



Planet Depos®
We Make It *Happen™*

Transcript of Hearing - Day 2

Date: July 28, 2022

Case: SBA Telecommunications Corp, et al.

Planet Depos

Phone: 888.433.3767

Email: transcripts@planetdepos.com

www.planetdepos.com

Transcript of Hearing - Day 2
Conducted on July 28, 2022

1 (1 to 4)

1	1	1	3
2	MONTGOMERY COUNTY OFFICE OF ZONING AND ADMINISTRATIVE	2	A P P E A R A N C E S
3	HEARINGS	3	ON BEHALF OF THE APPLICANT:
4	-----x	4	DOUG SAMPSON, ESQUIRE
5	SBA TELECOMMUNICATION CORP, :	5	SAUL EWING ARNSTEIN & LEHR, LLP
6	ET AL., : Case No.	6	500 E. Pratt Street, Suite 900
7	Applicant : CU 22-09	7	Baltimore, Maryland 21002
8	-----x DAY 2	8	410-995-1100
9		9	
10	HEARING	10	
11	Before Katherine L. Taylor, Committee Chair	11	
12	Thursday, July 28, 2022	12	
13	9:30 a.m.	13	
14		14	
15		15	
16		16	
17		17	
18		18	
19		19	
20		20	
21		21	
22		22	
23	Job No.: 457910	23	
24	Pages: 1 - 57	24	
25	Transcribed by: Mary Ellen Beaulieu	25	
2	2	4	4
1	Proceeding held virtually:	1	C O N T E N T S
2		2	
3		3	
4		4	EXHIBITS
5		5	
6		6	HEARING EXHIBITS PAGE
7		7	Exhibits 1-60 Documents 28
8	Pursuant to agreement, before Joe Lorete, Court	8	
9	Reporter for the State of Maryland.	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 Hearing - Day 2
Conducted on July 28, 2022

2 (5 to 8)

<p>5</p> <p>1 PROCEEDINGS</p> <p>2 MS. TAYLOR: I'm a contract zoning hearing</p> <p>3 examiner for Montgomery County. I'm going to call the</p> <p>4 case, and then I'd like to go through some</p> <p>5 housekeeping items first. We have a number of people</p> <p>6 on the -- at the meeting today -- in the hearing, and</p> <p>7 I'd like to get a feel beforehand as to what</p> <p>8 everybody's intention is as to whether they're going</p> <p>9 to participate or just observe and also kind of set</p> <p>10 out some house rules.</p> <p>11 So calling the case. So we are here in a</p> <p>12 conditional -- on a conditional use application. The</p> <p>13 applicants are SBA Communications Corp. and the</p> <p>14 Montgomery County Board of Education. This is for a</p> <p>15 conditional use to build a 120-foot telecommunications</p> <p>16 monopole to replace a current tower on the school</p> <p>17 property at the construction site -- or at the site of</p> <p>18 the new Woodward High School located at 11211</p> <p>19 Georgetown Road, Rockville, Maryland 20852.</p> <p>20 What I'd like to do is -- it is July 28,</p> <p>21 2022, around 9:30 a.m. All right. So what I'd like</p> <p>22 to do is go through the parties and determine whether</p> <p>23 you're represented or not and whether you are going to</p> <p>24 be participating actively in the hearing. So</p> <p>25 applicant SBA Communications Corp., Mr. Sampson,</p>	<p>7</p> <p>1 attention to -- hold on -- section 352 -- 352-C, 2-C</p> <p>2 Roman numeral 5 that says the property owner must be</p> <p>3 an applicant for the conditional use for each support</p> <p>4 structure. So the way I read that is that the</p> <p>5 property owner, which is the Montgomery County Board</p> <p>6 of Education, is required to be an applicant.</p> <p>7 MR. SAMPSON: And Ms. Taylor, I think maybe</p> <p>8 Montgomery County Public Schools can help clarify this</p> <p>9 issue, but the two --</p> <p>10 MS. TAYLOR: I'm sorry --</p> <p>11 MR. SAMPSON: Go ahead.</p> <p>12 MS. TAYLOR: -- just to interrupt -- so I've</p> <p>13 read the cases that you cited, you know, in support of</p> <p>14 your position that neither -- that basically, the</p> <p>15 Montgomery County Public Schools and the Board of</p> <p>16 Education are one and the same. I get that, but this</p> <p>17 particular section states that the property owner,</p> <p>18 which is the Board of Education, is required to be an</p> <p>19 applicant. It doesn't -- this particular provision,</p> <p>20 in my view, is more precise and narrow than the</p> <p>21 general provision that allows the owner of the</p> <p>22 property to essentially authorize the applicant to</p> <p>23 proceed with the application. So do you have any</p> <p>24 comment on that? I mean, I know you don't represent</p> <p>25 the school system or the Board of Education.</p>
<p>6</p> <p>1 that's your client, correct?</p> <p>2 MR. SAMPSON: Yes that's correct.</p> <p>3 MS. TAYLOR: Okay. And you represent only</p> <p>4 SBA Communications Corp.?</p> <p>5 MR. SAMPSON: That's correct. My client is</p> <p>6 SBA Communications Corp., and we do have a letter of</p> <p>7 authorization to proceed from Montgomery County Public</p> <p>8 Schools.</p> <p>9 MS. TAYLOR: Okay. So the Montgomery County</p> <p>10 Board of Education is not here either by a</p> <p>11 representative or counsel?</p> <p>12 MR. SAMPSON: I believe that's correct. We</p> <p>13 have representatives from Montgomery County Public</p> <p>14 Schools which -- and I can let them speak to this, but</p> <p>15 they carry out the Board of Education's policies and</p> <p>16 requests.</p> <p>17 MR. ADAMS: Yes, that is correct. My name</p> <p>18 is Seth Adams. I am the director of the Department of</p> <p>19 Facilities Management for Montgomery County Public</p> <p>20 Schools, representing Montgomery County Public Schools</p> <p>21 on this matter.</p> <p>22 MS. TAYLOR: Thank you. So, Mr. Sampson, I</p> <p>23 understand what you're saying about having</p> <p>24 authorization from the public school system to proceed</p> <p>25 with the application, but I do want to call your</p>	<p>8</p> <p>1 MR. SAMPSON: Correct. So we did submit the</p> <p>2 resolution from the Board of Education that expressly</p> <p>3 authorized SBA Communications Corp. to proceed with</p> <p>4 this application, which was voted on during a</p> <p>5 regularly scheduled meeting of the Board of Education</p> <p>6 on September 9, 2021. So that is also part of the</p> <p>7 record. If you are concerned about the specific</p> <p>8 provision and the relationship between the Board of</p> <p>9 Education and Montgomery County Public Schools, we</p> <p>10 would be happy to amend our application directly after</p> <p>11 this to add the Board of Education as an applicant and</p> <p>12 to get the required authorization from the board,</p> <p>13 which we don't believe would be a problem. So if</p> <p>14 you're concerned about that, before the record closes,</p> <p>15 we would be happy to amend to add the Board of</p> <p>16 Education as one of the applicants, and I'm sure</p> <p>17 Montgomery County Public Schools would agree that we</p> <p>18 can do that relatively quickly.</p> <p>19 MS. TAYLOR: Well, the Montgomery County</p> <p>20 Board of Education is already listed as an applicant</p> <p>21 on the application. I'm looking at the application</p> <p>22 that was filed May 20, 2022.</p> <p>23 MR. SAMPSON: Yes, you're correct.</p> <p>24 MS. TAYLOR: Right. So my question then is</p> <p>25 because both entities are applicants -- I'm assuming</p>

Transcript of Hearing - Day 2
Conducted on July 28, 2022

3 (9 to 12)

<p>9</p> <p>1 that the Montgomery County Board of Education is 2 either not represented by counsel or is essentially 3 being represented by a representative from either the 4 school system or the Board of Education. Whether 5 that's allowable under the rules, I think, is a 6 different question, and I don't think it's -- I don't 7 think now is the time to debate that because, you 8 know, in the end, I'm not sure that it makes that big 9 of a difference but I do understand -- I do believe 10 that the section under communication facility is more 11 narrow than the section under the general -- you know, 12 general rules and conditions for a conditional use 13 application. So just so I am -- just so the record is 14 clear, the Montgomery County Board of Education and 15 SBA Communications Corp. are both listed as 16 applicants. SBA Communications Corp. is represented 17 by Douglas Sampson. Montgomery County Board of 18 Education is not represented. 19 MR. SAMPSON: That's correct. The 20 Montgomery County Board of Education does not have 21 legal counsel here. 22 MS. TAYLOR: Okay. 23 MR. SAMPSON: Yes. 24 MS. TAYLOR: Okay. All right. And so you 25 had indicated in your prehearing statement -- by the</p>	<p>11</p> <p>1 -- would be available as well. 2 MS. TAYLOR: Okay. And your experts are? 3 MR. SAMPSON: Paul Dugan with Millennium 4 Engineering. 5 MS. TAYLOR: Okay. 6 MR. SAMPSON: And he's in RF, radiofrequency 7 emissions. 8 MS. TAYLOR: Okay. 9 MR. SAMPSON: And then Marc Marzullo of 10 Entrex Communications. And he's a professional 11 engineer who did the site plan and design. 12 MS. TAYLOR: All right. All right. Great. 13 Okay. Now what I'm going to do is go to the -- there 14 are two -- my understanding is there are two 15 homeowners associations who are parties -- or have 16 submitted prehearing statements and who are going to 17 be providing, through a representative, a narrative 18 testimony. So the first is the Devonshire East 19 Homeowners Association and I believe that's Mr. 20 Gerstenblith. 21 MR. GERSTENBLITH: Yes. 22 MS. TAYLOR: Okay. 23 MR. GERSTENBLITH: Thank you. 24 MS. TAYLOR: And you're going to be 25 providing the narrative testimony of the HOA; is that</p>
<p>10</p> <p>1 way, I've read all the prehearing statements submitted 2 by the applicant and -- the applicant, SBA 3 Communications Corp., and I've also read the 4 prehearing statements submitted by the Homeowners 5 Association and I've read the individual letters 6 submitted by the individuals who submitted narrative 7 testimony. Mr. Sampson, in your prehearing statement, 8 I -- you said you only have two witnesses; is that 9 correct? 10 MR. SAMPSON: We have two expert witnesses. 11 We have two other fact witnesses. 12 MS. TAYLOR: And are they all here on the -- 13 MR. SAMPSON: Yes, I believe so. So we have 14 fact witnesses from Montgomery County Public Schools 15 and T-Mobile, who is the carrier who would be on this 16 pole. 17 MS. TAYLOR: Okay. And what are their 18 names? 19 MR. SAMPSON: So the -- from T-Mobile, will 20 be Rob Neely. 21 MS. TAYLOR: Okay. 22 MR. SAMPSON: And then from Montgomery 23 County Public Schools we have Seth Adams, who already 24 spoke up. And then, if necessary, Boyd Lawrence -- 25 who's another contact of ours with the county schools</p>	<p>12</p> <p>1 correct? 2 MR. GERSTENBLITH: Yes. 3 MS. TAYLOR: And are you going to be -- are 4 you participating, yourself, as an individual? 5 MR. GERSTENBLITH: Yes. 6 MS. TAYLOR: Okay. 7 MR. GERSTENBLITH: To the extent you would 8 like any discussion about the issue that you mentioned 9 earlier with the -- identifying the owner and the 10 Board of Education resolution. I would be happy to 11 speak about that if you would like to do that now, or 12 we can wait until part of the narrative and testimony. 13 But since you already brought it up, I didn't know if 14 you wanted to continue that now. 15 MS. TAYLOR: I'd like to go through all the 16 attendees and then go back to some of the substantive 17 issues. 18 MR. GERSTENBLITH: Okay. Thank you. 19 MS. TAYLOR: Is everybody seeing me okay? 20 It seems to me that my video is a little laggy. 21 MS. BENDEREV: I think several of the videos 22 are a little bit lagging, and yours is one of them, 23 yeah. 24 MS. TAYLOR: Okay. But the sound is coming 25 through okay?</p>

Transcript of Hearing - Day 2
Conducted on July 28, 2022

4 (13 to 16)

<p>13</p> <p>1 MS. BENDEREV: I think it is. Yeah.</p> <p>2 MS. TAYLOR: Okay. Excellent. All right.</p> <p>3 Okay. And then we have the Mains Homeowners</p> <p>4 Association.</p> <p>5 MS. BENDEREV: Yes. My name is Katherine</p> <p>6 Benderev, and I'm the president and also the</p> <p>7 authorized representative for the HOA.</p> <p>8 MS. TAYLOR: And you'll be presenting</p> <p>9 narrative testimony on behalf of the HOA?</p> <p>10 MS. BENDEREV: Correct.</p> <p>11 MS. TAYLOR: And are you also participating</p> <p>12 individually?</p> <p>13 MS. BENDEREV: No, I will not.</p> <p>14 MS. TAYLOR: Okay. Okay. I think what I</p> <p>15 would like to do now is just go through the list of</p> <p>16 individuals who have submitted statements and when we</p> <p>17 get finished with the list that I have, if there's</p> <p>18 anybody here who has submitted a statement that I</p> <p>19 didn't mention, we'll deal with that. I did get a</p> <p>20 written statement later last evening after the 5 p.m.</p> <p>21 deadline -- hold on, I want to look at my -- from a</p> <p>22 participant, but I'll find out if that person is here</p> <p>23 after I get through this list. Okay. So the first --</p> <p>24 and I'm just going through the list in the order that</p> <p>25 they appear on the exhibit list so, you know, the</p>	<p>15</p> <p>1 MS. SERGEANT: Yes, ma'am.</p> <p>2 MS. TAYLOR: Sandra Kubolok (phonetic)? I</p> <p>3 apologize if I did not pronounce that correctly.</p> <p>4 MS. BENDEREV: I think she sent something in</p> <p>5 written because she wasn't able to attend today.</p> <p>6 MS. TAYLOR: Okay. So not present. Okay.</p> <p>7 David Nikai (phonetic) and Saba Mahein (phonetic)?</p> <p>8 They appear not to be present. They did send written</p> <p>9 testimony. Charles Brownstein? Brownstein?</p> <p>10 MR. BROWNSTEIN: I'm here.</p> <p>11 MS. TAYLOR: Did I -- which pronunciation is</p> <p>12 correct?</p> <p>13 MR. BROWNSTEIN: You had it right.</p> <p>14 MS. TAYLOR: I said both.</p> <p>15 MR. BROWNSTEIN: Brownstein.</p> <p>16 MS. TAYLOR: Okay. All right. Sally Munn</p> <p>17 (phonetic)? Okay. Ms. Munn sent a -- sent written</p> <p>18 testimony but does not appear to be here.</p> <p>19 MR. MEYER: I'm sorry. This is William</p> <p>20 Meyer. Did you call my name?</p> <p>21 MS. TAYLOR: Not yet.</p> <p>22 MR. MEYER: All right. Thank you.</p> <p>23 MS. TAYLOR: Mr. Meyer, you may be the one</p> <p>24 who sent in the written testimony last evening -- I</p> <p>25 think it was around 7 p.m.?</p>
<p>14</p> <p>1 order is -- doesn't show any preference or even any</p> <p>2 order in which you may have actually submitted your</p> <p>3 document. But the first person I have on my list is</p> <p>4 Daniel Melnick. Mr. Melnick, I see you're here.</p> <p>5 MR. MELNICK: Yes, I'm here.</p> <p>6 MS. TAYLOR: And you intend to participate</p> <p>7 as a party?</p> <p>8 MR. MELNICK: I'm a homeowner in the</p> <p>9 Devonshire East Homeowners Association, and I may have</p> <p>10 a brief interaction, but I've basically come to</p> <p>11 listen.</p> <p>12 MS. TAYLOR: Okay. Jane Cunningham?</p> <p>13 MS. CUNNINGHAM: I'm here.</p> <p>14 MS. TAYLOR: And you're participating on</p> <p>15 your own behalf; is that right?</p> <p>16 MS. CUNNINGHAM: That's correct.</p> <p>17 MS. TAYLOR: Crystal Southern?</p> <p>18 MS. SOUTHERN: Hi. I'm here.</p> <p>19 MS. TAYLOR: And you're participating on</p> <p>20 your own behalf?</p> <p>21 MS. SOUTHERN: Yes.</p> <p>22 MS. TAYLOR: Deborah Sergeant?</p> <p>23 MS. SERGEANT: Yes, I'm here.</p> <p>24 MS. TAYLOR: Participating on your own</p> <p>25 behalf, correct?</p>	<p>16</p> <p>1 MR. MEYER: Yes, ma'am, that was me. And I</p> <p>2 regret the late hour, but I did send it last night.</p> <p>3 MS. TAYLOR: Understood. We did have a</p> <p>4 deadline, but I'll go ahead and accept that since it</p> <p>5 got to us this evening -- last evening. The -- your</p> <p>6 written testimony and some of the later submissions</p> <p>7 are not yet on the exhibit list but will be after the</p> <p>8 hearing.</p> <p>9 MR. MEYER: I appreciate that greatly.</p> <p>10 Thank you.</p> <p>11 MS. TAYLOR: Okay. And now I'm just going</p> <p>12 to go through the people who are here as participants</p> <p>13 but who I haven't yet -- whose names I haven't yet</p> <p>14 called. Jonathan Acosta?</p> <p>15 MR. ACOSTA: Hello. I'm project manager for</p> <p>16 MCPS Division of Design and Construction.</p> <p>17 MS. TAYLOR: I'm sorry. What did you say?</p> <p>18 MR. ACOSTA: I'm project manager for MCPS</p> <p>19 Division of Design and Construction.</p> <p>20 MS. TAYLOR: Okay. Are you going to be</p> <p>21 testifying?</p> <p>22 MR. ACOSTA: I will be --</p> <p>23 MS. TAYLOR: Or just observing?</p> <p>24 MR. ACOSTA: Yes. If Seth needs any</p> <p>25 additional information, I can provide what I can.</p>

Transcript of Hearing - Day 2
Conducted on July 28, 2022

5 (17 to 20)

<p>17</p> <p>1 MS. TAYLOR: Okay. Dr. Burton -- Burtron 2 Riveros? 3 DR. RIVEROS: Yes. Good morning. I'm going 4 to be an observer. 5 MS. TAYLOR: Okay. Thank you. There's a 6 person who is listed as Carrie D., as in Delta? 7 MS. DUONG: Hi. I'm a homeowner, and I'm 8 most likely going to be observing unless further 9 testimony is required. 10 MS. TAYLOR: And what is your last name? 11 MS. DUONG: Sorry. Duong, D-U-O-N-G. 12 MS. TAYLOR: Okay. Cheryl Weissman? 13 MS. WEISSMAN: Yes. I'm a homeowner in 14 Devonshire East, and I'm observing. I may make a 15 comment, but I don't have any planned testimony. 16 MS. TAYLOR: Okay. Thank you. Dennis 17 Cross? Mr. Cross, can you hear me? I'm assuming Mr. 18 Cross is just observing. Daniel Feshbach? Oh, excuse 19 me, David. 20 MR. FESHBACH: Yeah, David Feshbach, and I 21 sent written testimony so I'll be observing unless 22 it's needed for me to talk. 23 MS. TAYLOR: Okay. David Pugach? I hope I 24 pronounced that correctly. If not, please let me 25 know.</p>	<p>19</p> <p>1 MS. TAYLOR: And do you plan to testify? I 2 know you submitted something in writing. 3 MS. SARTUCCI: Yes. Thank you. 4 MS. TAYLOR: You will be testifying? 5 MS. SARTUCCI: Yes, please. 6 MS. TAYLOR: Okay. Jeremy Talman? Oh, 7 wait. I'm sorry. I missed somebody. I think as 8 people are coming in, they're going to the top of the 9 list rather -- okay, so I'm just going to keep on 10 going down my list, and then I'll go back up. Jeremy 11 Talman, Talman? 12 MR. TALMAN: Hello. I'll just be observing 13 today. Thank you. 14 MS. TAYLOR: Thank you. Jim, with no last 15 name? You're on the list as Jim, open paren, Guest, 16 close paren? Okay. Joseph Lorete, Lorete? 17 MR. LORETE: Good morning. I'm the court 18 reporter. 19 MS. TAYLOR: Okay. All right. You won't be 20 testifying, right? Okay. Kieran Wilmes? 21 MS. WILMES: Hi. Good morning. Kieran 22 Wilmes. I'm with Grimm & Parker Architects. We're 23 part of the design team working with MCPS. 24 MS. TAYLOR: And I'm assuming you don't plan 25 to testify?</p>
<p>18</p> <p>1 MR. PUGACH: That's okay. Pugach. I'm a 2 homeowner in Devonshire East, observing, happy to 3 offer additional testimony in support of what I 4 imagine many of my neighbors will be saying. 5 MS. TAYLOR: Okay. 6 MS. SOUTHERN: Hi, Ms. Taylor. Can I 7 provide clarification for you? This is Crystal 8 Southern. 9 MS. TAYLOR: Yes. 10 MS. SOUTHERN: When you called my name -- 11 yes, I will -- I also submitted written testimony. I 12 will be primarily observing. 13 MS. TAYLOR: Okay. 14 MS. SOUTHERN: And only similar to what 15 others have said -- only offering additional testimony 16 if needed, but I have submitted written testimony. 17 Thank you. 18 MS. TAYLOR: Excellent. Yeah, we'll go over 19 some ground rules, but in terms of the cumulative 20 testimony, we -- or repetitious testimony we don't 21 want and so I appreciate that. Okay. Janice Sartucci 22 -- actually, I believe I saw something from you. 23 MS. SARTUCCI: Yes, ma'am. 24 MS. TAYLOR: Okay. 25 MS. SARTUCCI: I am here.</p>	<p>20</p> <p>1 MR. WILMES: Correct. 2 MS. TAYLOR: Okay. Okay. Let's see. 3 Lawrence Boyd -- or Boyd Lawrence. I think -- 4 MR. LAWRENCE: Yes. Good morning. 5 MS. TAYLOR: -- is a fact witness. 6 MR. LAWRENCE: Yeah, Boyd Lawrence, real 7 estate management specialist for Montgomery County 8 Schools. 9 MS. TAYLOR: Okay. 10 MR. LAWRENCE: Mostly here to observe unless 11 directed for a question. 12 MS. TAYLOR: Right. Okay. And then Marc 13 Marzullo is also with the applicant. Michael -- a 14 person named Michael Guest? 15 MR. NORTON: Michael Norton, Norton Land 16 Design, part of the design team. 17 MS. TAYLOR: Robert Neely? 18 MR. NEELY: Yes, I am here from T-Mobile. 19 MS. TAYLOR: Oh, yes. Mr. Sampson said you 20 would be -- 21 MR. NEELY: A fact witness. 22 MS. TAYLOR: Correct. 23 MS. TINGLEY: Nothing happening. She's the 24 hearing examiner. She's -- there's 23 more people 25 besides those little boxes shown. I'm on as --</p>

Transcript of Hearing - Day 2
Conducted on July 28, 2022

6 (21 to 24)

<p>21</p> <p>1 without audio -- I mean, without -- I have audio but I 2 don't have video, and I should be mute. 3 MS. TAYLOR: Okay. Yes, bear with me. I'd 4 really like to find out who's here before we start in. 5 Emily Nelms? 6 MS. NELMS: I'm an observer from T-Mobile. 7 MS. TAYLOR: Paul Dugan? He is with -- an 8 expert with SBA Communications Corp. 9 MR. DUGAN: Yes. Good morning. This is 10 Paul Dugan. I'm here with Millennium Engineering PC. 11 MS. TAYLOR: Okay. Paula Schuster? Okay. 12 There's a person listed as Rick Guest? 13 MR. ZECHTER: Yeah. Hi. Good morning. I'm 14 Richard Zechter. I'm a long-term resident of 15 Devonshire East, and I'm here primarily as an observer 16 but may choose to make comments. 17 MS. TAYLOR: Okay. And how do you spell 18 your last name? 19 MR. ZECHTER: Z, like zebra, E-C-H-T-E-R. 20 MS. TAYLOR: Thank you. Shawn Benjaminson? 21 MR. BENJAMINSON: Yeah, Shawn Benjaminson, 22 ADTEK Engineers. I'm a consultant for the design 23 project. 24 MS. TAYLOR: And you're observing? 25 MR. ZECHTER: Yes, ma'am.</p>	<p>23</p> <p>1 you plan to testify? 2 MR. MEYER: Yes, ma'am. I do plan to 3 testify if time allows. 4 MS. TAYLOR: Okay. All right. There's 5 another call-in, 240-660-1503? 6 MS. SERGEANT: That's me, Deborah Sergeant. 7 It's the same situation. 8 MS. TAYLOR: Excellent. Okay. And then the 9 last number I -- well, next to last number, 301-237- 10 9825? 11 MR. MEYER: 301-237-9825 is William Rick 12 Meyer. 13 MS. TAYLOR: Okay. That's -- all right. 14 Excellent. Okay. And the last one, 301-254-9282? 15 MS. NELMS: That's me, Emily Nelms. I have 16 the same situation with audio and video. 17 MS. TAYLOR: Okay. Thank you. All right. 18 I'm going to go back up to the top to see if there's 19 anybody I missed. 20 MR. SAMPSON: Ms. Taylor, also I'm aware of 21 three individuals who are planning -- who live in the 22 area who are planning to come and speak in support but 23 due to work constraints, were planning to join closer 24 to 11. I can give you their names if you would like. 25 MS. TAYLOR: Let me just go through the list</p>
<p>22</p> <p>1 MS. TAYLOR: Shiho Shibasaki? 2 MS. SHIBASAKI: Yes, Shiho Shibasaki. I'm 3 an MCPS facilities architect. 4 MS. TAYLOR: I'm sorry. What did you say? 5 MS. SHIBASAKI: MCPS facilities architect. 6 MS. TAYLOR: Okay. And I'm assuming you're 7 observing also? 8 MS. SHIBASAKI: Yes. 9 MS. TAYLOR: Okay. Sue Present? 10 MS. PRESENT: Yes. Examiner Taylor, I'm a 11 resident, and I plan to testify. 12 MS. TAYLOR: Did you submit any written 13 testimony, Ms. Present? 14 MS. PRESENT: No. I only submitted exhibits 15 at this point. 16 MS. TAYLOR: Thank you. Tran Tuan -- or 17 Tuan Tran? Okay. And then we have three call-in 18 people. One is -- it looks like Rick -- excuse me, 19 William Meyer -- okay, you've already mentioned that 20 you're here. 21 MR. MEYER: Yes, I am listening on audio 22 only, but I'm also watching separately on Microsoft 23 Teams, but I have access to audio only. 24 MS. TAYLOR: Okay. And do you plan to 25 testify? I know you sent in written testimony. Do</p>	<p>24</p> <p>1 and then we'll -- and then -- 2 MR. SAMPSON: Sure. 3 MS. TAYLOR: -- I'll ask for those. Dennis 4 -- oh, Dennis Cross we talked to. Diane and John 5 Tingley I don't think I have -- 6 MS. TINGLEY: No. I'm Diane Tingley. I'm a 7 Lux Manor resident right across the street from the 8 site. 9 MS. TAYLOR: Okay. 10 MS. TINGLEY: Our citizenship association 11 isn't represented there. I'm one of the closest 12 neighbors there. I'm here just to observe, not to 13 testify. And I'm on audio only. 14 MS. TAYLOR: Okay. Thank you. 15 MS. TINGLEY: Uh-huh. 16 MS. TAYLOR: Greg Hines? I don't think I 17 called out your name yet. 18 MR. HINES: Yes. I'm with SBA. I'm the 19 construction project manager for this tower rebuild. 20 I'm just here to observe, but I can answer any 21 questions regarding the construction if need be. 22 MS. TAYLOR: Thank you. All right. I 23 believe we've gone through everybody. Oh, I'm sorry, 24 I might have missed somebody. Kathrine Guest? 25 MS. KATZIN: Hi. My last name is Katzin, K-</p>

Transcript of Hearing - Day 2
Conducted on July 28, 2022

7 (25 to 28)

<p>25</p> <p>1 A-T-Z-I-N.</p> <p>2 MS. TAYLOR: Okay.</p> <p>3 MS. KATZIN: And I'm a resident, and I plan</p> <p>4 to testify if time allows.</p> <p>5 MS. TAYLOR: All right. Sorry about that.</p> <p>6 I know that there's another Katherine and thought that</p> <p>7 you were that person. Okay. Okay. So we've gone</p> <p>8 through -- at least I've got a good idea as to who --</p> <p>9 who's all here and how this will proceed. So just to</p> <p>10 -- I'm just going to kind of throw out some rules of</p> <p>11 the road, so to speak. So all of the exhibits that</p> <p>12 were -- that anybody intended -- or intends to submit</p> <p>13 should have been submitted yesterday by 5 p.m.</p> <p>14 Actually, I think we had Monday as the deadline for</p> <p>15 Exhibits, but we had yesterday at 5 p.m. as the</p> <p>16 deadline for individual written testimony.</p> <p>17 I have not viewed the site, and that was</p> <p>18 somewhat deliberate. I know there were questions</p> <p>19 about that, but I'd like to explain the reason I</p> <p>20 didn't. There are so many parties in this case, I</p> <p>21 believe it would have been almost impossible to have a</p> <p>22 site visit where all parties are given notice and</p> <p>23 allowed to be present. But even more importantly, I</p> <p>24 do believe that the photographic evidence that I've</p> <p>25 seen so far is very demonstrative of the views, I</p>	<p>27</p> <p>1 will work is that the applicant -- first, I'm going to</p> <p>2 give you each an opportunity to make -- well,</p> <p>3 actually, I'm going to give the SBA and the homeowners</p> <p>4 -- I'm concerned that if I give everybody the</p> <p>5 opportunity to make an opening statement, we are not</p> <p>6 going to get through opening statements until -- for a</p> <p>7 few hours. And so I think what we'll do initially is</p> <p>8 I will allow the applicant and the two homeowners</p> <p>9 associations who are here through a representative to</p> <p>10 give a very short opening statement. If there's</p> <p>11 anyone else who wishes to give an opening statement,</p> <p>12 please let me know, but my sense is that your opening</p> <p>13 statement would essentially be your testimony and you</p> <p>14 will be given an opportunity to present your testimony</p> <p>15 at a later point.</p> <p>16 So basically, the -- we'll have opening</p> <p>17 statements, and then the applicant will be able to</p> <p>18 present the applicant's case first. Mr. Sampson will</p> <p>19 call whatever witnesses he plans to call. Any other</p> <p>20 party is entitled to cross-examine those witnesses,</p> <p>21 but that cross-examination doesn't take place until</p> <p>22 Mr. Sampson is -- has concluded his examination of</p> <p>23 those witnesses.</p> <p>24 And again, while each of you would have the</p> <p>25 right to cross-examine, you know, I want you to be</p>
<p>26</p> <p>1 guess, or the, you know, what you see actually on the</p> <p>2 ground. If it would get to the point where a site</p> <p>3 visit is absolutely necessary, we can certainly deal</p> <p>4 with that before the hearing closes.</p> <p>5 In general, the rules of evidence in an</p> <p>6 administrative proceeding like this are somewhat</p> <p>7 relaxed compared to a court of law hearing. So, you</p> <p>8 know, we're not -- the hearing examiner and hearing</p> <p>9 authorities in administrative proceedings are</p> <p>10 generally not bound by the strict rules of evidence,</p> <p>11 but -- and we will give weight and consideration to --</p> <p>12 appropriate weight and consideration to evidence</p> <p>13 that's deemed to be relevant, not repetitious, and</p> <p>14 probative of the issues at hand. So along that line,</p> <p>15 all of the individual witnesses -- all of the</p> <p>16 individual participants have submitted written</p> <p>17 statements and many of you have very similar concerns</p> <p>18 and so when you do testify, if you are essentially</p> <p>19 testifying to something that somebody already has</p> <p>20 testified about, if you'll just say that, you know,</p> <p>21 you agree with so-and-so rather than going through the</p> <p>22 same testimony again, I think that will help us push</p> <p>23 this hearing along.</p> <p>24 We do have a few preliminary matters that</p> <p>25 I'll go back to but just in general, the way the day</p>	<p>28</p> <p>1 mindful of being repetitious, and in all events, we</p> <p>2 want all questioning to be civil.</p> <p>3 And then after the applicant's presentation,</p> <p>4 any opposition or interested parties will then be able</p> <p>5 to present their cases, which, most likely, in the</p> <p>6 case of the HOAs, will be the presentation of the</p> <p>7 written testimony by a representative and then in the</p> <p>8 case of individuals will be your own individual</p> <p>9 testimony. After you testify, the applicant will be</p> <p>10 able to cross-examine you, and so be prepared for</p> <p>11 that.</p> <p>12 All right. The exhibits have already been</p> <p>13 marked so if you're going to refer to an exhibit,</p> <p>14 please do so by exhibit number. We will then either</p> <p>15 accept or not accept those exhibits into the --</p> <p>16 formally into the record. Actually, I'm just going to</p> <p>17 wholesale state for the record that the exhibits that</p> <p>18 are premarked by staff as Exhibits 1 through 60 are</p> <p>19 admitted into the record. I think I've reviewed every</p> <p>20 single one, and I don't believe there's anything that</p> <p>21 is not worthy of being accepted into the record. So</p> <p>22 all of those exhibits are now part of the record and</p> <p>23 can be referred to as Exhibit -- by the exhibit</p> <p>24 numbers.</p> <p>25 (Exhibit Nos. 1-60, premarked, are admitted into the</p>

Transcript of Hearing - Day 2
Conducted on July 28, 2022

8 (29 to 32)

<p>29</p> <p>1 record.)</p> <p>2 MS. TAYLOR: Just -- if everybody would,</p> <p>3 obviously, keep yourself muted while anybody else is</p> <p>4 talking. If you have a question that you believe</p> <p>5 can't wait, you know, I don't mind a little bit of</p> <p>6 jumping in, you know, if there is, you know, a problem</p> <p>7 with the recording or, you know, something along those</p> <p>8 lines but for all intents and purposes, everybody will</p> <p>9 remain muted until your time to either ask questions</p> <p>10 or to provide testimony.</p> <p>11 Now, there are a couple of preliminary</p> <p>12 issues that were, I guess, presented in a more</p> <p>13 narrative form by the parties. We've discussed one of</p> <p>14 those issues, and that is the question as to whether</p> <p>15 SBA Communications Corp. is authorized by either the</p> <p>16 Montgomery County Board of Ed or the Montgomery County</p> <p>17 Public School System to file the application. And</p> <p>18 based upon Mr. Sampson's submission, I do believe that</p> <p>19 the Montgomery County Board of Education and the</p> <p>20 Montgomery County School System, in essence -- well,</p> <p>21 has properly provided permission to the applicant, SBA</p> <p>22 Communications Corp., to pursue the application.</p> <p>23 And then there was another somewhat</p> <p>24 preliminary issue that was brought up, I believe, by</p> <p>25 Jane Cunningham and Janice Sartucci -- okay so Janice</p>	<p>31</p> <p>1 not the Board of Education, which is an applicant,</p> <p>2 went -- complied with their own internal policies in</p> <p>3 order to pursue this particular project.</p> <p>4 MR. GERSTENBLITH: Examiner Taylor, I don't</p> <p>5 mean to interrupt -- this is Bart Gerstenblith -- but</p> <p>6 may we be heard on the question of ownership and</p> <p>7 authorization?</p> <p>8 MS. TAYLOR: Yes. So I'm just trying to</p> <p>9 determine what the effect would be, let's say, if --</p> <p>10 even if I decided that the applicant wasn't properly</p> <p>11 authorized to pursue the application because the</p> <p>12 Montgomery County Board of Ed is actually listed as an</p> <p>13 applicant. But yes, you may be heard, and then I'll</p> <p>14 allow Mr. Sampson to, you know, provide whatever</p> <p>15 argument he'd like to provide.</p> <p>16 MR. GERSTENBLITH: Thank you so much. So to</p> <p>17 answer your question before I begin, I think the</p> <p>18 appropriate remedy would be to deny the application</p> <p>19 and that the Board of Education would need to call an</p> <p>20 open meeting to make a new resolution that gave</p> <p>21 specificity to exactly what Mr. Sampson is</p> <p>22 representing that they authorized which, right now,</p> <p>23 not only has it not occurred, but there is no evidence</p> <p>24 in the record that it has occurred. Despite having</p> <p>25 MCPS personnel in attendance here who may, themselves,</p>
<p>30</p> <p>1 Sartucci is the individual who raised the question of</p> <p>2 the application not having been authorized by either</p> <p>3 the board or Montgomery County Public Schools. I've</p> <p>4 already responded to that.</p> <p>5 And then the next issue relating to the</p> <p>6 Board of Education, Ms. Cunningham raised the issue</p> <p>7 about the Board of Ed not being in compliance with its</p> <p>8 own telecom transmission facilities policy. So my</p> <p>9 response to that is that while that may well be a</p> <p>10 reason to -- for an individual or anyone to</p> <p>11 potentially get involved in the capital construction,</p> <p>12 you know, the local government, obviously, and Board</p> <p>13 of Ed go through a lot of administrative processes to</p> <p>14 get a project kind of underway and built, and there</p> <p>15 are ways for the public, perhaps, to get involved with</p> <p>16 such plans or proceedings if you believe that policies</p> <p>17 weren't followed. In this case, I have a very narrow</p> <p>18 focus and my job only is to determine whether the use,</p> <p>19 which is being requested to be approved as a</p> <p>20 conditional use, is approvable or shall be approved</p> <p>21 under the specific guidelines that I'm given. And</p> <p>22 those guidelines relate to, you know, the use of the</p> <p>23 property, you know, some esthetic concerns, location,</p> <p>24 need for the facility, et cetera. I'm not -- I don't</p> <p>25 believe I have the authority to delve into whether or</p>	<p>32</p> <p>1 want to give authorization, the Board of Education,</p> <p>2 itself, has not done so. If you look at -- so there's</p> <p>3 no debate that -- and Mr. Sampson has not contested</p> <p>4 this -- and I believe everybody agrees that the Board</p> <p>5 of Education is the landowner and, Examiner Taylor,</p> <p>6 you established, and it was very clear, that the</p> <p>7 landowner needed to be an applicant and there needed</p> <p>8 to be authorization from the landowner to pursue this</p> <p>9 application.</p> <p>10 Something in the record must show that the</p> <p>11 landowner has authorized this application and right</p> <p>12 now there is nothing saying that. If you look at</p> <p>13 Exhibit 60, six-zero, which is Mr. Sampson's letter</p> <p>14 from July 25, he has attached to it the September 9,</p> <p>15 2021, Board of Education memorandum. This is the only</p> <p>16 document in the record, to my knowledge, and that has</p> <p>17 been identified by applicants anywhere, that's coming</p> <p>18 from the Board of Education as to what they have</p> <p>19 specifically approved or authorized. The resolution</p> <p>20 is only one paragraph at the very end. It's the last</p> <p>21 page of that Exhibit, and it very clearly says that</p> <p>22 they authorize the interim superintendent to negotiate</p> <p>23 and execute a telecommunications lease renewal. That</p> <p>24 is it, lease renewal. There's nothing about</p> <p>25 authorizing them to file an application for a new</p>

Transcript of Hearing - Day 2
Conducted on July 28, 2022

9 (33 to 36)

<p>33</p> <p>1 telecommunications tower through the OZAH and zoning 2 process. It is only to negotiate a lease renewal with 3 SBA. It says specifically to negotiate a lease 4 renewal with SBA.</p> <p>5 So I want to make it crystal clear because 6 there's really -- I don't see how there can be any 7 argument as to what is expressly stated. The board 8 authorized the superintendent to negotiate with SBA. 9 In other words, the two parties that are working 10 together -- the only authorization was for them to 11 negotiate with one another, not to work together to 12 file an application, not to represent the board before 13 your office and at this hearing. There is zero 14 evidence in the record of anything like that 15 happening. So I start with that.</p> <p>16 And I will also note that there is also no 17 evidence in the record that the Board of Education 18 approved or authorized this application for a 126-foot 19 monopole. When you read the whereas clauses and the 20 language in this memorandum, it specifically says at 21 the bottom of the first page of the memorandum, the 22 sentence that starts in the middle of the line. So 23 it's the last paragraph on the -- so it's the -- sorry 24 about this -- the third page of the exhibit -- 25 MS. TAYLOR: And what exhibit number are you</p>	<p>35</p> <p>1 document that the Board of Education approved SBA, 2 acting on their behalf, to file an application for a 3 brand new monopole that is 75 percent taller and 4 completely different in structure than the one that 5 exists. So that is a secondary point.</p> <p>6 The main point is that this resolution, 7 which is only one paragraph and literally one 8 sentence, only authorizes the negotiation and 9 execution of a lease. It does not say anywhere in 10 here that they have the ability and authorization to 11 file this application. Zero.</p> <p>12 Thank you for the opportunity to explain 13 this. I think it's very, very clear.</p> <p>14 MS. TAYLOR: Mr. Sampson?</p> <p>15 MR. SAMPSON: Thank you, Examiner Taylor. I 16 just want to point out that, while I admire the 17 argument, Mr. Gerstenblith didn't read the entire 18 resolution paragraph that he referred to. It talks 19 about the lease renewal conditional upon SBA 20 Communications Corporation obtaining approval from the 21 Montgomery County Transmission Facility Coordinating 22 Group and the Montgomery County Department of 23 Permitting Services. So to me, that authorizes SBA to 24 move forward with applications, which we already have 25 with the Montgomery County Transmission Facility</p>
<p>34</p> <p>1 referring to?</p> <p>2 MR. GERSTENBLITH: -- six-zero, Mr. 3 Sampson's letter from July 25. It's very critical to 4 look at the exact language here because this -- after 5 this, the entire hearing should, in all honesty, be 6 stopped, the case should be done, and we should -- the 7 application should be denied, and whenever this is 8 corrected in the future, if ever, we will all be back 9 here doing this all over again for some other reason. 10 But right now this is a critical issue that, once this 11 is decided, there's no reason to proceed because 12 there's nothing left to do. So if you look at the 13 third page of this exhibit, the very bottom, the 14 sentence that carries over from the first page of the 15 memorandum to the second, which is page 3 and 4 of the 16 exhibit, it says, the relocation of the 17 telecommunications monopole from one location to 18 another. Okay? The relocation of the monopole. In 19 other words, they're talking about moving the existing 20 monopole. They're not talking about building a new 21 monopole. They're not talking about a monopole that's 22 completely different than the monopole that is there. 23 This was presented to the board as moving the one that 24 exists, and that is not what the application is 25 seeking to do. And there is no evidence in this</p>	<p>36</p> <p>1 Coordinating Group, which we have received approval 2 from, and with this conditional use. The resolution 3 is clear that this is giving the superintendent the 4 authorization to review the plans and enter into the 5 lease if the plans are approved and are acceptable to 6 MCPS. So I think it's a misinterpretation of what the 7 resolution is. As you pointed out, the Board of 8 Education is an applicant here. Representatives of 9 MCPS are here and can testify to it, but this -- I see 10 the argument and where they're coming from but I don't 11 think that that's an issue for today's hearing.</p> <p>12 MR. GERSTENBLITH: Ms. Taylor, may I just 13 respond to that very briefly?</p> <p>14 MS. TAYLOR: Yes.</p> <p>15 MR. GERSTENBLITH: Okay. The first thing 16 is, that doesn't change anything because that is -- 17 the operative clause of the sentence is what is being 18 authorized, not what is conditioned upon that 19 authorization. Okay? It's very -- to me, the 20 sentence is very clear, and I think to the majority of 21 people on this meeting, it's very clear. Now, it may 22 have been that MCPS and SBA intended it to say 23 something that it doesn't say, but it does not say 24 that we authorize the superintendent or SBA to file an 25 application for a new monopole. The specs are not</p>

Transcript of Hearing - Day 2
Conducted on July 28, 2022

10 (37 to 40)

<p>37</p> <p>1 identified here. All it says is to negotiate and 2 execute a lease. Yes, doing those actions is 3 conditioned on getting approval from these two groups, 4 but there's nothing that authorizes proceeding to file 5 an application for a new monopole of this size. 6 There's nothing in here about that, whatsoever. And I 7 respectfully disagree with Mr. Sampson that this is 8 not an issue for this hearing because it is a critical 9 issue that we don't even get to the rest of the issues 10 that are presented because there is a failure of 11 authorization from the landowner which, Examiner 12 Taylor, you expressly explained this at the beginning. 13 MS. TAYLOR: Bear with me. So it looks to 14 me like -- accepting the argument of Mr. Gerstenblith 15 -- let's assume that the resolution does not expressly 16 cover the application of -- or conditional use 17 approval for a new tower. The code section that I 18 believe applies to this, perhaps among others, under 19 731 -- 7.3.1.B1B, if any land or right of way is owned 20 or controlled by the state, county, or any other 21 entity or agency, written authorization from that 22 entity or agency must be submitted with the 23 application. So, Mr. Gerstenblith, it's your position 24 that that authorization was not submitted with the 25 application?</p>	<p>39</p> <p>1 there's nobody here from the board, or a majority of 2 the board, to state on the record that they would pass 3 this at their next meeting whenever that is intended 4 to be. So I firmly believe that this hearing should 5 either be postponed or the application denied until 6 the time when it can -- when Mr. Sampson and his group 7 can go back to the Board of Education and attempt to 8 have a legitimate resolution passed if they were to do 9 that and we can save everybody the time today because 10 the rest -- we don't need to reach any other issues 11 here because this is a fatal defect, and it is not 12 harmless error. This is absolutely critical to have 13 this, which is why I think you mentioned it at the 14 very beginning of today. 15 MS. TAYLOR: Mr. Sampson, do you have any 16 other comments? 17 MR. SAMPSON: Just briefly, Ms. Taylor. 18 First of all, we have several people from MCPS here on 19 the call today. One of which actually drafted the 20 resolution that went to the board and had direct 21 discussions with the board and instead of making 22 assumptions about what was said, could actually have 23 conversations about what the board was presented with. 24 But you also have to take into account that this is 25 part of a much larger project that's been in the works</p>
<p>38</p> <p>1 MR. GERSTENBLITH: Absolutely correct. 2 MS. TAYLOR: So then the next question is, 3 what is the -- is that a defect in the application 4 that cannot -- that prohibits the application from 5 going forward, or is that a defect that either has 6 already been or can be remedied at this point. 7 MR. GERSTENBLITH: Examiner Taylor, I would 8 posit -- and I don't mean to interrupt you -- that it 9 is not one that can be remedied -- can be assumed to 10 be remedied because the Board of Education would need 11 to have a new meeting that would be open to the public 12 with comment and they did not have -- as you can 13 clearly see here -- they did not have all the facts 14 presented to them and if they did, they did not 15 authorize this, so it can not be assumed that they 16 would do so at a future meeting. 17 And I would just add that I don't want to 18 get into what we believe or don't believe, but 19 Devonshire East believes that the board -- and I don't 20 want to use a term that's at all invective of 21 anything -- but I don't believe the board had all of 22 the facts. Let me just say it that way. I don't 23 believe the board was correctly presented with all the 24 facts when they made this -- passed this resolution. 25 And there's no evidence here that they were, and</p>	<p>40</p> <p>1 for years. It's a multimillion-dollar brand new 2 school and this relocation is a critical component and 3 piece of that that has been in the plans that are 4 publically available online and has been discussed 5 every step of the way with the Board of Education, 6 Montgomery County Public Schools, and all interested 7 construction groups. So saying that the board had the 8 wool pulled over its eyes on this and wasn't fully 9 aware what it was entering into is simply not true. 10 And the resolution expressly gives the authority to 11 the superintendent of MCPS to enter into the lease 12 agreement if he finds it to be fit and if it receives 13 all of the necessary approvals, which we are in the 14 process of doing. 15 So I believe the resolution is clear. I 16 believe it does give authority for the superintendent 17 and MCPS to move forward with this. And again, this 18 is part of a much, much larger construction project 19 that's been in the works for years and that the plans 20 have been out there. This isn't something where the 21 board was tricked into approving a resolution to allow 22 us to submit this. 23 As an applicant, the board could withdraw it 24 at any time if they wanted to, but they want us to 25 proceed with this. And the relocation of this pole --</p>

Transcript of Hearing - Day 2
Conducted on July 28, 2022

11 (41 to 44)

<p>41</p> <p>1 the construction cannot proceed until it is done and 2 complete, so that's why there's some urgency to try to 3 move this forward as expeditiously as possible and 4 avoid further delays to push this down the road 5 because the tower is simply in the way of our 6 construction groups right now for MCPS, and it needs 7 to be moved and -- moved to its new location. 8 MR. GERSTENBLITH: Your Honor? 9 MS. TAYLOR: Yes. 10 MR. GERSTENBLITH: Ms. Taylor -- Examiner 11 Taylor, let me just clarify something because Mr. 12 Sampson just said that the board was fully apprised 13 and had discussions of this, but if you examine the 14 meeting minutes from the September 9, 2021 board 15 meeting where they passed this resolution, there was 16 no discussion about this resolution. It was passed as 17 a consent item. So to the extent that there was 18 representation being made here that the board was 19 apprised of all of these details and had full 20 discussion on this, that is absolutely false. And I 21 did not mean to suggest that the board -- that the 22 wool was pulled over the eyes of the board. I'm not 23 putting any blame on anybody for doing anything 24 misleading. All I am saying is that it is very clear 25 that the board did not -- was not presented all of the</p>	<p>43</p> <p>1 project. This particular application is before a 2 hearing examiner because it's not part of the regular 3 capital project. It is a specific use that's being 4 requested on this site that has to adhere to specific 5 requirements and conditions before it can be approved. 6 So, you know, I'm troubled by the fact that the Board 7 of Education is listed as an applicant but that there 8 was no authorization from the Board of Education. 9 There's no signature of anybody on behalf of the board 10 submitted with the application. And there, you know, 11 there is argument that I don't believe I can really 12 respond to because it's not within my authorization to 13 do so but that, you know, the board or the school 14 system, itself, didn't adhere to their own policy in 15 connection with this project and essentially agreeing 16 that this project should go forward. And again, I'm 17 not talking about the entire school project. I mean, 18 I think everybody kind of knows that school projects 19 are important and should go forward, but this is a 20 particular non-school-related use on school property 21 that, again, is before the hearing examiner because of 22 the fact that it requires conditional use approval. 23 So you know, I'm struggling with the fact that it's 24 clear that the Board of Education and Montgomery 25 County School System, you know, is going forward and</p>
<p>42</p> <p>1 information here and that the board did not authorize 2 SBA or anybody else to file this application on their 3 behalf for a new tower of this height. It is simply 4 not here. 5 MR. SAMPSON: Ms. Taylor, just to try to 6 move this along a little bit, I don't believe this is 7 a fatal defect -- getting back to what you said 8 before. It's very clear that the Board of Education 9 and Montgomery County Public Schools want to move 10 forward with this project as representatives from MCPS 11 are here. If it would relieve the anxiety, you could 12 make it a condition of approval that SBA obtains a 13 specific written letter from the Board of Education 14 stating the expressed terms of the application are 15 approved by the Board of Education, and we can submit 16 that before the record closes as a condition of 17 approval, if that is what is concerning people here, 18 but there is authorization. The Board of Education 19 wants this project, MCPS wants this project, and we're 20 trying to move it forward as expeditiously as 21 possible. So to the extent that that would be 22 helpful, we could do that. 23 MS. TAYLOR: Well, I understand 24 that the board and the public school system want the 25 project, but the project is the entire school capital</p>	<p>44</p> <p>1 wants to go forward with the project because it's 2 happening and it, presumably, is a capital project, 3 but I think this is kind of a use within that project 4 that has to be looked at individually and, you know, 5 all of the I's need to be dotted and the T's crossed 6 in order for it to be approved and, you know, one of 7 the initial requirements was that authorization from 8 the ownership entity be provided with the application. 9 And so, you know, if it were just, frankly, 10 a situation where, let's say, the owner was John Smith 11 and John Smith was here saying, yeah, it's my land, I 12 agree that this can go forward, but we're dealing with 13 an entity that, you know, has policies and procedures 14 in place in order to take action in order to provide 15 approval for certain things to happen. 16 That said, we are dealing with a unique 17 situation that -- well, it's somewhat unique in 18 conditional use cases because it's a 19 telecommunications tower. We are dealing with a time 20 period that is running very quickly and so, you know, 21 short of me either -- short of me denying the 22 application now, if I were to postpone, we would be 23 getting into problems with the federal time 24 limitations for continuing -- for approving -- 25 considering and approving an application for a</p>

Transcript of Hearing - Day 2
Conducted on July 28, 2022

12 (45 to 48)

<p style="text-align: right;">45</p> <p>1 telecommunications tower. We're getting very close to 2 kind of the end, so to speak, because there was a lot 3 that went on at the front end, and, of course, we've 4 already had a continuance with a waiver by the 5 applicant of the -- a 45-day waiver of the federal 6 shot clock, as it's called. 7 Here's what I'd like to do. I'd like to 8 adjourn this meeting for about 30 minutes to read 9 through the statute again and then we'll come back, 10 and I'll let you know what we will be doing; whether 11 we will be postponing, proceeding, or otherwise. 12 MS. SARTUCCI: Hearing Examiner Taylor, if I 13 might? 14 MS. TAYLOR: Yes. 15 MS. SARTUCCI: Just one note on that, that 16 this is -- it is a rather unique situation, but it has 17 happened before -- oh, I'm sorry. Am I -- can you 18 hear me? 19 MS. TAYLOR: I can hear you, yes. 20 MS. SARTUCCI: I'm sorry. Yes, so this has 21 happened before with other Board of Education 22 property, and in that case, at Sligo Middle School, 23 the hearing was postponed for proper authorization. 24 So this is not a new scenario. 25 MS. TAYLOR: Understood. I'm sure that this</p>	<p style="text-align: right;">47</p> <p>1 another opportunity -- especially of this critical 2 import. Thank you. 3 MS. PRESENT: Excuse me, Examiner Taylor, 4 Sue Present. One very quick mention concerning the 5 shot clock. I have entered Exhibit 62B about that, 6 and I encourage you to take a very quick look at it. 7 It clarifies the matters concerning the shot clock 8 from the 9th and 5th Circuits and that you are not as 9 constrained as you think you might be so long as you 10 are acting reasonably. 11 MS. TAYLOR: I like to think I'm always 12 reasonable. So I will take a look at that. I 13 actually downloaded all of the Exhibits yesterday onto 14 my own hard drive so I would have -- not have to deal 15 with potential connectivity issues in order to see the 16 exhibits, and I think yours must have been submitted 17 after I downloaded mine, so I will take a look at that 18 exhibit also. 19 MR. SAMPSON: Ms. Taylor? 20 MS. TAYLOR: Mr. Sampson, yes. 21 MR. SAMPSON: Can I bring in one additional 22 piece before we break? 23 MS. TAYLOR: Sure. 24 MR. SAMPSON: First of all, Seth Adams from 25 Montgomery County Public Schools at one point had his</p>
<p style="text-align: right;">46</p> <p>1 kind of situation comes up a lot. I think that the 2 issue that we're dealing with is the time limitations 3 but -- 4 MR. GERSTENBLITH: Examiner Taylor, when you 5 take this under consideration and having heard your 6 discussion and being, you know, personally involved in 7 the extensions that were done, I would also just note 8 that there has been a lot of exceptions here made for 9 applicants. A lot of opportunities given to them to 10 redo a visual impact study, to do other things to 11 correct this application literally over and over and 12 over. So I would expressly encourage you that the 13 correct outcome here would be to deny the application 14 now. There is no reason -- as you said, there is no 15 reason why the broader construction project cannot 16 proceed as planned. And if in some future time they 17 follow the procedures, dot the I's and cross the T's, 18 that they can't come onto the site and build the 19 tower. And it may yet be determined that the board 20 decides to put it somewhere else. That is not a 21 foregone conclusion. As you said, it is not in here. 22 So I don't mean to, you know, delay you getting to 23 consider this but I would -- I just wanted to remind 24 everybody that the applicants have had numerous 25 opportunities to correct things and this should not be</p>	<p style="text-align: right;">48</p> <p>1 hand raised. He may be able to offer some 2 clarification for you if you want. Additionally, 3 while we've been having this conversation, Boyd 4 Lawrence with Montgomery County Public Schools 5 forwarded me the Board of Education of Montgomery 6 telecommunications transmission policy, and I can 7 forward this to you if you want. And a section of it 8 expressly gives the MCPS superintendent the authority 9 to review and, if necessary, gather additional views 10 of the community as well as principles in approving 11 telecommunications leases for school properties. And 12 so this has been in place since -- for quite a while 13 and apparently, since 2019, MCPS has simply gone 14 through the additional step of getting approved by 15 board resolution simply to cover the bases. But based 16 on what has been forwarded to me and maybe can be 17 explained further by MCPS personnel, the Board of 18 Education policy specifically grants the 19 superintendent of MCPS the authority to review and 20 improve telecommunications applications and leases. 21 MS. TAYLOR: When you say applications -- 22 yes, if you would forward that to me. So I think 23 we're talking about apples and oranges here. In my 24 understanding of the administrative agencies that have 25 their own sets of rules and policies, that the</p>

Transcript of Hearing - Day 2
Conducted on July 28, 2022

13 (49 to 52)

<p>49</p> <p>1 Montgomery County Public School System or Board of Ed 2 rules related to the approval, you know, or pursuit of 3 telecommunications towers on school sites is one part 4 of the Montgomery County Board of Education process. 5 We're not in that process. We are in the process of a 6 conditional use request to have it approved under the 7 land use regulations and so -- and I go back to the 8 fact that the application is required to be filed 9 along with authorization from the owner. Montgomery 10 County Public Schools isn't the owner. I think the 11 Board of Education is. While I think those two 12 entities are used kind of interchangeably, I do not 13 believe that a representative of the Montgomery County 14 School System, per se, can speak on behalf of the 15 Board of Education. I mean, even though -- I mean, I 16 understand that they're used interchangeably but, you 17 know, you're dealing with the Board of Education as a 18 body that is constituted by law, and certain people 19 are authorized to act on behalf of the board. 20 And so unless it's something specifically 21 authorizing this application specifically on behalf of 22 the Board of Education, I'm not going -- I'm not too 23 -- I don't think I'm going to be swayed by comments 24 from the school system's (indiscernible). 25 MR.ADAMS: Ms. Taylor, can I just -- and</p>	<p>51</p> <p>1 relocation and amendment of that lease, that is what 2 was taken to the board for review, and it was 3 contingent upon approvals. 4 But I just wanted to be very clear that we 5 do not have representation of the Board of Education. 6 So if the application is misleading that the Board of 7 Education has representation at this hearing, that is 8 not correct and we would need to pause, have a recess, 9 and have a discussion with our legal counsel to make 10 sure that is, in fact, the case. 11 So I -- you know, back to your original 12 statement around the application, yes, in terms of 13 this is not an unprecedented situation where third 14 parties request permit applications on Board of 15 Education property. There is a process for that. But 16 in those cases, there is not a request for 17 representation of the Board of Education which, I 18 believe, is being asked here and we do not have that. 19 So I just wanted to be clear that I agree with you and 20 I'm not here to sway, but I just wanted to put those 21 facts on the table. Thank you. 22 MS. TAYLOR: So what I hear you saying is 23 that you just wanted to clarify and confirm that Mr. 24 Sampson does not represent the Board of Education and 25 cannot make the agreements for the Board of Education</p>
<p>50</p> <p>1 I'm not here to sway one way or another -- 2 MS. TAYLOR: Okay. 3 MR. ADAMS: -- I just want to be very clear. 4 And there is some feedback, so I'm not sure everyone's 5 following the mute rules here. 6 MS. TAYLOR: Yeah. If everybody would mute 7 themselves that -- and Mr. Adams, if you would just 8 state your name and your role. 9 MR. ADAMS: Yes. Seth Adams, Director of 10 Department of Facilities Management for Montgomery 11 County Public Schools. 12 MS. TAYLOR: Okay. 13 MR. ADAMS: And I just wanted to be very 14 clear. As you stated, we do not have representation 15 of the Board of Education on this call. 16 MS. TAYLOR: Correct. 17 MR. ADAMS: In terms of, you know, the -- 18 and I don't want anyone to be to the understanding 19 that Mr. Sampson does represent the views of the Board 20 of Education. That is not correct. You know -- as 21 we've stated, you know, many, many presentations have 22 been made to the Board of Education, including 23 discussions around impacts to the project including 24 cell tower relocations. So it has been very clear 25 that with an existing lease and the requirement for a</p>	<p>52</p> <p>1 as a named applicant on this application. I 2 understand. 3 Okay. Let's -- I'd like to adjourn this 4 hearing for approximately 30 minutes. It's now 10:47 5 so why don't we say we will come back at 11:20. All 6 right? And I'm just going to mute. 7 (Whereupon, a recess was taken from 10:47 a.m. 8 until 11:25 a.m.) 9 MS. TAYLOR: Okay. Can everybody hear me? 10 Thumbs up? 11 Okay. We are back on the record after a 12 short break. Okay. So after having reread the 13 application requirements, I am convinced, and I'm 14 determining that under section 7.3.1B1B of the zoning 15 ordinance, that the application is incomplete. It's 16 incomplete because of the fact that there isn't the 17 proper authorization submitted with the application by 18 the Board of Ed, and that there's also no proper 19 authorization in the record yet of the Board of Ed to 20 proceed with this conditional use application, so we 21 cannot go forward on an incomplete application. 22 My choices are either to deny the 23 application now, or I'll accept an indefinite waiver 24 by SBA Communications Corp. -- waiver of the shot 25 clock for the -- indefinitely at this point to give</p>

Transcript of Hearing - Day 2
Conducted on July 28, 2022

14 (53 to 56)

<p>53</p> <p>1 the Board of Education proper time -- Board of 2 Education being a named applicant -- proper time to 3 file due and proper authorization under its own 4 policies and procedures to pursue this conditional use 5 application. 6 I do believe that -- I would like for the 7 Board of Ed, if it does intend to pursue this 8 application, to file a statement by anybody -- whoever 9 is authorized on behalf of the Board of Education to 10 agree to waive the shot clock. I don't believe we 11 necessarily need the Board of Ed's waiver, but I'd 12 like to have that on the record, and also to inform me 13 in writing how long the Board of Ed will need to 14 obtain proper authorization. And then when I get that 15 information from the Board of Ed -- and I would like 16 that within 30 days -- when I get that information 17 from the Board of Ed, whatever date -- however long 18 the Board of Ed needs, let's say it's 90 days, then we 19 will postpone this hearing and request until 30 days 20 after the proper authorization is submitted to the 21 Office of Zoning and Administrative Hearings. 22 So let me review again what we are doing. 23 The application filed by SBA Communications Corp. and 24 Montgomery County Board of Education in O-Z-A-H case 25 CU-22-09 which was filed on May 20, 2022, has been</p>	<p>55</p> <p>1 and I spoke during the break. I also spoke with 2 members of the application team and some contacts with 3 the BOE and we did come to the same conclusion that -- 4 to release any ambiguity, we were going to request a 5 continuance to make sure that we get the proper 6 written authorization from the Board of Education. 7 And we also believe it would be beneficial, next time 8 around, to have the Board of Education represented by 9 counsel at this hearing just so there's absolutely no 10 ambiguity here of the intentions of the parties moving 11 forward. 12 So we accept your premise. SBA will 13 indefinitely waive the shot clock and will proceed 14 with working with the Board of Education to get you 15 what you need within 30 days as far as the shot clock 16 waiver and when written authorization can come from 17 the board, and then we will be happy to be back here 18 to discuss the merits of the application at that time. 19 MS. TAYLOR: All right. Thank you. So on 20 that, we are adjourned. And I thank you all, and we 21 will be back within a certain period of time. We 22 don't know how long that time is. All right. 23 Everybody have a good day. 24 MR. SAMPSON: Thank you for your time. 25 MS. TAYLOR: Uh-huh. Bye.</p>
<p>54</p> <p>1 deemed by the hearing examiner to be incomplete. It 2 was certified as complete but, typically, the 3 certifications of completeness by staff are more 4 technical in nature and not necessarily substantive. 5 The -- we cannot go forward. In lieu of 6 denying the application, I will accept a waiver -- an 7 indefinite waiver of the shot clock by SBA to -- for 8 at least 30 days and beyond to enable the Board of Ed 9 to, number one, agree that it's waiving the shot clock 10 and to inform me in writing how long the Board of Ed 11 needs to obtain proper authorization. When I get that 12 time period by the Board of Ed, we will postpone -- 13 the hearing will be postponed until 30 days after the 14 outside date that the Board of Ed needs to obtain the 15 proper authorization. And if I don't have a waiver by 16 SBA of the shot clock for that entire period of time, 17 then I would be forced to deny the application for 18 incompleteness. 19 So, Mr. Sampson, I guess I'd like to hear 20 from you as to whether or not your client would be -- 21 is willing to waive the shot clock for the necessary 22 period of time. 23 MR. SAMPSON: Thank you, Ms. Taylor. And I 24 do want to point out that Stacy Orzie (phonetic), who 25 is deputy counsel for MCPS, has joined the call. She</p>	<p>56</p> <p>1 End of proceedings 11:32 a.m. 2 CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC 3 I, Joe Lorete, the officer 4 before whom the foregoing proceeding was taken, do 5 hereby certify that said proceedings were 6 electronically recorded by me; and that I am neither 7 counsel for, related to, nor employed by any of the 8 parties to this case and have no interest, financial 9 or otherwise, in its outcome. 10 IN WITNESS WHEREOF, I have hereunto set 11 my hand and affixed my notarial seal this 8th day of 12 August, 2022. 13 14 15 <i>Joe Lorete</i> 16 _____ 17 Joe Lorete, Notary Public 18 for the State of Maryland 19 20 21 22 23 24 25</p>

CCERTIFICATE OF TRANSCRIBER

I, Mary Ellen Beaulieu, do hereby certify
that the foregoing transcript is a true and correct
record of the recorded proceedings; that said
proceedings were transcribed to the best of my ability
from the audio recording and supporting information;
and that I am neither counsel for, related to, nor
employed by any of the parties to this case and have
no interest, financial or otherwise, in its outcome.



Mary Ellen Beaulieu

August 8, 2022

A			
a-t-z-i-n	acting	13:23, 16:7,	40:13, 41:19,
25:1	35:2, 47:10	28:3, 28:9,	41:24, 41:25,
ability	action	34:4, 47:17,	44:5, 47:13,
35:10, 57:5	44:14	52:11, 52:12,	47:24, 52:5,
able	actions	53:20, 54:13	55:19, 55:20,
15:5, 27:17,	37:2	again	55:22
28:4, 28:10,	actively	26:22, 27:24,	allow
48:1	5:24	34:9, 40:17,	27:8, 31:14,
about	actually	43:16, 43:21,	40:21
6:23, 8:7,	14:2, 18:22,	45:9, 53:22	allowable
8:14, 12:8,	25:14, 26:1,	agencies	9:5
12:11, 25:5,	27:3, 28:16,	48:24	allowed
25:19, 26:20,	31:12, 39:19,	agency	25:23
30:7, 32:24,	39:22, 47:13	37:21, 37:22	allows
33:24, 34:19,	adams	agree	7:21, 23:3,
34:20, 34:21,	6:17, 6:18,	8:17, 26:21,	25:4
35:19, 37:6,	10:23, 47:24,	44:12, 51:19,	almost
39:22, 39:23,	49:25, 50:3,	53:10, 54:9	25:21
41:16, 43:17,	50:7, 50:9,	agreeing	along
45:8, 47:5,	50:13, 50:17	43:15	26:14, 26:23,
48:23	add	agreement	29:7, 42:6, 49:9
absolutely	8:11, 8:15,	2:8, 40:12	already
26:3, 38:1,	38:17	agreements	8:20, 10:23,
39:12, 41:20,	additional	51:25	12:13, 22:19,
55:9	16:25, 18:3,	agrees	26:19, 28:12,
accept	18:15, 47:21,	32:4	30:4, 35:24,
16:4, 28:15,	48:9, 48:14	ahead	38:6, 45:4
52:23, 54:6,	additionally	7:11, 16:4	also
55:12	48:2	al	5:9, 8:6, 10:3,
acceptable	adhere	1:6	13:6, 13:11,
36:5	43:4, 43:14	all	18:11, 20:13,
accepted	adjourn	5:21, 9:24,	22:7, 22:22,
28:21	45:8, 52:3	10:1, 10:12,	23:20, 33:16,
accepting	adjourned	11:12, 12:15,	39:24, 46:7,
37:14	55:20	13:2, 15:16,	47:18, 52:18,
access	administrative	15:22, 19:19,	53:12, 55:1,
22:23	1:1, 26:6,	23:4, 23:13,	55:7
account	26:9, 30:13,	23:17, 24:22,	always
39:24	48:24, 53:21	25:5, 25:9,	47:11
acosta	admire	25:11, 25:22,	ambiguity
16:14, 16:15,	35:16	26:15, 28:1,	55:4, 55:10
16:18, 16:22,	admitted	28:2, 28:12,	amend
16:24	28:19, 28:25	28:22, 29:8,	8:10, 8:15
across	adtek	34:5, 34:8,	amendment
24:7	21:22	34:9, 37:1,	51:1
act	affixed	38:13, 38:20,	among
49:19	56:11	38:21, 38:23,	37:18
	after	39:18, 40:6,	another
	8:10, 13:20,		10:25, 23:5,

<p>25:6, 29:23, 33:11, 34:18, 47:1, 50:1 answer 24:20, 31:17 anxiety 42:11 any 7:23, 12:8, 14:1, 16:24, 17:15, 22:12, 24:20, 27:19, 28:4, 33:6, 37:19, 37:20, 39:10, 39:15, 40:24, 41:23, 55:4, 56:7, 57:8 anybody 13:18, 23:19, 25:12, 29:3, 41:23, 42:2, 43:9, 53:8 anyone 27:11, 30:10, 50:18 anything 28:20, 33:14, 36:16, 38:21, 41:23 anywhere 32:17, 35:9 apologize 15:3 apparently 48:13 appear 13:25, 15:8, 15:18 apples 48:23 applicant 1:7, 3:2, 5:25, 7:3, 7:6, 7:19, 7:22, 8:11, 8:20, 10:2, 20:13, 27:1, 27:8, 27:17, 28:9, 29:21,</p>	<p>31:1, 31:10, 31:13, 32:7, 36:8, 40:23, 43:7, 45:5, 52:1, 53:2 applicant's 27:18, 28:3 applicants 5:13, 8:16, 8:25, 9:16, 32:17, 46:9, 46:24 application 5:12, 6:25, 7:23, 8:4, 8:10, 8:21, 9:13, 29:17, 29:22, 30:2, 31:11, 31:18, 32:9, 32:11, 32:25, 33:12, 33:18, 34:7, 34:24, 35:2, 35:11, 36:25, 37:5, 37:16, 37:23, 37:25, 38:3, 38:4, 39:5, 42:2, 42:14, 43:1, 43:10, 44:8, 44:22, 44:25, 46:11, 46:13, 49:8, 49:21, 51:6, 51:12, 52:1, 52:13, 52:15, 52:17, 52:20, 52:21, 52:23, 53:5, 53:8, 53:23, 54:6, 54:17, 55:2, 55:18 applications 35:24, 48:20, 48:21, 51:14 applies 37:18 appreciate 16:9, 18:21</p>	<p>apprised 41:12, 41:19 appropriate 26:12, 31:18 approvable 30:20 approval 35:20, 36:1, 37:3, 37:17, 42:12, 42:17, 43:22, 44:15, 49:2 approvals 40:13, 51:3 approved 30:19, 30:20, 32:19, 33:18, 35:1, 36:5, 42:15, 43:5, 44:6, 48:14, 49:6 approving 40:21, 44:24, 44:25, 48:10 approximately 52:4 architect 22:3, 22:5 architects 19:22 area 23:22 argument 31:15, 33:7, 35:17, 36:10, 37:14, 43:11 arnstein 3:4 around 5:21, 15:25, 50:23, 51:12, 55:8 asked 51:18 association 10:5, 11:19, 13:4, 14:9, 24:10</p>	<p>associations 11:15, 27:9 assume 37:15 assumed 38:9, 38:15 assuming 8:25, 17:17, 19:24, 22:6 assumptions 39:22 attached 32:14 attempt 39:7 attend 15:5 attendance 31:25 attendees 12:16 attention 7:1 audio 21:1, 22:21, 22:23, 23:16, 24:13, 57:6 august 56:12, 57:16 authorities 26:9 authority 30:25, 40:10, 40:16, 48:8, 48:19 authorization 6:7, 6:24, 8:12, 31:7, 32:1, 32:8, 33:10, 35:10, 36:4, 36:19, 37:11, 37:21, 37:24, 42:18, 43:8, 43:12, 44:7, 45:23, 49:9, 52:17, 52:19, 53:3, 53:14, 53:20,</p>
--	--	---	--

54:11, 54:15, 55:6, 55:16 authorize 7:22, 32:22, 36:24, 38:15, 42:1 authorized 8:3, 13:7, 29:15, 30:2, 31:11, 31:22, 32:11, 32:19, 33:8, 33:18, 36:18, 49:19, 53:9 authorizes 35:8, 35:23, 37:4 authorizing 32:25, 49:21 available 11:1, 40:4 avoid 41:4 aware 23:20, 40:9	bear 21:3, 37:13 beaulieu 1:25, 57:2, 57:15 because 8:25, 9:7, 15:5, 31:11, 33:5, 34:4, 34:11, 36:16, 37:8, 37:10, 38:10, 39:9, 39:11, 41:5, 41:11, 43:2, 43:12, 43:21, 44:1, 44:18, 45:2, 52:16 been 25:13, 25:21, 28:12, 30:2, 32:17, 36:22, 38:6, 39:25, 40:3, 40:4, 40:19, 40:20, 46:8, 47:16, 48:3, 48:12, 48:16, 50:22, 50:24, 53:25 before 1:11, 2:8, 8:14, 21:4, 26:4, 31:17, 33:12, 42:8, 42:16, 43:1, 43:5, 43:21, 45:17, 45:21, 47:22, 56:4 beforehand 5:7 begin 31:17 beginning 37:12, 39:14 behalf 3:2, 13:9, 14:15, 14:20, 14:25, 35:2, 42:3, 43:9,	49:14, 49:19, 49:21, 53:9 being 9:3, 28:1, 28:21, 30:7, 30:19, 36:17, 41:18, 43:3, 46:6, 51:18, 53:2 believe 6:12, 8:13, 9:9, 10:13, 11:19, 18:22, 24:23, 25:21, 25:24, 28:20, 29:4, 29:18, 29:24, 30:16, 30:25, 32:4, 37:18, 38:18, 38:21, 38:23, 39:4, 40:15, 40:16, 42:6, 43:11, 49:13, 51:18, 53:6, 53:10, 55:7 believes 38:19 benderev 12:21, 13:1, 13:5, 13:6, 13:10, 13:13, 15:4 beneficial 55:7 benjaminson 21:20, 21:21 besides 20:25 best 57:5 between 8:8 beyond 54:8 big 9:8 bit 12:22, 29:5,	42:6 blame 41:23 body 49:18 boe 55:3 both 8:25, 9:15, 15:14 bottom 33:21, 34:13 bound 26:10 boxes 20:25 boyd 10:24, 20:3, 20:6, 48:3 brand 35:3, 40:1 break 47:22, 52:12, 55:1 brief 14:10 briefly 36:13, 39:17 bring 47:21 broader 46:15 brought 12:13, 29:24 brownstein 15:9, 15:10, 15:13, 15:15 build 5:15, 46:18 building 34:20 built 30:14 burton 17:1 burtron 17:1 bye 55:25
B			
blb 37:19, 52:14 back 12:16, 19:10, 23:18, 26:25, 34:8, 39:7, 42:7, 45:9, 49:7, 51:11, 52:5, 52:11, 55:17, 55:21 baltimore 3:6 bart 31:5 based 29:18, 48:15 bases 48:15 basically 7:14, 14:10, 27:16			

C			
c	certain	33:5, 35:13,	communications
7:1	44:15, 49:18,	36:3, 36:20,	5:13, 5:25,
call	55:21	36:21, 40:15,	6:4, 6:6, 8:3,
5:3, 6:25,	certainly	41:24, 42:8,	9:15, 9:16,
15:20, 27:19,	26:3	43:24, 50:3,	10:3, 11:10,
31:19, 39:19,	certificate	50:14, 50:24,	21:8, 29:15,
50:15, 54:25	56:2	51:4, 51:19	29:22, 35:20,
call-in	certifications	clearly	52:24, 53:23
22:17, 23:5	54:3	32:21, 38:13	community
called	certified	client	48:10
16:14, 18:10,	54:2	6:1, 6:5, 54:20	compared
24:17, 45:6	certify	clock	26:7
calling	56:5, 57:2	45:6, 47:5,	complete
5:11	cetera	47:7, 52:25,	41:2, 54:2
can't	30:24	53:10, 54:7,	completely
29:5, 46:18	chair	54:9, 54:16,	34:22, 35:4
cannot	1:11	54:21, 55:13,	completeness
38:4, 41:1,	change	55:15	54:3
46:15, 51:25,	36:16	close	compliance
52:21, 54:5	charles	19:16, 45:1	30:7
capital	15:9	closer	complied
30:11, 42:25,	cheryl	23:23	31:2
43:3, 44:2	17:12	closes	component
carrie	choices	8:14, 26:4,	40:2
17:6	52:22	42:16	concerned
carrier	choose	closest	8:7, 8:14, 27:4
10:15	21:16	24:11	concerning
carries	circuits	code	42:17, 47:4,
34:14	47:8	37:17	47:7
carry	cited	come	concerns
6:15	7:13	14:10, 23:22,	26:17, 30:23
case	citizenship	45:9, 46:18,	concluded
1:6, 5:4, 5:11,	24:10	52:5, 55:3,	27:22
25:20, 27:18,	civil	55:16	conclusion
28:6, 28:8,	28:2	comes	46:21, 55:3
30:17, 34:6,	clarification	46:1	condition
45:22, 51:10,	18:7, 48:2	coming	42:12, 42:16
53:24, 56:8,	clarifies	12:24, 19:8,	conditional
57:8	47:7	32:17, 36:10	5:12, 5:15,
cases	clarify	comment	7:3, 9:12,
7:13, 28:5,	7:8, 41:11,	7:24, 17:15,	30:20, 35:19,
44:18, 51:16	51:23	38:12	36:2, 37:16,
ccertificate	clause	comments	43:22, 44:18,
57:1	36:17	21:16, 39:16,	49:6, 52:20,
cell	clauses	49:23	53:4
50:24	33:19	committee	conditioned
	clear	1:11	36:18, 37:3
	9:14, 32:6,	communication	conditions
		9:10	9:12, 43:5

confirm 51:23	conversation 48:3	9:14, 9:17, 9:20, 10:14, 10:23, 10:25, 20:7, 29:16, 29:19, 29:20, 30:3, 31:12, 35:21, 35:22, 35:25, 37:20, 40:6, 42:9, 43:25, 47:25, 48:4, 49:1, 49:4, 49:10, 49:13, 50:11, 53:24	14:16, 29:25, 30:6
connection 43:15	conversations 39:23		current 5:16
connectivity 47:15	convinced 52:13		<hr/> D <hr/>
consent 41:17	coordinating 35:21, 36:1		d-u-o-n-g 17:11
consider 46:23	corp 1:5, 5:13, 5:25, 6:4, 6:6, 8:3, 9:15, 9:16, 10:3, 21:8, 29:15, 29:22, 52:24, 53:23		daniel 14:4, 17:18
consideration 26:11, 26:12, 46:5	corporation 35:20		date 53:17, 54:14
considering 44:25	correct 6:1, 6:2, 6:5, 6:12, 6:17, 8:1, 8:23, 9:19, 10:9, 12:1, 13:10, 14:16, 14:25, 15:12, 20:1, 20:22, 38:1, 46:11, 46:13, 46:25, 50:16, 50:20, 51:8, 57:3		david 15:7, 17:19, 17:20, 17:23
constituted 49:18			day 1:8, 26:25, 45:5, 55:23, 56:11
constrained 47:9			days 53:16, 53:18, 53:19, 54:8, 54:13, 55:15
constraints 23:23			deadline 13:21, 16:4, 25:14, 25:16
construction 5:17, 16:16, 16:19, 24:19, 24:21, 30:11, 40:7, 40:18, 41:1, 41:6, 46:15			deal 13:19, 26:3, 47:14
consultant 21:22			dealing 44:12, 44:16, 44:19, 46:2, 49:17
contact 10:25	corrected 34:8		debate 9:7, 32:3
contacts 55:2	correctly 15:3, 17:24, 38:23		deborah 14:22, 23:6
contested 32:3	could 39:22, 40:23, 42:11, 42:22		decided 31:10, 34:11
contingent 51:3	counsel 6:11, 9:2, 9:21, 51:9, 54:25, 55:9, 56:7, 57:7		decides 46:20
continuance 45:4, 55:5	county 1:1, 5:3, 5:14, 6:7, 6:9, 6:13, 6:19, 6:20, 7:5, 7:8, 7:15, 8:9, 8:17, 8:19, 9:1,		deemed 26:13, 54:1
continue 12:14			defect 38:3, 38:5, 39:11, 42:7
continuing 44:24			delay 46:22
contract 5:2			
controlled 37:20			
		29:11 course 45:3 court 2:8, 19:17, 26:7, 56:2 cover 37:16, 48:15 critical 34:3, 34:10, 37:8, 39:12, 40:2, 47:1 cross 17:17, 17:18, 24:4, 46:17 cross-examination 27:21 cross-examine 27:20, 27:25, 28:10 crossed 44:5 crystal 14:17, 18:7, 33:5 cu 1:7 cu- 53:25 cumulative 18:19 cunningham 14:12, 14:13,	

<p>delays 41:4 deliberate 25:18 delta 17:6 delve 30:25 demonstrative 25:25 denied 34:7, 39:5 dennis 17:16, 24:3, 24:4 deny 31:18, 46:13, 52:22, 54:17 denying 44:21, 54:6 department 6:18, 35:22, 50:10 deputy 54:25 design 11:11, 16:16, 16:19, 19:23, 20:16, 21:22 despite 31:24 details 41:19 determine 5:22, 30:18, 31:9 determined 46:19 determining 52:14 devonshire 11:18, 14:9, 17:14, 18:2, 21:15, 38:19 diane 24:4, 24:6 difference 9:9</p>	<p>different 9:6, 34:22, 35:4 direct 39:20 directed 20:11 directly 8:10 director 6:18, 50:9 disagree 37:7 discuss 55:18 discussed 29:13, 40:4 discussion 12:8, 41:16, 41:20, 46:6, 51:9 discussions 39:21, 41:13, 50:23 division 16:16, 16:19 document 14:3, 32:16, 35:1 documents 4:7 doing 34:9, 37:2, 40:14, 41:23, 45:10, 53:22 done 32:2, 34:6, 41:1, 46:7 dot 46:17 dotted 44:5 doug 3:3 douglas 9:17 down 19:10, 41:4</p>	<p>downloaded 47:13, 47:17 dr 17:1, 17:3 drafted 39:19 drive 47:14 due 23:23, 53:3 dugan 11:3, 21:7, 21:9, 21:10 duong 17:7, 17:11 during 8:4, 55:1</p> <hr/> <p>E</p> <hr/> <p>e-c-h-t-e-r 21:19 each 7:3, 27:2, 27:24 earlier 12:9 east 11:18, 14:9, 17:14, 18:2, 21:15, 38:19 ed 29:16, 30:7, 30:13, 31:12, 49:1, 52:18, 52:19, 53:7, 53:13, 53:15, 53:17, 53:18, 54:8, 54:10, 54:12, 54:14 ed's 53:11 education 5:14, 6:10, 7:6, 7:16, 7:18, 7:25, 8:2, 8:5, 8:9, 8:11, 8:16, 8:20, 9:1, 9:4, 9:14, 9:18,</p>	<p>9:20, 12:10, 29:19, 30:6, 31:1, 31:19, 32:1, 32:5, 32:15, 32:18, 33:17, 35:1, 36:8, 38:10, 39:7, 40:5, 42:8, 42:13, 42:15, 42:18, 43:7, 43:8, 43:24, 45:21, 48:5, 48:18, 49:4, 49:11, 49:15, 49:17, 49:22, 50:15, 50:20, 50:22, 51:5, 51:7, 51:15, 51:17, 51:24, 51:25, 53:1, 53:2, 53:9, 53:24, 55:6, 55:8, 55:14 education's 6:15 effect 31:9 either 6:10, 9:2, 9:3, 28:14, 29:9, 29:15, 30:2, 38:5, 39:5, 44:21, 52:22 electronically 56:6 ellen 1:25, 57:2, 57:15 else 27:11, 29:3, 42:2, 46:20 emily 21:5, 23:15 emissions 11:7 employed 56:7, 57:8</p>
---	--	---	--

<p>enable 54:8</p> <p>encourage 46:12, 47:6</p> <p>end 9:8, 32:20, 45:2, 45:3, 56:1</p> <p>engineer 11:11</p> <p>engineering 11:4, 21:10</p> <p>engineers 21:22</p> <p>enter 36:4, 40:11</p> <p>entered 47:5</p> <p>entering 40:9</p> <p>entire 34:5, 35:17, 42:25, 43:17, 54:16</p> <p>entities 8:25, 49:12</p> <p>entitled 27:20</p> <p>entity 37:21, 37:22, 44:8, 44:13</p> <p>entrex 11:10</p> <p>error 39:12</p> <p>especially 47:1</p> <p>esquire 3:3</p> <p>essence 29:20</p> <p>essentially 7:22, 9:2, 26:18, 27:13, 43:15</p> <p>established 32:6</p> <p>estate 20:7</p>	<p>esthetic 30:23</p> <p>et 1:6, 30:24</p> <p>even 14:1, 25:23, 31:10, 37:9, 49:15</p> <p>evening 13:20, 15:24, 16:5</p> <p>events 28:1</p> <p>ever 34:8</p> <p>every 28:19, 40:5</p> <p>everybody 12:19, 24:23, 27:4, 29:2, 29:8, 32:4, 39:9, 43:18, 46:24, 50:6, 52:9, 55:23</p> <p>everybody's 5:8</p> <p>everyone's 50:4</p> <p>evidence 25:24, 26:5, 26:10, 26:12, 31:23, 33:14, 33:17, 34:25, 38:25</p> <p>ewing 3:4</p> <p>exact 34:4</p> <p>exactly 31:21</p> <p>examination 27:22</p> <p>examine 41:13</p> <p>examiner 5:3, 20:24, 22:10, 26:8, 31:4, 32:5,</p>	<p>35:15, 37:11, 38:7, 41:10, 43:2, 43:21, 45:12, 46:4, 47:3, 54:1</p> <p>excellent 13:2, 18:18, 23:8, 23:14</p> <p>exceptions 46:8</p> <p>excuse 17:18, 22:18, 47:3</p> <p>execute 32:23, 37:2</p> <p>execution 35:9</p> <p>exhibit 13:25, 16:7, 28:13, 28:14, 28:23, 28:25, 32:13, 32:21, 33:24, 33:25, 34:13, 34:16, 47:5, 47:18</p> <p>exhibits 4:4, 4:6, 4:7, 22:14, 25:11, 25:15, 28:12, 28:15, 28:17, 28:18, 28:22, 47:13, 47:16</p> <p>existing 34:19, 50:25</p> <p>exists 34:24, 35:5</p> <p>expeditiously 41:3, 42:20</p> <p>expert 10:10, 21:8</p> <p>experts 11:2</p> <p>explain 25:19, 35:12</p> <p>explained 37:12, 48:17</p> <p>expressed 42:14</p>	<p>expressly 8:2, 33:7, 37:12, 37:15, 40:10, 46:12, 48:8</p> <p>extensions 46:7</p> <p>extent 12:7, 41:17, 42:21</p> <p>eyes 40:8, 41:22</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>facilities 6:19, 22:3, 22:5, 30:8, 50:10</p> <p>facility 9:10, 30:24, 35:21, 35:25</p> <p>fact 10:11, 10:14, 20:5, 20:21, 43:6, 43:22, 43:23, 49:8, 51:10, 52:16</p> <p>facts 38:13, 38:22, 38:24, 51:21</p> <p>failure 37:10</p> <p>false 41:20</p> <p>far 25:25, 55:15</p> <p>fatal 39:11, 42:7</p> <p>federal 44:23, 45:5</p> <p>feedback 50:4</p> <p>feel 5:7</p> <p>feshbach 17:18, 17:20</p> <p>few 26:24, 27:7</p>
--	---	---	--

file 29:17, 32:25, 33:12, 35:2, 35:11, 36:24, 37:4, 42:2, 53:3, 53:8 filed 8:22, 49:8, 53:23, 53:25 financial 56:8, 57:9 find 13:22, 21:4 finds 40:12 finished 13:17 firmly 39:4 first 5:5, 11:18, 13:23, 14:3, 27:1, 27:18, 33:21, 34:14, 36:15, 39:18, 47:24 fit 40:12 focus 30:18 follow 46:17 followed 30:17 following 50:5 foot 5:15, 33:18 forced 54:17 foregoing 56:4, 57:3 foregone 46:21 form 29:13 formally 28:16	forward 35:24, 38:5, 40:17, 41:3, 42:10, 42:20, 43:16, 43:19, 43:25, 44:1, 44:12, 48:7, 48:22, 52:21, 54:5, 55:11 forwarded 48:5, 48:16 frankly 44:9 front 45:3 full 41:19 fully 40:8, 41:12 further 17:8, 41:4, 48:17 future 34:8, 38:16, 46:16 <hr/> G <hr/> gather 48:9 gave 31:20 general 7:21, 9:11, 9:12, 26:5, 26:25 generally 26:10 georgetown 5:19 gerstenblith 11:20, 11:21, 11:23, 12:2, 12:5, 12:7, 12:18, 31:4, 31:5, 31:16, 34:2, 35:17, 36:12, 36:15, 37:14, 37:23,	38:1, 38:7, 41:8, 41:10, 46:4 getting 37:3, 42:7, 44:23, 45:1, 46:22, 48:14 give 23:24, 26:11, 27:2, 27:3, 27:4, 27:10, 27:11, 32:1, 40:16, 52:25 given 25:22, 27:14, 30:21, 46:9 gives 40:10, 48:8 giving 36:3 go 5:4, 5:22, 7:11, 11:13, 12:15, 12:16, 13:15, 16:4, 16:12, 18:18, 19:10, 23:18, 23:25, 26:25, 30:13, 39:7, 43:16, 43:19, 44:1, 44:12, 49:7, 52:21, 54:5 going 5:3, 5:8, 5:23, 11:13, 11:16, 11:24, 12:3, 13:24, 16:11, 16:20, 17:3, 17:8, 19:8, 19:9, 19:10, 23:18, 25:10, 26:21, 27:1, 27:3, 27:6, 28:13, 28:16, 38:5, 43:25, 49:22, 49:23, 52:6, 55:4	gone 24:23, 25:7, 48:13 good 17:3, 19:17, 19:21, 20:4, 21:9, 21:13, 25:8, 55:23 government 30:12 grants 48:18 great 11:12 greatly 16:9 greg 24:16 grimm 19:22 ground 18:19, 26:2 group 35:22, 36:1, 39:6 groups 37:3, 40:7, 41:6 guess 26:1, 29:12, 54:19 guest 19:15, 20:14, 21:12, 24:24 guidelines 30:21, 30:22 <hr/> H <hr/> hand 26:14, 48:1, 56:11 happen 44:15 happened 45:17, 45:21 happening 20:23, 33:15, 44:2
---	---	---	---

happy 8:10, 8:15, 12:10, 18:2, 55:17 hard 47:14 harmless 39:12 hear 17:17, 45:18, 45:19, 51:22, 52:9, 54:19 heard 31:6, 31:13, 46:5 hearing 1:10, 4:6, 5:2, 5:6, 5:24, 16:8, 20:24, 26:4, 26:7, 26:8, 26:23, 33:13, 34:5, 36:11, 37:8, 39:4, 43:2, 43:21, 45:12, 45:23, 51:7, 52:4, 53:19, 54:1, 54:13, 55:9 hearings 1:2, 53:21 height 42:3 held 2:1 hello 16:15, 19:12 help 7:8, 26:22 helpful 42:22 here 5:11, 6:10, 9:21, 10:12, 13:18, 13:22, 14:4, 14:5, 14:13, 14:18, 14:23, 15:10, 15:18, 16:12,	18:25, 20:10, 20:18, 21:4, 21:10, 21:15, 22:20, 24:12, 24:20, 25:9, 27:9, 31:25, 34:4, 34:9, 35:10, 36:8, 36:9, 37:1, 37:6, 38:13, 38:25, 39:1, 39:11, 39:18, 41:18, 42:1, 42:4, 42:11, 42:17, 44:11, 46:8, 46:13, 46:21, 48:23, 50:1, 50:5, 51:18, 51:20, 55:10, 55:17 here's 45:7 hereby 56:5, 57:2 hereunto 56:10 hi 14:18, 17:7, 18:6, 19:21, 21:13, 24:25 high 5:18 hines 24:16, 24:18 hoa 11:25, 13:7, 13:9 hoas 28:6 hold 7:1, 13:21 homeowner 14:8, 17:7, 17:13, 18:2 homeowners 10:4, 11:15, 11:19, 13:3, 14:9, 27:3, 27:8	honesty 34:5 honor 41:8 hope 17:23 hour 16:2 hours 27:7 house 5:10 housekeeping 5:5 however 53:17 <hr/> I <hr/> i's 44:5, 46:17 idea 25:8 identified 32:17, 37:1 identifying 12:9 imagine 18:4 impact 46:10 impacts 50:23 import 47:2 important 43:19 importantly 25:23 impossible 25:21 improve 48:20 including 50:22, 50:23 incomplete 52:15, 52:16, 52:21, 54:1 incompleteness 54:18	indefinite 52:23, 54:7 indefinitely 52:25, 55:13 indicated 9:25 individual 10:5, 12:4, 25:16, 26:15, 26:16, 28:8, 30:1, 30:10 individually 13:12, 44:4 individuals 10:6, 13:16, 23:21, 28:8 inform 53:12, 54:10 information 16:25, 42:1, 53:15, 53:16, 57:6 initial 44:7 initially 27:7 instead 39:21 intend 14:6, 53:7 intended 25:12, 36:22, 39:3 intends 25:12 intention 5:8 intentions 55:10 intents 29:8 interaction 14:10 interchangeably 49:12, 49:16 interest 56:8, 57:9 interested 28:4, 40:6
--	---	--	---

interim 32:22 internal 31:2 interrupt 7:12, 31:5, 38:8 invocative 38:20 involved 30:11, 30:15, 46:6 issue 7:9, 12:8, 29:24, 30:5, 30:6, 34:10, 36:11, 37:8, 37:9, 46:2 issues 12:17, 26:14, 29:12, 29:14, 37:9, 39:10, 47:15 item 41:17 items 5:5 itself 32:2, 43:14 <hr/> J <hr/> jane 14:12, 29:25 janice 18:21, 29:25 jeremy 19:6, 19:10 jim 19:14, 19:15 job 1:23, 30:18 joe 2:8, 56:3, 56:17 john 24:4, 44:10, 44:11 join 23:23	joined 54:25 jonathan 16:14 joseph 19:16 july 1:12, 5:20, 32:14, 34:3 jumping 29:6 <hr/> K <hr/> k 24:25 katherine 1:11, 13:5, 25:6 kathrine 24:24 katzin 24:25, 25:3 keep 19:9, 29:3 kieran 19:20, 19:21 kind 5:9, 25:10, 30:14, 43:18, 44:3, 45:2, 46:1, 49:12 know 7:13, 7:24, 9:8, 9:11, 12:13, 13:25, 17:25, 19:2, 22:25, 25:6, 25:18, 26:1, 26:8, 26:20, 27:12, 27:25, 29:5, 29:6, 29:7, 30:12, 30:22, 30:23, 31:14, 43:6, 43:10, 43:13, 43:23, 43:25, 44:4, 44:6, 44:9, 44:13,	44:20, 45:10, 46:6, 46:22, 49:2, 49:17, 50:17, 50:20, 50:21, 51:11, 55:22 knowledge 32:16 knows 43:18 kubolok 15:2 <hr/> L <hr/> lagging 12:22 laggy 12:20 land 20:15, 37:19, 44:11, 49:7 landowner 32:5, 32:7, 32:8, 32:11, 37:11 language 33:20, 34:4 larger 39:25, 40:18 last 13:20, 15:24, 16:2, 16:5, 17:10, 19:14, 21:18, 23:9, 23:14, 24:25, 32:20, 33:23 late 16:2 later 13:20, 16:6, 27:15 law 26:7, 49:18 lawrence 10:24, 20:3, 20:4, 20:6, 20:10, 48:4 lease 32:23, 32:24,	33:2, 33:3, 35:9, 35:19, 36:5, 37:2, 40:11, 50:25, 51:1 leases 48:11, 48:20 least 25:8, 54:8 left 34:12 legal 9:21, 51:9 legitimate 39:8 lehr 3:4 let's 20:2, 31:9, 37:15, 44:10, 52:3, 53:18 letter 6:6, 32:13, 34:3, 42:13 letters 10:5 lieu 54:5 likely 17:8, 28:5 limitations 44:24, 46:2 line 26:14, 33:22 lines 29:8 list 13:15, 13:17, 13:23, 13:24, 13:25, 14:3, 16:7, 19:9, 19:10, 19:15, 23:25 listed 8:20, 9:15, 17:6, 21:12, 31:12, 43:7 listen 14:11
--	---	--	--

<p>listening 22:21 literally 35:7, 46:11 little 12:20, 12:22, 20:25, 29:5, 42:6 live 23:21 llp 3:4 local 30:12 located 5:18 location 30:23, 34:17, 41:7 long 47:9, 53:13, 53:17, 54:10, 55:22 long-term 21:14 look 13:21, 32:2, 32:12, 34:4, 34:12, 47:6, 47:12, 47:17 looked 44:4 looking 8:21 looks 22:18, 37:13 lorete 2:8, 19:16, 19:17, 56:3, 56:17 lot 30:13, 45:2, 46:1, 46:8, 46:9 lux 24:7</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>ma'am 15:1, 16:1,</p>	<p>18:23, 21:25, 23:2 made 38:24, 41:18, 46:8, 50:22 mahein 15:7 main 35:6 mains 13:3 majority 36:20, 39:1 make 17:14, 21:16, 27:2, 27:5, 31:20, 33:5, 42:12, 51:9, 51:25, 55:5 makes 9:8 making 39:21 management 6:19, 20:7, 50:10 manager 16:15, 16:18, 24:19 manor 24:7 many 18:4, 25:20, 26:17, 50:21 marc 11:9, 20:12 marked 28:13 mary 1:25, 57:2, 57:15 maryland 2:9, 3:6, 5:19, 56:18 marzullo 11:9, 20:13 matter 6:21</p>	<p>matters 26:24, 47:7 maybe 7:7, 48:16 mcps 16:16, 16:18, 19:23, 22:3, 22:5, 31:25, 36:6, 36:9, 36:22, 39:18, 40:11, 40:17, 41:6, 42:10, 42:19, 48:8, 48:13, 48:17, 48:19, 54:25 mean 7:24, 21:1, 31:5, 38:8, 41:21, 43:17, 46:22, 49:15 meeting 5:6, 8:5, 31:20, 36:21, 38:11, 38:16, 39:3, 41:14, 41:15, 45:8 melnick 14:4, 14:5, 14:8 members 55:2 memorandum 32:15, 33:20, 33:21, 34:15 mention 13:19, 47:4 mentioned 12:8, 22:19, 39:13 merits 55:18 meyer 15:19, 15:20, 15:22, 15:23, 16:1, 16:9, 22:19, 22:21, 23:2, 23:11, 23:12</p>	<p>michael 20:13, 20:14, 20:15 microsoft 22:22 middle 33:22, 45:22 might 24:24, 45:13, 47:9 millennium 11:3, 21:10 mind 29:5 mindful 28:1 mine 47:17 minutes 41:14, 45:8, 52:4 misinterpretation 36:6 misleading 41:24, 51:6 missed 19:7, 23:19, 24:24 monday 25:14 monopole 5:16, 33:19, 34:17, 34:18, 34:20, 34:21, 34:22, 35:3, 36:25, 37:5 montgomery 1:1, 5:3, 5:14, 6:7, 6:9, 6:13, 6:19, 6:20, 7:5, 7:8, 7:15, 8:9, 8:17, 8:19, 9:1, 9:14, 9:17, 9:20, 10:14, 10:22, 20:7, 29:16, 29:19, 29:20, 30:3, 31:12, 35:21,</p>
---	---	--	--

<p>35:22, 35:25, 40:6, 42:9, 43:24, 47:25, 48:4, 48:5, 49:1, 49:4, 49:9, 49:13, 50:10, 53:24</p> <p>more 7:20, 9:10, 20:24, 25:23, 29:12, 54:3</p> <p>morning 17:3, 19:17, 19:21, 20:4, 21:9, 21:13</p> <p>most 17:8, 28:5</p> <p>mostly 20:10</p> <p>move 35:24, 40:17, 41:3, 42:6, 42:9, 42:20</p> <p>moved 41:7</p> <p>moving 34:19, 34:23, 55:10</p> <p>much 31:16, 39:25, 40:18</p> <p>multimillion-dol- lar 40:1</p> <p>mun 15:16, 15:17</p> <p>must 7:2, 32:10, 37:22, 47:16</p> <p>mute 21:2, 50:5, 50:6, 52:6</p> <p>muted 29:3, 29:9</p> <hr/> <p>N</p> <hr/> <p>name 6:17, 13:5,</p>	<p>15:20, 17:10, 18:10, 19:15, 21:18, 24:17, 24:25, 50:8</p> <p>named 20:14, 52:1, 53:2</p> <p>names 10:18, 16:13, 23:24</p> <p>narrative 10:6, 11:17, 11:25, 12:12, 13:9, 29:13</p> <p>narrow 7:20, 9:11, 30:17</p> <p>nature 54:4</p> <p>necessarily 53:11, 54:4</p> <p>necessary 10:24, 26:3, 40:13, 48:9, 54:21</p> <p>need 24:21, 30:24, 31:19, 38:10, 39:10, 44:5, 51:8, 53:11, 53:13, 55:15</p> <p>needed 17:22, 18:16, 32:7</p> <p>needs 16:24, 41:6, 53:18, 54:11, 54:14</p> <p>neely 10:20, 20:17, 20:18, 20:21</p> <p>negotiate 32:22, 33:2, 33:3, 33:8, 33:11, 37:1</p> <p>negotiation 35:8</p> <p>neighbors 18:4, 24:12</p>	<p>neither 7:14, 56:6, 57:7</p> <p>nelms 21:5, 21:6, 23:15</p> <p>new 5:18, 31:20, 32:25, 34:20, 35:3, 36:25, 37:5, 37:17, 38:11, 40:1, 41:7, 42:3, 45:24</p> <p>next 23:9, 30:5, 38:2, 39:3, 55:7</p> <p>night 16:2</p> <p>nikai 15:7</p> <p>nobody 39:1</p> <p>non-school-relat- ed 43:20</p> <p>norton 20:15</p> <p>nos 28:25</p> <p>notarial 56:11</p> <p>notary 56:2, 56:17</p> <p>note 33:16, 45:15, 46:7</p> <p>nothing 20:23, 32:12, 32:24, 34:12, 37:4, 37:6</p> <p>notice 25:22</p> <p>number 5:5, 23:9, 28:14, 33:25, 54:9</p> <p>numbers 28:24</p>	<p>numeral 7:2</p> <p>numerous 46:24</p> <hr/> <p>O</p> <hr/> <p>o-z-a-h 53:24</p> <p>observe 5:9, 20:10, 24:12, 24:20</p> <p>observer 17:4, 21:6, 21:15</p> <p>observing 16:23, 17:8, 17:14, 17:18, 17:21, 18:2, 18:12, 19:12, 21:24, 22:7</p> <p>obtain 53:14, 54:11, 54:14</p> <p>obtaining 35:20</p> <p>obtains 42:12</p> <p>obviously 29:3, 30:12</p> <p>occurred 31:23, 31:24</p> <p>offer 18:3, 48:1</p> <p>offering 18:15</p> <p>office 1:1, 33:13, 53:21</p> <p>officer 56:3</p> <p>oh 17:18, 19:6, 20:19, 24:4, 24:23, 45:17</p> <p>okay 6:3, 6:9, 9:22, 9:24, 10:17, 10:21, 11:2,</p>
--	--	---	--

<p>11:5, 11:8, 11:13, 11:22, 12:6, 12:18, 12:19, 12:24, 12:25, 13:2, 13:3, 13:14, 13:23, 14:12, 15:6, 15:16, 15:17, 16:11, 16:20, 17:1, 17:5, 17:12, 17:16, 17:23, 18:1, 18:5, 18:13, 18:21, 18:24, 19:6, 19:9, 19:16, 19:19, 19:20, 20:2, 20:9, 20:12, 21:3, 21:11, 21:17, 22:6, 22:9, 22:17, 22:19, 22:24, 23:4, 23:8, 23:13, 23:14, 23:17, 24:9, 24:14, 25:2, 25:7, 29:25, 34:18, 36:15, 36:19, 50:2, 50:12, 52:3, 52:9, 52:11, 52:12 once 34:10 one 7:16, 8:16, 12:22, 15:23, 22:18, 23:14, 24:11, 28:20, 29:13, 32:20, 33:11, 34:17, 34:23, 35:4, 35:7, 38:9, 39:19, 44:6, 45:15, 47:4, 47:21, 47:25, 49:3, 50:1, 54:9 online 40:4</p>	<p>only 6:3, 10:8, 18:14, 18:15, 22:14, 22:22, 22:23, 24:13, 30:18, 31:23, 32:15, 32:20, 33:2, 33:10, 35:7, 35:8 open 19:15, 31:20, 38:11 opening 27:5, 27:6, 27:10, 27:11, 27:12, 27:16 operative 36:17 opportunities 46:9, 46:25 opportunity 27:2, 27:5, 27:14, 35:12, 47:1 opposition 28:4 oranges 48:23 order 13:24, 14:1, 14:2, 31:3, 44:6, 44:14, 47:15 ordinance 52:15 original 51:11 orzie 54:24 other 10:11, 27:19, 33:9, 34:9, 34:19, 37:20, 39:10, 39:16, 45:21, 46:10 others 18:15, 37:18 otherwise 45:11, 56:9,</p>	<p>57:9 out 5:10, 6:15, 13:22, 21:4, 24:17, 25:10, 35:16, 36:7, 40:20, 54:24 outcome 46:13, 56:9, 57:9 outside 54:14 over 18:18, 34:9, 34:14, 40:8, 41:22, 46:11, 46:12 own 14:15, 14:20, 14:24, 28:8, 30:8, 31:2, 43:14, 47:14, 48:25, 53:3 owned 37:19 owner 7:2, 7:5, 7:17, 7:21, 12:9, 44:10, 49:9, 49:10 ownership 31:6, 44:8 ozah 33:1</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>page 4:6, 32:21, 33:21, 33:24, 34:13, 34:14, 34:15 pages 1:24 paragraph 32:20, 33:23, 35:7, 35:18 paren 19:15, 19:16</p>	<p>parker 19:22 part 8:6, 12:12, 19:23, 20:16, 28:22, 39:25, 40:18, 43:2, 49:3 participant 13:22 participants 16:12, 26:16 participate 5:9, 14:6 participating 5:24, 12:4, 13:11, 14:14, 14:19, 14:24 particular 7:17, 7:19, 31:3, 43:1, 43:20 parties 5:22, 11:15, 25:20, 25:22, 28:4, 29:13, 33:9, 51:14, 55:10, 56:8, 57:8 party 14:7, 27:20 pass 39:2 passed 38:24, 39:8, 41:15, 41:16 paul 11:3, 21:7, 21:10 paula 21:11 pause 51:8 pc 21:10 people 5:5, 16:12, 19:8, 20:24,</p>
--	---	---	---

22:18, 36:21, 39:18, 42:17, 49:18 percent 35:3 perhaps 30:15, 37:18 period 44:20, 54:12, 54:16, 54:22, 55:21 permission 29:21 permit 51:14 permitting 35:23 person 13:22, 14:3, 17:6, 20:14, 21:12, 25:7 personally 46:6 personnel 31:25, 48:17 phonetic 15:2, 15:7, 15:17, 54:24 photographic 25:24 piece 40:3, 47:22 place 27:21, 44:14, 48:12 plan 11:11, 19:1, 19:24, 22:11, 22:24, 23:1, 23:2, 25:3 planned 17:15, 46:16 planning 23:21, 23:22, 23:23 plans 27:19, 30:16, 36:4, 36:5,	40:3, 40:19 please 17:24, 19:5, 27:12, 28:14 point 22:15, 26:2, 27:15, 35:5, 35:6, 35:16, 38:6, 47:25, 52:25, 54:24 pointed 36:7 pole 10:16, 40:25 policies 6:15, 30:16, 31:2, 44:13, 48:25, 53:4 policy 30:8, 43:14, 48:6, 48:18 posit 38:8 position 7:14, 37:23 possible 41:3, 42:21 postpone 44:22, 53:19, 54:12 postponed 39:5, 45:23, 54:13 postponing 45:11 potential 47:15 potentially 30:11 pratt 3:5 precise 7:20 preference 14:1 prehearing 9:25, 10:1, 10:4, 10:7,	11:16 preliminary 26:24, 29:11, 29:24 premarked 28:18, 28:25 premise 55:12 prepared 28:10 present 15:6, 15:8, 22:9, 22:10, 22:13, 22:14, 25:23, 27:14, 27:18, 28:5, 47:3, 47:4 presentation 28:3, 28:6 presentations 50:21 presented 29:12, 34:23, 37:10, 38:14, 38:23, 39:23, 41:25 presenting 13:8 president 13:6 presumably 44:2 primarily 18:12, 21:15 principles 48:10 probative 26:14 problem 8:13, 29:6 problems 44:23 procedures 44:13, 46:17, 53:4 proceed 6:7, 6:24, 7:23, 8:3, 25:9,	34:11, 40:25, 41:1, 46:16, 52:20, 55:13 proceeding 2:1, 26:6, 37:4, 45:11, 56:4 proceedings 26:9, 30:16, 56:1, 56:5, 57:4, 57:5 process 33:2, 40:14, 49:4, 49:5, 51:15 processes 30:13 professional 11:10 prohibits 38:4 project 16:15, 16:18, 21:23, 24:19, 30:14, 31:3, 39:25, 40:18, 42:10, 42:19, 42:25, 43:1, 43:3, 43:15, 43:16, 43:17, 44:1, 44:2, 44:3, 46:15, 50:23 projects 43:18 pronounce 15:3 pronounced 17:24 pronunciation 15:11 proper 45:23, 52:17, 52:18, 53:1, 53:2, 53:3, 53:14, 53:20, 54:11, 54:15, 55:5
--	--	--	---

<p>properly 29:21, 31:10</p> <p>properties 48:11</p> <p>property 5:17, 7:2, 7:5, 7:17, 7:22, 30:23, 43:20, 45:22, 51:15</p> <p>provide 16:25, 18:7, 29:10, 31:14, 31:15, 44:14</p> <p>provided 29:21, 44:8</p> <p>providing 11:17, 11:25</p> <p>provision 7:19, 7:21, 8:8</p> <p>public 6:7, 6:13, 6:19, 6:20, 6:24, 7:8, 7:15, 8:9, 8:17, 10:14, 10:23, 29:17, 30:3, 30:15, 38:11, 40:6, 42:9, 42:24, 47:25, 48:4, 49:1, 49:10, 50:11, 56:2, 56:17</p> <p>publically 40:4</p> <p>pugach 17:23, 18:1</p> <p>pulled 40:8, 41:22</p> <p>purposes 29:8</p> <p>pursuant 2:8</p> <p>pursue 29:22, 31:3, 31:11, 32:8, 53:4, 53:7</p> <p>pursuit 49:2</p>	<p>push 26:22, 41:4</p> <p>put 46:20, 51:20</p> <p>putting 41:23</p> <hr/> <p>Q</p> <hr/> <p>question 8:24, 9:6, 20:11, 29:4, 29:14, 30:1, 31:6, 31:17, 38:2</p> <p>questioning 28:2</p> <p>questions 24:21, 25:18, 29:9</p> <p>quick 47:4, 47:6</p> <p>quickly 8:18, 44:20</p> <p>quite 48:12</p> <hr/> <p>R</p> <hr/> <p>radiofrequency 11:6</p> <p>raised 30:1, 30:6, 48:1</p> <p>rather 19:9, 26:21, 45:16</p> <p>reach 39:10</p> <p>read 7:4, 7:13, 10:1, 10:3, 10:5, 33:19, 35:17, 45:8</p> <p>real 20:6</p> <p>really 21:4, 33:6, 43:11</p> <p>reason 25:19, 30:10,</p>	<p>34:9, 34:11, 46:14, 46:15</p> <p>reasonable 47:12</p> <p>reasonably 47:10</p> <p>rebuild 24:19</p> <p>received 36:1</p> <p>receives 40:12</p> <p>recess 51:8, 52:7</p> <p>record 8:7, 8:14, 9:13, 28:16, 28:17, 28:19, 28:21, 28:22, 29:1, 31:24, 32:10, 32:16, 33:14, 33:17, 39:2, 42:16, 52:11, 52:19, 53:12, 57:4</p> <p>recorded 56:6, 57:4</p> <p>recording 29:7, 57:6</p> <p>redo 46:10</p> <p>refer 28:13</p> <p>referred 28:23, 35:18</p> <p>referring 34:1</p> <p>regarding 24:21</p> <p>regret 16:2</p> <p>regular 43:2</p> <p>regularly 8:5</p> <p>regulations 49:7</p> <p>relate 30:22</p>	<p>related 49:2, 56:7, 57:7</p> <p>relating 30:5</p> <p>relationship 8:8</p> <p>relatively 8:18</p> <p>relaxed 26:7</p> <p>release 55:4</p> <p>relevant 26:13</p> <p>relieve 42:11</p> <p>relocation 34:16, 34:18, 40:2, 40:25, 51:1</p> <p>relocations 50:24</p> <p>remain 29:9</p> <p>remedied 38:6, 38:9, 38:10</p> <p>remedy 31:18</p> <p>remind 46:23</p> <p>renewal 32:23, 32:24, 33:2, 33:4, 35:19</p> <p>repetitious 18:20, 26:13, 28:1</p> <p>replace 5:16</p> <p>reporter 2:9, 19:18, 56:2</p> <p>represent 6:3, 7:24, 33:12, 50:19, 51:24</p>
---	---	--	---

<p>representation 41:18, 50:14, 51:5, 51:7, 51:17 representative 6:11, 9:3, 11:17, 13:7, 27:9, 28:7, 49:13 representatives 6:13, 36:8, 42:10 represented 5:23, 9:2, 9:3, 9:16, 9:18, 24:11, 55:8 representing 6:20, 31:22 request 49:6, 51:14, 51:16, 53:19, 55:4 requested 30:19, 43:4 requests 6:16 required 7:6, 7:18, 8:12, 17:9, 49:8 requirement 50:25 requirements 43:5, 44:7, 52:13 requires 43:22 reread 52:12 resident 21:14, 22:11, 24:7, 25:3 resolution 8:2, 12:10, 31:20, 32:19, 35:6, 35:18, 36:2, 36:7, 37:15, 38:24, 39:8, 39:20,</p>	<p>40:10, 40:15, 40:21, 41:15, 41:16, 48:15 respectfully 37:7 respond 36:13, 43:12 responded 30:4 response 30:9 rest 37:9, 39:10 review 36:4, 48:9, 48:19, 51:2, 53:22 reviewed 28:19 rf 11:6 richard 21:14 rick 21:12, 22:18, 23:11 right 5:21, 8:24, 9:24, 11:12, 13:2, 14:15, 15:13, 15:16, 15:22, 19:19, 19:20, 20:12, 23:4, 23:13, 23:17, 24:7, 24:22, 25:5, 27:25, 28:12, 31:22, 32:11, 34:10, 37:19, 41:6, 52:6, 55:19, 55:22 riveros 17:2, 17:3 road 5:19, 25:11, 41:4 rob 10:20</p>	<p>robert 20:17 rockville 5:19 role 50:8 roman 7:2 rules 5:10, 9:5, 9:12, 18:19, 25:10, 26:5, 26:10, 48:25, 49:2, 50:5 running 44:20</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>saba 15:7 said 10:8, 15:14, 18:15, 20:19, 39:22, 41:12, 42:7, 44:16, 46:14, 46:21, 56:5, 57:4 sally 15:16 same 7:16, 23:7, 23:16, 26:22, 55:3 sampson 3:3, 5:25, 6:2, 6:5, 6:12, 6:22, 7:7, 7:11, 8:1, 8:23, 9:17, 9:19, 9:23, 10:7, 10:10, 10:13, 10:19, 10:22, 11:3, 11:6, 11:9, 20:19, 23:20, 24:2, 27:18, 27:22, 31:14, 31:21, 32:3, 35:14, 35:15,</p>	<p>37:7, 39:6, 39:15, 39:17, 41:12, 42:5, 47:19, 47:20, 47:21, 47:24, 50:19, 51:24, 54:19, 54:23, 55:24 sampson's 29:18, 32:13, 34:3 sandra 15:2 sartucci 18:21, 18:23, 18:25, 19:3, 19:5, 29:25, 30:1, 45:12, 45:15, 45:20 saul 3:4 save 39:9 saw 18:22 say 16:17, 22:4, 26:20, 31:9, 35:9, 36:22, 36:23, 38:22, 44:10, 48:21, 52:5, 53:18 saying 6:23, 18:4, 32:12, 40:7, 41:24, 44:11, 51:22 says 7:2, 32:21, 33:3, 33:20, 34:16, 37:1 sba 1:5, 5:13, 5:25, 6:4, 6:6, 8:3, 9:15, 9:16, 10:2, 21:8, 24:18, 27:3, 29:15, 29:21,</p>
---	--	---	--

<p>33:3, 33:4, 33:8, 35:1, 35:19, 35:23, 36:22, 36:24, 42:2, 42:12, 52:24, 53:23, 54:7, 54:16, 55:12 scenario 45:24 scheduled 8:5 school 5:16, 5:18, 6:24, 7:25, 9:4, 29:17, 29:20, 40:2, 42:24, 42:25, 43:13, 43:17, 43:18, 43:20, 43:25, 45:22, 48:11, 49:1, 49:3, 49:14, 49:24 schools 6:8, 6:14, 6:20, 7:8, 7:15, 8:9, 8:17, 10:14, 10:23, 10:25, 20:8, 30:3, 40:6, 42:9, 47:25, 48:4, 49:10, 50:11 schuster 21:11 se 49:14 seal 56:11 second 34:15 secondary 35:5 section 7:1, 7:17, 9:10, 9:11, 37:17, 48:7, 52:14</p>	<p>see 14:4, 20:2, 23:18, 26:1, 33:6, 36:9, 38:13, 47:15 seeing 12:19 seeking 34:25 seems 12:20 seen 25:25 send 15:8, 16:2 sense 27:12 sent 15:4, 15:17, 15:24, 17:21, 22:25 sentence 33:22, 34:14, 35:8, 36:17, 36:20 separately 22:22 september 8:6, 32:14, 41:14 sergeant 14:22, 14:23, 15:1, 23:6 services 35:23 set 5:9, 56:10 seth 6:18, 10:23, 16:24, 47:24, 50:9 sets 48:25 several 12:21, 39:18 shall 30:20 shawn 21:20, 21:21</p>	<p>shibasaki 22:1, 22:2, 22:5, 22:8 shiho 22:1, 22:2 short 27:10, 44:21, 52:12 shot 45:6, 47:5, 47:7, 52:24, 53:10, 54:7, 54:9, 54:16, 54:21, 55:13, 55:15 should 21:2, 25:13, 34:5, 34:6, 34:7, 39:4, 43:16, 43:19, 46:25 show 14:1, 32:10 shown 20:25 signature 43:9 signature-5tmlq 56:15 signature-bi6ds 57:13 similar 18:14, 26:17 simply 40:9, 41:5, 42:3, 48:13, 48:15 since 12:13, 16:4, 48:12, 48:13 single 28:20 site 5:17, 11:11, 24:8, 25:17, 25:22, 26:2, 43:4, 46:18 sites 49:3</p>	<p>situation 23:7, 23:16, 44:10, 44:17, 45:16, 46:1, 51:13 six-zero 32:13, 34:2 size 37:5 sligo 45:22 smith 44:10, 44:11 so-and-so 26:21 some 5:4, 5:10, 12:16, 16:6, 18:19, 25:10, 30:23, 34:9, 41:2, 46:16, 48:1, 50:4, 55:2 somebody 19:7, 24:24, 26:19 something 15:4, 18:22, 19:2, 26:19, 29:7, 32:10, 36:23, 40:20, 41:11, 49:20 somewhat 25:18, 26:6, 29:23, 44:17 somewhere 46:20 sorry 7:10, 15:19, 16:17, 17:11, 19:7, 22:4, 24:23, 25:5, 33:23, 45:17, 45:20 sound 12:24 southern 14:17, 14:18, 14:21, 18:6,</p>
--	--	---	---

<p>18:8, 18:10, 18:14 speak 6:14, 12:11, 23:22, 25:11, 45:2, 49:14 specialist 20:7 specific 8:7, 30:21, 42:13, 43:3, 43:4 specifically 32:19, 33:3, 33:20, 48:18, 49:20, 49:21 specificity 31:21 specs 36:25 spell 21:17 spoke 10:24, 55:1 stacy 54:24 staff 28:18, 54:3 start 21:4, 33:15 starts 33:22 state 2:9, 28:17, 37:20, 39:2, 50:8, 56:18 stated 33:7, 50:14, 50:21 statement 9:25, 10:7, 13:18, 13:20, 27:5, 27:10, 27:11, 27:13, 51:12, 53:8 statements 10:1, 10:4, 11:16, 13:16,</p>	<p>26:17, 27:6, 27:17 states 7:17 stating 42:14 statute 45:9 step 40:5, 48:14 stopped 34:6 street 3:5, 24:7 strict 26:10 structure 7:4, 35:4 struggling 43:23 study 46:10 submission 29:18 submissions 16:6 submit 8:1, 22:12, 25:12, 40:22, 42:15 submitted 10:1, 10:4, 10:6, 11:16, 13:16, 13:18, 14:2, 18:11, 18:16, 19:2, 22:14, 25:13, 26:16, 37:22, 37:24, 43:10, 47:16, 52:17, 53:20 substantive 12:16, 54:4 sue 22:9, 47:4 suggest 41:21 suite 3:5</p>	<p>superintendent 32:22, 33:8, 36:3, 36:24, 40:11, 40:16, 48:8, 48:19 support 7:3, 7:13, 18:3, 23:22 supporting 57:6 sure 8:16, 9:8, 24:2, 45:25, 47:23, 50:4, 51:10, 55:5 sway 50:1, 51:20 swayed 49:23 system 6:24, 7:25, 9:4, 29:17, 29:20, 42:24, 43:14, 43:25, 49:1, 49:14 system's 49:24</p> <hr/> <p>T</p> <hr/> <p>t's 44:5, 46:17 t-mobile 10:15, 10:19, 20:18, 21:6 table 51:21 take 27:21, 39:24, 44:14, 46:5, 47:6, 47:12, 47:17 taken 51:2, 52:7, 56:4 talk 17:22 talked 24:4</p>	<p>talking 29:4, 34:19, 34:20, 34:21, 43:17, 48:23 talks 35:18 taller 35:3 talman 19:6, 19:11, 19:12 team 19:23, 20:16, 55:2 teams 22:23 technical 54:4 telecom 30:8 telecommunication 1:5 telecommunicatio- ns 5:15, 32:23, 33:1, 34:17, 44:19, 45:1, 48:6, 48:11, 48:20, 49:3 term 38:20 terms 18:19, 42:14, 50:17, 51:12 testified 26:20 testify 19:1, 19:25, 22:11, 22:25, 23:1, 23:3, 24:13, 25:4, 26:18, 28:9, 36:9 testifying 16:21, 19:4, 19:20, 26:19 testimony 10:7, 11:18,</p>
---	--	--	--

11:25, 12:12, 13:9, 15:9, 15:18, 15:24, 16:6, 17:9, 17:15, 17:21, 18:3, 18:11, 18:15, 18:16, 18:20, 22:13, 22:25, 25:16, 26:22, 27:13, 27:14, 28:7, 28:9, 29:10 thank 6:22, 11:23, 12:18, 15:22, 16:10, 17:5, 17:16, 18:17, 19:3, 19:13, 19:14, 21:20, 22:16, 23:17, 24:14, 24:22, 31:16, 35:12, 35:15, 47:2, 51:21, 54:23, 55:19, 55:20, 55:24 themselves 31:25, 50:7 thing 36:15 things 44:15, 46:10, 46:25 think 7:7, 9:5, 9:6, 9:7, 12:21, 13:1, 13:14, 15:4, 15:25, 19:7, 20:3, 24:5, 24:16, 25:14, 26:22, 27:7, 28:19, 31:17, 35:13, 36:6, 36:11, 36:20, 39:13, 43:18, 44:3, 46:1, 47:9, 47:11, 47:16,	48:22, 49:10, 49:11, 49:23 third 33:24, 34:13, 51:13 thought 25:6 three 22:17, 23:21 through 5:4, 5:22, 11:17, 12:15, 12:25, 13:15, 13:23, 13:24, 16:12, 23:25, 24:23, 25:8, 26:21, 27:6, 27:9, 28:18, 30:13, 33:1, 45:9, 48:14 throw 25:10 thumbs 52:10 thursday 1:12 time 9:7, 23:3, 25:4, 29:9, 39:6, 39:9, 40:24, 44:19, 44:23, 46:2, 46:16, 53:1, 53:2, 54:12, 54:16, 54:22, 55:7, 55:18, 55:21, 55:22, 55:24 tingley 20:23, 24:5, 24:6, 24:10, 24:15 today 5:6, 15:5, 19:13, 39:9, 39:14, 39:19 today's 36:11	together 33:10, 33:11 top 19:8, 23:18 tower 5:16, 24:19, 33:1, 37:17, 41:5, 42:3, 44:19, 45:1, 46:19, 50:24 towers 49:3 tran 22:16, 22:17 transcribed 1:25, 57:5 transcriber 57:1 transcript 57:3 transmission 30:8, 35:21, 35:25, 48:6 tricked 40:21 troubled 43:6 true 40:9, 57:3 try 41:2, 42:5 trying 31:8, 42:20 tuan 22:16, 22:17 two 7:9, 10:8, 10:10, 10:11, 11:14, 27:8, 33:9, 37:3, 49:11 typically 54:2 <hr/> U <hr/> uh-huh 24:15, 55:25 under 9:5, 9:10,	9:11, 30:21, 37:18, 46:5, 49:6, 52:14, 53:3 understand 6:23, 9:9, 42:23, 49:16, 52:2 understanding 11:14, 48:24, 50:18 understood 16:3, 45:25 underway 30:14 unique 44:16, 44:17, 45:16 unless 17:8, 17:21, 20:10, 49:20 unprecedented 51:13 until 12:12, 27:6, 27:21, 29:9, 39:5, 41:1, 52:8, 53:19, 54:13 urgency 41:2 use 5:12, 5:15, 7:3, 9:12, 30:18, 30:20, 30:22, 36:2, 37:16, 38:20, 43:3, 43:20, 43:22, 44:3, 44:18, 49:6, 49:7, 52:20, 53:4 <hr/> V <hr/> video 12:20, 21:2, 23:16 videos 12:21
--	---	--	---

view 7:20 viewed 25:17 views 25:25, 48:9, 50:19 virtually 2:1 visit 25:22, 26:3 visual 46:10 voted 8:4 <hr/> W <hr/> wait 12:12, 19:7, 29:5 waive 53:10, 54:21, 55:13 waiver 45:4, 45:5, 52:23, 52:24, 53:11, 54:6, 54:7, 54:15, 55:16 waiving 54:9 want 6:25, 13:21, 18:21, 27:25, 28:2, 32:1, 33:5, 35:16, 38:17, 38:20, 40:24, 42:9, 42:24, 48:2, 48:7, 50:3, 50:18, 54:24 wanted 12:14, 40:24, 46:23, 50:13, 51:4, 51:19, 51:20, 51:23 wants 42:19, 44:1	watching 22:22 way 7:4, 10:1, 26:25, 37:19, 38:22, 40:5, 41:5, 50:1 ways 30:15 we'll 13:19, 18:18, 24:1, 27:7, 27:16, 45:9 we're 19:22, 26:8, 42:19, 44:12, 45:1, 46:2, 48:23, 49:5 we've 24:23, 25:7, 29:13, 45:3, 48:3, 50:21 weight 26:11, 26:12 weissman 17:12, 17:13 went 31:2, 39:20, 45:3 weren't 30:17 whatever 27:19, 31:14, 53:17 whatsoever 37:6 whenever 34:7, 39:3 whereas 33:19 whereof 56:10 whereupon 52:7 whether 5:8, 5:22, 5:23, 9:4, 29:14, 30:18,	30:25, 45:10, 54:20 whoever 53:8 wholesale 28:17 william 15:19, 22:19, 23:11 willing 54:21 wilmes 19:20, 19:21, 19:22, 20:1 wishes 27:11 withdraw 40:23 within 43:12, 44:3, 53:16, 55:15, 55:21 without 21:1 witness 20:5, 20:21, 56:10 witnesses 10:8, 10:10, 10:11, 10:14, 26:15, 27:19, 27:20, 27:23 woodward 5:18 wool 40:8, 41:22 words 33:9, 34:19 work 23:23, 27:1, 33:11 working 19:23, 33:9, 55:14 works 39:25, 40:19 worthy 28:21	writing 19:2, 53:13, 54:10 written 13:20, 15:5, 15:8, 15:17, 15:24, 16:6, 17:21, 18:11, 18:16, 22:12, 22:25, 25:16, 26:16, 28:7, 37:21, 42:13, 55:6, 55:16 <hr/> Y <hr/> yeah 12:23, 13:1, 17:20, 18:18, 20:6, 21:13, 21:21, 44:11, 50:6 years 40:1, 40:19 yesterday 25:13, 25:15, 47:13 yourself 12:4, 29:3 <hr/> Z <hr/> zebra 21:19 zechter 21:13, 21:14, 21:19, 21:25 zero 33:13, 35:11 zoning 1:1, 5:2, 33:1, 52:14, 53:21 <hr/> . <hr/> .1 37:19, 52:14 <hr/> 0 <hr/> 09 1:7, 53:25
---	--	--	---

Transcript of Hearing - Day 2
Conducted on July 28, 2022

36

1	25	7	
1 4:7, 28:25	32:14, 34:3, 52:8	7.3 37:19, 52:14	
10 52:4, 52:7	254 23:14	731 37:19	
11 23:24, 52:5, 52:8, 56:1	28 1:12, 4:7, 5:20	75 35:3	
1100 3:7	3	8	
11211 5:18	30 1:13, 5:21, 45:8, 52:4, 53:16, 53:19, 54:8, 54:13, 55:15	8th 56:11	
120 5:15	301 23:9, 23:11, 23:14	9 1:13, 5:21	
126 33:18	32 56:1	90 53:18	
1503 23:5	352 7:1	900 3:5	
2	4	9282 23:14	
2-c 7:1	410 3:7	9825 23:10, 23:11	
20 8:22, 52:5, 53:25	45 45:5	995 3:7	
2019 48:13	457910 1:23	9th 47:8	
2021 8:6, 32:15, 41:14	47 52:4, 52:7		
2022 1:12, 5:21, 8:22, 53:25, 56:12, 57:16	5		
20852 5:19	500 3:5		
21002 3:6	57 1:24		
22 1:7, 8:22, 53:25	5th 47:8		
23 20:24	6		
237 23:9, 23:11	60 4:7, 28:18, 28:25, 32:13		
240 23:5	62 47:5		
	660 23:5		