll be looking in the tree canopy from this 18 rooftop amenity. It's fenced -- or not fenced. 19 There's a railing around it to ensure that people 20 can't get too close to the edges of the roof edge, 21 but you'll see that the -- there is mechanical and 22 maintenance access all the way around the green 23 roof. 24 Then we also have the gray elements that 25 are shown on the front part of the roof. Our</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

24 (93 to 96)

<p>93</p> <p>1 photovoltaic -- for the most part, they're 2 photovoltaic solar collectors, and then we have two 3 solar hot water heater collectors. The solar hot 4 water heating will be used for the common spaces, 5 because we have four common bathrooms and the 6 kitchenettes that we need to service. Each of the 7 units actually has its own washer and dryer, so we 8 don't have a laundry room. And each of the units 9 has its own hot water -- electric hot water heater. 10 If we had been able to access gas easily, 11 we would have looked at using gas and then we could 12 have used some of this hot water to help our 13 residents offset some utilities. However, we take 14 some of the photovoltaic and it's used for the 15 house, but we've got enough here that we're 16 actually going to be able to distribute it through 17 to offset some of the residents' bills as well. 18 So if you -- if you either go to the 19 straight elevations or at the renderings on 20 Sheets 17 and 18 may be sufficient to talk about 21 the building perimeter. 22 So the rendering number 2 at the top is 23 really taken from the same angle as the aerial view 24 that's on the front sheet, but it's down at -- 25 well, at parking lot level, not at street level</p>	<p>95</p> <p>1 of their cars and being picked up and dropped off, 2 out of the weather. 3 But then if you go to the lower 4 elevation, what you see is the same view, but from 5 approximately where the -- the sidewalk entry, 6 that's shown on Jane's plan, will come into the 7 site. 8 I'm sorry, I can't -- the screen is cut 9 off on mine, so I'm opening my own. 10 So you can see here too, the dark-gray -- 11 the darker gray areas to the right, there's a -- 12 yeah, there's a box right there, which is to the 13 left of the entry piece, that's the gray brick. 14 And then you'll see there's also a gray brick 15 element that sits in the middle of the two red 16 pieces behind the canopy on this elevation, which 17 is the southern part of the front wing. It's a box 18 in the middle -- exactly. 19 And then surrounding that is two tones of 20 horizontal cementitious lap siding. And then we 21 have a fin at the top of the building to try to 22 define -- I like to define a base, a shaft, and a 23 cap to the building. That's a very old 24 architectural concept, but I think it really is 25 fundamental to a lot of buildings. And so we tried</p>
<p>94</p> <p>1 because the street is significantly lower at this 2 point. But you can see, what we've done is, we've 3 used face brick of two tones, we've got a gray and 4 a red, which will go full through. And then we've 5 got two tones of cementitious board and batten and 6 side -- lap siding-type siding materials on the 7 building. 8 So what we do -- we're trying to do on 9 the front is articulate a more vertical look to the 10 building because, as you come up Frederick Road, we 11 think that it can create a nice icon and almost an 12 entrance to the Germantown area. It is set very 13 far back, but it is sitting up on the hillside. So 14 it's going to be a nice prominent building. And we 15 wanted to make sure that it didn't feel 16 overpowering, so we articulated it in and out. And 17 you can see how we've created some of the 18 background pieces in red brick that are -- run 19 tall, but then we stepped it down and broke it with 20 some of the cementitious siding. 21 If you look at the -- and here, you also, 22 with the top of the elevation, you also see a view 23 of the porte-cochère canopy that has skylights 24 right over the entry to keep that nice and bright, 25 but it keeps people who -- when they're getting out</p>	<p>96</p> <p>1 to, again, articulate this and -- and even though 2 we were sort of working with the shape that the 3 site gave us, tried to make it a very interesting, 4 but broken-up building, so that it doesn't feel 5 like this massive element. And so with the 6 articulations in and out and the various tower 7 elements, I think we've been pretty successful with 8 that. 9 We tried to keep the brick on this end, 10 only going up to the third floor. And as you go 11 around the building, you'll see that we actually 12 drop it even lower. 13 Actually, if we move to the -- the next 14 sheet which shows the rear elevation in 3-D. 15 So the top shows the rear elevation and 16 the north-end elevation. You can see how the 17 three-story brick at the far right -- three-story 18 red brick at the far right comes around the 19 building and then steps down to a one-story, so 20 that when I'm in that more closed courtyard, it's 21 a -- again, a more human scale to the change in 22 color. 23 And then at the rear of the building, 24 which is the main face you see here, we broke it 25 down with the red brick going across and use only</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

25 (97 to 100)

<p style="text-align: right;">97</p> <p>1 three stories of brick again, which is capped with 2 a fin. And, again, we're trying to keep to -- 3 trying to drop the scale of the building through 4 various uses of materials and setbacks of depth of 5 the material to not overpower any residences -- 6 residences that sit behind or beside us. Those 7 residences are actually about 68 feet from the -- 8 our building to the closest point of the residence. 9 You can see here, on this back elevation, 10 how you have to come out of the rear smaller 11 vestibule, and we had to create the -- the ramp 12 system to get you to the -- to the stair -- or, I'm 13 sorry, to the sidewalks. 14 And what we've left out in all of these 15 is the landscaping. We'll have landscaping around 16 the building, as well as you'll be looking through 17 landscaping here. 18 Because -- when I was thinking about this 19 building, I wanted to be able to -- I thought a lot 20 about when I'm sitting in the houses. And so 21 because they're sitting a little bit lower than 22 where our trees are set at the perimeter of the 23 site, the trees will appear taller and you'll look 24 up through those trees at our building. And then 25 we have trees that break up the building itself, so</p>	<p style="text-align: right;">99</p> <p>1 map. 2 What is the total square footage of the 3 building? 4 A. It's a hundred and -- hold on one second. 5 It's 104,000 square feet. 6 Q. Thank you. 7 And you heard Jane talking about the 8 height permitted zone. What do you anticipate the 9 height of the building to be? 10 A. So the height is measured, in this case, 11 from the average grade plane across the facade, 12 facing Frederick Road. So that average grade plane 13 is 437.6 something. And so our height is 47 feet 14 3 1/2 inches. We're allowed a 60-foot height in 15 this zone. 16 The maximum height measured from any 17 grade is 55 feet, and the minimum height from any 18 grade is 45 feet. We could have made it slightly 19 lower, but one of the things we've done is extended 20 the parapets, both for safety for the maintenance 21 people, but also to make sure that the mechanical 22 equipment on the roof is screened from any view. 23 Q. The staff report calls this a 24 contemporary design building. Is that your 25 architectural description of it?</p>
<p style="text-align: right;">98</p> <p>1 that it doesn't present, again, as this massive 2 facade, but it presents as something that's in the 3 landscape. 4 And then the final rendering here looks 5 into the lower five-story cellar open courtyard and 6 gives you a feel of the use of materials there. We 7 carry some of the gray brick around. We use two of 8 the -- two of the siding colors again, utilizing 9 both the board and batten and the horizontal siding 10 here. And then you can see at the end of that, the 11 glass facades that are in the linking port 12 corridor, looking out into this courtyard. 13 Finally, at the top elevation, you can 14 see at the very top of them, the -- which is the 15 north elevation, you can see the pergola for the 16 amenity space on the roof. 17 HEARING EXAMINER ROBESON: Okay. 18 BY MR. KLINE: 19 Q. Very thorough. Very comprehensive. 20 So let me -- yeah, let me take you back 21 to a little bit, I guess I'll call it the nuts and 22 bolts. 23 How big is the building itself? Because 24 you used the term, mass and everything, but because 25 you've broken it up, it's kind of hard to see that</p>	<p style="text-align: right;">100</p> <p>1 A. Yeah. It's -- there's no certain style 2 to this, other than, you know, it's a -- it's 3 current to a lot of architecture today. But what 4 we always try to do in our buildings, especially, 5 you know, I think you saw in my résumé we've done 6 over 90,000 units of multifamily housing, and at 7 least 70 percent of that's been affordable. And 8 what we try to do in affordable and in senior 9 properties is make this really attractive building 10 that people get pride from living in. 11 And you want to drive by this, and not 12 ever know that that's what -- that this is an 13 affordable housing property. You want to drive by 14 this building and say, I'd love to live there. And 15 that's -- that's what our whole firm history is 16 about. And as a matter of fact, that's what got me 17 my FAA. We changed the face of affordable housing. 18 So I always tell my people, let -- you 19 know, no matter what our budget is on building, we 20 should be able to win an award on these things. 21 And I think, you know, this could be an 22 award-winning design. We've got over 150 design 23 awards for affordable housing. 24 Q. Well, I was kind of leading up to the 25 zoning ordinance question, because the zoning</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

26 (101 to 104)

<p>1 ordinance wants us to talk about how we've taken 2 either design cues or materials from the 3 surrounding neighborhood and incorporated it into 4 the building. And yours is, I'd say, is probably a 5 little bit different than what the single-family 6 detached house there look like. But I think if I 7 ask you the question in the zoning ordinance, it's 8 a perfect platform for you to basically answer the 9 question. 10 And that is, are the height, the density, 11 the coverage, and the parking that you've talked 12 about today compatible with the surrounding uses 13 and the surrounding design? And why? 14 A. So I think this building relates most to 15 these three -- the Frederick Road corridor, and so 16 we wanted to respond to that, in particular. And 17 so that has to have a certain presence to it. 18 But one of the things that we did to try 19 to reduce scale and recognize the surrounding 20 residential community was not to go and put a pitch 21 roof on, which we couldn't have done height-wise 22 anyways, was to hold the building into the site, 23 and then, as I said, layer the landscaping up 24 against it so that when you're looking through it, 25 you see the -- the building in a natural landscape.</p>	<p>101 103 1 plus some additional spaces for staff. Our 2 experience in the suburbs is between 0.33 and 0.40, 3 which would -- that's between 39 spaces and 45 4 spaces, and then you add the 4 spaces for staff, so 5 that brings it up to 43 to 49 spaces. We provided 6 60, so we should have -- 7 HEARING EXAMINER ROBESON: I'm sorry, can 8 you go back. 0.33 and 0.4, you're at 0.5? 9 THE WITNESS: 0.5, so -- 10 HEARING EXAMINER ROBESON: So tell me how 11 many parking spaces do you think will actually be 12 occupied on this site? 13 THE WITNESS: So between 43 and 49 spaces 14 would be our experience on the site. Every site is 15 different. 16 HEARING EXAMINER ROBESON: Right. 17 THE WITNESS: But because we have -- and 18 I'll mention in a minute, we have Ride On in front 19 of us and some other things. And because we've got 20 so many amenities so close to us, I would think 21 that you're going to see a lot of Uber use and a 22 lot of the Ride On bus use here. So -- so we think 23 it's between -- 24 HEARING EXAMINER ROBESON: Is there a 25 Ride On bus stop nearby?</p>
<p>102 1 And then also by using the materials to 2 articulate various heights and scales, tried to 3 break it down so that it feels a lot like one 4 massive building, and not like a 40-warped foot 5 tall building, when measured from the ground, but 6 more as articulation of multistory elements. And 7 because we've used the horizontal siding and the 8 brick, we're in keeping with the surrounding 9 neighborhood at the rear of the site. 10 Q. Mr. Wiencek, earlier you had some wisdom 11 to share with us about some type of transportation 12 technique so we could help get the residents to the 13 places they want to go. And we had to cut you 14 short at that time, but I wondered, based on your 15 experience, you either had some ideas or a 16 suggestion? 17 A. Well, I wanted to respond to the comment 18 about visitors. We do a lot of affordable senior 19 housing. And in the cities, we see parking ratios 20 between 5 percent and 10 percent, so that means 21 down to, you know, one for every 20 unit -- one 22 parking space for 20 units, and one parking -- to 23 one parking space for every 10 units. 24 In the suburbs, our experience -- the 25 code here requires 0.5 parking spaces per unit,</p>	<p>104 1 THE WITNESS: We're actually required to 2 provide one at the front of our site. 3 HEARING EXAMINER ROBESON: Okay. 4 MR. KLINE: There -- one of the -- I 5 believe that exhibit that we had at the beginning 6 of the aerial image had -- 7 HEARING EXAMINER ROBESON: 8? 8 MR. KLINE: -- a -- had a bus site logo 9 on the property. 10 HEARING EXAMINER ROBESON: Okay. 11 THE WITNESS: So that gives us 7 -- 12 MR. KLINE: Exhibit Number 8. 13 THE WITNESS: I'm sorry. That gives 14 between 11 and 17 access parking spaces for an 15 event, when people may come. And, again, like I 16 said, every property is different. Some 17 properties, we have so few [sic] parking spaces 18 that we end up renting parking to commuters. 19 MR. KLINE: I have no further questions 20 of Mr. Wiencek. 21 HEARING EXAMINER ROBESON: Okay. I'm 22 just writing real quickly. 23 MR. KLINE: No problem. 24 HEARING EXAMINER ROBESON: So you think 25 about -- you might have as many as 17 spaces not</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

27 (105 to 108)

<p>105</p> <p>1 utilized on a regular basis on your site?</p> <p>2 THE WITNESS: Correct.</p> <p>3 HEARING EXAMINER ROBESON: To 17?</p> <p>4 THE WITNESS: Yes.</p> <p>5 HEARING EXAMINER ROBESON: And does that</p> <p>6 count the employees?</p> <p>7 THE WITNESS: Yes. So that's 39 spaces</p> <p>8 for residents and 4 spaces for the employees, which</p> <p>9 brings us to 43, and we have 60, leaving 17.</p> <p>10 HEARING EXAMINER ROBESON: Right. Okay.</p> <p>11 That was helpful. Thank you.</p> <p>12 THE WITNESS: Thank you.</p> <p>13 BY MR. KLINE:</p> <p>14 Q. I have been prompted to ask a question</p> <p>15 and when you hear the question, you'll probably</p> <p>16 know where it came from, Mr. Wiencek.</p> <p>17 And if you'll allow me, the design has</p> <p>18 features --</p> <p>19 HEARING EXAMINER ROBESON: Mr. Kline, I</p> <p>20 can't hear.</p> <p>21 MR. KLINE: I'm sorry, I'm making too</p> <p>22 much noise, I guess.</p> <p>23 Can you hear me now?</p> <p>24 HEARING EXAMINER ROBESON: Yes.</p> <p>25 Q. The question I wanted to ask is, the</p>	<p>107</p> <p>1 Q. And as sort of -- as a follow-up to that,</p> <p>2 was my own question, and that was, the flat roofs</p> <p>3 did give you an opportunity to introduce some very</p> <p>4 interesting sustainable design provisions that I</p> <p>5 think are going back to my question to -- about in</p> <p>6 the public interest.</p> <p>7 Would you remind us, again, of those</p> <p>8 features of the solar panels and the green roof,</p> <p>9 and how that's going to basically work to basically</p> <p>10 be good design and be consistent with the concept</p> <p>11 of affordable housing?</p> <p>12 A. Yeah. So, you know, well, the green roof</p> <p>13 extends the life of the roof, for one thing. It</p> <p>14 reduces the heat island effect. It acts as our</p> <p>15 stormwater management which, again, if I put that</p> <p>16 all in the grade, I would have had to get rid of</p> <p>17 parts of the building and I wouldn't have had as</p> <p>18 many affordable units available.</p> <p>19 The photovoltaic and the -- the solar hot</p> <p>20 water heating, you know, in affordable housing,</p> <p>21 the -- the nut that you have to look at every year</p> <p>22 is not only the rent that you have to pay -- or</p> <p>23 every month, it's not only rent, but it's also</p> <p>24 utilities. So if I can utilize some of this to</p> <p>25 offset residents' utility cost -- and by the way,</p>
<p>106</p> <p>1 design has features that look complex, for example,</p> <p>2 all the articulation of the facades. Is the</p> <p>3 building more expensive to build than a building</p> <p>4 with a, for example, flat-roof walls? And is that</p> <p>5 an inconsistent concept with the idea of affordable</p> <p>6 housing?</p> <p>7 A. You know, there are contractors out there</p> <p>8 who cut corners and try to -- to try to figure out</p> <p>9 that maybe it would be cheaper if we made it flat.</p> <p>10 In this case, if I made it flat, I</p> <p>11 couldn't get the number of units that we have in</p> <p>12 there. So the -- the articulation isn't arbitrary.</p> <p>13 It's actually a response to what parts of the site</p> <p>14 were left by doing the grading, doing the 125-foot</p> <p>15 right-of-way, making sure we had minimal retaining</p> <p>16 walls. And so while a flatter building would maybe</p> <p>17 be cheaper overall, it wouldn't be cheaper per</p> <p>18 square foot, relative to the number of units and</p> <p>19 the income that the owner will generate from it.</p> <p>20 And then when you take into account the</p> <p>21 fact that if we hadn't put in the cellar or some of</p> <p>22 these articulations, we would have had some very</p> <p>23 significant retaining walls on the site, it's</p> <p>24 actually cheaper.</p> <p>25 HEARING EXAMINER ROBESON: Thank you.</p>	<p>108</p> <p>1 we're using very high-efficiency heat pump systems</p> <p>2 here so that we can also reduce it. And within the</p> <p>3 building, we have an incredible number of green</p> <p>4 features, as well, to reduce it.</p> <p>5 But the rooftop amenities and the</p> <p>6 elements that we put up there will reduce their</p> <p>7 overall costs. And it'll also reduce the overall</p> <p>8 cost for the owner for running the building, which</p> <p>9 is also -- it's also a way to make sure that rent</p> <p>10 increases aren't having to be sought continuously.</p> <p>11 And it's just -- it's required by a lot of the</p> <p>12 programs that we work under, but it's just good</p> <p>13 social sense these days.</p> <p>14 MR. KLINE: Thank you. I have no further</p> <p>15 questions of Mr. Wiencek.</p> <p>16 HEARING EXAMINER ROBESON: Okay. Is</p> <p>17 there anyone on this call, who is not represented</p> <p>18 by Mr. Kline, that would like to ask Mr. Wic --</p> <p>19 I'm doing poorly -- I turned your name over -- that</p> <p>20 would like to ask questions?</p> <p>21 Wiencek.</p> <p>22 Okay. Hearing none, thank you,</p> <p>23 Mr. Wiencek.</p> <p>24 THE WITNESS: Thank you.</p> <p>25 HEARING EXAMINER ROBESON: Mr. Kline, do</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

28 (109 to 112)

<p>109</p> <p>1 you want to call your -- how many more witnesses do 2 you have? 3 MR. KLINE: We have three more. And, 4 normally, I'm suggesting maybe a lunch break, but I 5 think -- I believe we can finish this by 1 o'clock 6 because this is kind of -- we're getting down to 7 the short strokes now. 8 HEARING EXAMINER ROBESON: Okay. 9 MR. KLINE: I'll leave that up to you. 10 HEARING EXAMINER ROBESON: No, I'll go -- 11 I'll go with it. 12 MR. KLINE: Very good. So I guess my 13 inquiry is to Soltesz. 14 Are you ready for us? 15 MR. AGBA: Yes, I believe we're ready. 16 Can you hear me? 17 MR. KLINE: Yes. 18 HEARING EXAMINER ROBESON: Yes. 19 MR. AGBA: Can you see me? 20 MR. KLINE: Yes. So, Mr. Agba, would you 21 please raise your hand and be sworn by the Hearing 22 Examiner. 23 Whereupon -- 24 MAHMUT AGBA, 25 being first duly sworn or affirmed to testify to</p>	<p>111</p> <p>1 engineering before the Hearing Examiner or a court 2 of law before, so I would like to go through some 3 questions to establish his credentials. 4 HEARING EXAMINER ROBESON: That's fine. 5 Q. Mr. Agba, first of all, tell us about 6 your interesting education. 7 A. I have a bachelor of science degree in 8 civil engineering from Istanbul University in 1999. 9 Q. Okay. Hold it, hold it. Go back and 10 repeat that, because we lost it, and it's too 11 important to have missed it. 12 A. Okay. I have a bachelor of science 13 degree in civil engineering from Istanbul 14 University in Turkey from 1999. And I have a 15 master's of science degree in management 16 information systems from University of Baltimore, 17 Maryland, in 2002. 18 Q. And what professional associations do you 19 belong to? 20 A. I'm a member of American Wire Producers 21 Association and American Society of Civil 22 Engineers, EC Building Industry Association and 23 Frederick Building Industry Association. 24 Q. And explain to the Hearing Examiner what 25 you -- well, first of all, how long have you been</p>
<p>110</p> <p>1 the truth, the whole truth, and nothing but the 2 truth, was examined and testified as follows: 3 HEARING EXAMINER ROBESON: Please state 4 your name and business address for the record. 5 THE WITNESS: My name is Mahmut, that's 6 the first name, M-a-h-m-u-t. And my last name is 7 A, as in Austin, G, as in Georgia, B, as in Boston, 8 A, as in Austin. And our business address is 9 2 Research Place, Suite Number 100, Rockville, 10 Maryland, and the ZIP code is 20850. 11 HEARING EXAMINER ROBESON: Okay. And 12 your last name is A-g-b, as in boy, A? 13 THE WITNESS: That's correct. 14 HEARING EXAMINER ROBESON: Okay. 15 Go ahead. 16 EXAMINATION BY COUNSEL FOR THE APPLICANT 17 BY MR. KLINE: 18 Q. Mr. Agba, what is your profession? 19 A. I'm a project manager for Soltesz, and my 20 profession -- I'm a civil engineer. 21 Q. And what is your -- what is your 22 registration number with the State of Maryland? 23 A. It is 44048. 24 MR. KLINE: Ms. Robeson, Mr. Agba has not 25 qualified as an expert in the field of civil</p>	<p>112</p> <p>1 practicing civil engineering? 2 A. I've been actively practicing civil 3 engineering for more than 17 years. I started 4 working as a consulting engineer in 2002, 5 actually -- the end of 2002. 6 Q. And just give us the evolution of your 7 career and the places where you've worked, and a 8 sense of the scope of the projects you've worked 9 on. 10 A. Yes. So I am registered in Maryland and 11 Washington, D.C. And my current position, as I 12 said earlier, is a project manager. And I'm 13 responsible for the overall supervision of the 14 project that -- the design of this project, first 15 and foremost, for the developer, our client, but 16 while we're doing that, also it conforms to the 17 principles and standard of civil engineering. 18 Mostly, I'm responsible on the civil engineering 19 side, which consists of our -- the planning, 20 surveys, civil engineering services, including 21 design of site, grading, paving. 22 HEARING EXAMINER ROBESON: Mr. Kline, I 23 think we -- he's qualified. He has a -- he's 24 licensed in Maryland, so -- 25 MR. KLINE: Thank you. I would like to</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

29 (113 to 116)

<p>113</p> <p>1 offer him as an expert in the field of civil 2 engineering. 3 HEARING EXAMINER ROBESON: I will accept 4 him. 5 MR. KLINE: Thank you very much. 6 BY MR. KLINE: 7 Q. Mr. Agba, you were online when you heard 8 Ms. Przygocki and then you heard Mr. Wiencek's, 9 kind of, description of the site. Is there 10 anything about site features that relate to your 11 civil engineering responsibilities that you wanted 12 to highlight or add to -- to their testimony? 13 A. There's nothing much to add to what they 14 brought to the table here. I think I'm in 15 agreement with all that Ms. Przygocki said, as well 16 as Mr. Wiencek. In addition to that, if you have 17 any questions about the civil site design, like, 18 say, the stormwater management or sewer 19 configurations, as well as grading or like road 20 plan, like access to the site, I can -- I'm happy 21 to answer those questions. 22 Q. Okay. Let's start with the basics, first 23 of all. How are we going to get public sewer and 24 public water into this property? 25 A. Washington Suburban Sanitary Commission</p>	<p>115</p> <p>1 Frederick Road. It's a 16-inch -- it's a 24-inch 2 line, and part of it is that line part, another 3 part is existing line. And we drill -- we have a 4 direct connection and we will install a valve in 5 the street -- in the road and the direct connection 6 to the building, where mechanical and electrical 7 and plumbing engineer recommends us to connect. 8 There will be an inside meter. 9 HEARING EXAMINER ROBESON: I missed that, 10 there will be an inside what? 11 THE WITNESS: An inside meter, water 12 meter. 13 HEARING EXAMINER ROBESON: Meter? 14 THE WITNESS: Yes. Well, in the outside 15 of the building, we're not going to be installing a 16 water meter. 17 HEARING EXAMINER ROBESON: What category 18 is it? What water storage category, 1 and 1? 19 THE WITNESS: I think it's 1 and 1, yes. 20 HEARING EXAMINER ROBESON: Do you know? 21 THE WITNESS: I have it from the -- I 22 have it from the previous approved plans and it is 23 showing -- let me confirm this. As far as I know, 24 it's 1 and 1. But give me one second. 25 HEARING EXAMINER ROBESON: That's fine.</p>
<p>114</p> <p>1 has a 16-inch water main, as well as an 8-inch 2 sewer main in Maryland, the defined route, 3 Rockville Pike. So there's going to be connections 4 to the new building off of those -- those mains. 5 We're going to tap into that 16-inch water main and 6 also tying into the manhole for the sewer 7 connection. 8 Q. And before you leave that, in your 9 research, did you hear anything about any kind of 10 transmission problems or treatment capacity 11 shortages for the sewer lines in this location? 12 A. Well, as part of the approval and my 13 permit process for water and sewer, we will be 14 submitting a hydraulic planning analysis to 15 Washington Suburban Sanitation Commission soon. 16 And once it is acceptable, we will be provided with 17 a letter of finding, which will mention any -- any 18 concerns or conflicts, if there is any. So that -- 19 but right now, we don't see any issue with neither 20 transmission lines or any downstream treatment. 21 Q. Thank you. 22 How about water lines then, where are 23 they and how will you bring service to the 24 property? 25 A. The water line is on -- it's near</p>	<p>116</p> <p>1 Go ahead. 2 THE WITNESS: The water connection, as I 3 said, that it is direct -- it is clearly shown on 4 the color-coded preliminary plan exhibit, as well 5 as the site plan. It's a direct connection, and I 6 believe it is 4-inch line -- not 4-inch, I'm sorry, 7 my mistake. It's a 2-inch line, 4-inch is too big 8 for that. And direct connection to the building, 9 as I said, to the facility room where the 10 architect -- I mean, the -- will indicate. 11 Now, Mr. Wiencek mentioned a flow 12 requirement that -- for this site. What we will do 13 is, that flow information will be available at the 14 hydraulic planning analysis sustained with the 15 WSSC. In addition to that, we will request a 16 flow -- a flow test by WSSC. So a representative 17 from WSSC will be at the site to perform the flow 18 test for the flow drain and us, as Soltesz, will be 19 there -- a representative from us will be there for 20 the operations. 21 HEARING EXAMINER ROBESON: Well, let me 22 just ask you, do you have -- if the flow test 23 requires -- do you have the capability of 24 sprinkling the -- the building with either the -- 25 using either the pump room? Do you have the</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

30 (117 to 120)

<p>117</p> <p>1 pressure, either one way or the other?</p> <p>2 THE WITNESS: As we selected</p> <p>3 sustainabilities, we will provide them with the</p> <p>4 available pressure there, and I think as part of</p> <p>5 our architectural design, he will determine if a</p> <p>6 sprinkler system will be available or will be</p> <p>7 feasible for this building. But the pressure</p> <p>8 that -- the required pressure -- the available</p> <p>9 pressure will be provided to them for their -- per</p> <p>10 direction and design.</p> <p>11 HEARING EXAMINER ROBESON: Okay.</p> <p>12 MR. KLINE: Ms. Robeson, obviously, the</p> <p>13 engineers can't do anything to change the pressure,</p> <p>14 so I guess it's within our control to make sure we</p> <p>15 get enough.</p> <p>16 And I see Mr. Wiencek's popped up on the</p> <p>17 screen. Would you like him to clarify what he</p> <p>18 would do?</p> <p>19 HEARING EXAMINER ROBESON: Do you mind,</p> <p>20 Mr. Wiencek?</p> <p>21 MR. WIENCEK: No. I popped up to say</p> <p>22 something. So if we don't have enough pressure in</p> <p>23 the street, that's why we have the fire pump, and</p> <p>24 with the fire pump, we will have --</p> <p>25 HEARING EXAMINER ROBESON: That's what I</p>	<p>119</p> <p>1 the Wheatfield Drive.</p> <p>2 HEARING EXAMINER ROBESON: Okay.</p> <p>3 Q. Understand. Thank you.</p> <p>4 You mentioned early on that you were</p> <p>5 prepared to address the stormwater management, so</p> <p>6 please do so. I don't know if you wish to call up</p> <p>7 an exhibit to do it, or maybe just work off the</p> <p>8 Exhibit 45, the illustrative site plan. But would</p> <p>9 you just give us an overview of the stormwater</p> <p>10 management system you -- concept you kind of</p> <p>11 developed.</p> <p>12 A. Sure. The stormwater management design</p> <p>13 for this site is based on the environmental site</p> <p>14 it's on, which is enforced by Maryland Department</p> <p>15 of the Environment and Montgomery County Department</p> <p>16 of Permitting Services. So as part of this design,</p> <p>17 we are proposing four of the micro-bioretenction</p> <p>18 facilities, in order to collect the stormwater,</p> <p>19 mainly from the proposed parking lot. And we treat</p> <p>20 it in micro-bioretentions in all four, and connect</p> <p>21 to the existing storm drain system in -- MD Route</p> <p>22 355 Frederick Road.</p> <p>23 Also, overflows from these</p> <p>24 micro-bioretentions will be controlled pending --</p> <p>25 per depending of storm events and, also, they will</p>
<p>118</p> <p>1 was double-checking.</p> <p>2 MR. WIENCEK: -- we'll have the right</p> <p>3 pressure.</p> <p>4 HEARING EXAMINER ROBESON: Okay. Thank</p> <p>5 you.</p> <p>6 MR. KLINE: Thank you, Mr. Wiencek.</p> <p>7 Thank you.</p> <p>8 BY MR. KLINE:</p> <p>9 Q. So, Mr. Agba, are other -- are the other</p> <p>10 dry utilities available to service the property;</p> <p>11 gas -- actually, maybe gas is not one of the ones</p> <p>12 that are available, but phone and cable, other</p> <p>13 services?</p> <p>14 HEARING EXAMINER ROBESON: Electric?</p> <p>15 A. Yes. There's electric line. There is a</p> <p>16 couple electric poles and guide wire in the area.</p> <p>17 So there's electric connection. There will be a</p> <p>18 transformer installed to determine the location</p> <p>19 later. But, yes, there's electric available.</p> <p>20 There's cable TV available. There's telephone line</p> <p>21 available. These are all on Frederick Road.</p> <p>22 On the other hand, there is an available</p> <p>23 gas line in Wheatfield Drive. So if the developer</p> <p>24 decides to bring gas to the site, it should cross</p> <p>25 adjacent property. But it's available on the -- on</p>	<p>120</p> <p>1 be connected to their -- they will be discharged</p> <p>2 into the existing storm drain system. Now, it</p> <p>3 seems like four micro-bioretentions in various</p> <p>4 locations of the site will be adequate to satisfy</p> <p>5 the --</p> <p>6 HEARING EXAMINER ROBESON: You have an</p> <p>7 approval -- a conceptual approval from DPS,</p> <p>8 correct?</p> <p>9 THE WITNESS: Yes.</p> <p>10 HEARING EXAMINER ROBESON: And that's in</p> <p>11 the record?</p> <p>12 MR. KLINE: Exhibit 53.</p> <p>13 A. Yes. And it was approved on April 13th.</p> <p>14 HEARING EXAMINER ROBESON: Okay. That's</p> <p>15 fine.</p> <p>16 A. In addition to micro-bioretenction, I</p> <p>17 believe we will be compliant with stormwater</p> <p>18 drainage. And well, even without that, I think our</p> <p>19 designs is already satisfying that requirement for</p> <p>20 the proposed site.</p> <p>21 HEARING EXAMINER ROBESON: okay.</p> <p>22 BY MR. KLINE:</p> <p>23 Q. Okay. And, Mr. Agba, just to wrap up,</p> <p>24 the subdivision status of the property is that it</p> <p>25 is presently unplatted, correct?</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

31 (121 to 124)

<p>121</p> <p>1 A. That's right.</p> <p>2 Q. And you are ready to file a preliminary</p> <p>3 plan of subdivision to initiate the subdivision</p> <p>4 review process to get it platted, so we can move</p> <p>5 forward, correct?</p> <p>6 A. Yes, sir.</p> <p>7 Q. Okay. And during that, there will be</p> <p>8 another review of all of the adequate public</p> <p>9 facilities' issues to ensure that everything we've</p> <p>10 talked about today are still valid and will make</p> <p>11 the project serviced by public services, correct?</p> <p>12 A. Yes, that's correct.</p> <p>13 MR. KLINE: Okay. I have no further</p> <p>14 questions of Mr. Agba.</p> <p>15 HEARING EXAMINER ROBESON: All right.</p> <p>16 Thank you.</p> <p>17 Is there anyone on this hearing, that is</p> <p>18 not represented by Mr. Kline, who would like to ask</p> <p>19 Mr. Agba questions?</p> <p>20 Hearing none, you may be excused,</p> <p>21 Mr. Agba.</p> <p>22 THE WITNESS: Thank you.</p> <p>23 MR. KLINE: Our next witness is</p> <p>24 Mr. Daniel Park.</p> <p>25 Is that you sitting there, Mr. Park?</p>	<p>123</p> <p>1 single-discipline landscape architect for a period</p> <p>2 of ten years, yes.</p> <p>3 Q. Have you ever qualified as an expert in</p> <p>4 the field of landscape architecture before a court</p> <p>5 of law or a Hearing Examiner, such as Ms. Robeson?</p> <p>6 A. Yes. Back in 2011, I did qualify for a</p> <p>7 special exemption for (Indiscernible) -- before a</p> <p>8 Board of Zoning Appeals.</p> <p>9 HEARING EXAMINER ROBESON: I can't hear,</p> <p>10 for some reason. Can you move your phone closer,</p> <p>11 maybe? You qualified before the Hearing Examiner?</p> <p>12 THE WITNESS: Not in this county. This</p> <p>13 was in Fairfax County, before the Board of Zoning</p> <p>14 Appeals.</p> <p>15 HEARING EXAMINER ROBESON: Okay. I'll</p> <p>16 accept him as an expert in landscape architecture.</p> <p>17 MR. KLINE: Thank you very much.</p> <p>18 BY MR. KLINE:</p> <p>19 Q. Mr. Park, using whatever exhibit you</p> <p>20 would like to put up there, can you just give us an</p> <p>21 overview of the preliminary forest conservation</p> <p>22 plan, so that we can understand how you're</p> <p>23 satisfying the county's forest conservation law on</p> <p>24 this property. And give us kind of an overview of</p> <p>25 the numbers you're dealing with. You don't have to</p>
<p>122</p> <p>1 MR. PARK: Yes.</p> <p>2 HEARING EXAMINER ROBESON: Okay.</p> <p>3 Mr. Park, please raise your right hand.</p> <p>4 Whereupon --</p> <p>5 DANIEL PARK,</p> <p>6 being first duly sworn or affirmed to testify to</p> <p>7 the truth, the whole truth, and nothing but the</p> <p>8 truth, was examined and testified as follows:</p> <p>9 HEARING EXAMINER ROBESON: Please state</p> <p>10 your name and business address for the record.</p> <p>11 THE WITNESS: Yes. My first name is</p> <p>12 Daniel, D-a-n-i-e-l, last name Park, P-a-r-k. My</p> <p>13 business address is 2 Research Place, Suite 100,</p> <p>14 Rockville, Maryland 20850.</p> <p>15 HEARING EXAMINER ROBESON: Okay. Go</p> <p>16 ahead, Mr. Kline.</p> <p>17 EXAMINATION BY COUNSEL FOR THE APPLICANT</p> <p>18 BY MR. KLINE:</p> <p>19 Q. And what is your profession, Mr. Park?</p> <p>20 A. My profession is landscape architect. My</p> <p>21 title is director of planning for Soltesz.</p> <p>22 Q. And you have previously been employed by</p> <p>23 other landscape architecture firms or design firms?</p> <p>24 A. That's correct. I used to work for a</p> <p>25 company called LSG, Lewis Scully Gionet, as a</p>	<p>124</p> <p>1 give us every number, but you know what I'm talking</p> <p>2 about.</p> <p>3 A. Certainly, Mr. Kline.</p> <p>4 So if we could refer to Exhibit 39(b),</p> <p>5 which I believe is a forest -- preliminary forest</p> <p>6 conservation plan. It's hard to read, but, you</p> <p>7 know, essentially, what the plan --</p> <p>8 HEARING EXAMINER ROBESON: Just a second.</p> <p>9 Just a second.</p> <p>10 THE WITNESS: Yes, of course.</p> <p>11 HEARING EXAMINER ROBESON: Okay. All</p> <p>12 right. Go ahead.</p> <p>13 Can you see the PFCP?</p> <p>14 THE WITNESS: Yes, Ms. Robeson.</p> <p>15 HEARING EXAMINER ROBESON: Okay. Go</p> <p>16 ahead.</p> <p>17 A. So as far as compliance with Chapter 22A,</p> <p>18 which is a forest conservation law, there are two</p> <p>19 components that the plan -- the forest conservation</p> <p>20 plan has to satisfy. One is that the Forest Stand</p> <p>21 Delineation is required. And I believe the</p> <p>22 Applicant has satisfied that requirement in the</p> <p>23 approval of the NRI/FSD on March 29th of 2019.</p> <p>24 The NRI/FSD shows that the site has 14</p> <p>25 significant and specimen trees, two which are</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

32 (125 to 128)

<p>125</p> <p>1 significant, the intent of which are specimen 2 trees. The majority of the trees are black oaks 3 and tulip poplars. 4 The NRI/FSD also demonstrates that there 5 are no endangered species, no wetlands, and the 6 site is not within an SPA. 7 There are 25 percent slopes, primarily at 8 the frontage of the site, along Route 355. So 9 that's the first component. 10 The second component is the forest 11 conservation plan, which was approved on April 30th 12 of 2020. And as the forest plan shows, that that 13 site has a net tract area of 2.81, and that is on 14 site, plus off-site. So on-site, we have a 15 2.64 acres, and off-site, we have 0.17 acres, and 16 that, together, is a net tract area on the final 17 forest conservation plan of 2.81 acres. 18 The forest cleared on site is 2.29 acres. 19 And the upkeep will satisfy the reforestation 20 requirement of 1.56 acres, based on the forest 21 conservation worksheet from the Forest Conservation 22 Law, the remaining is off-site forestation. 23 HEARING OFFICER ROBESON: Okay. 24 BY MR. KLINE: 25 Q. So the preliminary forest conservation</p>	<p>127</p> <p>1 would you just give us, basically, the concept so 2 we understand how it basically enhances the site 3 and protects the surrounding neighborhood. 4 A. Yes, of course. If we could pull up the 5 rendering exhibit, Exhibit 45, that's probably a 6 good place to start. 7 So I believe there are main four 8 components in the plan here, the landscape plan. 9 Some of these plantings are required, others are 10 not. We go above and beyond the requirement. So 11 I'll run through the four items here. 12 One is perimeter planting for the parking 13 lots along -- or around the building. 14 The second is base plantings for the 15 building itself. 16 Third are the ornamental courtyard 17 plantings, as well as the green-area plantings on 18 the roof. And then along the southern edge of the 19 street tree plantings, along the site plan, which 20 are required. 21 And, essentially, you know, this is an 22 interesting plan, because it's deceiving because 23 there is a 50 percent green-area requirement, which 24 is significant. And as you can see from the plan, 25 a majority of that is planted near --</p>
<p>126</p> <p>1 plan satisfies the requirements of Chapter 22A of 2 the county code? 3 A. Absolutely. Yes, it does. 4 Q. And the Montgomery County Planning Board 5 has approved that forest conservation plan and 6 transmitted a letter to the planning -- to the 7 Hearing Examiner confirming that fact, correct? 8 A. Correct. 9 MR. KLINE: Ms. Robeson, I don't believe 10 I got a most -- the most current exhibit list, so I 11 ended up -- I think there are about 54 or 55 -- or 12 54, and I believe you received the Planning Board's 13 letter on the forest conservation plan subsequent 14 to that time. 15 HEARING EXAMINER ROBESON: Yeah, we do 16 have the -- the approval -- the resolution 17 approving the plan in the record. 18 MR. KLINE: Yes, ma'am, that's what I 19 meant to say. 20 BY MR. KLINE: 21 Q. Well, Mr. Park, let's take you then to 22 the landscaping because it seemed like a very 23 important part of the project, based on the 24 architect's testimony. So using whatever exhibit 25 you'd like, or Exhibit 45, the illustrative plan,</p>	<p>128</p> <p>1 HEARING EXAMINER ROBESON: Excuse me, one 2 second. 3 Mr. Kline, I think when you're turning 4 pages, for some reason -- or moving things on your 5 desk, for some reason, it's showing up really 6 loudly. Oh, you're on mute. 7 MR. KLINE: Well, no, that's okay, 8 because Ms. *Cross saw that I was doing that and 9 she muted me. So I'm -- so that will stop now. 10 HEARING EXAMINER ROBESON: Okay. Let me 11 go back. 12 Okay. Go ahead. 13 THE WITNESS: Yes. 14 HEARING EXAMINER ROBESON: Do you have 15 Exhibit 45 up in front of you? 16 THE WITNESS: We do. 17 HEARING EXAMINER ROBESON: Okay. 18 THE WITNESS: So, Ms. Robeson, I'm going 19 to start over just so -- for clarity's sake. 20 The landscaping plan has four major 21 elements to it, some of them which are required for 22 planting to satisfy the zoning requirement; others, 23 there are not. 24 I'll start with the first one here. It's 25 the perimeter planting around the perimeter of</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

33 (129 to 132)

<p>129</p> <p>1 sites, primarily behind the parking areas. 2 The second is the building base planting, 3 which is directly adjacent to the building. 4 Third are ornamental courtyard plantings, 5 as well as the green roof and amenities on the 6 rooftop. And, lastly, the street tree plantings 7 and ground cover along the frontage of the site, 8 which are required. 9 HEARING EXAMINER ROBESON: Okay. 10 THE WITNESS: So, you know, Ms. Robeson, 11 as you can see, this plan is a little deceiving 12 because 50 percent of the site is required to be 13 green area. And by way of that, you know, the 14 geometry of the site, the building, the courtyards, 15 everything had to be taken into account to 16 accommodate that 50 percent green area. And I 17 believe the Applicant -- or the Applicant team here 18 has really made a big effort to plan almost all of 19 that green area with ornamental woody and ground 20 cover shrubs and plant material that will provide a 21 very attractive environment -- exterior 22 environment. 23 HEARING EXAMINER ROBESON: Okay. 24 BY MR. KLINE: 25 Q. Mr. Park, as you recall, there's a</p>	<p>131</p> <p>1 components of the parking lot that will need to be 2 required as part of the plan under 6.2.9.Ci through 3 6.2.9.Ciii. And that is the landscape items, 4 5 percent of the parking surface area is to be 5 planted. 6 HEARING EXAMINER ROBESON: Well, let me 7 do this. 8 THE WITNESS: Yes, ma'am. 9 HEARING EXAMINER ROBESON: Rather than 10 go -- there's a -- as, I think, Mr. Kline put it, 11 there's a slew of requirements. So can we shortcut 12 this and just say, I think in this staff report, it 13 outlines some of the requirements. 14 Does this meet all of the landscaping 15 requirements of the county code -- of the zoning 16 ordinance? 17 THE WITNESS: Yes. The landscape plan 18 meets the requirements of the zoning code. 19 HEARING EXAMINER ROBESON: Now, you 20 mentioned that it had some -- went beyond that. 21 Does it go -- or I thought you did. Where does it 22 go beyond that? 23 THE WITNESS: That's correct. Just as 24 far as the dimensional requirements on the east and 25 north property lines. Perhaps we should pull up</p>
<p>130</p> <p>1 slew -- I mean, a real slew of development 2 standards in 59.6, dealing with various landscaping 3 requirements, whether they be canopy coverage or 4 setbacks or screening. 5 But does the landscaping plan that you 6 just described and is shown on the drawings in this 7 plan satisfy all of the conditions of Chapter 59.6, 8 dealing with landscaping requirements for this 9 site? 10 A. Yes, Mr. Kline, it does satisfy the 11 requirements. The actual screening requirement, 12 per the code, if you look into it, is 59.6.2.9, 13 which is referenced from 59.6.5.3.8.4, because we 14 have a parking lot between the building and 15 adjoining property. So the requirements are met 16 through Chapter 59.6.2.9. 17 There are three components -- 18 HEARING EXAMINER ROBESON: That's for 19 parking requirements. There's -- 20 THE WITNESS: That's correct. 21 HEARING EXAMINER ROBESON: -- site 22 perimeter requirements and then there's parking lot 23 requirements. 24 THE WITNESS: That's correct. 25 And the landscaping -- there are three</p>	<p>132</p> <p>1 Exhibits 39 -- I'm sorry, 23(a) and 23(b) too. 2 So, Ms. Robeson, as you can see from 3 these exhibits, we show the parking lot to the 4 property line. There is a setback -- a minimum 5 setback requirement of 10 feet. In our case, we 6 provide 16 feet from the eastern property edge, and 7 on the northern property edge, we provide 25 feet, 8 which is significantly more than the required 9 10 feet. So which it allowed for more planting and 10 screening of the parking areas. 11 HEARING EXAMINER ROBESON: That's great. 12 Okay. 13 And other than that, it meets all the 14 requirements? 15 THE WITNESS: It does, yes, Ms. Robeson. 16 HEARING EXAMINER ROBESON: Okay. 17 BY MR. KLINE: 18 Q. Mr. Park, were you responsible for having 19 the lighting plan prepared? 20 A. Yes, I was. I was -- my role was to 21 provide the general design and layout direction. I 22 also did review and sign and seal the plans. 23 Q. Without pulling up Exhibit 40(e), which 24 is the photometric plan, would you just quickly 25 describe for the Hearing Examiner the type of</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

34 (133 to 136)

<p>133</p> <p>1 lighting devices, what are their main features, and 2 confirm what the foot-candle rating is at the 3 perimeter of the property? 4 A. Yes, Mr. Kline. 5 So there are two types of fixtures. One 6 is a full-mounted 12-foot fixture to illuminate the 7 parking surfaces. 8 The second is a 3-foot height barn 9 dome-top louvers to illuminate the walking surfaces 10 for the pedestrians, particularly at the dropoff 11 and in the courtyards. 12 I would just like to say that, as far as 13 the pole lights, they do have an outside shield for 14 the poles adjacent to the adjacent properties, and 15 the maximum foot-candle illumination on the surface 16 of the adjacent property will be 0.10 per candle. 17 HEARING EXAMINER ROBESON: Okay. Thank 18 you. 19 Q. Mr. Park, based on your description of 20 the landscaping and the lighting plans, do you feel 21 that the landscaping you've developed and are going 22 to propose to place in this property will help 23 blend the building and put it in harmony and 24 compatible with surrounding land uses? 25 A. Yes, Mr. Kline. I believe that the</p>	<p>135</p> <p>1 MR. KLINE: Yes. Yes, ma'am. 2 HEARING EXAMINER ROBESON: Okay. 3 MR. KLINE: Ms. White, would you please 4 state your name for us. 5 MS. WHITE: Sure. Nicole White. 6 Can you see me okay? 7 MR. KLINE: Not yet. 8 HEARING EXAMINER ROBESON: I'm not seeing 9 her. 10 Now I see her. 11 Ms. White, will you please raise your 12 right hand. 13 Whereupon -- 14 NICOLE WHITE, 15 being first duly sworn or affirmed to testify to 16 the truth, the whole truth, and nothing but the 17 truth, was examined and testified as follows: 18 HEARING EXAMINER ROBESON: And I still 19 like your picture behind you from the other day. 20 THE WITNESS: Thank you very much. 21 HEARING EXAMINER ROBESON: Okay. Please 22 state your name and business address for the 23 record, please. 24 THE WITNESS: Sure. Nicole White. I'm a 25 principal with Symmetra Design. Our office is</p>
<p>134</p> <p>1 Applicant team really has gone above and beyond to 2 provide very attractive plantings. We made the 3 planting to work well with the surrounding 4 community. We believe the buffers have been met 5 and exceeded. We believe there's enough space 6 between the sidewalk and the building for a very 7 lush and substantial base planting. And I believe 8 that this plan really has embraced the many 9 opportunities that are available, for both the 10 required and interim planting, you know, and we 11 will -- the plan does provide a very pleasant 12 experience for all users, as well as -- I'm sorry, 13 as well as residents and visitors alike. 14 MR. KLINE: Thank you, Mr. Park. I have 15 no further questions. 16 HEARING EXAMINER ROBESON: All right. Is 17 there anyone on this phone call who would like to 18 ask Mr. Park questions? 19 Okay. Hearing none, you can be excused, 20 Mr. Park. 21 And we can get to your next -- is this 22 the final witness? 23 MR. KLINE: Yes, ma'am, it is. 24 HEARING EXAMINER ROBESON: And is it the 25 traffic engineer?</p>	<p>136</p> <p>1 located at 727 15th Street, Northwest, Washington, 2 D.C. 3 HEARING EXAMINER ROBESON: And I know 4 she's qualified as an expert, I believe you were a 5 transportation -- traffic engineer and 6 transportation planner; is that correct? 7 THE WITNESS: That's correct. 8 HEARING EXAMINER ROBESON: Okay. 9 MR. KLINE: Having qualified last 10 Friday -- or Friday a week ago in those two roles, 11 I'd like to offer her as an expert again in that 12 category -- those categories. 13 HEARING EXAMINER ROBESON: I'll accept 14 her in that. 15 MR. KLINE: Thank you. 16 EXAMINATION BY COUNSEL FOR THE APPLICANT 17 BY MR. KLINE: 18 Q. Ms. White, were you asked to do a traffic 19 study or an analysis about the proposed use and its 20 effect on the transportation network in the 21 surrounding area? 22 A. Yes. I prepared a transportation study 23 exemption, in accordance with local area 24 transportation review guidelines. I found that the 25 subject property would generate fewer than</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

35 (137 to 140)

<p>137</p> <p>1 50 peak-hour person trips; and therefore, a traffic 2 study would not be required. 3 Q. Do you conclude, therefore, that the 4 traffic impact of this use will not have an adverse 5 effect on the transportation network in the 6 surrounding area? 7 A. Yes, I do. 8 Q. Have you had an opportunity to review the 9 site -- 10 HEARING EXAMINER ROBESON: Mr. Kline. 11 MR. KLINE: Yes, ma'am. 12 HEARING EXAMINER ROBESON: Wait. I can't 13 hear. For some reason, something's breaking up 14 this time, I don't know why. 15 MR. KLINE: Yeah. No, I think I probably 16 just hit a piece of paper. You probably hear me 17 better now? 18 Can you hear me now? 19 HEARING EXAMINER ROBESON: Yes. I'm 20 sorry. 21 MR. KLINE: No, I think it was just 22 rustling of paper. Sorry. 23 BY MR. KLINE: 24 Q. Ms. White, did you have an opportunity to 25 review the site plan for the proposed use?</p>	<p>139</p> <p>1 are you going to get visitors there? 2 MR. KLINE: No. I -- well, I read it, 3 when you mentioned that, and it's true that it 4 doesn't -- it doesn't go into the detail. 5 HEARING EXAMINER ROBESON: Maybe I 6 misread it. 7 MR. KLINE: No, I don't think you misread 8 it. I -- if you look elsewhere in the report, 9 you'll see that the staff was asking us to -- to 10 specify a program that we would use to get 11 residents to the -- make them accessible to all 12 those off-site locations. It wasn't an incoming 13 issue, it was an outgoing issue. And if I had a 14 second, I could even show you the text in the 15 staff -- well, actually, give me one second, let's 16 do that right now. 17 HEARING EXAMINER ROBESON: What number is 18 the staff report? 19 MR. KLINE: The staff report itself is 20 Exhibit Number 52. And -- 21 HEARING EXAMINER ROBESON: I didn't 22 understand what resident shuttle program is. 23 Okay. So he's saying -- well, you know, 24 that's not my concern, to be honest. We could 25 include -- I mean, we can include a condition just</p>
<p>138</p> <p>1 A. Yes, I did. 2 Q. Okay. And in your opinion, are the 3 transportation or the -- rephrase that, the 4 circulation and the pedestrian movement safe, 5 adequate, and efficient for the proposed use? 6 A. Yes, it is. 7 MR. KLINE: I have no further questions 8 of Ms. White. 9 HEARING EXAMINER ROBESON: All right. Is 10 there anyone here, that's not represented by 11 Mr. Kline, who has questions of Ms. White? 12 Okay. Hearing none, you may be excused. 13 THE WITNESS: Thank you. 14 HEARING EXAMINER ROBESON: Thank you. 15 Okay. Mr. Kline? 16 MR. KLINE: No, no closing statement. 17 We've gone into a lot of detail here and you've got 18 a very good staff report to go along with it. 19 I think there is one item left open, and 20 that is, us providing you with suggested texts for 21 a condition dealing with transportation of 22 residents to sites that seniors may wish to visit, 23 and we'll get to work on that and send it to you -- 24 HEARING EXAMINER ROBESON: I'm not sure 25 that was it. I thought the staff report was, how</p>	<p>140</p> <p>1 saying, you shall provide a resident shuttle 2 program. 3 MR. KLINE: If I could work with you on 4 that, and you maybe heard Mr. -- or remembered 5 Mr. Edmondson's comments earlier, rather than a 6 shuttle system, a resident transportation program. 7 HEARING EXAMINER ROBESON: That's -- 8 that's fine. 9 MR. KLINE: Okay. 10 HEARING EXAMINER ROBESON: Well, can you 11 write it up? 12 MR. KLINE: Yeah. Yes, ma'am. 13 HEARING EXAMINER ROBESON: And then -- 14 because I'm technically required to -- to send it 15 back to staff. I don't know why they didn't -- 16 well, anyway -- 17 MR. KLINE: Well, in their defense, at 18 the time that they asked me to put that -- you 19 know, they were finishing up the staff report, that 20 was a month ago, you know, we just didn't have a 21 good enough feel yet of the demographics of what 22 his ultimate residents are going to want. And 23 that's why I keep saying, we're trying to keep as 24 much flexibility on what that's going to be. But 25 we'll --</p>

Transcript of Administrative Hearing
Conducted on May 11, 2020

36 (141 to 144)

<p>141</p> <p>1 HEARING EXAMINER ROBESON: But from --</p> <p>2 what I heard is, you still don't have that idea of</p> <p>3 demographics, so --</p> <p>4 MR. KLINE: Right.</p> <p>5 HEARING EXAMINER ROBESON: Am I</p> <p>6 incorrect?</p> <p>7 MR. KLINE: We certainly don't have the</p> <p>8 demographics yet. But if you said, Jody, we need a</p> <p>9 commitment for something, we'll come up with some</p> <p>10 language.</p> <p>11 HEARING EXAMINER ROBESON: Okay. That's</p> <p>12 fine.</p> <p>13 MR. KLINE: Okay.</p> <p>14 HEARING EXAMINER ROBESON: I apologize</p> <p>15 that I read it the opposite way.</p> <p>16 MR. KLINE: Well, I know there's text and</p> <p>17 I just can't quite find it right now. But I</p> <p>18 understand. The way it was written, it did not --</p> <p>19 it did not communicate to you what we were talking</p> <p>20 about. And that was because they felt since there</p> <p>21 was a requirement in the ordinance that we have</p> <p>22 these people know where all these services were,</p> <p>23 how were we going to get them to that.</p> <p>24 HEARING EXAMINER ROBESON: I understand.</p> <p>25 You write the condition and send it to staff and,</p>	<p>143</p> <p>1 am mindful of another case we've got where staff</p> <p>2 basically said they needed longer to get an answer,</p> <p>3 basically, on last Friday's case.</p> <p>4 HEARING EXAMINER ROBESON: Right.</p> <p>5 MR. KLINE: But I think Mr. Estes is</p> <p>6 probably on this subject, will be able to get back</p> <p>7 pretty quickly. So I would say certainly by the</p> <p>8 end of this week, we will have staff's comments.</p> <p>9 HEARING EXAMINER ROBESON: Okay. Well,</p> <p>10 I'm just going to leave it open for ten days.</p> <p>11 MR. KLINE: Okay.</p> <p>12 HEARING EXAMINER ROBESON: It doesn't</p> <p>13 mean the report will be delayed because I can do</p> <p>14 the other stuff on the report.</p> <p>15 MR. KLINE: I understand.</p> <p>16 HEARING EXAMINER ROBESON: But I'll leave</p> <p>17 it open for ten days, and then my decision will be</p> <p>18 due 30 days after the ten days.</p> <p>19 MR. KLINE: Very good.</p> <p>20 HEARING EXAMINER ROBESON: Okay. So with</p> <p>21 that, I am going to adjourn this hearing. The</p> <p>22 record is open solely to receive the transcript</p> <p>23 and -- and a condition from Mr. Kline and any staff</p> <p>24 comments on that condition. All right?</p> <p>25 MR. KLINE: Thank you very --</p>
<p>142</p> <p>1 you know, I've got to get their comments, and</p> <p>2 then -- then we'll take a look at it.</p> <p>3 MR. KLINE: Yes, ma'am. We'll do it</p> <p>4 right away.</p> <p>5 That having been said, our presentation</p> <p>6 is completed, and it's nice to be your third</p> <p>7 virtual hearing. We're slowly working out all</p> <p>8 the --</p> <p>9 HEARING EXAMINER ROBESON: All the kinks.</p> <p>10 MR. KLINE: Exactly.</p> <p>11 HEARING EXAMINER ROBESON: Okay. Well,</p> <p>12 thank you all for -- for participating, I do</p> <p>13 appreciate it.</p> <p>14 And, Mr. Frey, thank you for jumping in.</p> <p>15 So when do you think you can get this</p> <p>16 revised language to me?</p> <p>17 MR. KLINE: By tomorrow morning.</p> <p>18 HEARING EXAMINER ROBESON: If I leave the</p> <p>19 record open for ten -- I have to leave it open for</p> <p>20 ten calendar days, I think, that's the new contract</p> <p>21 for our court reporter. Now, I'm suddenly -- I</p> <p>22 can't remember how many days it is. We just signed</p> <p>23 a new one.</p> <p>24 MR. KLINE: Yeah. Well, I know that I</p> <p>25 can get my comments to you and staff right away. I</p>	<p>144</p> <p>1 HEARING EXAMINER ROBESON: So with that,</p> <p>2 I will adjourn the hearing -- adjourn the hearing.</p> <p>3 Thank you.</p> <p>4 MR. KLINE: Thank you very much.</p> <p>5 (Off the record at 12:52 p.m.)</p> <p>6</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>

Transcript of Administrative Hearing
Conducted on May 11, 2020

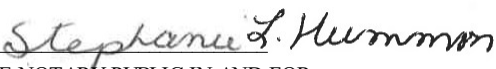
37 (145 to 148)

145

CERTIFICATE OF SHORTHAND REPORTER - E-NOTARY PUBLIC

I, STEPHANIE HUMMON, Registered
Professional Reporter and E-Notary Public, the
officer before whom the foregoing deposition was
taken, do hereby certify that the foregoing
transcript is a true and correct record of the
proceedings; that said testimony was taken by me
stenographically and thereafter reduced to
typewriting under my supervision; and that I am
neither counsel for or related to, nor employed by
any of the parties to this case and have no
interest, financial or otherwise, in its outcome.

IN WITNESS WHEREOF, I have hereunto set
my hand and affixed my notarial seal this 18th day
of May, 2020.
My commission expires July 6, 2023.



E-NOTARY PUBLIC IN AND FOR
THE STATE OF MARYLAND

A			
<p>a-g-b 110:12 able 8:18, 15:2, 20:20, 22:15, 27:21, 29:7, 93:10, 93:16, 97:19, 100:20, 143:6 about 8:10, 11:16, 14:10, 18:14, 20:6, 21:18, 22:13, 23:19, 23:20, 26:23, 26:25, 27:5, 27:17, 29:9, 30:5, 31:21, 32:21, 32:24, 33:10, 38:20, 41:4, 41:14, 42:18, 43:4, 48:17, 49:12, 51:12, 53:1, 54:2, 56:7, 56:17, 58:20, 58:22, 60:8, 60:19, 60:21, 62:4, 64:19, 65:16, 66:14, 67:22, 68:13, 71:21, 71:24, 72:1, 78:3, 81:2, 81:9, 81:24, 84:19, 93:20, 97:7, 97:18, 97:20, 99:7, 100:16, 101:1, 101:12, 102:11, 102:18, 104:25, 107:5, 111:5, 113:10, 113:17, 114:9, 114:22, 121:10, 124:2, 126:11, 136:19, 141:20</p>	<p>above 30:23, 32:25, 72:22, 127:10, 134:1 above-captioned 2:2 absolute 16:22 absolutely 33:8, 126:3 abutting 59:19 accept 35:19, 35:23, 113:3, 123:16, 136:13 acceptable 35:2, 114:16 access 19:5, 41:16, 51:24, 52:11, 52:18, 52:22, 53:4, 53:5, 53:17, 53:18, 56:19, 56:20, 57:7, 57:9, 58:1, 61:16, 65:6, 65:8, 65:10, 69:10, 69:17, 80:3, 81:21, 84:8, 85:20, 87:15, 91:8, 92:22, 93:10, 104:14, 113:20 accessed 46:7 accesses 52:16, 83:8 accessibility 72:13 accessible 41:22, 57:24, 139:11 accidentally 8:1 accommodate 15:24, 20:22,</p>	<p>21:12, 50:18, 129:16 accomplish 14:9 accordance 136:23 according 58:14 account 106:20, 129:15 achieved 52:12 acquisitions 11:16 acres 49:15, 125:15, 125:17, 125:18, 125:20 across 31:1, 39:5, 39:17, 62:12, 84:2, 96:25, 99:11 active 16:3 actively 112:2 activities 10:10, 15:3, 19:20, 19:23, 20:23, 21:11, 21:13, 24:5, 24:15, 40:17, 40:20, 89:14 activity 21:2, 22:4, 40:3, 60:13, 61:14 activity-depende- nt 23:6 acts 107:14 actual 76:22, 130:11 actually 6:22, 17:12, 21:9, 22:16,</p>	<p>24:1, 27:13, 38:1, 39:14, 45:12, 52:18, 57:23, 58:13, 59:24, 65:19, 69:8, 70:22, 79:8, 79:24, 81:13, 81:15, 82:3, 83:10, 86:11, 89:1, 90:12, 90:14, 91:5, 92:10, 92:14, 92:16, 93:7, 93:16, 96:11, 96:13, 97:7, 103:11, 104:1, 106:13, 106:24, 112:5, 118:11, 139:15 ada 57:24, 58:1, 58:6 ada-accessible 57:8 add 25:9, 103:4, 113:12, 113:13 addition 13:19, 33:2, 44:25, 71:5, 113:16, 116:15, 120:16 additional 22:5, 22:21, 59:13, 90:16, 103:1 address 9:4, 9:7, 9:9, 9:13, 25:2, 25:14, 25:16, 34:9, 34:14, 58:24, 59:3, 59:4, 74:23, 75:6, 110:4, 110:8, 119:5, 122:10, 122:13, 135:22 adequate 41:25, 120:4,</p>

121:8, 138:5 adjacency 77:20, 80:23 adjacent 38:14, 38:23, 39:11, 39:13, 46:5, 46:21, 48:10, 49:5, 49:25, 52:15, 52:23, 53:16, 53:20, 55:8, 59:10, 60:5, 60:25, 61:16, 68:11, 69:8, 71:4, 71:7, 71:10, 71:23, 72:1, 72:8, 80:18, 84:11, 85:18, 90:17, 90:25, 118:25, 129:3, 133:14, 133:16 adjoin 144:2 adjoining 68:7, 130:15 adjourn 143:21, 144:2 adjusted 30:4, 30:10 adjustments 31:4 administrative 1:2, 1:21, 18:18, 23:2, 87:16 advantage 20:10, 76:16 adverse 68:6, 68:14, 137:4 advise 36:4 aerial 37:11, 77:11, 93:23, 104:6 affairs 29:2	affect 90:22 affidavit 7:6 affiliated 13:23 affiliation 9:22 affirmed 8:25, 34:5, 74:19, 109:25, 122:6, 135:15 affixed 145:14 affordability 27:7, 29:19 affordable 10:7, 10:11, 10:16, 11:3, 11:18, 16:19, 26:23, 27:9, 31:15, 31:23, 33:7, 77:24, 100:7, 100:8, 100:13, 100:17, 100:23, 102:18, 106:5, 107:11, 107:18, 107:20 after 10:20, 12:23, 19:8, 25:24, 78:9, 81:17, 143:18 again 6:15, 14:14, 21:3, 30:10, 36:22, 55:5, 56:20, 65:11, 72:12, 72:21, 73:3, 73:5, 78:4, 86:13, 89:7, 89:21, 90:8, 90:18, 90:24, 91:14, 96:1, 96:21, 97:1, 97:2, 98:1, 98:8, 104:15, 107:7,	107:15, 136:11 against 88:22, 101:24 agba 3:13, 4:8, 74:7, 74:10, 109:15, 109:19, 109:20, 109:24, 110:18, 110:24, 111:5, 113:7, 118:9, 120:23, 121:14, 121:19, 121:21 age 13:18, 75:22 age-dependent 23:6 aged 19:8 agencies 12:3 agency 12:6 ages 19:17 aggrievement 45:19 ago 8:17, 11:21, 52:20, 136:10, 140:20 agreement 2:12, 113:15 ahead 6:15, 9:17, 25:19, 26:5, 28:10, 33:25, 34:18, 44:15, 46:2, 56:8, 61:4, 74:8, 75:15, 87:7, 87:22, 89:21, 90:9, 110:15, 116:1, 122:16, 124:12, 124:16, 128:12 alike 57:7, 134:13	all 5:12, 9:16, 12:2, 12:21, 12:22, 13:17, 14:14, 21:23, 25:16, 29:8, 30:24, 31:1, 31:14, 31:15, 33:15, 35:1, 37:13, 37:25, 39:17, 41:17, 41:19, 42:24, 44:6, 45:4, 46:5, 48:12, 49:23, 50:5, 51:17, 51:18, 53:22, 54:18, 55:1, 57:19, 57:23, 58:3, 63:14, 63:24, 64:3, 64:11, 64:15, 65:2, 65:4, 65:6, 67:17, 72:3, 72:21, 72:22, 73:11, 75:15, 76:5, 80:2, 80:25, 87:20, 88:2, 90:22, 90:23, 91:6, 91:14, 92:22, 97:14, 106:2, 107:16, 111:5, 111:25, 113:15, 113:23, 118:21, 119:20, 121:8, 121:15, 124:11, 129:18, 130:7, 131:14, 132:13, 134:12, 134:16, 138:9, 139:11, 141:22, 142:7, 142:9, 142:12, 143:24 all-electric 85:21 allow 53:16, 81:20,
--	--	--	--

84:17, 88:17, 105:17 allowed 30:14, 63:9, 99:14, 132:9 allows 19:15, 30:19, 88:5 almost 94:11, 129:18 alone 32:13 along 5:25, 37:21, 38:19, 45:3, 45:4, 46:7, 49:22, 60:2, 66:25, 67:1, 70:12, 90:5, 91:18, 125:8, 127:13, 127:18, 127:19, 129:7, 138:18 already 7:11, 28:24, 53:19, 54:4, 72:18, 76:17, 79:3, 120:19 also 3:9, 9:8, 10:4, 18:15, 29:5, 35:14, 38:15, 47:3, 52:17, 52:22, 56:25, 57:2, 59:25, 61:17, 66:23, 67:8, 71:18, 71:22, 72:8, 85:8, 86:16, 88:2, 92:4, 92:24, 94:21, 94:22, 95:14, 99:21, 102:1, 107:23, 108:2, 108:7, 108:9, 112:16, 114:6, 119:23, 119:25, 125:4, 132:22	always 21:23, 100:4, 100:18 amazing 13:5 amend 5:21 amenities 14:24, 16:5, 84:18, 103:20, 108:5, 129:5 amenity 81:10, 84:1, 84:12, 91:7, 92:18, 98:16 american 111:20, 111:21 ami 31:21 among 11:17 amongst 6:7 amount 28:15 ample 42:3 analysis 114:14, 116:14, 136:19 angle 93:23 another 11:22, 12:15, 41:15, 79:9, 115:2, 121:8, 143:1 answer 68:22, 68:25, 72:20, 72:21, 101:8, 113:21, 143:2 answered 72:18 anticipate 29:15, 67:19, 99:8 anticipation 28:22	any 7:18, 8:15, 9:14, 11:11, 28:9, 28:20, 31:11, 32:14, 33:17, 33:22, 46:9, 61:22, 66:14, 67:12, 69:8, 69:9, 76:18, 80:19, 88:6, 97:5, 99:16, 99:17, 99:22, 113:17, 114:9, 114:17, 114:18, 114:19, 114:20, 143:23, 145:11 anybody 5:13 anymore 8:2 anyone 6:10, 6:11, 6:12, 16:17, 33:16, 73:12, 108:17, 121:17, 134:17, 138:10 anything 58:22, 68:13, 76:25, 113:10, 114:9, 117:13 anyway 46:2, 140:16 anyways 75:12, 101:22 anywhere 43:11, 69:13 apartment 24:2, 27:18 apartments 11:21 apologize 44:7, 71:14, 78:22, 83:13, 141:14 apologizing 87:5 apparently 60:3	appeal 5:14, 17:23, 33:4 appeals 5:15, 35:14, 123:8, 123:14 appear 97:23 appears 79:9 applicable 65:23, 66:13 applicant 3:2, 3:10, 9:19, 9:22, 22:16, 34:19, 52:20, 53:15, 53:19, 75:17, 110:16, 122:17, 124:22, 129:17, 134:1, 136:16 application 1:6, 5:3, 26:24, 28:25, 30:2, 32:5, 35:1, 42:2, 53:21, 54:6 apply 31:9, 66:20 appointments 24:6 appreciate 142:13 appreciates 16:8 approaching 27:5 appropriate 36:14 approval 18:3, 114:12, 120:7, 124:23, 126:16 approvals 23:8, 28:22 approved 115:22, 120:13, 125:11, 126:5
--	--	--	---

Transcript of Administrative Hearing
Conducted on May 11, 2020

41

<p>approving 126:17 approximately 5:7, 48:11, 95:5 april 120:13, 125:11 arbitrary 106:12 architect 16:21, 25:9, 57:1, 58:24, 59:4, 67:4, 68:22, 116:10, 122:20, 123:1 architect's 126:24 architects 75:2 architectural 95:24, 99:25, 117:5 architecture 35:5, 75:23, 76:1, 76:8, 76:14, 100:3, 122:23, 123:4, 123:16 area 15:5, 30:4, 30:9, 30:12, 30:16, 31:3, 31:9, 31:10, 36:6, 36:7, 36:8, 36:13, 41:22, 42:9, 42:11, 42:17, 46:16, 49:8, 49:13, 57:23, 60:23, 62:20, 64:25, 65:6, 65:9, 66:15, 67:6, 71:20, 72:8, 77:14, 77:16, 77:25, 78:5, 79:12, 79:16, 81:8, 81:20, 81:22,</p>	<p>83:6, 83:7, 85:4, 85:18, 86:21, 88:1, 88:22, 89:6, 90:1, 91:19, 92:14, 92:16, 94:12, 118:16, 125:13, 125:16, 129:13, 129:16, 129:19, 131:4, 136:21, 136:23, 137:6 areas 17:5, 17:15, 58:17, 66:7, 72:14, 79:19, 95:11, 129:1, 132:10 aren't 20:2, 65:24, 108:10 argue 47:10 arithmetic 27:15 around 13:3, 20:11, 20:20, 24:11, 44:19, 48:19, 57:22, 57:23, 68:1, 70:17, 71:20, 79:21, 80:2, 80:17, 80:25, 90:12, 92:19, 92:22, 96:11, 96:18, 97:15, 98:7, 127:13, 128:25 arrange 19:20, 19:23, 20:3, 20:23, 21:1, 21:5 arrangement 23:11 arrangements 23:17 articulate 94:9, 96:1,</p>	<p>102:2 articulated 94:16 articulation 102:6, 106:2, 106:12 articulations 96:6, 106:22 asked 22:12, 22:13, 51:23, 72:10, 79:17, 84:19, 136:18, 140:18 asking 14:5, 139:9 asphalt 53:11, 60:23 assignment 62:8 assistance 27:10 assisted 23:24, 24:2 associated 33:10 associates 75:1 association 111:21, 111:22, 111:23 associations 32:10, 111:18 attendeess 32:12 attorney 6:19 attractive 16:3, 33:1, 100:9, 129:21, 134:2 austin 110:7, 110:8 automobile 62:20 availability 24:10, 27:5 available 16:18, 19:3,</p>	<p>28:16, 40:13, 40:18, 41:25, 107:18, 116:13, 117:4, 117:6, 117:8, 118:10, 118:12, 118:19, 118:20, 118:21, 118:22, 118:25, 134:9 avenue 12:11, 12:21, 38:21, 40:25, 75:7 average 31:1, 99:11, 99:12 averages 31:5 averaging 30:19 awaiting 85:23 award 100:20 award-winning 100:22 awards 100:23 away 19:13, 41:15, 48:20, 80:8, 86:5, 90:3, 92:13, 142:4, 142:25</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>b 3:5, 6:20, 47:25, 57:19, 124:4, 132:1 bachelor 111:7, 111:12 back 8:8, 8:9, 14:5, 22:7, 22:20, 23:1, 26:17, 31:11, 40:1, 40:6, 43:3,</p>
---	--	---	--

43:12, 45:4, 57:20, 58:10, 64:6, 69:18, 70:15, 70:16, 73:23, 78:15, 80:13, 82:18, 83:14, 83:18, 94:13, 97:9, 98:20, 103:8, 107:5, 111:9, 123:6, 128:11, 140:15, 143:6 background 14:15, 94:18 backing 45:12 baltimore 111:16 bar 52:1 barn 133:8 base 95:22, 127:14, 129:2, 134:7 baseball 21:3 based 29:11, 32:15, 51:20, 76:7, 85:24, 102:14, 119:13, 125:20, 126:23, 133:19 basic 18:13 basically 10:25, 44:19, 44:24, 45:2, 46:4, 47:2, 56:15, 56:19, 70:25, 76:19, 101:8, 107:9, 127:1, 127:2, 143:2, 143:3 basics 113:22 basis 105:1	bathrooms 93:5 batten 94:5, 98:9 battery 86:6 beauticians 84:14 became 52:21 because 6:4, 9:13, 17:19, 23:2, 23:18, 26:2, 29:25, 33:7, 40:2, 42:13, 43:9, 52:1, 54:22, 55:13, 55:20, 69:12, 71:3, 81:20, 82:5, 83:6, 84:22, 86:14, 87:5, 87:19, 90:10, 91:13, 93:5, 94:1, 94:10, 97:18, 97:21, 98:23, 98:24, 100:25, 102:7, 103:17, 103:19, 109:6, 111:10, 126:22, 127:22, 128:8, 129:12, 130:13, 140:14, 141:20, 143:13 becomes 51:18, 86:22, 88:19, 89:11 been 5:25, 7:15, 10:15, 11:6, 11:19, 12:2, 12:13, 13:8, 20:6, 30:14, 33:10, 53:19, 55:7, 57:23, 62:17, 62:18, 75:23, 77:14,	93:10, 96:7, 100:7, 105:14, 111:25, 112:2, 122:22, 134:4, 142:5 before 1:19, 2:12, 14:3, 23:13, 32:4, 35:11, 35:14, 52:20, 76:1, 76:10, 90:6, 92:9, 111:1, 111:2, 114:8, 123:4, 123:7, 123:11, 123:13, 145:4 begin 7:19 beginning 104:5 behalf 3:2 behind 39:6, 39:12, 39:14, 53:5, 61:9, 87:15, 95:16, 97:6, 129:1, 135:19 being 8:25, 34:5, 42:2, 45:2, 51:16, 58:4, 58:13, 59:7, 59:13, 61:18, 61:20, 72:4, 72:5, 74:19, 95:1, 109:25, 122:6, 135:15 believe 7:7, 43:10, 53:8, 60:10, 61:18, 67:5, 67:17, 68:9, 68:18, 71:25, 104:5, 109:5, 109:15, 116:6, 120:17, 124:5, 124:21, 126:9,	126:12, 127:7, 129:17, 133:25, 134:4, 134:5, 134:7, 136:4 belong 111:19 below 30:3, 30:22, 31:2, 31:8, 52:5, 82:22, 85:11, 86:11 beside 89:8, 92:15, 97:6 best 22:17, 36:4, 47:23 bethesda 14:22 better 48:8, 52:6, 52:8, 54:23, 55:15, 56:9, 68:23, 80:10, 137:17 between 11:14, 30:9, 30:11, 30:12, 38:20, 39:18, 46:20, 46:22, 48:24, 49:2, 53:22, 65:2, 87:6, 89:5, 91:20, 102:20, 103:2, 103:3, 103:13, 103:23, 104:14, 130:14, 134:6 beyond 16:17, 127:10, 131:20, 131:22, 134:1 bicycle 58:23, 59:6, 59:14, 84:19, 84:25 bicycles 59:7
---	--	---	--

big 21:10, 60:22, 60:23, 78:6, 81:8, 82:17, 91:15, 98:23, 116:7, 129:18 bigger 48:4, 83:15 bike 59:12 bikes 85:2 bikeway 66:24 bills 93:17 bit 16:21, 22:15, 32:8, 39:8, 49:4, 49:11, 52:4, 52:5, 54:23, 56:9, 72:10, 86:17, 97:21, 98:21, 101:5 black 125:2 blend 133:23 blue 41:8, 41:9 blue-colored 41:19 board 5:15, 6:22, 23:23, 35:14, 76:2, 94:5, 98:9, 123:8, 123:13, 126:4 board's 126:12 body 76:2 bolts 63:20, 98:22 bore 28:7 boston 110:7	both 12:14, 17:22, 28:22, 39:10, 42:14, 42:20, 47:6, 57:6, 62:17, 63:25, 65:7, 80:11, 89:23, 91:5, 98:9, 99:20, 134:9 bother 26:10 bottom 52:2, 87:1 bought 12:19, 13:1, 13:3 boundary 43:10, 49:24 box 83:22, 95:12, 95:17 boy 110:12 brand-new 42:6 break 18:9, 73:23, 97:25, 102:3, 109:4 breaking 137:13 brick 94:3, 94:18, 95:13, 95:14, 96:9, 96:17, 96:18, 96:25, 97:1, 98:7, 102:8 bright 94:24 bring 57:2, 70:4, 77:23, 82:16, 114:23, 118:24 brings 103:5, 105:9 broad 47:22	broke 94:19, 96:24 broken 98:25 broken-up 96:4 brought 58:9, 113:14 brt 50:20 budget 100:19 buff 60:3 buffers 134:4 build 28:2, 106:3 building 16:24, 17:4, 17:17, 17:22, 19:17, 23:14, 27:17, 32:25, 40:15, 53:6, 56:3, 56:22, 56:23, 57:4, 59:15, 61:10, 64:4, 64:6, 64:11, 65:3, 67:3, 70:13, 75:10, 78:9, 79:8, 79:10, 79:11, 80:9, 80:25, 81:1, 81:14, 81:16, 82:1, 83:10, 85:1, 85:4, 85:10, 85:17, 85:21, 85:22, 86:7, 86:13, 87:3, 87:14, 87:24, 90:13, 90:15, 91:6, 92:11, 93:21, 94:7, 94:10, 94:14, 95:21, 95:23, 96:4, 96:11, 96:19, 96:23, 97:3, 97:8, 97:16, 97:19, 97:24, 97:25, 98:23, 99:3, 99:9, 99:24, 100:9, 100:14, 100:19, 101:4, 101:14, 101:22, 101:25, 102:4, 102:5, 106:3, 106:16, 107:17, 108:3, 108:8, 111:22, 111:23, 114:4, 115:6, 115:15, 116:8, 116:24, 117:7, 127:13, 127:15, 129:2, 129:3, 129:14, 130:14, 133:23, 134:6 buildings 45:7, 67:1, 81:15, 82:8, 95:25, 100:4 built 50:24, 67:25, 70:22, 88:3 built-in 84:6 bus 50:19, 103:22, 103:25, 104:8 buses 21:1, 21:10 business 9:25, 10:15, 10:21, 11:6, 24:19, 34:9, 62:4, 74:23, 75:6, 110:4, 110:8, 122:10, 122:13, 135:22 <hr/> C <hr/> c 54:15 cable 118:12, 118:20
---	---	--

café 17:10 calendar 142:20 call 6:7, 8:19, 17:10, 17:19, 17:23, 28:14, 30:19, 36:15, 65:17, 74:5, 98:21, 108:17, 109:1, 119:6, 134:17 called 10:1, 10:18, 10:24, 11:20, 11:22, 12:4, 12:10, 12:16, 13:1, 27:13, 60:2, 60:11, 76:20, 122:25 calls 99:23 came 50:17, 81:24, 105:16 camera 8:4, 74:9, 74:10 can't 8:2, 15:9, 24:17, 28:3, 36:22, 37:23, 38:17, 45:16, 50:2, 69:13, 71:15, 74:13, 78:15, 80:4, 82:24, 92:20, 95:8, 105:20, 117:13, 123:9, 137:12, 141:17, 142:22 canby 3:4, 6:20 candle 133:16 canopy 64:13, 92:17,	94:23, 95:16, 130:3 cap 87:19, 95:23 capability 116:23 capacity 12:13, 114:10 capitol 12:20 capped 97:1 care 15:2, 61:18, 61:20, 62:13, 62:14, 64:15 career 112:7 caring 62:3 carry 98:7 cars 20:19, 20:22, 22:2, 22:5, 24:10, 80:17, 95:1 case 5:11, 9:23, 28:13, 29:20, 35:16, 71:2, 91:14, 99:10, 106:10, 132:5, 143:1, 143:3, 145:11 cases 27:24 categories 14:23, 26:25, 136:12 category 65:19, 115:17, 115:18, 136:12 cause 68:5, 68:14 cda 29:6, 84:23 cellar 79:10, 98:5,	106:21 cementitious 94:5, 94:20, 95:20 center 21:4, 37:19, 37:25, 40:11, 44:20, 48:16, 48:20, 56:2, 56:22, 61:11, 61:12, 81:11, 82:19, 84:1, 84:2, 85:11 centerline 51:7 centerpiece 11:9 centralized 17:11 certain 16:16, 16:20, 27:24, 84:24, 100:1, 101:17 certainly 17:20, 22:2, 23:15, 24:19, 27:8, 124:3, 141:7, 143:7 certificate 145:1 certify 145:5 cetera 66:8, 84:8 chairman 76:6 chairman's 7:17 chairs 88:21 challenges 78:6 change 30:18, 83:17, 96:21, 117:13 changed 83:17, 100:17 changes 23:17, 45:25	chapel 42:15, 42:16, 66:17 chaplin 11:20 chapter 124:17, 126:1, 130:7, 130:16 character 32:20, 45:25, 46:15, 67:15 characterize 42:9, 42:10, 42:12, 47:13 charge 27:21 cheaper 106:9, 106:17, 106:24 checklist 72:11 children 11:1 ci 131:2 ciiii 131:3 circle 37:19, 65:9 circles 37:18, 37:25 circular 57:5 circulates 56:16 circulation 89:15, 138:4 cited 31:17 cities 102:19 civil 78:7, 79:20, 110:20, 110:25, 111:8, 111:13, 111:21, 112:1, 112:2, 112:17, 112:18, 112:20,
---	--	--	---

113:1, 113:11, 113:17 clarify 117:17 clarity's 128:19 classes 19:21, 19:24, 19:25 classification 41:5, 63:5 cleared 125:18 clearly 31:8, 116:3 clerk 18:18 clicked 8:1 client 6:16, 76:20, 112:15 clients 88:17 clinics 40:19, 40:22 close 29:7, 42:5, 42:6, 58:6, 72:13, 72:22, 92:20, 103:20 closed 82:2, 89:19, 96:20 closely 79:20 closer 69:9, 123:10 closest 81:3, 97:8 closing 138:16 club 38:24, 46:22, 59:25, 62:24 co-op 13:1 coalition 78:2	coaxed 10:22 cochère 57:16 code 102:25, 110:10, 126:2, 130:12, 131:15, 131:18 collect 119:18 collectors 93:2, 93:3 color 96:22 color-coded 116:4 colors 98:8 columbia 24:14 combination 66:3 come 20:4, 21:20, 22:20, 22:22, 23:1, 26:8, 26:12, 26:17, 69:17, 70:11, 84:14, 87:9, 89:11, 89:20, 90:13, 91:2, 94:10, 95:6, 97:10, 104:15, 141:9 comes 21:21, 83:7, 96:18 comfortable 17:5 coming 14:5, 20:7, 83:24, 87:2, 90:23 comment 102:17 comments 140:5, 142:1, 142:25, 143:8,	143:24 commercial 38:2, 38:23, 39:19, 40:17, 41:5, 42:14, 42:17, 42:19, 47:16, 48:12, 55:18, 60:13, 63:9 commission 65:22, 113:25, 114:15, 145:16 commitment 141:9 common 14:11, 20:25, 93:4, 93:5 commune 90:4 communicate 141:19 communicated 77:2 communities 15:1, 84:21, 85:1, 86:9 community 12:5, 16:4, 17:21, 29:2, 32:4, 32:10, 32:13, 39:7, 39:17, 40:5, 42:1, 72:15, 80:12, 88:11, 88:16, 101:20, 134:4 community-provid- ed 41:24 commuters 104:18 company 9:25, 10:3, 10:19, 11:7, 11:10, 19:20, 122:25 company's 33:11	compatible 60:7, 101:12, 133:24 competing 14:21 completed 142:6 completely 84:16 complex 106:1 compliance 124:17 compliant 120:17 component 26:24, 125:9, 125:10 components 124:19, 127:8, 130:17, 131:1 compound 70:21 comprehensive 98:19 compressors 92:3 computer 44:7, 84:3, 84:7 computers 17:12 conceivable 14:4 concentric 37:18 concept 95:24, 106:5, 107:10, 119:10, 127:1 conceptual 120:7 concern 139:24 concerns 114:18 concierge 87:10, 88:3
--	--	---	--

<p>conclude 65:23, 137:3</p> <p>concrete 81:19</p> <p>concur 46:3</p> <p>condition 22:23, 25:2, 53:11, 54:1, 67:11, 138:21, 139:25, 141:25, 143:23, 143:24</p> <p>conditional 14:6, 54:10, 54:16, 61:23, 62:5, 62:11, 62:15, 64:5, 64:8</p> <p>conditions 47:24, 52:4, 130:7</p> <p>conducive 79:1</p> <p>conduct 10:8</p> <p>conducted 1:14, 2:2</p> <p>conference 87:17</p> <p>configuration 17:2</p> <p>configurations 113:19</p> <p>confirm 115:23, 133:2</p> <p>confirming 126:7</p> <p>conflicts 114:18</p> <p>conforms 112:16</p> <p>confronting 39:4, 45:9, 46:5</p> <p>conjunction 67:13</p> <p>connect 115:7, 119:20</p>	<p>connected 120:1</p> <p>connecting 89:22</p> <p>connection 13:15, 114:7, 115:4, 115:5, 116:2, 116:5, 116:8, 118:17</p> <p>connections 114:3</p> <p>connects 89:24</p> <p>conservation 123:21, 123:23, 124:6, 124:18, 124:19, 125:11, 125:17, 125:21, 125:25, 126:5, 126:13</p> <p>considerable 71:19</p> <p>considered 29:21, 30:24</p> <p>considering 51:15</p> <p>consistent 107:10</p> <p>consists 112:19</p> <p>constructed 32:18</p> <p>construction 12:12, 81:19</p> <p>consultants 10:18</p> <p>consultation 34:25</p> <p>consulting 112:4</p> <p>contained 5:22</p> <p>contemplate 15:12, 15:17</p> <p>contemplating 16:9</p> <p>contemplative 90:2</p>	<p>contemporary 99:24</p> <p>context 36:2, 36:9</p> <p>contingent 50:23</p> <p>continue 12:6, 53:16</p> <p>continuously 108:10</p> <p>contract 142:20</p> <p>contractors 106:7</p> <p>control 117:14</p> <p>controlled 119:24</p> <p>convenience 57:5</p> <p>conversations 53:19</p> <p>conversely 20:9</p> <p>convert 22:20</p> <p>cooling 19:10</p> <p>coordinates 31:17</p> <p>corner 39:3, 46:19, 62:21, 63:15, 82:18, 82:21, 82:25, 83:21, 85:7, 85:8</p> <p>corners 106:8</p> <p>correct 35:21, 50:12, 53:3, 53:12, 54:7, 54:8, 54:14, 54:16, 61:1, 64:21, 83:3, 105:2, 110:13, 120:8, 120:25, 121:5, 121:11, 121:12,</p>	<p>122:24, 126:7, 126:8, 130:20, 130:24, 131:23, 136:6, 136:7, 145:6</p> <p>correlate 31:20</p> <p>corridor 82:6, 83:6, 84:3, 88:23, 89:22, 90:5, 91:16, 98:12, 101:15</p> <p>cost 27:16, 107:25, 108:8</p> <p>costs 108:7</p> <p>could 10:12, 15:7, 21:14, 22:18, 25:9, 29:5, 43:2, 43:12, 45:17, 52:3, 52:5, 56:12, 62:3, 69:12, 71:16, 73:6, 77:8, 79:24, 88:7, 88:8, 93:11, 99:18, 100:21, 102:12, 124:4, 127:4, 139:14, 139:24, 140:3</p> <p>couldn't 13:9, 32:6, 61:22, 101:21, 106:11</p> <p>counsel 9:19, 34:19, 75:17, 110:16, 122:17, 136:16, 145:10</p> <p>count 105:6</p> <p>county 1:1, 13:11, 15:16, 16:14,</p>
---	---	---	--

24:22, 24:23, 27:4, 28:13, 28:21, 29:1, 30:2, 35:12, 66:1, 68:1, 78:1, 78:3, 119:15, 123:12, 123:13, 126:2, 126:4, 131:15 county's 123:23 couple 28:18, 118:16 couples 15:24 course 124:10, 127:4 court 6:4, 9:12, 37:4, 37:23, 76:1, 78:14, 111:1, 123:4, 142:21 courts 11:22 courtyard 82:9, 82:11, 86:18, 89:18, 89:19, 90:1, 90:2, 90:7, 96:20, 98:5, 98:12, 127:16, 129:4 courtyards 17:14, 56:24, 66:7, 79:13, 82:2, 129:14, 133:11 cover 129:7, 129:20 coverage 101:11, 130:3 covered 57:9, 58:2 covering 57:15, 57:21 create 14:19, 15:6,	82:1, 94:11, 97:11 created 94:17 creation 54:3 creative 13:9 credentials 111:3 credit 27:14, 28:17, 39:2, 46:23, 46:24, 84:23, 87:19 credits 12:22, 18:2 criteria 16:2, 16:20, 29:23 cross 40:21, 55:23, 118:24, 128:8 cross-talk 6:8 cue 69:2 cues 101:2 curb 17:23 curiosity 45:7 current 51:21, 54:15, 62:20, 100:3, 112:11, 126:10 currently 32:17 cursor 37:20, 69:12 cut 95:8, 102:13, 106:8	danger 55:22 daniel 3:14, 4:10, 121:24, 122:5, 122:12 dark 81:10 dark-gray 95:10 darker 95:11 date 5:15, 86:21 day 21:21, 135:19, 145:14 days 5:15, 26:2, 88:6, 108:13, 142:20, 142:22, 143:10, 143:17, 143:18 dc 13:1 deal 77:22 dealing 31:6, 49:13, 76:3, 123:25, 130:2, 130:8, 138:21 dealt 19:13 debt 28:14 decade 13:17 decades 13:8 deceiving 127:22, 129:11 decide 77:3 decides 118:24 decision 5:13, 5:14,	5:16, 143:17 dedication 51:16 defense 140:17 define 44:23, 45:2, 95:22 defined 86:17, 114:2 definition 46:4 degree 111:7, 111:13, 111:15 delayed 143:13 delete 9:12 delineation 124:21 deliver 27:1, 27:16, 33:7 delivered 12:10, 12:15, 18:12, 88:5 delivering 27:8, 33:8 delivery 88:8 deloitte 10:19 demographics 22:18, 140:21, 141:3, 141:8 demolition 12:18 demonstrates 125:4 demonstration 65:20 density 101:10 department 8:13, 12:4, 29:1, 78:3, 119:14, 119:15
---	--	---	--

<p>depending 21:1, 41:23, 119:25 deposition 145:4 depth 97:4 describe 36:6, 40:2, 44:21, 46:14, 47:25, 52:10, 57:1, 60:14, 67:4, 132:25 described 130:6 description 16:5, 42:8, 99:25, 113:9, 133:19 design 33:2, 54:25, 99:24, 100:22, 101:2, 101:13, 105:17, 106:1, 107:4, 107:10, 112:14, 112:21, 113:17, 117:5, 117:10, 119:12, 119:16, 122:23, 132:21, 135:25 designated 17:6 designations 41:4 designed 15:14, 57:24 designs 120:19 desire 72:24 desired 72:15 desk 87:10, 128:5 despite 15:4 destitute 31:7</p>	<p>detached 39:15, 39:18, 47:15, 52:16, 60:11, 64:11, 101:6 detail 40:2, 56:10, 138:17, 139:4 detailed 43:13, 63:22 details 28:8, 56:17 determine 117:5, 118:18 determined 22:14, 22:17 determining 43:5 develop 13:22, 19:4 developed 23:23, 55:7, 119:11, 133:21 developer 9:24, 9:25, 23:16, 112:15, 118:23 developers 16:11 developing 32:15 development 10:6, 10:16, 10:21, 11:10, 11:17, 12:5, 13:12, 14:16, 32:18, 33:6, 39:9, 39:11, 39:15, 63:22, 66:1, 68:7, 72:12, 130:1 developments 14:22 devices 133:1 diagonal 85:16 dialogue 76:17</p>	<p>difference 10:25, 45:24 different 13:14, 14:2, 14:22, 54:12, 57:3, 77:21, 78:24, 101:5, 103:15, 104:16 difficulties 8:7, 37:8, 74:14 difficulty 6:5 dimensional 51:19, 63:24, 64:7, 65:17, 131:24 dimensions 50:7 dining 88:25 direct 35:3, 115:4, 115:5, 116:3, 116:5, 116:8 direction 117:10, 132:21 directionally 82:21 directions 38:13 directly 45:9, 48:10, 62:12, 84:11, 87:22, 89:19, 90:9, 129:3 director 34:14, 34:24, 122:21 directors 23:24 disagrees 5:14 discharged 120:1 discovered 61:8 discussing 6:2, 13:13</p>	<p>discussions 78:10 distance 55:15 distinguished 75:22 distribute 93:16 district 12:1, 12:4, 13:3, 13:8, 13:10, 13:17, 14:1, 24:14, 42:16, 66:17 divided 39:23, 55:21, 59:9 doing 11:2, 20:2, 20:9, 34:22, 36:15, 106:14, 108:19, 112:16, 128:8 dollars 27:22, 28:3 dome-top 133:9 done 10:13, 11:14, 11:16, 11:25, 12:1, 13:7, 13:9, 27:3, 32:2, 94:2, 99:19, 100:5, 101:21 door 57:9, 58:6 dot 37:25 dotted 44:18 double-checking 118:1 down 18:9, 32:10, 39:2, 39:21, 40:22, 40:24, 42:18, 47:22,</p>
--	---	--	--

48:20, 63:19, 67:2, 79:6, 79:7, 82:8, 83:7, 83:24, 86:11, 89:17, 90:7, 90:13, 91:23, 93:24, 94:19, 96:19, 96:25, 102:3, 102:21, 109:6 downstream 114:20 dps 120:7 drain 116:18, 119:21, 120:2 drainage 120:18 draw 22:4 drawing 69:13 drawings 76:22, 77:9, 130:6 drill 115:3 drive 39:4, 39:16, 39:19, 45:3, 45:4, 45:12, 46:7, 46:19, 47:1, 47:3, 47:7, 52:19, 52:22, 53:4, 53:5, 53:17, 55:17, 56:21, 57:6, 60:16, 60:23, 61:16, 62:21, 65:6, 65:8, 69:10, 80:2, 80:24, 87:3, 100:11, 100:13, 118:23, 119:1 drivers 24:1	drives 24:4 driveway 54:12, 55:1, 55:3, 55:4, 87:1, 90:17 driving 32:24 drop 88:9, 96:12, 97:3 dropoff 57:8, 58:17, 133:10 dropped 58:2, 95:1 drops 79:6 dry 118:10 dryer 93:7 due 5:17, 64:8, 143:18 duly 8:25, 34:5, 74:19, 109:25, 122:6, 135:15 dump 70:15 dumpster 69:5, 69:7, 69:14, 69:18, 70:14, 70:16, 70:22 during 18:12, 19:15, 121:7 dwelling 60:12	13:25, 20:2 e-d-m-o-n-d-s-o-n 9:6 e-notary 145:1, 145:3, 145:21 each 6:7, 7:1, 7:3, 16:7, 57:3, 89:13, 91:12, 91:21, 93:6, 93:8 earlier 11:7, 43:8, 51:24, 69:3, 72:11, 87:24, 102:10, 112:12, 140:5 early 83:9, 119:4 easement 53:18, 54:3 easily 17:24, 93:10 east 12:20, 39:11, 67:3, 71:11, 131:24 easter 21:22 eastern 82:25, 132:6 easy 19:5, 57:6, 85:19 ec 111:22 edge 92:20, 127:18, 132:6, 132:7 edges 92:20 edmondson 1:5, 3:10, 4:2, 5:3, 7:6, 7:23, 7:24, 8:20, 8:21, 8:24, 9:6, 9:17, 9:21,	9:23, 10:24, 22:24, 26:22, 33:14, 33:17, 33:20, 58:11 edmondson's 9:13, 26:7, 140:5 education 19:24, 111:6 educational 20:7 effect 67:15, 67:23, 68:6, 68:14, 107:14, 136:20, 137:5 efficient 138:5 effort 129:18 egress 47:8 eight 62:1, 62:2, 62:14, 78:24 either 25:23, 39:11, 53:21, 58:3, 88:8, 93:18, 101:2, 102:15, 116:24, 116:25, 117:1 elaborate 49:24 elderly 12:21, 12:22 electric 93:9, 118:14, 118:15, 118:16, 118:17, 118:19 electrical 85:16, 115:6 element 33:7, 81:10, 88:3, 95:15, 96:5 elements 56:18, 92:24,
--	--	---	---

<p>96:7, 102:6, 108:6, 128:21 elevation 48:17, 94:22, 95:4, 95:16, 96:14, 96:15, 96:16, 97:9, 98:13, 98:15 elevations 88:13, 90:16, 93:19 elevator 83:8, 83:11, 83:24, 87:23, 91:4, 91:8 elevators 83:7, 91:15 eligibility 29:11 eligible 29:21, 30:25 else 22:21, 56:7 elsewhere 139:8 embraced 134:8 emergencies 19:9 emergency 19:2, 40:19, 41:12, 57:7, 86:6 employed 122:22, 145:10 employees 11:11, 19:15, 35:4, 105:6, 105:8 enclosed 71:17 end 25:23, 27:6, 45:8, 48:22, 49:5, 55:3, 55:5, 96:9, 98:10, 104:18, 112:5, 143:8</p>	<p>endangered 125:5 ended 55:12, 76:23, 80:8, 126:11 ends 42:20, 85:8 enforced 119:14 engineer 78:7, 79:20, 110:20, 112:4, 115:7, 134:25, 136:5 engineering 111:1, 111:8, 111:13, 112:1, 112:3, 112:17, 112:18, 112:20, 113:2, 113:11 engineers 111:22, 117:13 enhancement 32:22 enhances 127:2 enjoyment 56:24, 68:7 enlarged 83:6 enough 84:17, 92:16, 93:15, 117:15, 117:22, 134:5, 140:21 enriched 15:4 ensure 92:19, 121:9 enter 47:1, 80:19, 87:13 entire 33:11, 57:23, 69:19, 71:20 entities 10:1, 14:2, 16:19, 39:19,</p>	<p>47:16 entity 10:6, 11:11, 14:6 entrance 17:3, 49:8, 55:10, 55:12, 55:17, 55:19, 55:25, 56:1, 57:22, 58:2, 87:2, 87:13, 87:23, 88:4, 88:12, 89:20, 94:12 entry 55:15, 89:6, 94:24, 95:5, 95:13 environment 15:3, 119:15, 129:21, 129:22 environmental 119:13 envision 67:5 envisioned 50:15 equipment 17:7, 99:22 equivocal 26:9 escapes 75:21 especially 100:4 esquire 3:3 essence 51:11 essential 26:24, 28:20 essentially 91:13, 124:7, 127:21 est 1:16 establish 111:3</p>	<p>estate 10:21 estes 143:5 et 66:8, 84:8 evaluate 29:3 even 7:9, 17:15, 24:6, 32:13, 41:15, 61:11, 64:9, 65:19, 65:24, 81:13, 81:19, 90:16, 90:22, 92:12, 96:1, 96:12, 120:18, 139:14 evening 18:10, 19:21 event 28:9, 28:20, 104:15 events 18:10, 19:17, 20:12, 119:25 eventually 7:16, 10:22, 54:21, 62:14 ever 11:6, 21:2, 35:6, 35:8, 35:10, 50:23, 52:20, 73:2, 73:5, 75:25, 100:12, 123:3 every 29:21, 63:23, 102:21, 102:23, 103:14, 104:16, 107:21, 107:23, 124:1 everybody 21:21 everything 24:4, 51:13, 56:16, 59:18, 72:24, 98:24,</p>
---	--	---	---

Transcript of Administrative Hearing
Conducted on May 11, 2020

51

121:9, 129:15 evidence 5:13 evolution 112:6 exact 49:21 exactly 14:13, 37:2, 95:18, 142:10 examination 4:2, 4:4, 4:6, 4:8, 4:10, 4:12, 9:19, 34:19, 75:17, 110:16, 122:17, 136:16 examined 9:2, 34:7, 74:21, 110:2, 122:8, 135:17 example 10:13, 12:25, 19:4, 23:11, 23:23, 106:1, 106:4 exceeded 134:5 exceeds 31:24 except 65:5 exception 58:4, 62:15, 62:17, 62:19, 62:24, 63:1, 65:12, 65:14 exceptions 61:22, 62:18 exclusively 12:8 excuse 128:1 excused 33:19, 73:18, 121:20, 134:19, 138:12 exemption 123:7, 136:23	exercised 86:15 exhibit 6:1, 7:8, 36:3, 36:11, 36:13, 36:14, 37:11, 43:7, 43:13, 43:22, 43:25, 47:23, 47:25, 54:14, 55:13, 56:11, 56:14, 57:14, 57:18, 57:19, 64:2, 65:1, 69:16, 69:21, 69:22, 77:3, 79:25, 104:5, 104:12, 116:4, 119:7, 119:8, 120:12, 123:19, 124:4, 126:10, 126:24, 126:25, 127:5, 128:15, 132:23, 139:20 exhibits 6:1, 80:14, 81:7, 132:1, 132:3 exist 24:23 existence 33:11 existing 47:24, 49:3, 51:8, 52:4, 53:5, 53:11, 55:3, 55:4, 66:3, 72:1, 115:3, 119:21, 120:2 exit 55:15, 69:19, 86:7, 91:5 expect 22:1, 22:4 expensive 106:3 experience 32:15, 45:15,	76:8, 102:15, 102:24, 103:2, 103:14, 134:12 experiencing 46:9 expert 35:9, 35:11, 35:13, 35:20, 35:23, 75:25, 76:9, 76:14, 110:25, 113:1, 123:3, 123:16, 136:4, 136:11 expertise 35:4 experts 20:4 expires 145:16 explain 10:12, 20:12, 50:5, 76:23, 111:24 explained 11:7, 54:4 explains 55:25 explored 78:24, 81:13 exposed 79:12 extended 99:19 extending 42:18 extends 107:13 extent 30:20, 92:4 exterior 129:21 extraordinary 67:21 eye 61:15 eyebrow 57:11, 65:9 <hr/> F <hr/> faa 100:17	facade 98:2, 99:11 facades 98:11, 106:2 face 74:8, 85:16, 94:3, 96:24, 100:17 facilities 12:3, 17:17, 20:11, 21:20, 23:21, 67:25, 84:7, 89:4, 119:18, 121:9 facility 5:5, 14:19, 15:7, 23:25, 24:2, 24:3, 41:23, 61:18, 61:20, 62:13, 67:10, 116:9 facing 89:17, 99:12 fact 11:23, 31:24, 32:21, 36:25, 60:12, 86:4, 100:16, 106:21, 126:7 fairfax 123:13 fairly 16:4 fall 90:12 familiar 28:6, 78:5 family 15:25, 88:25, 91:22 fancy 14:21 far 27:4, 31:8, 45:8, 55:2, 92:13, 94:13, 96:17, 96:18, 115:23, 124:17,
--	---	---	--

131:24, 133:12 farther 39:21 fashion 35:3 feasible 16:16, 17:1, 117:7 feat 13:5 feature 30:14, 67:13 features 48:1, 67:14, 67:17, 105:18, 106:1, 107:8, 108:4, 113:10, 133:1 federal 27:13, 46:23 fee 11:24, 12:20 feel 32:17, 33:5, 94:15, 96:4, 98:6, 133:20, 140:21 feels 22:16, 102:3 feet 49:21, 49:22, 51:1, 51:7, 64:6, 64:24, 67:1, 67:4, 71:16, 71:25, 72:1, 81:2, 97:7, 99:5, 99:13, 99:17, 99:18, 132:5, 132:6, 132:7, 132:9 felt 80:10, 141:20 fence 71:18, 72:5, 80:21 fenced 92:18	few 24:1, 30:14, 44:5, 104:17 fewer 136:25 field 35:11, 76:1, 76:9, 110:25, 113:1, 123:4 figure 22:5, 43:19, 44:8, 44:9, 44:17, 106:8 file 76:7, 87:18, 121:2 filed 32:5, 54:6 filling 62:20 fin 95:21, 97:2 final 28:25, 98:4, 125:16, 134:22 finalized 53:23 finally 98:13 finance 12:6, 13:12, 28:3 financed 11:19, 12:2 financial 19:24, 145:12 financially 12:14, 16:15 financing 12:3, 16:14, 16:18, 18:1, 18:4, 27:2, 27:11, 28:14, 28:18, 29:8, 84:24 find 19:7, 61:22, 141:17	finding 114:17 fine 7:4, 35:17, 35:18, 56:13, 76:11, 78:23, 111:4, 115:25, 120:15, 140:8, 141:12 fingertips 24:25 finish 109:5 finishing 140:19 fire 41:13, 41:16, 80:3, 81:17, 81:20, 86:2, 86:4, 117:23, 117:24 firm 6:19, 10:18, 11:8, 26:8, 100:15 firms 122:23 first 7:5, 7:19, 7:21, 8:19, 8:25, 12:17, 23:9, 23:14, 28:11, 28:20, 34:5, 37:12, 56:18, 60:20, 74:19, 80:2, 82:6, 82:10, 86:25, 87:23, 109:25, 110:6, 111:5, 111:25, 112:14, 113:22, 122:6, 122:11, 125:9, 128:24, 135:15 fit 10:14, 15:14 fitness 17:7, 82:19,	84:1, 84:2, 85:11 five 13:1, 73:21, 73:22 five-minute 73:23 five-story 98:5 fixture 133:6 fixtures 133:5 flat 48:18, 79:4, 90:13, 106:9, 106:10, 107:2 flat-roof 106:4 flattens 49:4 flatter 106:16 flavor 14:15 flexibility 140:24 floor 17:4, 75:7, 82:10, 82:12, 83:17, 86:25, 91:10, 91:17, 96:10 floors 82:7, 91:11 flow 116:11, 116:13, 116:16, 116:17, 116:18, 116:22 focused 43:8, 92:14 fold 88:21 folks 17:20 follow-up 107:1 following 29:24
---	--	--	--

follows 9:2, 34:7, 74:21, 110:2, 122:8, 135:17 food 38:15, 38:25, 60:1, 60:7 foot 39:24, 48:11, 50:16, 50:18, 65:13, 66:22, 90:21, 99:14, 102:4, 106:14, 106:18, 133:6 foot-candle 133:2, 133:15 footage 99:2 for-profit 21:8 forced 81:22 foregoing 145:4, 145:5 foremost 112:15 forest 123:21, 123:23, 124:5, 124:18, 124:19, 124:20, 125:10, 125:12, 125:17, 125:18, 125:20, 125:21, 125:25, 126:5, 126:13 forestation 125:22 forested 49:16 forks 69:17, 70:14 form 39:9, 67:11 formed 10:23, 14:7 forms 39:10 formula 58:12, 58:14	fort 11:20 forth 22:7, 66:8 fortunate 42:5 forward 26:17, 29:5, 78:9, 121:5 found 136:24 four 91:12, 93:5, 119:17, 119:20, 120:3, 127:7, 127:11, 128:20 four-story 79:10 fox 42:15, 42:16, 66:17 frail 15:8 fraternal 59:25 frederick 5:8, 13:21, 13:23, 14:17, 39:23, 47:4, 48:10, 50:16, 50:20, 51:8, 52:17, 66:23, 70:12, 77:12, 85:20, 92:12, 92:13, 94:10, 99:12, 101:15, 111:23, 115:1, 118:21, 119:22 frequently 17:10, 19:7 frey 3:16, 8:12, 8:17, 36:19, 36:20, 36:24, 37:3, 37:6, 142:14 friday 8:17, 18:14,	18:21, 136:10 friday's 143:3 friends 15:3 front 57:9, 57:12, 64:24, 65:3, 70:13, 71:15, 77:8, 81:25, 82:19, 83:7, 85:5, 85:10, 86:12, 89:24, 91:14, 92:25, 93:24, 94:9, 95:17, 103:18, 104:2, 128:15 front-yard 64:25 frontage 49:17, 49:20, 49:22, 66:25, 125:8, 129:7 fronting 46:17 fsd 124:23, 124:24, 125:4 full 15:4, 94:4 full-mounted 133:6 fumes 86:11 function 84:10 fundamental 95:25 funded 18:6, 29:4 funds 27:5 further 22:15, 32:8, 33:13, 39:2, 78:4, 82:8, 104:19, 108:14, 121:13, 134:15,	138:7 future 14:4, 26:10, 50:19, 51:18 <hr/> <p style="text-align: center;">G</p> <hr/> gaining 28:22 gallagher 1:5, 5:4, 9:23, 10:24 games 21:3 gap 28:14 garden 17:15 garden-type 90:2 gas 39:3, 46:20, 93:10, 93:11, 118:11, 118:23, 118:24 gathering 56:25, 86:23, 88:20, 89:11, 91:15 gatherings 5:18 gave 96:3 general 10:24, 15:11, 28:23, 36:7, 40:3, 66:21, 132:21 generate 106:19, 136:25 generated 46:10, 67:20 generator 68:20, 68:24, 86:3, 86:5, 86:8 generator's 86:14 generous 66:6
--	---	---	--

Transcript of Administrative Hearing
Conducted on May 11, 2020

54

geometry 129:14 georgia 110:7 germantown 38:20, 42:15, 66:16, 94:12 getting 7:15, 23:8, 25:24, 28:2, 63:19, 94:25, 109:6 gionet 122:25 give 6:25, 10:13, 14:15, 27:15, 34:21, 36:1, 55:2, 56:18, 66:14, 69:11, 107:3, 112:6, 115:24, 119:9, 123:20, 123:24, 124:1, 127:1, 139:15 given 65:2 gives 56:9, 77:9, 77:10, 98:6, 104:11, 104:13 glad 6:25 glass 88:14, 89:22, 98:11 go 6:15, 9:16, 15:10, 16:17, 16:22, 17:12, 21:3, 23:10, 25:18, 26:5, 26:17, 28:10, 28:12, 28:16, 28:21, 32:3, 32:4, 33:24, 34:17, 38:18, 44:10, 44:14,	46:2, 47:13, 47:21, 52:7, 54:21, 56:7, 57:20, 61:3, 63:23, 67:2, 69:18, 69:19, 70:12, 73:3, 73:5, 73:22, 74:8, 75:15, 77:8, 80:6, 80:13, 82:12, 83:14, 83:18, 83:25, 86:5, 87:7, 90:13, 91:10, 91:23, 93:18, 94:4, 95:3, 96:10, 101:20, 102:13, 103:8, 109:10, 109:11, 110:15, 111:2, 111:9, 116:1, 122:15, 124:12, 124:15, 127:10, 128:11, 128:12, 131:10, 131:21, 131:22, 138:18, 139:4 goal 10:25, 26:14 goes 52:19, 53:4, 53:5, 53:9, 58:10, 79:7, 79:21 going 9:12, 14:20, 17:20, 20:2, 20:13, 20:17, 21:19, 21:23, 23:3, 24:18, 25:15, 27:1, 27:6, 40:6, 42:20, 43:6, 43:12, 44:4, 47:11, 48:21, 51:12, 52:3, 55:9, 56:5, 56:6, 58:24,	58:25, 60:6, 60:9, 60:13, 61:7, 63:23, 76:18, 79:15, 79:16, 85:10, 85:21, 87:5, 93:16, 94:14, 96:10, 96:25, 103:21, 107:5, 107:9, 113:23, 114:3, 114:5, 115:15, 128:18, 133:21, 139:1, 140:22, 140:24, 141:23, 143:10, 143:21 gone 134:1, 138:17 good 6:17, 7:12, 10:9, 44:10, 52:7, 54:11, 69:2, 73:7, 77:9, 77:10, 77:23, 107:10, 108:12, 109:12, 127:6, 138:18, 140:21, 143:19 google 61:11 govern 15:15 government 16:19, 27:12, 27:13, 28:13 governor 73:7 governor's 5:18 grade 70:22, 70:25, 71:1, 72:2, 82:5, 83:23, 90:17, 99:11, 99:12, 99:17, 99:18, 107:16 graded 80:20	grades 90:11 grading 71:14, 79:21, 90:22, 106:14, 112:21, 113:19 gray 92:24, 94:3, 95:11, 95:13, 95:14, 98:7 great 13:4, 22:23, 26:18, 39:21, 43:7, 80:23, 88:20, 89:9, 132:11 greater 31:9 green 11:22, 17:16, 46:18, 64:12, 64:25, 65:2, 65:7, 65:8, 65:15, 84:21, 85:1, 86:8, 86:17, 90:21, 92:4, 92:7, 92:22, 107:8, 107:12, 108:3, 129:5, 129:13, 129:16, 129:19 green-area 64:17, 64:18, 127:17, 127:23 greet 89:13 grew 77:14 grills 86:19 ground 91:17, 102:5, 129:7, 129:19 ground-floor 82:15, 85:18 group 10:5, 20:23, 24:1, 32:13
--	--	---	---

groups 27:9 grow 19:16 guarantees 11:12 guarantor 10:6 guess 7:9, 22:24, 37:16, 49:10, 59:2, 65:1, 65:23, 98:21, 105:22, 109:12, 117:14 guessing 47:24 guidance 66:14 guide 118:16 guidelines 65:21, 66:9, 136:24 guru 8:14	70:6 hannan 1:20 happen 58:25, 66:15, 76:22, 89:14 happened 7:21, 8:6, 30:18 happens 21:2 happy 113:20 hard 48:5, 82:17, 98:25, 124:6 hardscape 86:22 harm 68:5, 68:14 harmonious 32:19 harmony 133:23 headlights 80:16 health 68:15 hear 25:15, 26:20, 38:18, 74:11, 74:12, 80:4, 105:15, 105:20, 105:23, 109:16, 114:9, 123:9, 137:13, 137:16, 137:18 heard 32:12, 42:8, 99:7, 113:7, 113:8, 140:4, 141:2 hearings 1:2 heat 107:14, 108:1 heater 93:3, 93:9	heating 19:10, 93:4, 107:20 height 99:8, 99:9, 99:10, 99:13, 99:14, 99:16, 99:17, 101:10, 133:8 height-wise 101:21 heights 80:21, 102:2 held 32:7 help 8:15, 11:20, 13:9, 20:10, 26:7, 37:13, 93:12, 102:12, 133:22 helpful 105:11 helps 57:2, 86:11 here 7:6, 13:11, 14:18, 20:21, 24:8, 24:16, 24:17, 27:17, 57:10, 58:20, 70:7, 73:12, 80:10, 83:14, 85:2, 86:4, 89:2, 93:15, 94:21, 95:10, 96:24, 97:9, 97:17, 98:4, 98:10, 102:25, 103:22, 108:2, 113:14, 127:8, 127:11, 128:24, 129:17, 138:10, 138:17 here's 76:20 hereby 145:5	hereunto 145:13 heritage 79:18 hesitant 81:18 high-efficiency 108:1 high-rise 14:21 highest 48:16 highlight 113:12 highly 14:12 highway 32:23, 39:23, 55:21 hillside 70:23, 94:13 history 100:15 hit 90:17, 137:16 hobbies 84:9 hobby 84:13 hold 44:2, 99:4, 101:22, 111:9 holding 5:19, 31:11 holidays 21:22 holy 40:21 home 9:7, 9:13, 62:13 homeless 78:2 homes 69:9, 72:7 honest 139:24 honeysuckle 48:14
H			
hairdressers 40:18, 72:25 half 79:11 halfway 38:20 hand 8:22, 34:2, 74:16, 109:21, 118:22, 122:3, 135:12, 145:14 handicapped 58:5, 58:18, 59:11, 65:12 handle 20:13, 21:19, 21:23 handled 59:1 handling 58:23, 69:4,			

<p>hook 17:13 hope 24:19, 29:4 hoped 22:14 hopefully 26:9 horizontal 95:20, 98:9, 102:7 hospital 40:21, 42:6 hot 93:3, 93:9, 93:12, 107:19 hotels 32:8 hours 18:11, 18:13, 18:15, 18:20 house 39:17, 52:16, 61:17, 81:4, 81:7, 92:15, 93:15, 101:6 household 30:5, 30:10, 31:4 households 14:25, 30:15, 30:20, 31:6 houses 80:18, 97:20 housing 10:7, 10:11, 10:17, 11:3, 11:18, 12:5, 12:6, 16:19, 17:25, 18:2, 18:5, 26:23, 27:9, 27:14, 29:2, 31:23, 32:16, 33:7, 33:9, 78:3, 84:23, 100:6, 100:13, 100:17, 100:23, 102:19,</p>	<p>106:6, 107:11, 107:20 how's 48:8 however 27:20, 48:22, 55:7, 62:16, 64:16, 66:19, 71:17, 93:13 hud 75:13 human 96:21 hummon 1:26, 2:13, 145:2 hundred 99:4 hundred-unit 18:16 hvac 92:3 hydraulic 114:14, 116:14</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>icon 94:11 idea 14:1, 69:12, 106:5, 141:2 ideas 102:15 identical 91:13 identified 17:24 identify 6:15, 40:12 identifying 9:14 illuminate 133:6, 133:9 illumination 133:15 illustration 54:22, 56:10 illustrative 119:8, 126:25</p>	<p>image 37:11, 104:6 immediately 19:6, 39:12, 52:22, 53:1, 59:11, 60:4 impact 68:11, 72:7, 79:22, 81:5, 137:4 impacted 44:25 important 6:3, 11:2, 111:11, 126:23 impose 66:1 inch 114:1, 114:5, 115:1 inches 99:14 include 17:17, 45:23, 139:25 included 30:1, 46:1, 47:4, 67:14 including 13:20, 58:18, 112:20 income 14:20, 14:22, 16:2, 18:3, 27:9, 29:23, 29:24, 30:12, 30:13, 30:19, 31:1, 31:19, 106:19 incomes 15:4, 30:3, 30:6, 30:8, 30:16, 30:21, 30:23 incoming 139:12 inconsistent 106:5</p>	<p>incorporated 7:8, 101:3 incorrect 141:6 increases 108:10 incredible 108:3 indentation 89:8 independent 5:5, 14:16, 14:19, 24:9, 67:25 independently 15:9, 20:19, 68:10 indicate 116:10 indicates 36:14 individual 20:22 individuals 14:25 industry 111:22, 111:23 influencing 43:6 information 9:14, 22:10, 85:23, 85:25, 111:16, 116:13 ingress 47:8 inherent 67:14, 67:18 initiate 121:3 inquiry 109:13 inside 50:1, 85:2, 115:8, 115:10, 115:11 install 115:4 installed 118:18</p>
--	---	--	---

installing 115:15 institutional 41:8, 41:9 instructions 5:22, 5:24 intend 13:22, 55:7 intent 125:1 intentions 16:11 interacts 47:3 interest 20:1, 32:7, 32:11, 33:6, 107:6, 145:12 interested 52:21 interesting 16:10, 49:17, 96:3, 107:4, 111:6, 127:22 interim 134:10 interior 56:24 interiors 17:23 internal 45:12, 59:14, 66:7, 68:24, 69:10 internet 17:9, 17:10, 17:13 interrupt 6:6, 35:8 intersection 5:8 introduce 32:3, 107:3 introduced 28:24 introduction 83:10 invitation 5:24	inviting 32:9 involved 23:18 irregular 38:5 irregularly 38:1, 38:6 island 12:11, 107:14 issue 25:16, 87:20, 114:19, 139:13 issues 8:15, 20:14, 58:21, 59:5, 121:9 istanbul 111:8, 111:13 it'll 108:7 item 138:19 items 127:11, 131:3 itself 64:17, 97:25, 98:23, 127:15, 139:19	jody 3:3, 6:18, 25:4, 43:18, 78:10, 83:9, 141:8 johnson 3:17 join 5:24 joined 6:10 jon 3:16, 8:12, 36:19 jr 3:12, 4:6, 74:18, 75:1 july 145:16 jumped 8:17 jumping 142:14	63:19, 67:7, 78:25, 98:25, 100:24, 109:6, 113:9, 114:9, 119:10, 123:24 kinds 14:24, 19:12, 21:11 kinks 142:9 kitchenette 88:15 kitchenettes 93:6 knew 70:6, 73:16 know 7:14, 21:10, 21:22, 24:18, 24:21, 26:2, 36:23, 37:3, 45:23, 48:7, 48:8, 58:25, 63:1, 65:22, 69:22, 77:16, 81:6, 82:17, 100:2, 100:5, 100:12, 100:19, 100:21, 102:21, 105:16, 106:7, 107:12, 107:20, 115:20, 115:23, 119:6, 124:1, 124:7, 127:21, 129:10, 129:13, 134:10, 136:3, 137:14, 139:23, 140:15, 140:19, 140:20, 141:16, 141:22, 142:1, 142:24 known 77:13, 77:15
		<hr/> K <hr/> keep 71:3, 79:17, 87:20, 94:24, 96:9, 97:2, 140:23 keeping 6:5, 102:8 keeps 94:25 kennedy 21:4 kept 65:6, 86:12 kind 11:8, 14:15, 16:6, 16:7, 18:4, 23:15, 32:25, 33:9, 40:1, 41:24, 43:14, 46:14, 48:5, 49:6, 54:9, 56:8, 56:15, 59:17,	
	<hr/> J <hr/> j-a-n-e 34:12 james 3:10, 4:2, 7:24, 8:24, 9:5 jane 3:11, 4:4, 8:2, 33:23, 34:4, 34:11, 78:7, 79:3, 84:20, 99:7 jane's 80:14, 86:20, 90:20, 95:6 jim 7:5 job 1:24		
			<hr/> L <hr/> land 15:15, 34:13, 34:23, 34:24,

<p>35:5, 35:13, 35:20, 35:23, 49:13, 68:4, 133:24 land-use 23:8, 28:23, 35:11 landscape 35:4, 71:19, 90:4, 90:19, 98:3, 101:25, 122:20, 122:23, 123:1, 123:4, 123:16, 127:8, 131:3, 131:17 landscaped 71:18 landscaping 65:7, 65:11, 71:22, 80:22, 97:15, 97:17, 101:23, 126:22, 128:20, 130:2, 130:5, 130:8, 130:25, 131:14, 133:20, 133:21 lane 55:23 language 141:10, 142:16 lap 94:6, 95:20 large 12:18, 77:19, 82:19, 84:3, 85:15, 86:21, 86:23, 87:9, 88:11 largely 48:13 larger 36:12, 83:2, 88:18 largest 11:18 last 11:15, 12:16, 30:14, 34:12,</p>	<p>37:3, 51:23, 65:16, 73:9, 110:6, 110:12, 122:12, 136:9, 143:3 lastly 129:6 later 16:22, 80:13, 83:8, 118:19 latest 64:20 laundry 93:8 law 6:19, 6:22, 30:18, 111:2, 123:5, 123:23, 124:18, 125:22 layer 101:23 layout 55:1, 56:15, 86:22, 132:21 lead 9:25, 91:5 leading 100:24 leads 90:10 leak 19:4 least 18:19, 23:13, 23:15, 79:18, 79:22, 100:7 leave 14:3, 26:1, 70:18, 73:25, 79:14, 84:17, 90:17, 109:9, 114:8, 142:18, 142:19, 143:10, 143:16 leaving 105:9 left 10:20, 38:7,</p>	<p>49:25, 79:5, 82:18, 87:25, 88:11, 91:3, 92:14, 95:13, 97:14, 106:14, 138:19 left-hand 55:23, 70:12 lends 49:6 length 49:19 less 30:7, 40:1, 41:13, 41:16, 55:14, 61:19, 61:25, 62:13, 64:8, 67:3, 67:4 let's 7:2, 27:3, 35:25, 66:12, 73:21, 83:14, 113:22, 126:21, 139:15 letter 114:17, 126:6, 126:13 level 82:9, 93:25 lewis 122:25 libraries 41:17 library 17:6, 84:3 library-type 84:10 licensed 112:24 lies 66:16 life 107:13 lift 69:18, 70:14 light 57:2, 80:19 lighting 86:7, 132:19,</p>	<p>133:1, 133:20 lights 133:13 likely 14:12 likes 66:1 limiting 5:18 limits 23:18, 30:12 line 44:19, 44:22, 44:23, 49:24, 50:1, 51:1, 51:4, 51:7, 51:14, 51:18, 71:25, 80:16, 81:2, 114:25, 115:2, 115:3, 116:6, 116:7, 118:15, 118:20, 118:23, 132:4 linear 49:19 lines 43:11, 48:6, 48:24, 49:1, 50:7, 50:8, 114:11, 114:20, 114:22, 131:25 link 82:7 linking 98:11 list 6:1, 126:10 listen 5:12 listening 8:14, 76:17 lists 16:4 literacy 19:24 little 16:21, 22:15, 32:8, 39:8,</p>
--	--	--	---

48:3, 49:4, 49:11, 52:4, 52:5, 54:23, 56:9, 68:11, 72:6, 81:4, 83:15, 86:16, 97:21, 98:21, 101:5, 129:11 live 15:2, 15:3, 15:9, 15:25, 100:14 lives 15:4 living 1:7, 5:5, 14:19, 20:18, 23:25, 24:3, 40:15, 67:25, 100:10 llc 1:6, 5:4, 10:2, 10:5 loading 58:17 lobby 17:2, 83:9, 83:11, 85:18, 87:9, 88:10 local 27:12, 28:12, 136:23 locate 37:13 located 5:7, 32:20, 36:3, 36:9, 44:20, 56:3, 56:22, 69:6, 69:7, 81:9, 85:19, 136:1 location 37:13, 40:3, 85:19, 114:11, 118:18 locations 68:1, 120:4, 139:12	logo 104:8 long 52:20, 75:23, 76:8, 77:15, 78:10, 111:25 long-term 59:9, 59:15 longer 19:22, 143:2 look 18:4, 65:1, 71:23, 75:22, 82:9, 86:25, 89:21, 90:6, 90:7, 90:20, 94:9, 94:21, 97:23, 101:6, 106:1, 107:21, 130:12, 139:8, 142:2 looked 65:22, 77:21, 81:15, 93:11 looking 37:24, 38:7, 44:17, 46:12, 52:2, 54:17, 54:18, 54:19, 57:10, 79:5, 81:6, 82:8, 89:17, 89:18, 92:11, 92:17, 97:16, 98:12, 101:24 looks 36:25, 59:20, 61:17, 63:4, 92:10, 98:4 loop 56:21, 69:19 lost 111:10 lot 26:22, 38:25, 39:1, 48:14, 49:12, 53:1, 59:20, 59:23,	60:12, 64:17, 64:19, 76:17, 77:21, 79:14, 81:23, 87:12, 89:13, 93:25, 95:25, 97:19, 100:3, 102:3, 102:18, 103:21, 103:22, 108:11, 119:19, 130:14, 130:22, 131:1, 132:3, 138:17 lots 54:3, 88:14, 127:13 loudly 128:6 lounge 89:23, 89:25, 90:6, 91:16 lounges 17:5, 66:7 louvers 133:9 love 32:24, 100:14 loved 89:10 low 14:20, 18:3, 31:19 low-income 17:24, 18:2, 18:5, 27:14, 84:23 lower 27:24, 50:9, 71:4, 71:7, 71:25, 72:1, 72:4, 82:4, 82:9, 86:18, 90:7, 94:1, 95:3, 96:12, 97:21, 98:5, 99:19 lsg 122:25 lucky 29:7	lunch 109:4 lush 134:7 lyft 24:10 lynn 1:20, 5:10 <hr/> M <hr/> m-a-h-m-u-t 110:6 ma'am 60:17, 72:19, 73:24, 126:18, 131:8, 134:23, 135:1, 137:11, 140:12, 142:3 madam 22:11, 25:20, 76:6 made 99:18, 106:9, 106:10, 129:18, 134:2 magnitude 71:13 mahmut 3:13, 4:8, 109:24, 110:5 mail 88:1 mailed 5:20 mailroom 88:1, 88:4 main 17:4, 79:17, 83:8, 85:18, 87:2, 88:10, 88:12, 89:20, 96:24, 114:1, 114:2, 114:5, 127:7, 133:1 mainly 119:19 mains 114:4
---	--	--	---

Transcript of Administrative Hearing
Conducted on May 11, 2020

60

<p>maintain 17:8</p> <p>maintenance 18:19, 19:2, 19:6, 85:3, 92:22, 99:20</p> <p>major 19:4, 23:17, 128:20</p> <p>majority 48:18, 125:2, 127:25</p> <p>make 10:25, 16:15, 16:25, 18:4, 23:15, 23:16, 35:1, 59:17, 60:7, 70:5, 76:21, 81:14, 87:19, 92:6, 94:15, 96:3, 99:21, 100:9, 108:9, 117:14, 121:10, 139:11</p> <p>makes 45:24, 57:6</p> <p>making 23:10, 79:2, 105:21, 106:15</p> <p>manage 18:8, 32:17</p> <p>management 10:3, 11:8, 19:19, 92:5, 92:7, 107:15, 111:15, 113:18, 119:5, 119:10, 119:12</p> <p>manager 18:18, 34:25, 87:18, 110:19, 112:12</p> <p>manhole 114:6</p> <p>manned 84:14</p> <p>manner 32:19</p>	<p>many 6:1, 14:23, 15:3, 15:11, 18:8, 20:19, 23:9, 24:9, 25:15, 37:3, 42:5, 61:19, 71:16, 103:11, 103:20, 104:25, 107:18, 109:1, 134:8, 142:22</p> <p>map 37:12, 38:8, 61:11, 99:1</p> <p>march 124:23</p> <p>marked 53:11, 61:11</p> <p>market 28:1</p> <p>market-rate 31:12</p> <p>market-rate-like 18:7</p> <p>maryland 2:14, 3:6, 5:8, 16:15, 29:6, 34:16, 37:21, 38:19, 38:21, 40:24, 46:19, 62:22, 84:23, 110:10, 110:22, 111:17, 112:10, 112:24, 114:2, 119:14, 122:14, 145:22</p> <p>mass 98:24</p> <p>massive 96:5, 98:1, 102:4</p> <p>master 42:16, 49:2, 50:2, 50:4, 50:9, 50:11, 50:15, 50:17, 50:21, 50:22, 50:25, 51:4,</p>	<p>51:6, 51:13, 51:20, 66:13, 66:17, 66:20, 67:6, 67:8</p> <p>master's 111:15</p> <p>material 97:5, 129:20</p> <p>materials 7:15, 35:1, 94:6, 97:4, 98:6, 101:2, 102:1</p> <p>matter 2:2, 47:11, 47:12, 100:16, 100:19</p> <p>maximum 19:14, 99:16, 133:15</p> <p>maybe 10:13, 19:16, 19:25, 20:6, 21:2, 25:22, 25:23, 37:4, 48:3, 54:10, 106:9, 106:16, 109:4, 118:11, 119:7, 123:11, 139:5, 140:4</p> <p>mclean 9:8, 9:10, 23:25</p> <p>md 119:21</p> <p>meadow 9:9, 11:22</p> <p>mean 19:21, 36:7, 56:6, 116:10, 130:1, 139:25, 143:13</p> <p>meaning 29:22</p> <p>means 5:11, 28:25, 102:20</p> <p>meant 126:19</p>	<p>measured 99:10, 99:16, 102:5</p> <p>measurement 64:20</p> <p>mechanical 92:21, 99:21, 115:6</p> <p>median 30:4, 30:9, 30:13, 30:16, 30:22, 30:24, 31:3</p> <p>medians 31:9</p> <p>medical 24:6, 40:12, 40:19, 40:22, 72:13, 72:24</p> <p>meet 16:1, 18:23, 29:3, 29:23, 64:16, 89:13, 131:14</p> <p>meeting 5:24, 6:10, 6:12, 8:4, 17:16, 27:1, 31:16, 32:7, 33:16, 74:1, 88:16</p> <p>meetings 88:19</p> <p>meets 61:15, 131:18, 132:13</p> <p>member 10:5, 111:20</p> <p>members 15:25, 17:11</p> <p>memory 70:20</p> <p>mention 103:18, 114:17</p> <p>mentioned 5:21, 16:3, 24:22, 70:11, 78:8, 79:3,</p>
--	---	--	--

Transcript of Administrative Hearing
Conducted on May 11, 2020

61

83:9, 84:20, 91:4, 92:9, 116:11, 119:4, 131:20, 139:3 mentioning 87:23 message 73:6 messed 83:14 messing 83:16 met 10:17, 16:20, 59:8, 64:3, 64:11, 64:12, 130:15, 134:4 meter 115:8, 115:11, 115:12, 115:13, 115:16 metro 12:11 michael 3:12, 4:6, 25:8, 74:18, 74:25, 76:12 micro-bioretent- on 119:17, 120:16 micro-bioretent- ons 119:20, 119:24, 120:3 microsoft 5:19, 8:14 middle 19:11, 19:12, 44:20, 65:9, 95:15, 95:18 middlebrook 1:9, 5:6, 42:18 midst 13:4 might 15:25, 17:12, 18:5, 24:16, 25:2, 104:25	mike 25:4 mile 40:16, 40:20, 42:20, 78:4 miles 5:7, 40:21, 41:15, 41:16 milestone 1:7, 12:16 miller 3:4, 6:19 mind 29:14, 117:19 mindful 143:1 mine 95:9 minimal 106:15 minimum 29:11, 71:4, 99:17, 132:4 minnesota 12:21 minus 31:6 minute 103:18 minutes 73:22 misread 139:6, 139:7 missed 111:11, 115:9 mistake 116:7 mitigate 86:12 mitigation 86:14 mix 15:17, 15:21, 15:22, 23:22, 29:24, 38:22, 42:13 mixed 47:16	mixed-use 42:13 models 12:22 moderate 14:20 modes 13:15 modest 15:4 modification 23:2 monday 1:15, 18:13, 18:21 money 28:15 monroe 3:5, 6:20 montgomery 1:1, 13:11, 15:16, 16:14, 27:4, 28:13, 28:21, 29:1, 30:2, 35:12, 38:21, 40:23, 40:25, 78:1, 78:2, 119:15, 126:4 month 27:22, 107:23, 140:20 more 6:5, 22:1, 30:23, 39:8, 40:6, 40:22, 42:17, 43:8, 43:13, 49:6, 49:11, 56:9, 57:2, 61:14, 66:21, 67:1, 77:15, 78:9, 79:12, 81:9, 82:13, 86:21, 86:22, 89:19, 90:1, 90:2, 91:23, 94:9, 96:20, 96:21,	102:6, 106:3, 109:1, 109:3, 112:3, 132:8, 132:9 morning 6:17, 18:16, 18:24, 142:17 most 11:25, 12:1, 12:2, 19:9, 19:22, 38:5, 48:21, 54:15, 77:22, 79:15, 89:3, 93:1, 101:14, 126:10 mostly 15:22, 85:6, 112:18 mother's 21:21 motion 5:21 move 29:5, 55:1, 69:6, 79:24, 86:24, 96:13, 121:4, 123:10 movement 138:4 movie 89:2, 89:3 movies 73:1 moving 88:10, 128:4 mpdu 31:19 much 18:7, 27:24, 32:6, 33:21, 43:8, 48:13, 49:17, 67:24, 68:22, 78:9, 82:8, 89:15, 90:1, 105:22, 113:5, 113:13, 123:17, 135:20, 140:24, 144:4
--	--	--	---

multi-wing 56:23 multifamily 15:15, 100:6 multiflora 48:14 multiple 12:17 multistory 102:6 multitude 40:16, 41:1 museums 21:4 must 56:1 mute 128:6 muted 128:9 myself 82:16 <hr/> <p style="text-align: center;">N</p> <hr/> name 5:10, 6:18, 9:4, 9:5, 24:21, 34:9, 34:10, 34:11, 34:12, 74:23, 108:19, 110:4, 110:5, 110:6, 110:12, 122:10, 122:11, 122:12, 135:4, 135:22 names 6:25 nana 3:17, 7:12 natural 67:14, 90:19, 101:25 nature 39:9, 57:2, 66:21 near 12:11, 37:19, 114:25, 127:25	nearby 103:25 necessarily 71:1 necessary 7:14, 11:12, 80:13 need 7:9, 20:25, 36:11, 40:6, 40:15, 43:22, 50:18, 53:18, 74:7, 84:24, 86:1, 87:19, 93:6, 131:1, 141:8 needed 40:4, 58:1, 72:15, 88:16, 88:19, 92:5, 92:6, 143:2 neighborhood 38:22, 42:13, 43:5, 43:10, 44:24, 45:1, 45:2, 46:4, 46:6, 47:2, 47:6, 47:14, 47:16, 63:16, 66:5, 67:7, 67:16, 67:24, 71:2, 88:18, 101:3, 102:9, 127:3 neighbors 32:3, 53:16, 68:16 neither 114:19, 145:10 net 125:13, 125:16 network 136:20, 137:5 never 50:24, 55:7 new 12:12, 66:1, 114:4, 142:20,	142:23 next 13:17, 29:9, 33:23, 38:2, 46:21, 60:9, 71:25, 74:5, 86:24, 91:10, 96:13, 121:23, 134:21 nice 33:2, 80:20, 89:11, 91:19, 92:8, 94:11, 94:14, 94:24, 142:6 nicole 3:15, 4:12, 135:5, 135:14, 135:24 nights 89:3 nine 61:25 nodes 40:4, 42:19 noise 86:12, 86:14, 105:22 none 6:14, 33:19, 73:18, 108:22, 121:20, 134:19, 138:12 noninherent 67:12, 67:23 nonprofit 23:24, 24:13 nonresidential 59:21 normally 62:5, 109:4 north 32:9, 32:24, 38:11, 38:13, 42:20, 55:2, 59:12, 59:22, 82:4, 82:21, 98:15, 131:25	north-end 96:16 northeast 12:11, 51:13, 83:1 northern 23:25, 48:22, 83:1, 132:7 northwest 59:19, 59:20, 75:7, 83:21, 136:1 not-for-profit 21:8 notarial 145:14 notary 2:13 notch 40:7 nothing 9:1, 34:6, 67:21, 74:20, 110:1, 113:13, 122:7, 135:16 notice 5:20, 36:25, 37:18, 60:1, 80:8 notices 32:7 noting 12:25 novel 13:8 noxious 86:11 nr 63:5, 63:16 nri 124:23, 124:24, 125:4 number 11:21, 11:25, 13:16, 13:19, 16:25, 20:21, 21:19, 27:25, 30:20, 34:15,
---	---	--	--

Transcript of Administrative Hearing
Conducted on May 11, 2020

63

36:13, 36:14, 43:22, 43:25, 54:1, 55:11, 58:10, 58:11, 61:9, 69:22, 75:21, 77:2, 77:23, 93:22, 104:12, 106:11, 106:18, 108:3, 110:9, 110:22, 124:1, 139:17, 139:20 numbers 19:2, 27:21, 27:25, 30:1, 77:3, 87:6, 123:25 numerical 65:17 numerous 40:22 nut 107:21 nuts 63:20, 98:21	125:15, 125:22, 139:12 offer 25:22, 76:9, 113:1, 136:11 offering 66:6 office 1:2, 6:23, 9:9, 18:13, 18:23, 19:1, 87:16, 87:17, 88:7, 135:25 officer 22:9, 125:23, 145:4 offices 6:20, 9:8, 18:11, 41:17, 47:17 offset 93:13, 93:17, 107:25 oh 38:3, 43:24, 53:1, 63:6, 75:11, 128:6 old 9:9, 88:6, 95:23 older 86:20 on-call 24:14 on-site 22:3, 66:6, 68:23, 125:14 once 40:5, 46:25, 73:4, 86:15, 114:16 oncoming 55:23 one 7:1, 7:3, 10:1, 10:8, 11:7, 11:20, 11:22, 12:3, 12:4,	12:5, 12:9, 13:21, 13:23, 16:7, 22:17, 22:18, 32:8, 32:23, 36:4, 36:5, 36:24, 40:6, 42:1, 42:7, 44:3, 47:23, 50:9, 54:20, 55:13, 57:14, 57:19, 59:10, 59:21, 60:16, 60:20, 60:21, 62:12, 63:23, 64:23, 65:16, 65:23, 67:18, 78:6, 79:23, 80:1, 82:2, 82:4, 83:6, 83:18, 84:20, 89:10, 89:23, 91:4, 91:12, 99:4, 99:19, 101:18, 102:3, 102:21, 102:22, 102:23, 104:2, 104:4, 107:13, 115:24, 117:1, 118:11, 124:20, 127:12, 128:1, 128:24, 133:5, 138:19, 139:15, 142:23 one-bedroom 15:18, 27:20 one-bedrooms 15:22, 15:23 one-story 89:25, 96:19 ones 24:15, 85:7, 118:11 online 113:7 only 28:2, 30:14, 55:22, 58:4, 62:19, 64:5,	65:14, 66:19, 88:7, 96:10, 96:25, 107:22, 107:23 ooh 17:24 open 25:24, 26:1, 73:5, 74:8, 82:2, 88:7, 89:7, 89:18, 98:5, 138:19, 142:19, 143:10, 143:17, 143:22 opened 88:13 opening 7:14, 95:9 opens 56:24, 57:1, 83:5 operate 12:7, 15:6, 24:13, 68:10 operated 32:19, 62:3 operates 23:24, 61:10 operating 12:13 operation 10:16, 13:15 operations 116:20 opinion 41:21, 68:4, 138:2 opportunities 13:20, 13:25, 14:24, 40:14, 41:1, 66:4, 134:9 opportunity 22:3, 25:21, 107:3, 137:8, 137:24 opposed 51:21
O			
o'clock 109:5 oaks 48:13, 125:2 oblong 38:4 observations 26:20 observed 61:6 obviously 75:23, 117:12 occasional 67:19, 67:20 occupants 29:22 occupied 37:7, 103:12 off-campus 21:13 off-site 22:6, 125:14,			

opposite 141:15 opposition 32:14 options 78:25 order 5:18, 16:13, 16:15, 16:24, 20:10, 29:16, 31:5, 53:17, 59:25, 71:13, 119:18 ordinance 29:10, 31:18, 31:23, 58:15, 63:4, 63:20, 65:5, 68:3, 100:25, 101:1, 101:7, 131:16, 141:21 organization 10:4, 13:24 organizational 14:2 organizations 11:9, 21:7, 24:13 organize 20:4 originally 78:8 ornamental 127:16, 129:4, 129:19 other 6:7, 12:5, 12:25, 19:2, 19:3, 20:24, 23:21, 39:16, 43:11, 63:14, 64:23, 67:24, 67:25, 72:14, 80:24, 89:13, 89:23, 91:21, 100:2, 103:19, 117:1, 118:9, 118:12, 118:22,	122:23, 132:13, 135:19, 143:14 others 24:11, 78:11, 127:9, 128:22 otherwise 22:24, 145:12 ourselves 12:8, 20:3 out 8:1, 8:18, 10:22, 17:21, 20:10, 22:5, 23:7, 32:3, 32:7, 39:1, 45:6, 49:4, 50:17, 55:21, 60:4, 69:18, 70:17, 77:18, 88:24, 90:1, 90:14, 90:24, 91:16, 91:18, 92:12, 94:16, 94:25, 95:2, 96:6, 97:10, 97:14, 98:12, 106:7, 106:8, 142:7 outcome 145:12 outdoor 17:14, 86:23 outgoing 139:13 outline 43:14 outlines 131:13 outreach 32:4 outside 41:18, 84:21, 90:15, 115:14, 133:13 over 11:15, 13:8, 13:17, 27:18, 81:20, 92:12,	94:24, 100:6, 100:22, 108:19, 128:19 overall 46:14, 64:13, 106:17, 108:7, 112:13 overflows 119:23 overkill 24:12 overlooked 87:10 overpower 97:5 overpowering 94:16 overstating 17:19 overtop 81:16 overview 34:22, 56:18, 77:9, 77:10, 119:9, 123:21, 123:24 own 11:23, 11:24, 12:7, 12:19, 13:16, 14:1, 17:12, 24:3, 24:9, 93:7, 93:9, 95:9, 107:2 owner 53:20, 84:16, 106:19, 108:8 owners 20:23 ozah's 5:23, 5:25	packages 88:5, 88:8 packet 88:1 page 4:2, 4:4, 4:6, 4:8, 4:10, 4:12, 43:17, 44:9, 63:21, 87:6 pages 1:25, 128:4 panels 107:8 paper 137:16, 137:22 parallel 50:1 parameters 15:14 parapets 99:20 parcel 1:8, 5:6 pardon 60:15 park 3:14, 4:10, 11:20, 22:3, 22:6, 39:22, 42:19, 53:2, 64:15, 65:21, 71:21, 78:10, 79:17, 84:25, 121:24, 121:25, 122:1, 122:3, 122:5, 122:12, 122:19, 123:19, 126:21, 129:25, 132:18, 133:19, 134:14, 134:18, 134:20 parked 60:1, 61:9, 80:17 parking 20:21, 21:19, 22:1, 38:25, 39:1, 58:3,
--	---	--	---

58:5, 58:9, 58:15, 58:16, 59:7, 59:11, 59:20, 59:23, 60:23, 64:3, 64:9, 64:13, 71:1, 80:7, 80:8, 80:11, 81:17, 84:20, 84:25, 93:25, 101:11, 102:19, 102:22, 102:23, 102:25, 103:11, 104:14, 104:17, 104:18, 119:19, 127:12, 129:1, 130:14, 130:19, 130:22, 131:1, 131:4, 132:3, 132:10, 133:7 parkside 39:19 part 33:3, 38:5, 49:7, 53:21, 62:7, 72:8, 75:20, 85:1, 92:25, 93:1, 95:17, 114:12, 115:2, 115:3, 117:4, 119:16, 126:23, 131:2 partially 79:12 participating 142:12 particular 46:10, 55:10, 66:19, 67:18, 67:22, 101:16 particularly 133:10 particulars 15:11 parties 88:25, 145:11 partner 10:17, 10:19	partners 12:7 partnership 10:23, 10:24 parts 106:13, 107:17 path 66:24 paved 86:21 paving 112:21 pay 107:22 peaceful 68:6 peak-hour 137:1 pedestrian 138:4 pedestrians 133:10 pending 119:24 people 14:19, 18:8, 18:18, 18:20, 20:7, 20:10, 20:18, 22:3, 22:7, 24:11, 25:15, 29:1, 30:5, 31:7, 55:22, 61:19, 84:7, 88:8, 89:9, 89:12, 91:20, 92:19, 94:25, 99:21, 100:10, 100:18, 104:15, 141:22 percent 30:4, 30:9, 30:12, 30:16, 30:22, 30:23, 31:2, 31:3, 64:19, 100:7, 102:20, 125:7, 127:23, 129:12, 129:16, 131:4	percentage 84:24 percentages 29:12, 31:20 perfect 101:8 perform 116:17 pergola 92:8, 92:10, 98:15 perhaps 15:8, 29:7, 131:25 perimeter 48:19, 80:17, 93:21, 97:22, 127:12, 128:25, 130:22, 133:3 period 123:1 periodically 6:9, 84:15 permit 114:13 permitted 67:10, 99:8 permitting 119:16 person 18:19, 19:7, 24:4, 137:1 personal 9:14 persons 62:16 pfcp 124:13 phase 12:17 phases 12:17 phillip 22:12 phone 118:12, 123:10, 134:17 photograph 40:1	photometric 132:24 photovoltaic 93:1, 93:2, 93:14, 107:19 physically 17:22 pick 22:18, 22:25, 89:11 picked 95:1 picnic 86:19 picnics 19:21 picture 6:21, 135:19 piece 95:13, 137:16 pieces 29:8, 94:18, 95:16 pike 12:24, 13:21, 32:9, 32:11, 32:25, 33:3, 45:8, 114:3 pipeline 13:20 pitch 101:20 place 30:17, 34:15, 54:11, 89:9, 89:12, 110:9, 122:13, 127:6, 133:22 placed 67:22, 92:10 places 40:12, 102:13, 112:7 placing 81:16 plan 23:9, 42:16, 47:25, 49:2,
---	--	--	---

50:2, 50:4, 50:9, 50:11, 50:15, 50:17, 50:21, 50:22, 50:25, 51:5, 51:6, 51:12, 51:14, 51:17, 51:20, 52:4, 53:11, 53:20, 53:22, 54:6, 54:12, 54:16, 64:1, 64:13, 66:13, 66:17, 66:20, 67:6, 67:8, 68:24, 71:16, 71:22, 79:5, 79:7, 81:23, 82:15, 83:17, 84:2, 86:16, 86:20, 88:10, 89:18, 90:20, 91:10, 91:24, 95:6, 113:20, 116:4, 116:5, 119:8, 121:3, 123:22, 124:6, 124:7, 124:19, 124:20, 125:11, 125:12, 125:17, 126:1, 126:5, 126:13, 126:17, 126:25, 127:8, 127:19, 127:22, 127:24, 128:20, 129:11, 129:18, 130:5, 130:7, 131:2, 131:17, 132:19, 132:24, 134:8, 134:11, 137:25 plan's 51:19 plane 99:11, 99:12 planner 34:13, 35:23, 59:3, 66:12, 68:4, 136:6	planners 75:2 planning 28:24, 34:24, 35:5, 35:11, 35:14, 35:20, 65:21, 78:10, 79:17, 112:19, 114:14, 116:14, 122:21, 126:4, 126:6, 126:12 plans 82:12, 115:22, 132:22, 133:20 plant 129:20 planted 127:25, 131:5 planting 127:12, 128:22, 128:25, 129:2, 132:9, 134:3, 134:7, 134:10 plantings 127:9, 127:14, 127:17, 127:19, 129:4, 129:6, 134:2 platform 101:8 platted 121:4 pleasant 134:11 please 6:6, 8:22, 9:3, 10:12, 34:2, 34:8, 34:10, 36:6, 50:5, 60:14, 74:15, 74:22, 109:21, 110:3, 119:6, 122:3, 122:9, 135:3, 135:11, 135:21, 135:23 plumbing 115:7 plummer 39:4, 39:19,	45:3, 46:19, 47:1, 62:21 plus 11:15, 31:5, 72:5, 80:20, 80:21, 103:1, 125:14 point 22:12, 23:7, 23:12, 39:24, 48:12, 48:16, 68:12, 79:9, 81:3, 84:16, 94:2, 97:8 pole 133:13 poles 118:16, 133:14 police 41:13, 41:14, 41:15 poorly 108:19 pop 54:23 poplars 48:13, 125:3 popped 117:16, 117:21 population 23:3 port 98:11 porte 57:16 porte-cochère 94:23 portfolio 10:10, 10:14, 32:17 portion 48:18, 83:1, 92:6 portions 81:16 posed 32:14 position 34:23, 112:11	possibility 5:21 possible 44:5, 81:5 possibly 19:16 post 5:23, 41:17 posted 5:25 posting 7:7 practiced 36:23 practicing 75:23, 112:1, 112:2 precise 15:13 prefer 23:16 preference 22:25 prehearing 75:20 preliminary 28:25, 51:16, 53:22, 54:5, 85:25, 116:4, 121:2, 123:21, 124:5, 125:25 premature 23:12, 24:20 prepare 53:18 prepared 119:5, 132:19, 136:22 presence 101:17 present 3:9, 15:17, 98:1 presentation 142:5 presently 120:25 presents 98:2
--	---	--	--

<p>preserve 55:8</p> <p>president 75:1</p> <p>pressure 85:24, 86:1, 117:1, 117:4, 117:7, 117:8, 117:9, 117:13, 117:22, 118:3</p> <p>pretty 12:22, 15:13, 96:7, 143:7</p> <p>previous 115:22</p> <p>previously 122:22</p> <p>pride 100:10</p> <p>primarily 10:2, 11:8, 24:13, 125:7, 129:1</p> <p>primary 10:4, 17:3, 18:12, 27:12</p> <p>principal 13:24, 14:12, 135:25</p> <p>principles 112:17</p> <p>printers 84:8</p> <p>privacy 87:20</p> <p>private 38:24, 41:23, 46:22, 59:25, 62:24</p> <p>probably 10:9, 40:6, 47:24, 49:10, 51:24, 52:8, 70:1, 72:9, 101:4, 105:15, 127:5, 137:15, 137:16, 143:6</p> <p>problem 104:23</p>	<p>problems 114:10</p> <p>proceeding 14:13</p> <p>proceedings 1:13, 2:1, 145:7</p> <p>process 28:12, 28:24, 29:5, 54:5, 114:13, 121:4</p> <p>produce 67:23</p> <p>producers 111:20</p> <p>product 33:9</p> <p>profession 110:18, 110:20, 122:19, 122:20</p> <p>professional 2:13, 35:3, 41:21, 68:4, 68:12, 111:18, 145:3</p> <p>proffering 35:20</p> <p>program 20:16, 22:17, 22:21, 22:22, 24:22, 28:6, 30:17, 139:10, 139:22, 140:2, 140:6</p> <p>programmatically 12:14</p> <p>programmed 84:15</p> <p>programs 20:8, 108:12</p> <p>progress 22:15</p> <p>project 10:8, 10:14, 12:9, 12:15, 12:19, 12:21, 12:23, 13:19, 17:1, 29:20,</p>	<p>32:14, 34:25, 56:19, 110:19, 112:12, 112:14, 121:11, 126:23</p> <p>projected 50:17</p> <p>projector 89:2</p> <p>projects 10:7, 10:13, 11:13, 11:17, 11:19, 11:25, 12:7, 13:25, 16:15, 89:25, 112:8</p> <p>prominent 94:14</p> <p>prompted 105:14</p> <p>properties 11:5, 13:1, 13:16, 15:15, 19:8, 20:24, 39:6, 41:9, 41:19, 41:20, 44:20, 44:25, 45:5, 45:9, 45:11, 46:5, 46:17, 46:18, 47:5, 52:5, 52:13, 55:8, 60:10, 63:14, 68:8, 79:1, 87:12, 100:9, 104:17, 133:14</p> <p>property 1:5, 5:4, 5:6, 9:23, 9:24, 10:1, 10:2, 10:10, 11:7, 18:17, 19:19, 23:9, 36:2, 36:8, 37:14, 37:17, 38:6, 38:14, 38:19, 38:23, 39:5, 39:6, 39:12, 39:13, 40:10,</p>	<p>40:11, 42:23, 43:9, 45:10, 45:16, 45:20, 46:6, 46:15, 46:21, 48:1, 48:9, 48:19, 48:23, 49:22, 51:18, 51:25, 52:11, 52:15, 52:17, 52:19, 52:21, 52:22, 52:24, 54:7, 55:2, 55:6, 55:16, 59:19, 60:5, 60:19, 61:7, 61:16, 63:4, 66:15, 66:16, 66:19, 66:21, 66:25, 67:13, 68:17, 71:7, 71:11, 71:23, 76:21, 77:22, 78:1, 79:2, 79:4, 81:2, 100:13, 104:9, 104:16, 113:24, 114:24, 118:10, 118:25, 120:24, 123:24, 130:15, 131:25, 132:4, 132:6, 132:7, 133:3, 133:16, 133:22, 136:25</p> <p>property's 55:17</p> <p>proposal 29:4, 31:2, 45:1, 68:13</p> <p>propose 133:22</p> <p>proposed 10:8, 13:12, 32:18, 42:2, 56:3, 68:5, 119:19, 120:20, 136:19, 137:25, 138:5</p>
--	--	--	--

Transcript of Administrative Hearing
Conducted on May 11, 2020

68

<p>proposing 12:23, 119:17</p> <p>prosecute 62:10</p> <p>protected 59:14</p> <p>protects 127:3</p> <p>proud 33:12</p> <p>prove 55:9</p> <p>provide 16:5, 16:12, 17:8, 21:9, 24:14, 35:5, 40:4, 53:21, 104:2, 117:3, 129:20, 132:6, 132:7, 132:21, 134:2, 134:11, 140:1</p> <p>provided 16:1, 27:11, 27:13, 35:2, 55:15, 55:18, 58:5, 58:13, 59:13, 65:4, 65:7, 66:24, 69:15, 80:10, 103:5, 114:16, 117:9</p> <p>provides 11:12, 56:20, 80:22</p> <p>providing 24:16, 31:23, 33:9, 58:16, 138:20</p> <p>provisions 68:2, 107:4</p> <p>przy 73:13</p> <p>przygocki 3:11, 4:4, 7:25, 8:2, 8:5, 8:9, 33:23, 34:1, 34:4,</p>	<p>34:11, 34:21, 35:8, 35:10, 35:25, 37:10, 39:8, 39:25, 40:9, 42:10, 43:4, 43:14, 44:17, 47:20, 49:10, 54:1, 54:25, 56:14, 61:6, 63:19, 67:12, 70:20, 72:9, 73:10, 73:15, 73:17, 113:8, 113:15</p> <p>public 2:14, 5:3, 33:6, 41:19, 42:14, 107:6, 113:23, 113:24, 121:8, 121:11, 145:1, 145:3, 145:21</p> <p>published 65:21</p> <p>pull 13:5, 47:23, 56:12, 70:14, 127:4, 131:25</p> <p>pulling 132:23</p> <p>pump 86:2, 86:5, 108:1, 116:25, 117:23, 117:24</p> <p>purchased 11:5</p> <p>purpose 45:24</p> <p>purposes 28:23, 43:5</p> <p>pursuant 2:12</p> <p>put 30:17, 69:12, 70:15, 71:15, 80:20, 101:20, 106:21, 107:15, 108:6, 123:20,</p>	<p>131:10, 133:23, 140:18</p> <p>putting 29:8, 80:8, 80:24</p> <hr/> <p>Q</p> <hr/> <p>qualified 35:10, 35:13, 75:25, 76:10, 110:25, 112:23, 123:3, 123:11, 136:4, 136:9</p> <p>qualify 76:13, 123:6</p> <p>quantify 41:3</p> <p>quarter 78:3</p> <p>question 9:21, 21:15, 21:22, 31:16, 32:21, 33:4, 42:8, 51:23, 60:9, 65:16, 73:9, 73:13, 100:25, 101:7, 101:9, 105:14, 105:15, 105:25, 107:2, 107:5</p> <p>question's 72:9</p> <p>questioning 68:22</p> <p>questions 7:18, 32:13, 33:13, 33:17, 33:22, 66:12, 72:11, 76:18, 104:19, 108:15, 108:20, 111:3, 113:17, 113:21, 121:14, 121:19, 134:15, 134:18, 138:7, 138:11</p> <p>quick 34:21, 77:10</p> <p>quickly 104:22, 132:24,</p>	<p>143:7</p> <p>quieter 90:3</p> <p>quite 29:25, 31:20, 42:4, 141:17</p> <p>quote 19:9</p> <hr/> <p>R</p> <hr/> <p>r 63:15, 67:9, 67:10, 67:11</p> <p>rack 59:12</p> <p>radii 40:9</p> <p>radius 41:18</p> <p>rail 50:19</p> <p>railing 92:19</p> <p>raise 8:22, 34:2, 74:15, 109:21, 122:3, 135:11</p> <p>rambling 47:11</p> <p>ramp 90:10, 90:12, 91:3, 97:11</p> <p>ramps 90:16</p> <p>ranging 13:2</p> <p>rapid 50:19</p> <p>rate 28:1</p> <p>rather 131:9, 140:5</p> <p>rating 133:2</p> <p>ratios 102:19</p> <p>read 7:14, 50:2,</p>
--	--	---	---

<p>124:6, 139:2, 141:15 ready 8:14, 54:5, 109:14, 109:15, 121:2 real 10:21, 57:10, 104:22, 130:1 really 18:7, 23:5, 23:12, 26:24, 33:2, 52:24, 71:15, 75:11, 79:14, 93:23, 95:24, 100:9, 128:5, 129:18, 134:1, 134:8 realm 10:11 rear 58:3, 69:7, 81:1, 81:7, 81:11, 82:1, 83:11, 83:22, 85:5, 85:6, 85:9, 89:24, 90:10, 92:15, 96:14, 96:15, 96:23, 97:10, 102:9 rear-yard 90:21 reason 36:22, 47:10, 49:7, 123:10, 128:4, 128:5, 137:13 reasonably 41:22 reasons 55:11, 79:23, 80:1, 81:23 recall 8:16, 58:21, 129:25 receive 143:22</p>	<p>received 126:12 recess 74:2 recession 13:4 recognize 101:19 recommend 66:22, 66:23, 66:25, 67:8 recommendation 7:17 recommendations 66:18, 66:20 recommended 54:2 recommends 115:7 record 6:16, 6:18, 7:7, 7:9, 7:10, 7:15, 9:4, 9:14, 26:1, 34:9, 50:14, 69:23, 73:22, 73:23, 74:24, 75:20, 78:16, 83:16, 87:5, 110:4, 120:11, 122:10, 126:17, 135:23, 142:19, 143:22, 144:5, 145:6 record's 25:24 recreation 72:14 recreational 20:11, 24:5, 40:13, 40:20, 65:20, 65:25, 66:3, 66:9 red 37:25, 38:2, 38:6, 40:9, 41:4, 44:18, 44:21, 44:23, 94:4, 94:18,</p>	<p>95:15, 96:18, 96:25 redeveloped 11:5, 13:18 redevelopment 12:18 reduce 101:19, 108:2, 108:4, 108:6, 108:7 reduced 145:8 reduces 107:14 redundant 72:10 refer 124:4 referenced 130:13 referring 51:4 reforestation 125:19 refresh 70:20 registered 2:13, 112:10, 145:2 registration 110:22 regular 105:1 relate 113:10 related 145:10 relates 81:9, 101:14 relationship 52:12 relative 65:24, 106:18 relatively 48:18, 79:4, 92:13 reluctant 81:18</p>	<p>rely 21:11 remainder 85:5, 89:16, 91:1 remaining 125:22 remember 35:15, 78:15, 142:22 remembered 140:4 remembering 76:25 remind 107:7 reminders 6:3 remote 5:17, 6:4 remotely 5:19, 5:22 removal 69:4 rendered 54:22, 56:10 rendering 79:5, 93:22, 98:4, 127:5 renderings 93:19 rent 28:3, 107:22, 107:23, 108:9 rental 61:10 renting 104:18 rents 27:20, 30:21 repeat 111:10 rephrase 138:3 report 16:4, 19:14, 20:12, 21:18, 22:13, 43:11,</p>
---	---	---	--

Transcript of Administrative Hearing
Conducted on May 11, 2020

70

<p>43:16, 43:19, 43:20, 43:23, 43:24, 44:18, 58:22, 63:21, 99:23, 131:12, 138:18, 138:25, 139:8, 139:18, 139:19, 140:19, 143:13, 143:14</p> <p>reported 1:26</p> <p>reporter 2:13, 6:5, 9:12, 37:23, 78:14, 78:17, 78:21, 142:21, 145:1, 145:3</p> <p>reports 7:16</p> <p>representative 116:16, 116:19</p> <p>representatives 32:9</p> <p>represented 6:12, 33:18, 73:12, 108:17, 121:18, 138:10</p> <p>represents 51:1</p> <p>request 5:14, 116:15</p> <p>requested 55:19</p> <p>require 62:5, 86:4</p> <p>required 16:16, 51:16, 58:6, 58:11, 58:15, 64:10, 104:1, 108:11, 117:8, 124:21, 127:9, 127:20, 128:21, 129:8, 129:12, 131:2, 132:8, 134:10, 137:2, 140:14</p> <p>requirement 29:16, 31:22,</p>	<p>58:23, 59:6, 64:12, 64:17, 64:18, 65:2, 65:18, 116:12, 120:19, 124:22, 125:20, 127:10, 127:23, 128:22, 130:11, 132:5, 141:21</p> <p>requirements 17:16, 19:3, 27:2, 31:16, 31:25, 51:20, 59:8, 63:24, 64:4, 64:5, 64:7, 64:12, 64:23, 65:25, 66:10, 84:22, 126:1, 130:3, 130:8, 130:11, 130:15, 130:19, 130:22, 130:23, 131:11, 131:13, 131:15, 131:18, 131:24, 132:14</p> <p>requires 27:10, 64:6, 65:19, 86:9, 102:25, 116:23</p> <p>research 34:15, 110:9, 114:9, 122:13</p> <p>residence 97:8</p> <p>residences 97:5, 97:6, 97:7</p> <p>resident 17:4, 22:2, 23:14, 139:22, 140:1, 140:6</p> <p>residential 38:22, 39:5, 39:7, 42:14, 46:18, 47:1, 60:11, 63:13, 63:16, 91:2, 101:20</p>	<p>residents 15:1, 16:13, 19:22, 20:2, 21:12, 22:18, 24:9, 30:3, 40:5, 42:1, 56:25, 57:6, 58:1, 67:20, 68:16, 80:11, 86:19, 86:23, 87:21, 88:2, 88:5, 88:18, 90:25, 91:21, 93:13, 93:17, 102:12, 105:8, 107:25, 134:13, 138:22, 139:11, 140:22</p> <p>resolution 126:16</p> <p>resolve 59:5</p> <p>respected 50:22</p> <p>respectful 90:25</p> <p>respects 14:23</p> <p>respond 19:7, 101:16, 102:17</p> <p>response 106:13</p> <p>responsibilities 113:11</p> <p>responsible 112:13, 112:18, 132:18</p> <p>rest 65:11, 69:19</p> <p>restaurant 38:24, 46:22, 59:24</p> <p>result 12:17</p> <p>retailing 40:13</p> <p>retained 67:9</p>	<p>retaining 67:9, 106:15, 106:23</p> <p>retracted 9:7</p> <p>review 121:4, 121:8, 132:22, 136:24, 137:8, 137:25</p> <p>reviewers 81:18</p> <p>revised 142:16</p> <p>revoked 62:17, 62:18</p> <p>rhode 12:11</p> <p>rich 16:4</p> <p>rid 107:16</p> <p>ride 103:18, 103:22, 103:25</p> <p>right 8:22, 9:16, 12:11, 19:13, 25:22, 26:11, 26:15, 27:23, 33:15, 37:19, 37:21, 37:23, 42:22, 42:24, 44:6, 46:25, 48:23, 49:23, 50:5, 51:13, 51:15, 53:24, 54:20, 55:21, 56:7, 57:11, 57:13, 60:24, 62:3, 63:7, 63:11, 63:12, 64:1, 65:4, 69:14, 70:10, 70:21, 72:3, 73:4, 73:11, 74:16, 75:15, 75:21, 76:3, 76:5, 79:6,</p>
---	--	--	--

79:7, 82:22, 84:12, 85:21, 87:12, 87:13, 87:15, 89:8, 89:12, 90:7, 91:4, 94:24, 95:11, 95:12, 96:17, 96:18, 103:16, 105:10, 114:19, 118:2, 121:1, 121:15, 122:3, 124:12, 134:16, 135:12, 138:9, 139:16, 141:4, 141:17, 142:4, 142:25, 143:4, 143:24 right-of-way 39:24, 48:11, 49:3, 49:25, 50:4, 50:11, 50:16, 50:18, 50:20, 50:22, 50:25, 51:5, 51:7, 51:14, 51:21, 51:22, 66:22, 78:7, 79:16, 106:15 rising 77:12 road 5:8, 9:9, 13:23, 14:17, 33:1, 39:2, 39:23, 42:18, 47:2, 47:4, 47:11, 48:10, 50:16, 50:20, 51:8, 52:17, 60:2, 66:23, 70:12, 77:12, 85:20, 92:12, 94:10, 99:12, 101:15, 113:19, 115:1, 115:5, 118:21, 119:22 road's 92:13	road-rockville 13:21 rockville 3:6, 6:21, 12:24, 32:9, 32:10, 32:25, 34:15, 45:8, 110:9, 114:3, 122:14 role 132:20 roles 11:15, 136:10 roof 86:10, 91:24, 92:3, 92:4, 92:6, 92:20, 92:23, 92:25, 98:16, 99:22, 101:21, 107:8, 107:12, 107:13, 127:18, 129:5 roofs 107:2 rooftop 17:15, 17:17, 81:10, 91:7, 91:8, 91:9, 92:18, 108:5, 129:6 room 6:22, 17:6, 17:7, 17:11, 59:14, 84:4, 85:16, 86:3, 87:17, 88:11, 89:5, 93:8, 116:9, 116:25 rooms 84:13, 88:7 rose 48:14 ross 10:19, 10:23 rotate 52:3 roughly 13:2, 49:21,	71:24 round 27:21 route 5:9, 38:19, 40:24, 46:20, 49:18, 114:2, 119:21, 125:8 rpr 1:26 rules 15:14 run 16:6, 16:8, 61:18, 61:20, 94:18, 127:11 running 108:8 rustling 137:22 résumé 75:19, 76:7, 100:5 <hr/> S <hr/> s 11:2, 18:6 safe 138:4 safety 68:15, 99:20 said 6:6, 8:19, 22:14, 58:11, 71:8, 76:20, 78:15, 101:23, 104:16, 112:12, 113:15, 116:3, 116:9, 141:8, 142:5, 143:2, 145:7 sake 128:19 salons 84:13 same 13:10, 14:1, 47:10, 52:21,	93:23, 95:4 sanitary 113:25 sanitation 114:15 satisfied 63:25, 65:1, 124:22 satisfies 31:22, 126:1 satisfy 65:20, 120:4, 124:20, 125:19, 128:22, 130:7, 130:10 satisfying 29:15, 65:25, 120:19, 123:23 saturday 18:16, 18:24 saved 79:16 saw 85:25, 100:5, 128:8 say 8:12, 22:20, 26:6, 36:12, 37:23, 42:3, 51:3, 52:25, 56:6, 65:5, 71:15, 72:20, 72:21, 100:14, 101:4, 113:18, 117:21, 126:19, 131:12, 133:12, 143:7 saying 139:23, 140:1, 140:23 says 19:14, 20:12, 50:10 scale 96:21, 97:3, 101:19 scales 102:2
--	--	---	--

scanners 84:8	44:3, 51:1, 51:4, 57:18,	98:10, 98:14, 98:15, 98:25,	sensitive 77:23
scattered 13:3	60:21, 78:12, 83:11, 83:23,	101:25, 102:19, 103:21, 109:19,	sensitivity 33:5
schedule 31:21	99:4, 115:24, 124:8, 124:9,	114:19, 117:16, 124:13, 127:24,	sent 32:7
scheduled 18:23	125:10, 127:14, 128:2, 129:2,	129:11, 132:2, 135:6, 135:10,	separate 13:25, 55:9,
schemes 77:21	133:8, 139:14, 139:15	139:9	68:23
schools 41:12	second-language 19:25	seeing 6:14, 6:22,	serve 54:3, 55:6,
science 111:7, 111:12, 111:15	secondary 17:3, 91:3	58:21, 70:8, 77:5, 135:8	56:21, 83:24
scope 16:9, 112:8	section 29:16, 32:23	seemed 126:22	served 41:13
scores 22:4	sections 80:14	seems 120:3	serves 10:3, 10:6,
screen 37:1, 37:7, 37:11, 44:13, 52:2, 77:6, 80:15, 89:2, 95:8, 117:17	secure 87:18	seen 69:25	52:22, 59:23, 59:25
screened 69:5, 71:5, 72:5, 80:18, 99:22	security 87:10	segue 10:9	service 17:9, 22:7, 23:12, 41:20, 67:21, 93:6, 114:23, 118:10
screening 71:20, 80:10, 130:4, 130:11, 132:10	see 8:2, 38:4, 40:10, 41:19, 45:15, 45:16, 47:9, 48:2, 48:5, 52:5, 53:7, 53:13, 55:12, 69:13, 74:8, 74:13, 75:22, 79:1, 79:8, 79:23, 81:11, 81:25, 82:17, 83:8, 83:23, 85:4, 86:2, 86:16, 87:1, 87:2, 87:22, 87:24, 88:13, 89:14, 89:21, 90:15, 90:20, 92:2, 92:4, 92:21, 94:2, 94:17, 94:22, 95:4, 95:10, 95:14, 96:11, 96:16, 96:24, 97:9,	selected 49:7, 117:2	serviced 121:11
scully 122:25		self-contained 17:19	services 1:6, 5:4, 8:13, 9:23, 10:2, 10:10, 16:9, 16:12, 18:12, 21:9, 21:12, 24:15, 24:18, 33:10, 34:24, 40:4, 40:12, 40:13, 40:19, 41:12, 41:25, 42:4, 72:14, 72:15, 72:23, 72:25, 88:9, 112:20, 118:13, 119:16, 121:11, 141:22
se 91:17		sell 60:3	
seafood 38:25, 60:2, 60:3		sells 38:25	
seal 132:22, 145:14		send 138:23, 140:14, 141:25	
seating 17:5, 17:15, 66:7, 89:6, 91:18, 91:19		seneca 39:22, 42:19, 53:2	
second 11:10, 19:25,		senior 1:7, 12:16, 77:24, 89:3, 100:8, 102:18	
		senior-oriented 20:24	
		seniors 5:5, 14:16, 40:14, 42:1, 72:15, 72:23, 138:22	serving 52:24, 59:21
		sense 108:13, 112:8	set 36:1, 64:6, 78:8, 83:22, 94:12, 97:22,

<p>145:13 setback 64:4, 64:5, 64:9, 64:25, 65:13, 78:7, 90:22, 132:4, 132:5 setbacks 51:19, 97:4, 130:4 sets 91:19 setting 24:8, 28:1, 32:20, 36:2 severe 48:21 sewer 113:18, 113:23, 114:2, 114:6, 114:11, 114:13 sha 55:18, 55:19 shaft 95:22 shall 65:6, 140:1 shape 17:2, 96:2 shaped 38:1, 38:6 share 102:11 shared 52:13, 60:16 shared-use 66:24 sharing 29:14 sheet 77:8, 79:25, 83:19, 86:24, 87:1, 91:24, 93:24, 96:14 sheets 82:13, 91:23, 93:20 shield 133:13</p>	<p>shifting 18:25 shopping 24:5, 40:14, 40:17, 41:1, 72:14, 73:1, 73:5 short 102:14, 109:7 short-term 59:9, 59:10 shortages 114:11 shortcut 131:11 shorthand 145:1 should 23:7, 40:8, 46:1, 49:11, 51:23, 66:14, 69:2, 72:6, 100:20, 103:6, 118:24, 131:25 show 57:10, 77:1, 80:15, 132:3, 139:14 showing 37:1, 54:14, 64:1, 115:23, 128:5 shown 49:25, 54:12, 68:24, 86:3, 90:23, 92:25, 95:6, 116:3, 130:6 shows 7:1, 7:3, 57:14, 69:16, 86:21, 96:14, 96:15, 124:24, 125:12 shrubs 71:19, 72:6, 129:20 shuttle 22:7, 23:11,</p>	<p>139:22, 140:1, 140:6 sic 104:17 side 39:10, 39:11, 39:16, 45:4, 45:8, 58:4, 70:13, 82:3, 82:4, 89:23, 92:11, 94:6, 112:19 side-yard 64:9 sides 47:6, 65:8 sidewalk 95:5, 134:6 sidewalks 97:13 siding 94:6, 94:20, 95:20, 98:8, 98:9, 102:7 siding-type 94:6 sight 45:19, 46:8, 55:15, 80:16 sign 132:22 signature-mbyii 145:19 signed 142:22 significance 44:22, 50:6 significant 19:9, 92:6, 106:23, 124:25, 125:1, 127:24 significantly 50:21, 79:6, 94:1, 132:8 similar 14:24, 22:23, 24:8, 35:4, 68:1, 72:10</p>	<p>similarly 68:12 simple 9:21, 11:24, 12:20, 27:15 simply 23:2 since 10:15, 11:6, 58:9, 58:20, 60:8, 62:16, 77:13, 141:20 single 32:12 single-discipline 123:1 single-family 15:18, 39:15, 39:18, 47:15, 52:16, 60:11, 61:17, 64:10, 101:5 singular 56:20 sir 121:6 sit 23:23, 32:25, 89:9, 97:6 site 18:18, 20:17, 37:21, 38:2, 41:13, 46:10, 48:12, 48:17, 48:20, 51:12, 54:12, 56:2, 56:3, 56:16, 56:21, 56:22, 57:8, 57:23, 58:4, 59:3, 59:6, 61:8, 64:22, 67:23, 68:20, 68:25, 69:8, 69:9, 69:20, 70:17, 71:5, 71:16, 77:11, 77:13, 77:14, 77:18,</p>
--	--	--	--

79:21, 82:3, 82:4, 85:9, 85:24, 90:12, 95:7, 96:3, 97:23, 101:22, 102:9, 103:12, 103:14, 104:2, 104:8, 105:1, 106:13, 106:23, 112:21, 113:9, 113:10, 113:17, 113:20, 116:5, 116:12, 116:17, 118:24, 119:8, 119:13, 120:4, 120:20, 124:24, 125:6, 125:8, 125:13, 125:14, 125:18, 127:2, 127:19, 129:7, 129:12, 129:14, 130:9, 130:21, 137:9, 137:25 site-specific 47:22 sites 129:1, 138:22 sits 95:15 sitting 84:9, 94:13, 97:20, 97:21, 121:25 situated 72:22 situation 22:8 six 6:24, 19:15 size 13:2, 21:2, 30:5, 30:10, 31:4, 49:12 sized 88:15 skylights 94:23 slew 130:1, 131:11	slightly 99:18 slope 57:25 slopes 48:20, 48:21, 48:23, 55:13, 57:25, 71:3, 125:7 slots 88:2 slow 44:7 slowly 142:7 small 17:14, 21:10, 80:20, 85:8, 89:6, 90:9, 91:20 smaller 83:10, 83:22, 97:10 social 108:13 society 111:21 solar 93:2, 93:3, 107:8, 107:19 sold 11:21 solely 55:10, 143:22 soltesz 34:14, 34:22, 109:13, 110:19, 116:18, 122:21 solution 24:17 some 6:3, 6:21, 10:13, 12:7, 12:8, 16:22, 17:16, 18:24, 19:8, 20:7, 21:7, 21:8, 22:6, 25:24,	27:15, 27:24, 30:23, 36:21, 37:18, 41:24, 45:15, 48:20, 60:1, 62:11, 66:12, 70:24, 72:10, 81:6, 85:24, 87:18, 89:17, 89:18, 90:16, 93:12, 93:13, 93:14, 93:17, 94:17, 94:20, 98:7, 102:10, 102:11, 102:15, 103:1, 103:19, 104:16, 106:21, 106:22, 107:3, 107:24, 111:2, 123:10, 127:9, 128:4, 128:5, 128:21, 131:13, 131:20, 137:13, 141:9 somebody 18:22, 36:25, 37:4 someday 23:1 somehow 8:1 someone 37:20, 89:10 something 7:21, 11:1, 22:21, 24:7, 25:9, 25:22, 26:8, 26:12, 27:17, 31:5, 41:8, 46:13, 56:7, 56:9, 58:10, 58:24, 59:2, 98:2, 99:13, 117:22, 141:9 something's 137:13 sometime 14:4, 22:19	sometimes 24:6 somewhat 64:8, 82:16 soon 114:15 sorry 7:25, 8:10, 15:18, 24:25, 25:6, 25:12, 28:7, 35:7, 35:15, 43:18, 46:12, 46:15, 56:11, 69:21, 71:6, 73:14, 78:13, 85:12, 95:8, 97:13, 103:7, 104:13, 105:21, 116:6, 132:1, 134:12, 137:20, 137:22 sort 15:10, 20:14, 21:5, 22:6, 23:5, 55:2, 65:17, 80:23, 90:3, 96:2, 107:1 sorts 19:25 sought 108:10 sound 45:19, 46:8 south 38:9, 39:21, 42:21, 52:23, 61:1, 77:12, 78:4, 81:7, 82:3, 84:2, 84:11, 85:3, 85:17, 88:10, 89:18 southeast 52:13, 60:10, 61:2, 85:8 southern 48:22, 49:5,
---	--	--	---

<p>55:3, 55:5, 79:11, 95:17, 127:18 spa 125:6 space 46:18, 58:19, 59:10, 84:9, 84:12, 84:17, 84:21, 86:17, 86:23, 87:17, 87:18, 88:20, 89:12, 89:15, 90:3, 90:21, 91:15, 98:16, 102:22, 102:23, 134:5 spaces 16:12, 20:21, 22:1, 56:25, 58:5, 58:11, 58:15, 58:16, 58:18, 59:7, 59:9, 59:13, 59:15, 65:12, 84:1, 85:2, 93:4, 102:25, 103:1, 103:3, 103:4, 103:5, 103:11, 103:13, 104:14, 104:17, 104:25, 105:7, 105:8 sparsely 77:15 speakers 19:21 speaks 16:21 special 18:10, 19:17, 61:22, 62:15, 62:17, 62:18, 62:19, 62:24, 62:25, 123:7 species 125:5 specific 16:11, 22:22,</p>	<p>23:11, 29:25, 39:9, 66:18 specifics 16:23 specify 139:10 specimen 79:18, 124:25, 125:1 spell 9:4, 34:10, 74:23, 75:3 spelled 9:6, 75:5 spending 28:1 spent 26:22 spine 47:2 split 29:17 sprinkler 86:1, 117:6 sprinkling 116:24 square 38:5, 99:2, 99:5, 106:18 staff 7:15, 16:4, 18:16, 19:14, 19:16, 20:12, 21:18, 22:13, 24:4, 43:11, 43:15, 43:19, 43:20, 43:23, 43:24, 44:18, 46:3, 54:2, 55:20, 58:22, 63:21, 99:23, 103:1, 103:4, 131:12, 138:18, 138:25, 139:9, 139:15, 139:18, 139:19, 140:15, 140:19, 141:25, 142:25, 143:1,</p>	<p>143:23 staff's 143:8 staffed 19:1 stair 97:12 stairs 91:5 stairwell 91:9 stand 124:20 standard 45:18, 55:18, 112:17 standards 15:5, 63:22, 68:3, 72:12, 130:2 start 27:3, 28:9, 35:25, 54:11, 56:1, 77:4, 78:14, 90:11, 113:22, 127:6, 128:19, 128:24 started 11:4, 49:11, 78:17, 112:3 starting 11:5, 42:17 state 2:14, 9:3, 16:14, 27:11, 34:8, 74:22, 110:3, 110:22, 122:9, 135:4, 135:22, 145:22 statement 7:14, 15:11, 138:16 station 39:3, 41:14, 41:15, 46:20, 62:21 status 120:24</p>	<p>stay 15:7, 15:8 stayed 10:20 steep 49:5, 49:6, 57:25 stenographically 145:8 step 28:11, 28:17, 28:21, 40:1, 40:6 stephanie 1:26, 2:12, 145:2 stepped 94:19 steps 23:10, 96:19 still 11:23, 37:6, 37:7, 77:23, 85:23, 121:10, 135:18, 141:2 stir 32:6 stop 12:12, 103:25, 128:9 storage 59:14, 87:18, 88:22, 115:18 stored 88:23 stories 97:1 storm 119:21, 119:25, 120:2 stormwater 92:5, 92:7, 107:15, 113:18, 119:5, 119:9, 119:12, 119:18, 120:17 story 79:9, 82:3</p>
---	--	---	---

straight 82:10, 89:21, 93:19 straighten 8:18 street 3:5, 6:20, 12:10, 12:20, 39:5, 61:15, 62:12, 93:25, 94:1, 115:5, 117:23, 127:19, 129:6, 136:1 strokes 109:7 structure 15:12, 92:8 study 66:2, 136:19, 136:22, 137:2 stuff 143:14 style 100:1 subdivision 1:9, 5:6, 51:17, 54:6, 120:24, 121:3 subject 23:17, 37:14, 37:17, 40:11, 43:9, 45:19, 51:24, 52:11, 52:19, 54:7, 55:6, 68:17, 136:25, 143:6 submission 75:20 submitted 7:6 submitting 114:14 subordinate 28:14 subsequent 28:17, 126:13 subsequently 29:3	substantial 13:16, 28:15, 31:8, 32:22, 55:14, 134:7 substantially 30:6, 30:22 suburban 13:22, 113:25, 114:15 suburbs 102:24, 103:2 successful 12:14, 96:7 suddenly 78:15, 142:21 sufficient 93:20 suggested 138:20 suggesting 109:4 suggestion 102:16 suite 9:9, 34:15, 110:9, 122:13 summer 19:11 sunday 19:5 supervision 112:13, 145:9 suppose 61:15, 61:24 sure 8:5, 9:18, 21:16, 25:17, 26:4, 35:1, 50:2, 57:1, 59:17, 60:20, 60:21, 61:19, 62:4, 65:18, 70:5, 75:16, 76:24, 78:21, 87:20, 94:15, 99:21, 106:15, 108:9, 117:14, 119:12, 135:5,	135:24, 138:24 surface 131:4, 133:15 surfaces 133:7, 133:9 surprised 22:19 surrounded 39:14, 70:25 surrounding 36:6, 36:7, 36:8, 36:12, 38:22, 40:10, 46:16, 66:5, 67:16, 68:8, 71:2, 72:7, 77:16, 77:20, 80:12, 88:17, 95:19, 101:3, 101:12, 101:13, 101:19, 102:8, 127:3, 133:24, 134:3, 136:21, 137:6 surveys 112:20 sustainabilities 117:3 sustainable 107:4 sustained 116:14 swore 78:18 sworn 8:25, 25:11, 34:2, 34:5, 74:19, 109:21, 109:25, 122:6, 135:15 symmetra 135:25 system 19:11, 86:1, 86:6, 92:3, 97:12, 117:6, 119:10, 119:21, 120:2, 140:6	systems 108:1, 111:16 <hr/> T <hr/> table 29:11, 63:22, 91:20, 113:14 tables 17:6, 86:20, 88:21 take 5:12, 18:8, 20:10, 22:6, 43:2, 43:12, 45:1, 46:25, 64:15, 69:19, 73:21, 73:22, 76:22, 91:12, 93:13, 98:20, 106:20, 126:21, 142:2 taken 50:24, 74:2, 80:1, 89:16, 93:23, 101:1, 129:15, 145:5, 145:7 talk 6:7, 43:4, 54:2, 56:7, 71:21, 81:8, 93:20, 101:1 talked 26:25, 31:21, 101:11, 121:10 talking 14:9, 20:6, 21:18, 25:7, 26:23, 27:17, 30:5, 41:4, 51:12, 53:1, 58:20, 60:8, 60:19, 81:17, 99:7, 124:1, 141:19 tall 79:9, 92:16, 94:19, 102:5
---	---	--	--

Transcript of Administrative Hearing
Conducted on May 11, 2020

77

taller 97:23 tap 114:5 targeted 27:9 tax 12:22, 18:2, 27:14, 28:17, 30:18, 84:23, 87:19 tax-credit 29:21, 30:24 teach 20:5 teachers 46:23 team 129:17, 134:1 teams 5:19, 8:14 technical 8:7, 34:14, 34:24, 37:8, 43:18, 43:19, 44:18, 63:21, 74:14 technically 140:14 technique 102:12 technology 8:13 telephone 118:20 tell 16:7, 47:21, 58:10, 71:16, 71:17, 76:19, 77:1, 100:18, 103:10, 111:5 temporary 84:20 ten 5:15, 26:2, 26:3, 78:24, 123:2, 142:19, 142:20, 143:10,	143:17, 143:18 ten-foot 66:23 term 18:3, 70:21, 98:24 terms 27:4, 31:19, 66:6 test 116:16, 116:18, 116:22 testified 9:2, 34:7, 35:9, 74:21, 110:2, 122:8, 135:17 testify 6:11, 6:13, 6:24, 8:25, 34:5, 74:19, 109:25, 122:6, 135:15 testimony 5:12, 113:12, 126:24, 145:7 text 139:14, 141:16 texts 138:20 th 120:13, 124:23, 125:11, 136:1, 145:14 thank 8:9, 9:15, 26:19, 32:1, 33:20, 33:21, 39:20, 42:25, 48:1, 66:11, 73:19, 73:24, 76:15, 78:19, 99:6, 105:11, 105:12, 106:25, 108:14, 108:22, 108:24, 112:25, 113:5, 114:21, 118:4, 118:6,	118:7, 119:3, 121:16, 121:22, 123:17, 133:17, 134:14, 135:20, 136:15, 138:13, 138:14, 142:12, 142:14, 143:25, 144:3, 144:4 theaters 73:1 theme 14:16 themselves 15:2, 20:20 thereafter 145:8 therefore 6:6, 137:1, 137:3 thing 11:3, 13:10, 21:6, 80:24, 87:11, 107:13 things 8:18, 13:7, 16:11, 16:16, 19:13, 19:17, 20:1, 20:5, 23:22, 32:23, 36:24, 40:14, 54:22, 99:19, 100:20, 101:18, 103:19, 128:4 think 7:13, 8:1, 8:4, 16:20, 17:18, 20:16, 24:16, 24:20, 25:2, 27:6, 31:24, 32:22, 33:2, 36:3, 36:13, 41:14, 42:4, 45:24, 45:25, 46:1, 47:23, 49:15, 52:8, 53:10, 54:21, 54:22, 56:10, 62:4, 63:5,	63:8, 64:20, 68:21, 71:4, 72:17, 72:22, 74:7, 94:11, 95:24, 96:7, 100:5, 100:21, 101:6, 101:14, 103:11, 103:20, 103:22, 104:24, 107:5, 109:5, 112:23, 113:14, 115:19, 117:4, 120:18, 126:11, 128:3, 131:10, 131:12, 137:15, 137:21, 138:19, 139:7, 142:15, 142:20, 143:5 thinking 56:8, 63:13, 97:18 third 79:24, 96:10, 127:16, 129:4, 142:6 thorough 98:19 thought 11:2, 18:5, 21:17, 69:3, 97:19, 131:21, 138:25 thousand 27:22, 28:2 three 10:20, 58:5, 58:17, 65:12, 91:11, 91:19, 91:23, 97:1, 101:15, 109:3, 130:17, 130:25 three-story 96:17 through 13:23, 16:6, 16:8, 16:19, 18:13, 18:21, 21:20, 23:10,
---	---	---	---

32:4, 51:16, 52:19, 56:15, 63:23, 77:19, 81:21, 82:6, 82:13, 83:25, 86:10, 89:20, 90:14, 91:6, 91:12, 93:16, 94:4, 97:3, 97:16, 97:24, 101:24, 111:2, 127:11, 130:16, 131:2 throughout 33:11 tight 87:21 time 7:1, 7:3, 12:13, 18:22, 23:4, 23:18, 25:14, 26:23, 29:9, 37:4, 52:20, 54:5, 62:12, 62:16, 75:24, 88:6, 102:14, 126:14, 137:14, 140:18 times 18:21, 44:5 title 34:23, 122:21 today 5:12, 6:2, 6:24, 13:13, 14:10, 22:25, 44:7, 100:3, 101:12, 121:10 together 16:1, 29:8, 57:19, 59:4, 72:4, 125:16 tomorrow 142:17 tones 94:3, 94:5, 95:19 took 79:24	tool 18:1, 27:12 tools 27:11, 28:4 top 79:4, 93:22, 94:22, 95:21, 96:15, 98:13, 98:14 total 99:2 totally 14:22, 71:17 touche 10:18, 10:23 towards 40:22, 42:17, 48:21, 67:2, 87:25 tower 96:6 town 39:17 track 6:5 tract 125:13, 125:16 traditional 28:4 traffic 45:15, 46:9, 47:12, 55:24, 67:19, 134:25, 136:5, 136:18, 137:1, 137:4 trailhead 39:22 transcript 1:13, 2:1, 26:3, 143:22, 145:6 transfer 14:6 transformer 118:18 transit 50:19 transition 54:10	transitional 67:7 transitioning 67:2 transmission 114:10, 114:20 transmitted 126:6 transportability 20:14 transportation 21:5, 21:9, 41:24, 55:20, 58:21, 102:11, 136:5, 136:6, 136:20, 136:22, 136:24, 137:5, 138:3, 138:21, 140:6 treat 119:19 treatment 114:10, 114:20 tree 64:13, 77:14, 81:8, 92:14, 92:17, 127:19, 129:6 treed 77:15 trees 72:6, 77:20, 79:15, 79:18, 90:23, 92:15, 97:22, 97:23, 97:24, 97:25, 124:25, 125:2 triangle 47:5 triangular 37:24, 82:1 tried 32:6, 95:25, 96:3, 96:9, 102:2 trips 24:5, 137:1 truck 38:15, 38:25,	69:15, 69:21, 70:15 trucks 60:1, 60:4, 60:7, 60:8, 61:9, 69:16, 70:11, 81:21 true 13:11, 139:3, 145:6 truth 9:1, 9:2, 34:6, 34:7, 74:20, 74:21, 110:1, 110:2, 122:7, 122:8, 135:16, 135:17 try 6:6, 15:6, 16:17, 20:9, 41:3, 44:4, 77:22, 80:9, 81:14, 89:7, 95:21, 100:4, 100:8, 101:18, 106:8 trying 14:18, 25:16, 35:25, 47:21, 55:22, 71:3, 78:8, 79:14, 81:4, 83:15, 90:18, 90:24, 94:8, 97:2, 97:3, 140:23 tulip 48:13, 125:3 turkey 111:14 turn 55:23 turned 8:4, 108:19 turning 69:15, 69:21, 70:17, 128:3 tv 118:20
---	---	---	--

Transcript of Administrative Hearing
Conducted on May 11, 2020

79

twice 64:9 two 10:1, 11:18, 12:3, 13:14, 18:17, 18:19, 23:13, 24:19, 27:25, 46:23, 48:24, 49:1, 50:7, 50:8, 52:24, 55:14, 65:24, 80:18, 81:15, 82:1, 82:7, 82:13, 83:6, 86:18, 91:11, 91:19, 93:2, 94:3, 94:5, 95:15, 95:19, 98:7, 98:8, 124:18, 124:25, 133:5, 136:10 two-bedroom 15:23, 15:24, 85:7 two-bedrooms 15:19 two-piece 91:19 two-wing 56:23 tying 114:6 type 18:17, 32:16, 87:11, 102:11, 132:25 types 80:22, 84:18, 133:5 typewriting 145:9 typical 18:11, 91:11 typically 18:15, 18:17, 18:20, 78:25, 80:9, 88:17	U u-haul 61:9, 61:10, 61:12, 62:4 u-shaped 88:3 uber 24:10, 89:10, 103:21 ultimate 140:22 ultimately 13:22, 24:17, 29:6 um-hum 43:1 uncolored 44:21 under 63:3, 79:11, 108:12, 131:2, 145:9 underbuilding 81:22, 86:3 understand 22:12, 28:5, 31:22, 77:2, 119:3, 123:22, 127:2, 139:22, 141:18, 141:24, 143:15 understanding 36:1 understory 48:14, 48:15, 77:19 undue 68:5, 68:14 unfortunate 18:3, 31:18 union 39:3, 46:23, 46:24 unit 29:11, 29:21, 102:21, 102:25 units 11:16, 12:12,	13:2, 13:3, 15:12, 15:13, 15:23, 15:24, 16:25, 27:1, 27:7, 27:25, 29:17, 29:22, 30:3, 30:8, 30:11, 30:15, 30:21, 31:1, 31:12, 39:18, 57:3, 60:12, 62:2, 77:24, 85:6, 89:17, 89:24, 91:14, 93:7, 93:8, 100:6, 102:22, 102:23, 106:11, 106:18, 107:18 university 111:8, 111:14, 111:16 unless 7:18, 33:22, 57:10 unplanned 84:12 unplatted 120:25 until 15:8, 74:2 unusual 17:1, 17:2, 22:8, 30:13 upkeep 125:19 upper-level 82:11 use 14:6, 15:15, 16:18, 28:4, 38:12, 52:13, 53:16, 54:10, 54:16, 55:10, 58:12, 62:5, 62:15, 63:9, 63:25, 64:5, 64:8, 64:23, 64:24, 65:19,	67:7, 67:10, 67:11, 67:14, 67:18, 67:22, 68:5, 68:6, 72:13, 72:24, 87:11, 88:18, 88:24, 88:25, 89:1, 96:25, 98:6, 98:7, 103:21, 103:22, 136:19, 137:4, 137:25, 138:5, 139:10 users 134:12 uses 31:19, 42:14, 59:21, 61:23, 62:11, 68:11, 77:21, 97:4, 101:12, 133:24 using 12:2, 18:1, 27:12, 36:3, 37:12, 47:7, 47:22, 56:14, 68:2, 84:22, 86:6, 93:11, 102:1, 108:1, 116:25, 123:19, 126:24 usually 18:15, 18:22, 22:9, 84:13 utilities 85:20, 93:13, 107:24, 118:10 utility 107:25 utilize 107:24 utilized 105:1 utilizing 98:8 V vacation 18:22
--	---	--	---

Transcript of Administrative Hearing
Conducted on May 11, 2020

80

valid 121:10	view 43:8, 68:13,	106:23	91:6, 92:22,
valve 115:4	77:11, 93:23,	want 8:11, 9:13,	107:25, 108:9,
van 24:3	94:22, 95:4,	14:25, 15:7,	117:1, 129:13,
van-accessible 58:18	99:22	15:25, 16:13,	141:15, 141:18
van-type 24:15	village 38:21, 40:23,	25:2, 25:13,	ways 28:18
vans 21:10	40:25	70:3, 73:21,	we'll 6:1, 14:13,
variety 80:21	virginia 9:8, 9:10,	74:5, 76:25,	17:6, 17:7,
various 11:15, 27:2,	23:25	77:4, 100:11,	17:9, 17:15,
56:18, 68:2,	virtual 6:18, 142:7	100:13, 102:13,	17:16, 19:20,
82:7, 84:18,	virtually 1:14, 2:2	109:1, 140:22	20:25, 21:5,
96:6, 97:4,	visibility 52:9	wanted 70:5, 83:25,	21:11, 21:25,
102:2, 120:3,	visit 77:18, 91:20,	84:17, 88:19,	22:5, 26:7,
130:2	91:21, 138:22	94:15, 97:19,	26:12, 30:8,
vehicle 41:23	visitors 21:24, 68:16,	101:16, 102:17,	30:11, 30:15,
vehicles 57:7, 67:21	102:18, 134:13,	105:25, 113:11	33:12, 54:21,
vent 86:9	139:1	wanting 17:21	71:21, 73:23,
vented 86:10	visual 72:7, 87:15	wants 16:18, 101:1	88:22, 89:1,
ventilating 19:10	<hr/> W <hr/>	warped 102:4	90:15, 92:17,
vermont 75:7	w-i-e-n-c-e-k 75:6	washer 93:7	97:15, 118:2,
version 43:13	wait 25:10, 38:17,	washington 11:20, 15:5,	138:23, 140:25,
vertical 94:9	48:25, 137:12	31:9, 75:8,	141:9, 142:2,
vestibule 87:9, 89:6,	waiting 89:10	112:11, 113:25,	142:3
89:8, 90:10,	walk 56:15, 87:24,	114:15, 136:1	we're 12:23, 13:12,
90:14, 97:11	87:25, 90:5	waste 69:4	14:18, 14:20,
veterinary 72:25	walked 77:19	water 19:4, 85:24,	16:16, 17:20,
via 50:21, 52:18,	walking 61:8, 82:6,	86:1, 93:3,	18:1, 25:15,
53:4	133:9	93:4, 93:9,	27:17, 29:7,
vicinity 37:12	walkways 57:22	93:12, 107:20,	30:5, 31:6,
	wall 88:23	113:24, 114:1,	31:16, 37:24,
	walls 106:4, 106:16,	114:5, 114:13,	43:6, 47:4,
		114:22, 114:25,	49:13, 52:2,
		115:11, 115:16,	54:18, 58:22,
		115:18, 116:2	60:8, 60:19,
		way 14:13, 55:1,	66:5, 76:3,
		77:23, 80:2,	78:15, 81:1,
		80:20, 80:25,	84:22, 90:18,
		82:5, 86:8,	90:24, 92:13,
		88:24, 90:11,	93:15, 94:8,
			97:2, 99:14,
			102:8, 104:1,
			108:1, 109:6,
			109:15, 112:16,
			114:5, 115:15,
			140:23, 142:7
			we've 11:14, 11:15,

Transcript of Administrative Hearing
Conducted on May 11, 2020

81

11:17, 13:7, 24:8, 28:24, 30:1, 33:10, 54:20, 64:12, 65:1, 77:2, 79:19, 80:1, 80:15, 87:8, 88:13, 90:23, 91:17, 92:2, 93:15, 94:2, 94:3, 94:4, 94:17, 96:7, 97:14, 99:19, 100:5, 100:22, 101:1, 102:7, 103:19, 121:9, 138:17, 143:1 weather 95:2 website 5:23, 5:25 week 8:17, 18:13, 19:15, 86:15, 136:10, 143:8 weekday 18:9 weekend 18:9, 18:15 welfare 68:15 went 10:20, 77:18, 131:20 weren't 92:11 west 39:10 wetlands 125:5 whatever 21:4, 36:3, 47:22, 70:21, 123:19, 126:24 wheatfield 39:16, 45:3, 45:4, 46:7, 47:3, 47:7,	118:23, 119:1 whereas 49:5, 88:6 whereof 145:13 whereupon 8:23, 34:3, 74:17, 109:23, 122:4, 135:13 whether 24:18, 41:23, 50:23, 130:3 white 3:15, 4:12, 38:2, 135:3, 135:5, 135:11, 135:14, 135:24, 136:18, 137:24, 138:8, 138:11 whole 9:1, 34:6, 74:20, 100:15, 110:1, 122:7, 135:16 widen 91:16 widened 50:21, 91:18 width 57:25 wiec 108:18 wiencek 3:12, 4:6, 25:4, 25:8, 25:12, 25:17, 26:19, 74:18, 74:25, 75:1, 75:4, 75:5, 75:19, 76:16, 102:10, 104:20, 105:16, 108:15, 108:21, 108:23, 113:16, 116:11, 117:20, 117:21, 118:2, 118:6 wiencek's 26:7, 76:8,	113:8, 117:16 willing 53:15 win 100:20 wing 81:11, 81:25, 82:1, 82:19, 83:2, 83:22, 85:5, 85:6, 85:9, 89:16, 89:24, 91:1, 91:14, 95:17 wings 57:4, 85:5, 86:18 winter 19:12 wire 111:20, 118:16 wisdom 102:10 wish 119:6, 138:22 within 5:15, 15:14, 36:9, 40:9, 40:16, 40:20, 41:16, 41:22, 42:20, 46:6, 46:8, 47:5, 65:13, 66:4, 66:9, 66:16, 66:17, 67:11, 84:25, 90:13, 108:2, 117:14, 125:6 without 13:9, 120:18, 132:23 witnesses 6:24, 109:1 wonder 56:12 wondered 102:14 wood 71:18, 79:10	wooded 48:12, 69:9, 72:8 woody 129:19 word 5:17 work 18:23, 19:11, 23:3, 28:1, 34:22, 53:20, 75:9, 79:2, 79:20, 80:7, 90:11, 90:18, 107:9, 108:12, 119:7, 122:24, 134:3, 138:23, 140:3 worked 59:4, 79:19, 80:15, 112:7, 112:8 workers 68:16 working 19:23, 96:2, 112:4, 142:7 works 56:16, 82:5 worksheet 125:21 world 11:1 worth 12:25 wouldn't 22:19, 45:14, 106:17, 107:17 wrap 120:23 write 5:13, 22:13, 140:11, 141:25 writing 104:22 written 141:18 wssc 116:15, 116:16,
---	---	---	--

Transcript of Administrative Hearing
Conducted on May 11, 2020

82

116:17	31:22, 34:25,	0.5	125
Y	36:8, 43:4,	102:25, 103:8,	51:1, 51:7,
yard	43:10, 44:24,	103:9	106:14
70:17	58:15, 63:4,	00	13
yeah	63:20, 68:3,	18:14	120:13
23:20, 25:20,	100:25, 101:7,	08	136
26:15, 27:19,	123:8, 123:13,	74:2	4:13
39:13, 69:24,	128:22, 131:15,	1	14
69:25, 82:14,	131:18		15:23, 124:24
85:13, 95:12,	zoom	1-mile	145
98:20, 100:1,	57:11	41:18	1:25
107:12, 126:15,	\$	1.56	15
137:15, 140:12,	\$30,000	125:20	74:3, 136:1
142:24	30:6	1.9	150
year	\$300,000	40:20	39:24, 50:16,
12:16, 29:9,	27:18, 28:2	10	100:22
30:6, 107:21	\$45,000	30:8, 91:24,	155
years	31:5	102:20, 102:23,	48:11
10:20, 11:15,	.	132:5, 132:9	16
11:21, 23:13,	.2	10,000	62:16, 114:1,
24:19, 30:15,	29:16, 130:12,	11:16	114:5, 115:1,
32:16, 112:3,	130:16	100	132:6
123:2	.3	34:15, 110:9,	1651
yep	29:16, 130:13	122:13	9:9
72:19	.4	104,000	17
you-all	130:13	99:5	93:20, 104:14,
8:2	.5	11	104:25, 105:3,
young	130:13	1:15, 63:21,	105:9, 112:3
10:17, 77:13,	.8	74:2, 74:3,	18
77:16	130:13	104:14	93:20, 145:14
yourself	.9	110	19021
6:16, 32:3,	130:12, 130:16,	4:9	53:8
33:22	131:2, 131:3	1100	1960
Z	0	75:7	18:6
zip	0.10	111	1972
110:10	133:16	15:13, 31:1	10:18
zone	0.14	116	1982
63:9, 63:25,	5:7	12:12	10:15, 10:23,
64:7, 67:9,	0.17	118	11:4, 11:6
67:10, 99:8,	125:15	38:21	1998
99:15	0.33	12	50:10, 50:15
zoned	103:2, 103:8	13:2, 30:2,	1999
63:5	0.4	70:1, 70:2,	111:8, 111:14
zoning	103:8	133:6, 144:5	2
1:2, 29:10,	0.40	122	2-inch
29:16, 31:18,	103:2	4:11	116:7
		124	2.29
		40:24	49:15, 125:18

Transcript of Administrative Hearing
Conducted on May 11, 2020

83

<p>2.64 49:15, 125:15 2.81 125:13, 125:17 20 102:21, 102:22 200 3:5, 6:20 2002 111:17, 112:4, 112:5 2009 50:3, 50:17, 51:4, 51:6, 51:20 2010 13:4 2011 123:6 2016 12:10 2017 30:18 2019 124:23 2020 1:15, 125:12, 145:15 2023 145:16 20850 3:6, 34:16, 110:10, 122:14 22 124:17, 126:1 22102 9:10 23 132:1 2321 12:10 24 115:1 25 90:21, 125:7, 132:7 250 50:18, 66:22</p>	<p>27 59:13, 85:2 28 1:16, 59:7 287912 1:24 29 124:23 <hr/><p style="text-align: center;">3</p><hr/>3-d 96:14 3-foot 133:8 3.9 41:15 30 30:4, 30:9, 125:11, 143:18 301 3:7 305 9:9 34 4:5 355 5:9, 38:19, 39:4, 39:10, 39:17, 45:13, 46:8, 46:17, 46:20, 48:21, 48:23, 49:6, 49:18, 52:17, 56:2, 56:20, 62:22, 65:3, 67:1, 119:22, 125:8 38 11:15, 30:15, 32:16 39 103:3, 105:7, 124:4, 132:1 <hr/><p style="text-align: center;">4</p><hr/>4-inch 116:6, 116:7 40 102:4, 132:23</p>	<p>400 49:22 412 49:21 43 103:5, 103:13, 105:9 436 71:25 437.6 99:13 438 71:24 44 47:25, 54:14, 54:15, 56:11 440 48:17 44048 110:23 45 56:11, 56:14, 64:2, 65:1, 99:18, 103:3, 119:8, 126:25, 127:5, 128:15 47 99:13 48 70:2 49 103:5, 103:13 4th 12:10 <hr/><p style="text-align: center;">5</p><hr/>5 18:14 50 13:2, 30:9, 30:12, 64:6, 64:19, 64:24, 65:13, 127:23, 129:12, 129:16, 137:1 50.5 64:19 50.9 64:20</p>	<p>507 1:8, 5:6 51 30:11, 57:18 52 44:1, 139:20, 144:5 5212 3:7 53 120:12 54 7:10, 126:11, 126:12 55 7:8, 99:17, 126:11 59 31:3 59.3 29:16 59.6 130:2, 130:7, 130:12, 130:13, 130:16 <hr/><p style="text-align: center;">6</p><hr/>6-foot 71:18, 72:5 6.2 131:2, 131:3 60 11:2, 30:12, 30:22, 30:23, 31:2, 58:15, 58:16, 67:1, 67:4, 99:14, 103:6, 105:9 63 81:2 67 33:4 68 97:7 <hr/><p style="text-align: center;">7</p><hr/>70 18:6, 30:16,</p>
---	--	---	---

100:7 727 136:1 74 4:7 762 3:7	
8	
8-inch 114:1 83 50:23 89 81:2 8th 75:7	
9	
9 1:16, 18:14 90 63:15, 67:9, 67:10, 67:11 90,000 100:6 97 15:22	