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# Transcript of Hearing

**Date:** November 7, 2025

**Case:** A TO Z Fun Care

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Transcript of Hearing  
Conducted on November 7, 2025

1 (1 to 4)

1	BEFORE THE OFFICE OF ZONING AND	1	A P P E A R A N C E S	3
2	ADMINISTRATIVE HEARINGS FOR	2		
3	MONTGOMERY COUNTY, MARYLAND	3	JONY GUIRANO-OSPINA - OZAH Staff	
4	-----x	4	LEILA NASSAJ - Applicant	
5	IN RE: :	5	MAHMOUD NASSAJ - Husband of Applicant	
6	THE APPLICATION OF A TO Z FUN CARE : Case No.:	6	RAHUL PATEL - Architect speaking for Applicant	
7	DAYCARE TO PERMIT THE CONDITIONAL USE : CU 25-09	7	MICHAEL GREIGG - Agent for Applicant	
8	OF A 70-PERSON DAYCARE AT 6030 :	8	ANDREW ROUFF - Technician	
9	GROSVENOR LANE, BETHESDA, MARYLAND, :	9		
10	IN THE R60 ZONE :	10		
11	APPLICANT: LEILA NASSAJ :	11		
12	-----x	12		
13		13		
14		14		
15	HEARING	15		
16	BEFORE ANDREA LE WINTER, HEARING EXAMINER	16		
17	Rockville, Maryland	17		
18	Friday, November 7, 2025	18		
19	9:30 a.m.	19		
20		20		
21		21		
22		22		
23	Job No.: 606308	23		
24	Pages: 1 - 43	24		
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5	ADMINISTRATIVE HEARINGS (1100167)	4	E X H I B I T S	
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<p style="text-align: right;">6</p> <p>1 C O N T E N T S (Cont'd)</p> <p>2 E X H I B I T S</p> <p>3 (Retained by the Court) PAGE</p> <p>4 Exhibit 23 Documents Filed by Applicant 38</p> <p>5 per Hearing Examiner's Request</p> <p>6 Exhibit 23A Comment Response Letter 38</p> <p>7 Exhibit 23B Infant Daily Schedule 38</p> <p>8 Exhibit 23C Preschool Daily Schedule 38</p> <p>9 Exhibit 23D Toddler Daily Schedule 38</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">8</p> <p>1 opposition or an interested party. I'm going to</p> <p>2 go through the people sitting in front of me</p> <p>3 first. Why don't we start with the Petitioner?</p> <p>4 So if you can turn on your mic and just say your</p> <p>5 name and that you're the Petitioner in the case.</p> <p>6 MS. NASSAJ: Good morning. My name is</p> <p>7 Leila Nassaj. I'm the Applicant.</p> <p>8 THE HEARING EXAMINER: Thank you.</p> <p>9 MR. PATEL: Hello. Rahul Patel. I'm</p> <p>10 the agent for the Applicant.</p> <p>11 MR. GREIGG: Michael Greigg, 3G</p> <p>12 Architects, agent for the Applicant.</p> <p>13 MR. NASSAJ: My name is Mahmoud Nassaj.</p> <p>14 I'm also the Applicant.</p> <p>15 THE HEARING EXAMINER: Oh, you're both</p> <p>16 applicants?</p> <p>17 MR. NASSAJ: Yeah.</p> <p>18 THE HEARING EXAMINER: Sorry. I thought</p> <p>19 -- I thought just --</p> <p>20 MR. NASSAJ: Yes, with my wife.</p> <p>21 THE HEARING EXAMINER: -- Ms. Nassaj.</p> <p>22 MR. NASSAJ: Yes.</p> <p>23 THE HEARING EXAMINER: I know you guys</p> <p>24 are married --</p> <p>25 MR. NASSAJ: Yes.</p>

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3 (9 to 12)

<p style="text-align: right;">9</p> <p>1 THE HEARING EXAMINER: -- but I thought 2 you were kind of the support figure. So -- 3 MR. NASSAJ: Yeah. 4 THE HEARING EXAMINER: -- I apologize. 5 MR. NASSAJ: Well, just basically the 6 support figure. I always like to be next to her. 7 THE HEARING EXAMINER: Absolutely. I 8 get that. So if we can turn to individuals online, 9 if people can identify themselves and whether they 10 are, again, part of the application group, in 11 opposition, interested party, or -- I think, last 12 time we had some observers, and I know we have 13 people just from the office. I -- I just can't see 14 anybody, so I don't know. 15 MR. PATEL: There is only -- oh, I see. 16 There's only, like, one other person on here. 17 THE HEARING EXAMINER: Oh. So if it's 18 the -- that's just -- the GU is -- we found out 19 last time, is just Jony, so -- 20 MR. PATEL: Oh, okay. 21 THE HEARING EXAMINER: Okay. So nobody 22 is online. I'm going to go off for one second. I 23 realized the door behind me is open. I'm going to 24 close that. Okay. And I appreciate we did this 25 before, but I'm going to, for the record, just</p>	<p style="text-align: right;">11</p> <p>1 there are any, and then we will continue with the 2 Applicant's case-in-chief. There does not appear 3 to be any opposition present, but if somebody were 4 to appear, we would then have their case, and they 5 would also have the opportunity to cross-examine 6 people. If there's any interested parties that 7 appear, they could present testimony. If -- again, 8 if that were the case, then the Applicant would be 9 allowed to make a rebuttal case, and then if you 10 want to make any kind of closing statement. 11 Approval of the petition is based on 12 establishing the criteria set forth in the 13 zoning ordinance, which means it is your burden to 14 prove that. All of that is included in the 15 Planning Staff Report and is set out in the 16 statutes, which are all available online. Please 17 address all testimony to the zoning criteria. And 18 last time, we received the affidavit of posting, so 19 we don't have to go through that again. That was 20 accepted on October 16th. So are there any 21 preliminary issues at this time that we need to 22 discuss? 23 MR. PATEL: No. 24 THE HEARING EXAMINER: Okay. It is my 25 understanding we had a whole bunch of exhibits -- I</p>
<p style="text-align: right;">10</p> <p>1 reiterate how these proceedings will progress. 2 These proceedings are informal, with certain 3 formalities. Please do not interrupt when someone 4 else is speaking, unless you have an objection. 5 This is because the court reporter has difficulty 6 understanding what people are saying when there is 7 crosstalk. This is particularly important in a 8 hybrid format, where some people will be physically 9 present and others will be online. 10 This session, as I stated at the 11 outset, is being transcribed and recording -- 12 recorded. The recording is used only for backup 13 for the stenographer. And I also will be just 14 taking some notes. So if you see me writing, it's 15 really just to make sure I'm tracking everything. 16 What you say will be under oath and recorded. You 17 may -- I may ask you questions about your 18 testimony. As we discussed last time, because the 19 Applicant is not represented by counsel, you will 20 be limited to making statements, and there is no 21 further examination. So if somebody forgets 22 something, there's not really an opportunity for 23 someone to ask a follow-up question or anything 24 like that. 25 I'll address any preliminary issues, if</p>	<p style="text-align: right;">12</p> <p>1 know I saw them personally -- that were submitted 2 earlier in the week, and then yesterday. I want to 3 make sure that we have everything. The last things 4 that were added to the record were the comment 5 response letter, the infant daily schedule, the 6 preschool daily schedule, and the toddler daily 7 schedule? 8 MR. PATEL: Correct. 9 THE HEARING EXAMINER: Was there 10 anything else after that we might have missed? 11 MR. PATEL: No. 12 THE HEARING EXAMINER: Okay, great. So 13 at the end of the presentation of your case, I will 14 try and prompt you to ask to submit any of the 15 exhibits that you've submitted, either that you've 16 referenced or just that you've submitted ahead of 17 time, and admit them formally into the record. So, 18 right now, we just have them; they have to be 19 formally admitted into the record. Okay. So given 20 that, how would the Applicant like to proceed at 21 this point? Did Mr. Patel want to make another 22 statement? Does the Applicant want to make a 23 statement? It's up to you how you want to start. 24 MR. PATEL: Do you have anything to say, 25 Ms. Nassaj?</p>

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4 (13 to 16)

13	<p>1 MS. NASSAJ: I can --</p> <p>2 THE HEARING EXAMINER: Can you turn your</p> <p>3 -- thank you.</p> <p>4 MS. NASSAJ: I can start by introducing</p> <p>5 myself and giving a little bit more information</p> <p>6 about my background, and also what is my goal by</p> <p>7 opening this childcare, this facility in Bethesda</p> <p>8 area. So I started this business in 2010. I</p> <p>9 always loved to be in childcare, early childhood</p> <p>10 education. I started from my home as a home</p> <p>11 daycare, and I improved myself. In 2022, I opened</p> <p>12 a beautiful childcare center in Research Boulevard,</p> <p>13 with nine classroom and almost 90 students at this</p> <p>14 time. And I do have 35 staff members, directors,</p> <p>15 teachers, and professional staff members at this</p> <p>16 time. We are working together. So my goal was</p> <p>17 always to give more services to my community,</p> <p>18 create more childcare centers, great facilities</p> <p>19 with a safe environment for children and their</p> <p>20 families.</p> <p>21 So I really like Montgomery County.</p> <p>22 I believe there are a lot of schools in this area,</p> <p>23 so I wanted to be one of them, again, and open</p> <p>24 another childcare in Bethesda area. It's very</p> <p>25 close to Potomac location I had. So I really</p>	15	<p>1 exhibits, then at the end, you can ask that those</p> <p>2 exhibits be admitted. But if there's anything you</p> <p>3 want to emphasize, or anything you think is not</p> <p>4 fully developed in the exhibits, now is your time</p> <p>5 to simply state that.</p> <p>6 MS. NASSAJ: Sure.</p> <p>7 THE HEARING EXAMINER: And there's not</p> <p>8 going to be, like, a question-answer kind of thing.</p> <p>9 MS. NASSAJ: Sure. I can ask Mr. Patel</p> <p>10 to complete the rest of it.</p> <p>11 THE HEARING EXAMINER: Okay.</p> <p>12 MS. NASSAJ: We have everything written,</p> <p>13 and he can -- if there's anything else, I'm here</p> <p>14 also to answer.</p> <p>15 THE HEARING EXAMINER: Okay. Thank you.</p> <p>16 MS. NASSAJ: My pleasure.</p> <p>17 THE HEARING EXAMINER: Mr. Patel, did</p> <p>18 you want to make a statement as well?</p> <p>19 MR. PATEL: Yeah. I was going to make a</p> <p>20 statement with the exhibits.</p> <p>21 THE HEARING EXAMINER: Absolutely,</p> <p>22 please.</p> <p>23 MR. PATEL: May we see Exhibit 20C, the</p> <p>24 landscaping plan?</p> <p>25 MR. ROUFF: C?</p>
14	<p>1 wanted to have this location, and church gave me</p> <p>2 this opportunity. I'm very glad I have this</p> <p>3 opportunity to have another childcare center,</p> <p>4 create another beautiful facility, giving more</p> <p>5 services, create a great environment, safe and</p> <p>6 nice, for families, for their children, and create</p> <p>7 a beautiful environment for them to cherish, and</p> <p>8 also grow and enjoy every single day of their life.</p> <p>9 So this is what I really enjoy to do</p> <p>10 every day, so that is what I want to do in -- in</p> <p>11 this facility for Bethesda location. And -- and</p> <p>12 there is a lot of explanation here as far as the</p> <p>13 number of children, what we are going to do, what</p> <p>14 is the plan, and number of staff members, how we</p> <p>15 are going to process all of these pickup area,</p> <p>16 drop-off area, and everything else. And there are</p> <p>17 multiple questions here. We can answer to all of</p> <p>18 these questions as well.</p> <p>19 THE HEARING EXAMINER: So again, the --</p> <p>20 I -- I'm going to give this prompt once. There is</p> <p>21 no attorney present, so there's no question-and-</p> <p>22 answer. So if there's something you want to make</p> <p>23 sure gets in the record, I strongly advise you</p> <p>24 simply to just make that statement. We do have the</p> <p>25 exhibits. If you think it's covered in the</p>	16	<p>1 MR. PATEL: Correct. So this is</p> <p>2 property for 6030 Grosvenor Lane. This is the</p> <p>3 existing Saint Luke's Episcopal Church in this</p> <p>4 existence of Cornerstone Montgomery. And there's</p> <p>5 also existing adult staff -- sorry; not adult staff</p> <p>6 -- daycare center for Cornerstone Montgomery. The</p> <p>7 property currently has 76 existing parking spaces,</p> <p>8 and would require 100 new parking spaces to</p> <p>9 accommodate the three buildings. We are planning</p> <p>10 to apply for a parking request waiver, because the</p> <p>11 A To Z Fun Care will only be needing about seven of</p> <p>12 the 30 parking spaces they have requested for. And</p> <p>13 so, those 37 parking spaces would be located along</p> <p>14 the back of the property, just behind the church.</p> <p>15 And there's also multiple -- there's also another</p> <p>16 main parking lot that's going to be shared between</p> <p>17 the church and Cornerstone Montgomery, but the rear</p> <p>18 parking lot would be reserved exclusively for the</p> <p>19 church and A To Z Fun Care.</p> <p>20 MR. ROUFF: Excuse me. Mr. Nassaj,</p> <p>21 would you be able to turn on your mic, since it's</p> <p>22 closest to where -- where Mr. --</p> <p>23 MR. NASSAJ: Oh --</p> <p>24 MR. ROUFF: -- Patel is sitting?</p> <p>25 MR. NASSAJ: Okay. So you can hear</p>

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5 (17 to 20)

17	<p>1 better.</p> <p>2 MR. ROUFF: Yeah, yeah, yeah.</p> <p>3 MR. NASSAJ: There you go.</p> <p>4 MR. ROUFF: Perfect. Thank you.</p> <p>5 MR. PATEL: Thank you.</p> <p>6 THE HEARING EXAMINER: Can you hear him</p> <p>7 better?</p> <p>8 MR. ROUFF: Yep. Thank you.</p> <p>9 THE HEARING EXAMINER: So just to</p> <p>10 summarize, from what I read, I -- I just want to</p> <p>11 make sure I'm clear that -- that the argument for</p> <p>12 the waiver that the Applicant will be making is</p> <p>13 basically that the existing parking is sufficient,</p> <p>14 even though it is not what the regulations were</p> <p>15 required because of the way the different buildings</p> <p>16 are being used --</p> <p>17 MR. PATEL: Correct.</p> <p>18 THE HEARING EXAMINER: Is that correct?</p> <p>19 MR. PATEL: Correct.</p> <p>20 THE HEARING EXAMINER: Okay.</p> <p>21 MR. PATEL: Yeah. So we could elaborate</p> <p>22 a little bit on -- because the Saint Luke Episcopal</p> <p>23 Church has 210 seats. There are 53 parking spaces.</p> <p>24 Cornerstone Montgomery would require 33, and the</p> <p>25 new proposed A To Z Fun Care, the total requirement</p>	19	<p>1 THE HEARING EXAMINER: So if there's a</p> <p>2 -- I -- I mean, in -- in my experience, there is a</p> <p>3 certain amount of just general turnover in the --</p> <p>4 particularly in the daycare field. Like, do you</p> <p>5 have a sense of how often you would need to -- I</p> <p>6 mean -- I mean, is this a -- a -- how do you say</p> <p>7 that this is a good long-term plan if it's really</p> <p>8 completely contingent on the fact that, right now,</p> <p>9 half the staff would not be driving to work?</p> <p>10 MR. PATEL: So with the 76 parking</p> <p>11 spaces, approximately 75 percent of them are</p> <p>12 currently being used. And so, with the additional</p> <p>13 daycare center, if they plan on using six of those</p> <p>14 13 parking spaces, I think there's still plenty of</p> <p>15 parking spaces for the --</p> <p>16 THE HEARING EXAMINER: Okay.</p> <p>17 MR. PATEL: -- remaining two buildings.</p> <p>18 THE HEARING EXAMINER: All right. I'm</p> <p>19 sorry. Keep going.</p> <p>20 MR. PATEL: Okay. Also, just to clarify</p> <p>21 for the parking waiver, the parents will not be</p> <p>22 parking on the site, as they'll either be drop-off</p> <p>23 and pickup queue along the front entrance, and</p> <p>24 those times will be from 7:11 a.m. -- 7:00 a.m. to</p> <p>25 11:00 a.m. That'll be the drop-off period, and</p>
18	<p>1 then would be 103. But because the A To Z would</p> <p>2 require 14 parking spaces, for staff, it would only</p> <p>3 require seven parking spaces, leaving the remaining</p> <p>4 seven parking spaces open to Cornerstone Montgomery</p> <p>5 or the church.</p> <p>6 THE HEARING EXAMINER: So can you just</p> <p>7 explain to me why, if there are -- and I -- I don't</p> <p>8 remember the number, but -- you know, you have 70</p> <p>9 kids, like, why -- why -- I appreciate pickup and</p> <p>10 drop-off, parents aren't staying, but you're going</p> <p>11 to have more than seven staff, so why would you</p> <p>12 only need seven spots?</p> <p>13 MR. PATEL: So half of the staff for A</p> <p>14 To Z doesn't -- don't have cars, so half of them</p> <p>15 won't be driving themselves to the center.</p> <p>16 THE HEARING EXAMINER: Uh-huh.</p> <p>17 MR. PATEL: So they'll be doing</p> <p>18 carpools, car shares, or riding bikes or taking the</p> <p>19 bus.</p> <p>20 THE HEARING EXAMINER: What happens if</p> <p>21 that changes in the future? What happens if</p> <p>22 there's turnover, staff leave, and new staff have</p> <p>23 cars?</p> <p>24 MR. PATEL: Then you would have to</p> <p>25 probably look for adjustments to the parking.</p>	20	<p>1 Cornerstone Montgomery and Saint Luke's Episcopal</p> <p>2 Church will be coming around 9:00.</p> <p>3 THE HEARING EXAMINER: So just to -- in</p> <p>4 terms of the drop-off and pickup, particularly</p> <p>5 because this is a daycare, lots of times,</p> <p>6 particularly if a parent has more than one child,</p> <p>7 you're trying to get kids out of car seats, parents</p> <p>8 will park to take children in and out of a</p> <p>9 building. Do you -- is there some kind of setup</p> <p>10 where, like, somebody is going to help parents get</p> <p>11 them out of the cars?</p> <p>12 MR. PATEL: Correct.</p> <p>13 THE HEARING EXAMINER: Okay.</p> <p>14 MR. PATEL: So the staff at the A To Z</p> <p>15 will be assisting the parents, directing the</p> <p>16 children from the parking queue inside the A To Z.</p> <p>17 THE HEARING EXAMINER: So,</p> <p>18 theoretically, I drive up in my car, there are</p> <p>19 staff members there, they open the door, they get</p> <p>20 the children out, and they bring them in --</p> <p>21 MR. PATEL: Correct. Correct.</p> <p>22 THE HEARING EXAMINER: -- and so I don't</p> <p>23 have to get out of my car?</p> <p>24 MR. PATEL: Correct.</p> <p>25 THE HEARING EXAMINER: Okay.</p>

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6 (21 to 24)

21	<p>1 MR. PATEL: And the same would be</p> <p>2 applied for when they're -- pickup hours.</p> <p>3 THE HEARING EXAMINER: I'm sorry. Can</p> <p>4 you repeat that?</p> <p>5 MR. PATEL: Same thing would apply for</p> <p>6 pickup hours.</p> <p>7 THE HEARING EXAMINER: Okay. Okay, keep</p> <p>8 going.</p> <p>9 MR. PATEL: May we see Exhibit 20E, the</p> <p>10 lighting plan? So along the parking lot, there are</p> <p>11 multiple landscapings for the -- sorry -- parking</p> <p>12 landscaping around the parking lot, and they do</p> <p>13 include light posts that are about 16 feet high,</p> <p>14 and that does meet the zoning coordinates for the</p> <p>15 limit of 25 feet. And also, the foot candles for</p> <p>16 the parking lot lights is about roughly zero</p> <p>17 lumens, which are -- we believe the court states</p> <p>18 that it has to be less than 0.1 lumens.</p> <p>19 THE HEARING EXAMINER: And what is that</p> <p>20 based on? How do you know that there's zero lumens?</p> <p>21 MR. PATEL: Can you just go back up a</p> <p>22 little bit? Using the app at night, around the</p> <p>23 6:30 to 7:00, I had taken pictures using an app to</p> <p>24 show, like, the lumens --</p> <p>25 THE HEARING EXAMINER: Okay.</p>	23	<p>1 sunset?</p> <p>2 MR. PATEL: Correct.</p> <p>3 THE HEARING EXAMINER: Okay. Okay.</p> <p>4 Thank you.</p> <p>5 MR. PATEL: Thank you. May we go back</p> <p>6 to the site plan for the -- lights? Thank you. So</p> <p>7 there is the existing playground, which is 18 --</p> <p>8 sorry -- 1,900 square feet. But the A To Z Fun</p> <p>9 Care will require 2,250 square feet of the</p> <p>10 playground. So Applicant will be expanding the</p> <p>11 playground to meet those requirements.</p> <p>12 THE HEARING EXAMINER: Okay. And how is</p> <p>13 that happening? Can you tell me more about that?</p> <p>14 MR. PATEL: Correct. She's going to be</p> <p>15 coordinating with the church to see where they can</p> <p>16 make the expansion for the playground. But in most</p> <p>17 cases, it looks like, because the swing set kind of</p> <p>18 aligns with it, that we can expand (indiscernible)</p> <p>19 swing set.</p> <p>20 THE HEARING EXAMINER: So how much does</p> <p>21 she need ultimately?</p> <p>22 MR. PATEL: She's going to need roughly</p> <p>23 another 1,000 square feet.</p> <p>24 THE HEARING EXAMINER: Okay. So you --</p> <p>25 I thought you said 21, or is it 20?</p>
22	<p>1 MR. PATEL: -- and approximately all of</p> <p>2 those averaged out to zero.</p> <p>3 THE HEARING EXAMINER: Okay. I saw the</p> <p>4 pictures, but, like, where did it say --</p> <p>5 MR. PATEL: It's kind of hard to see,</p> <p>6 but there's a little zero LX along each one.</p> <p>7 THE HEARING EXAMINER: Okay. Okay. And</p> <p>8 can you tell me more about the app that you used</p> <p>9 and when you -- what time it -- does it say all of</p> <p>10 that? It's just -- like, how do I know that this</p> <p>11 is reliable information?</p> <p>12 MR. PATEL: So the app I use is called</p> <p>13 -- sorry. It's called Lightyear Pro.</p> <p>14 THE HEARING EXAMINER: Okay.</p> <p>15 MR. PATEL: And these pictures were</p> <p>16 taken between the hours of 6:30 and 7:00 at night.</p> <p>17 THE HEARING EXAMINER: What day -- do</p> <p>18 you remember what day that was? Because, like,</p> <p>19 there's relative levels of darkness, depending on</p> <p>20 what time of year we're talking about.</p> <p>21 MR. PATEL: The day these pictures were</p> <p>22 taken were on the October 28th.</p> <p>23 THE HEARING EXAMINER: Okay. I -- I can</p> <p>24 double-check this, but I'm assuming -- I mean, it</p> <p>25 looks that way from the pictures, but this is after</p>	24	<p>1 MR. PATEL: Currently, there's 1900, and</p> <p>2 she'll need 2,250 square feet.</p> <p>3 THE HEARING EXAMINER: 2,250. So will</p> <p>4 that impact the landscaping? How will that -- and</p> <p>5 -- sorry. Answer that question first.</p> <p>6 MR. PATEL: Okay. It wouldn't have any</p> <p>7 impact landscaping, because the only major</p> <p>8 landscaping is this grass maze, which -- in the</p> <p>9 garden, but this is for -- exclusively for the</p> <p>10 church.</p> <p>11 THE HEARING EXAMINER: Okay. So when</p> <p>12 it's going to be expanded, so is there going to be</p> <p>13 fencing around it; how is that going to work?</p> <p>14 MR. PATEL: Correct.</p> <p>15 THE HEARING EXAMINER: Okay. And</p> <p>16 there's existing fencing, correct, or not?</p> <p>17 MR. PATEL: There's no existing fence.</p> <p>18 THE HEARING EXAMINER: Okay.</p> <p>19 MR. PATEL: There is a tree canopy that</p> <p>20 runs along that back of Old Georgetown Road --</p> <p>21 THE HEARING EXAMINER: Uh-huh.</p> <p>22 MR. PATEL: -- and so, that covers</p> <p>23 between Cornerstone Montgomery and the end of the</p> <p>24 Cheshire Drive.</p> <p>25 THE HEARING EXAMINER: But for the</p>

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7 (25 to 28)

25	<p>1 daycare licensing, she's going to need to fence the 2 area? 3 MR. PATEL: Correct. Correct, yeah, to 4 -- to limit the children from wandering off into 5 the grass and into the streets. 6 THE HEARING EXAMINER: Of course. And 7 is additional playground equipment or is it just 8 the physical space going to be involved in the 9 expansion? 10 MR. PATEL: It'll be both, because she 11 needs to accommodate for their toddlers and infants. 12 THE HEARING EXAMINER: Okay. So she's 13 adding, like, a toddler infant structure kind of 14 thing? 15 MR. PATEL: Correct. And this main 16 thing is set up for the preschool. 17 THE HEARING EXAMINER: So do you have an 18 exhibit? Like, does the site plan show -- because 19 I think you said this was the lighting plan, right? 20 MR. PATEL: Correct. This is the 21 lighting plan. 22 THE HEARING EXAMINER: Does the site 23 plan -- does 20A show where the expanded -- 24 MR. PATEL: It -- we didn't show the 25 expansion, but granted the approval for the</p>	27	<p>1 it's almost as far as you can get as possible from 2 the playground area. 3 MR. PATEL: Correct, from the -- from -- 4 from A To Z and the playground, correct. 5 THE HEARING EXAMINER: Yeah. Do you 6 know exactly -- I mean, roughly how many feet it is 7 from the playground to the adjacent properties? 8 MR. PATEL: I do not know that number. 9 THE HEARING EXAMINER: Okay. Okay. 10 MR. PATEL: There's also -- around the 11 existing grass maze, there are landscaping lights 12 that kind of surround the entire maze. But these 13 are also under -- less than one lumen -- close to 14 -- very close to zero lumens. 15 THE HEARING EXAMINER: Okay. And do you 16 have measurements for those too? 17 MR. PATEL: Yeah, those are included in 18 the pictures above. 19 THE HEARING EXAMINER: Okay. 20 MR. PATEL: So can we go to Exhibits 21 23B, C, and D, the three schedules? 22 THE HEARING EXAMINER: I think you can 23 only do one at a time. So which one do you want? 24 MR. PATEL: Oh, sorry. Can we start at 25 the 23B?</p>
26	<p>1 conditional use, then we can provide that expansion 2 for the preschool. 3 THE HEARING EXAMINER: Okay. Okay. 4 MR. PATEL: Also, just to talk a little 5 bit about the tree canopies, the coverage is about 6 -- oh, sorry. So the average height for the tree 7 canopies is roughly 37 feet to 40 feet high, and 8 they do cover the whole entire property, even along 9 Cheshire Drive a little bit. But the two abutting 10 properties would be behind Cornerstone Montgomery, 11 and this is already kind of tree-covered with the 12 deciduous and coniferous trees. 13 THE HEARING EXAMINER: So can you just 14 point again to where the abutting properties are, 15 the residential properties? 16 MR. PATEL: They're along here. 17 THE HEARING EXAMINER: So just for the 18 record, I just want to show that -- state that 19 they're in, I guess, the southwestern portion; is 20 that accurate? Is that -- is it -- I don't know 21 how it's -- I don't want to just say -- what is it? 22 MR. PATEL: Northwest. 23 THE HEARING EXAMINER: Northwest? I 24 can't -- yeah. So it's in the northwest corner, 25 but what I want to make clear on the record is that</p>	28	<p>1 MR. ROUFF: 3B? 2 THE HEARING EXAMINER: B. 3 MR. PATEL: Correct. 4 MR. ROUFF: I see 20 -- oh. 5 MR. PATEL: So this is the infant daily 6 schedule. And to kind of show the timelines for 7 how they're going to be organized throughout the 8 day, for outdoor play times, there would be once in 9 the morning and once in the afternoon, roughly 10 around 9:30 to 10:00, and then again at 3:00 and 11 4:00. And then the playground will also be shared 12 with the preschool and the toddler -- there's also 13 a different -- separate dates given for those two 14 as well. 15 THE HEARING EXAMINER: I see those. Can 16 you just tell me, of the 70 children, how many 17 would be infants, how many would be toddlers, how 18 many would be preschoolers? Approximately. I'm 19 sure it changes. 20 MR. GREIGG: (Indiscernible). 21 MS. NASSAJ: So -- 22 THE HEARING EXAMINER: Okay. Just so -- 23 okay. So you're going to -- 24 MR. GREIGG: Jump in. 25 THE HEARING EXAMINER: -- jump in. So</p>



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8 (29 to 32)

<p>29</p> <p>1 can you -- can maybe -- maybe what you can do, Ms. 2 Nassaj, is make a note, and then we'll come back to 3 you. And so, can -- can you -- so I don't want to 4 forget too, so maybe you can just -- I don't know 5 if you have the time -- 6 MS. NASSAJ: I just wanted to give you 7 information about -- 8 THE HEARING EXAMINER: No; and I want to 9 get that information, but I -- I'm trying to avoid 10 too much back-and-forth. 11 MS. NASSAJ: Sure. 12 THE HEARING EXAMINER: Because you've 13 already made your statement, so I'll let you make a 14 second statement. It's a little bit unorthodox, 15 but -- but I'd like to limit it to one additional 16 statement. So if you can say, okay, I'm going to 17 tell her at the end how many kids are going to be 18 in each group, and if any other issues come up that 19 Mr. Patel can't answer, but you can -- 20 MS. NASSAJ: Sure. 21 THE HEARING EXAMINER: Thank you. 22 MR. PATEL: So for the infants, there'll 23 be 15 children, and they're being overseen by five 24 staff members. 25 THE HEARING EXAMINER: Okay.</p>	<p>31</p> <p>1 along with the existing Cornerstone Montgomery and 2 Saint Luke's Church. 3 THE HEARING EXAMINER: Uh-huh. 4 MR. PATEL: And because the net trips 5 came out to less than 50 net trips, the Planning 6 Staff did not require us to go through that local 7 area of transportation review study. 8 THE HEARING EXAMINER: Uh-huh. Even 9 though you didn't have to do the LAR (sic) study, 10 lots of times, there are still concerns about 11 increased traffic. Do you see any issues with 12 adding to the number of cars coming in and out on 13 Grosvenor Road or wherever that -- 14 MR. PATEL: So that was included in the 15 study. Can you scroll down, please, to the bottom 16 -- or second-to-last page? 17 MR. ROUFF: Second-to-last page? 18 MR. PATEL: One more? 19 THE HEARING EXAMINER: Yeah. 20 MR. PATEL: Yep. So these are all the 21 calculated trips for the daycare and with the 22 existing two buildings. And so, overall, because 23 they were less than 50 net trips, there was really 24 no impact to the traffic area. 25 THE HEARING EXAMINER: I appreciate that</p>
<p>30</p> <p>1 MR. PATEL: For the ages between two and 2 three years old, I believe that's for the -- 3 THE HEARING EXAMINER: Toddlers. 4 MR. PATEL: -- okay, toddlers. That's 5 going to be 21 children, and they'll be overseen by 6 four staff members. 7 THE HEARING EXAMINER: Uh-huh. 8 MR. PATEL: And for the preschoolers, 9 there'll be 23 children, and then three staff 10 members overseeing those preschoolers. 11 THE HEARING EXAMINER: Okay. All right. 12 MR. PATEL: Okay. And just to kind of 13 reiterate the date -- the playground times will be 14 all different times for the three programs. 15 THE HEARING EXAMINER: So no -- no two 16 -- no -- each group will be out on the playground 17 at its own set time? 18 MR. PATEL: Yep. 19 THE HEARING EXAMINER: Okay. 20 MR. PATEL: Can we go to Exhibit 20B? 21 That's the transportation adequacy form. 22 So this is kind of -- of the 23 support for the parking request waiver. We had -- 24 we were asked to provide a study for -- I mean, net 25 trips will be provided for the new daycare, with --</p>	<p>32</p> <p>1 there's not -- that there's less than 50 net trips, 2 but I'm asking you, in your professional opinion, 3 whether -- well, sorry. Let me take that back, 4 because you haven't been qualified as an expert. 5 But in your opinion, even with less than 50 trips, 6 is there going to be any impact on traffic? 7 MR. PATEL: No. 8 THE HEARING EXAMINER: Thank you. 9 MR. PATEL: And just to kind of touch 10 upon that, because Cornerstone Montgomery and St. 11 Luke's Church would be coming at 9:00, most of the 12 -- the children for the daycare will be coming in 13 between the 7:00 and 11:00. So there's a big 14 portion of time in the morning where the children 15 will be dropped off, and there's not anyone on the 16 site. And then for the pickup hours, the church 17 and Cornerstone Montgomery leave approximately at 18 5:00 -- oh, sorry. Saint Luke's Church leaves at 19 4:00, and Cornerstone Montgomery at 5:00 so between 20 4:00, 5:00, and 6:00, the church will -- sorry, A 21 To Z will have a lot of space for the parents to 22 come and pick up the children. Oh, sorry. That 23 concludes my presentation. 24 THE HEARING EXAMINER: I -- I -- I can't 25 hear you.</p>

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9 (33 to 36)

33	<p>1 MR. PATEL: That concludes my 2 presentation. 3 THE HEARING EXAMINER: Okay. If you 4 could sit down, then, I -- I wanted to do a little 5 bit of housekeeping, because this was my oversight. 6 You might want to turn your mic back on. Mr. Patel 7 and Ms. Nassaj, I forgot to swear you both in. So 8 Mr. Patel, if you could do that right now, and I'm 9 going to ask you a follow-up question. Under 10 penalties of perjury, do you swear that the 11 testimony that you just gave was the truth, the 12 whole truth, and nothing but the truth? 13 MR. PATEL: I do. 14 THE HEARING EXAMINER: Okay. So 15 everything that you stated, you agree, can be taken 16 as stated under oath? 17 MR. PATEL: Yes. 18 THE HEARING EXAMINER: Thank you. And 19 Mr. Patel, I think it would be helpful for the 20 record -- I -- you may have done this last time. 21 You can put your hand down. 22 MR. PATEL: Oh, sorry. 23 THE HEARING EXAMINER: I just don't, 24 honestly, recall off the top of my head. If you 25 could just state for the record what your</p>	35	<p>1 THE HEARING EXAMINER: Okay. 2 MR. PATEL: -- and then at this firm -- 3 it's actually his firm, so he has started this 4 business three years ago. 5 THE HEARING EXAMINER: Five years ago? 6 MR. PATEL: I'm not quite sure, but I 7 think it's probably five years. 8 THE HEARING EXAMINER: I think -- think 9 it's five years ago, yeah. Okay. Thank you for 10 that information. Ms. Nassaj, can you raise your 11 right hand? 12 MS. NASSAJ: Yes, ma'am. 13 THE HEARING EXAMINER: Do you solemnly 14 swear, under penalty of perjury, that the statement 15 that you made previously was the truth, the whole 16 truth, and nothing but the truth? 17 MS. NASSAJ: Yes, I do. 18 THE HEARING EXAMINER: Okay. So there's 19 nothing that you would take back if it wasn't under 20 oath? Thank you. And then I know, Ms. Nassaj, you 21 were listening closely when Mr. Patel was making 22 his statement. Is there anything that he said that 23 you would like to elaborate on? He gave, like, 24 numbers of children, et cetera. Is -- is -- 25 MS. NASSAJ: No. I was trying just</p>
34	<p>1 qualifications are, your educational background, 2 and your current position? 3 MR. PATEL: Yep. I was a architecture 4 student at University of Maryland. I now work at 5 Future Architects. I am an architect -- or not a 6 registered architect, but I'm an architect. 7 THE HEARING EXAMINER: Okay. How long 8 have you been working as an architect? 9 MR. PATEL: Two and a half years. 10 THE HEARING EXAMINER: Okay. And do you 11 have a BA in architecture? 12 MR. PATEL: Yes. 13 THE HEARING EXAMINER: And do you have 14 any advanced degrees in architecture? 15 MR. PATEL: Not at the moment. 16 THE HEARING EXAMINER: Okay. And when 17 you were working on this project, were you working 18 with other people within your firm? 19 MR. PATEL: Just Mr. Greigg. 20 THE HEARING EXAMINER: And can you just 21 -- just for simplicity, can you just briefly tell 22 me how many years Mr. Greigg has with the firm and 23 as an architect, if you know? 24 MR. PATEL: As an architect, about 30 25 years --</p>	36	<p>1 explain about the number of children -- 2 THE HEARING EXAMINER: Okay. 3 MS. NASSAJ: -- and he explained the 4 same thing. Thank you. 5 THE HEARING EXAMINER: Perfect. Thank 6 you. 7 MS. NASSAJ: Appreciate that. 8 THE HEARING EXAMINER: Okay. Is there 9 any other evidence that the Petitioner or Applicant 10 would like to present? 11 MS. NASSAJ: I wanted to add something 12 about the traffic you're asking, because children 13 and daycare coming not specifically at one time; 14 they are coming between hours. Like, I don't 15 believe they cause any traffic to the area because 16 they are not -- not coming all right sharp at 8:00. 17 Doesn't cause so much traffic right at 8:00. They 18 are coming between 7:00 and 11:00, here and there. 19 And pickup time, also, the same thing. Drop-off, 20 the same thing. They are not all coming at the 21 same time. 22 So -- but these are all happening 23 between hours. Like, between 7:00 and 11:00, they 24 -- they drop-off between 3:00 and 6:00, they pick 25 up. And even in Research Boulevard facility, even</p>

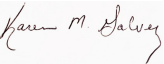
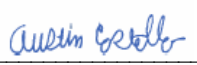
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10 (37 to 40)

<p>37</p> <p>1 though we have 80 -- 80 students -- we are full at 2 this time -- we don't see any traffic there. We 3 have a lot of parking areas. It's a huge parking 4 area. It's a nice place, but there is no traffic, 5 absolutely. So parents coming between hours -- so 6 -- 7 THE HEARING EXAMINER: Okay. So I 8 appreciate that you're saying everything is 9 staggered. So it's not like you're getting 70 10 children all at once. Is it pretty even during 11 pickup and drop-off times, or are there slight 12 peaks? 13 MS. NASSAJ: Most of the time, you know, 14 family members, they have their own schedule. They 15 go to work at the same time every day. So that's 16 why it's very organized. So that was one thing I 17 wanted to mention, that their schedule is 18 organized. Same hour, they go to work; same hour, 19 they're coming to pick up their children. So I 20 don't see any issues as far as traffic. It -- it's 21 -- they are not coming -- like, school program, we 22 don't -- like, elementary schools, we don't open 23 sharp at 8:00, we don't close sharp at 3:00; it's 24 just happening between, like, four hours, five 25 hours, so it doesn't cause any traffic there.</p>	<p>39</p> <p>1 these years. In 15 years, most, they don't have 2 car. They are coming to work with bus. Out of, 3 like, 10 people, eight of them, they don't have 4 car, so they are coming with bus. Or even they 5 have car, they are living close by. They are -- 6 they know each other. They carpool in order to 7 save more money, not paying, like, for gas or 8 something -- so -- or they live close to the 9 facilities they get job. Some of them, they can 10 walk, even, or they use their, like, bike or 11 something. This is -- this is my experience. So I 12 think we have more than enough parking spaces for 13 staff members. 14 THE HEARING EXAMINER: Okay. 15 MS. NASSAJ: Some of them even -- they 16 have, like -- their husbands give them ride -- 17 THE HEARING EXAMINER: Okay. 18 MS. NASSAJ: -- because they have one 19 car for husband and wife. 20 THE HEARING EXAMINER: Okay. 21 MS. NASSAJ: Yeah. 22 THE HEARING EXAMINER: I will accept 23 that as additional testimony. If there's anything 24 anybody wants to say now in closing, again, it's 25 optional. Closing is really just kind of a summary</p>
<p>38</p> <p>1 THE HEARING EXAMINER: Okay. Thank you 2 for that. 3 MS. NASSAJ: My pleasure. 4 THE HEARING EXAMINER: All right. Is 5 there anything else? 6 MR. PATEL: That's all. 7 THE HEARING EXAMINER: Would you like to 8 admit all of the exhibits that you've submitted to 9 OZAH? 10 MR. PATEL: Yes. 11 THE HEARING EXAMINER: Okay. So I will 12 deem all of those exhibits admitted. 13 (EXHIBITS 1-20, 20A - 20E, 21 - 23, AND 14 23A - 23D ADMITTED) 15 THE HEARING EXAMINER: Is -- you 16 certainly have the opportunity, if you'd like, to 17 make a closing statement. It's not necessary; it's 18 up to you. 19 MR. PATEL: Did you want to make a 20 closing statements, Ms. Nassaj? 21 MS. NASSAJ: I'd like to add something 22 else about my staff members. 23 THE HEARING EXAMINER: Sure. 24 MS. NASSAJ: Based off my experience, 25 like, 15 years, I see most of my staff members all</p>	<p>40</p> <p>1 of why -- so not additional information, but why 2 you believe the petition should be granted. Again, 3 not a requirement. I have to draw my own 4 conclusions. But if somebody wanted to, I want to 5 make that opportunity available, so -- 6 MS. NASSAJ: Thank you. 7 THE HEARING EXAMINER: Okay. Given 8 that, then I -- the -- the record will stay open 9 for 10 days. So today is the 7th, so the record 10 stays open for 10 days. That gives the 11 stenographer time to transcribe everything and get 12 us anything. So if anything comes up in that, you 13 still have that window, then the record will close. 14 And then once the record is closed, I have 30 days 15 to issue a decision, and that will be provided to 16 you and posted online, okay? You know how to reach 17 us, I believe, if you have any questions. Given 18 that, then we can conclude. 19 MR. PATEL: Thank you very much. 20 MS. NASSAJ: Thank you. 21 THE HEARING EXAMINER: All right. So -- 22 but the record is now closed for oral testimony. I 23 just want to make that clear. So it's not like you 24 could submit an additional statement or whatever, 25 okay?</p>

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11 (41 to 44)

<p>41</p> <p>1 MR. PATEL: Thank you.</p> <p>2 THE HEARING EXAMINER: All right. Thank</p> <p>3 you.</p> <p>4 MR. NASSAJ: Thank you so much.</p> <p>5 THE HEARING EXAMINER: You're welcome.</p> <p>6 Bye.</p> <p>7 (Off the record at 10:07 a.m.)</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>43</p> <p>1 CERTIFICATE OF TRANSCRIBER</p> <p>2 I, Karen M. Galvez, do hereby certify</p> <p>3 that this transcript was prepared from the digital</p> <p>4 audio recording of the foregoing proceeding; that</p> <p>5 said proceedings were reduced to typewriting under</p> <p>6 my supervision; that said transcript is a true and</p> <p>7 accurate record of the proceedings to the best of</p> <p>8 my knowledge, skills, and ability; and that I am</p> <p>9 neither counsel for, related to, nor employed by</p> <p>10 any of the parties to the case and have no</p> <p>11 interest, financial or otherwise, in its outcome.</p> <p>12</p> <p>13 </p> <p>14 _____</p> <p>15 KAREN M. GALVEZ</p> <p>16 PLANET DEPOS, LLC</p> <p>17 November 12, 2025</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p>42</p> <p>1 CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC</p> <p>2 I, Austin Costello, the officer before</p> <p>3 whom the foregoing proceedings were taken, do hereby</p> <p>4 certify that any witness(es) in the foregoing</p> <p>5 proceedings were fully sworn; that the proceedings</p> <p>6 were recorded by me and thereafter reduced to</p> <p>7 typewriting by a qualified transcriptionist; that</p> <p>8 said digital audio recording of said proceedings</p> <p>9 are a true and accurate record to the best of my</p> <p>10 knowledge, skills, and ability; and that I am</p> <p>11 neither counsel for, related to, nor employed by</p> <p>12 any of the parties to this case and have no</p> <p>13 interest, financial or otherwise, in its outcome.</p> <p>14</p> <p>15</p> <p>16 </p> <p>17 AUSTIN COSTELLO, NOTARY PUBLIC</p> <p>18 FOR THE STATE OF MARYLAND</p> <p>19 November 12, 2025</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	

A			
<b>ability</b>	<b>adjacent</b>	19:18, 22:1,	11:3, 11:6,
42:10, 43:8	27:7	22:9, 30:11,	11:10, 11:20,
<b>able</b>	<b>adjustments</b>	30:14, 31:20,	12:14, 24:6,
16:21	18:25	36:16, 36:20,	29:18, 31:11,
<b>about</b>	<b>administrative</b>	36:22, 37:10,	32:6, 34:14,
10:17, 13:6,	1:2, 2:5	38:4, 38:6,	36:9, 36:15,
16:11, 21:13,	<b>admit</b>	38:8, 38:12,	37:2, 37:20,
21:16, 22:8,	12:17, 38:8	38:25, 40:21,	37:25, 40:17,
22:20, 23:13,	<b>admitted</b>	41:2	42:4, 42:12,
26:5, 29:7,	12:19, 15:2,	<b>allowed</b>	43:10
31:10, 34:24,	38:12, 38:14	11:9	<b>anybody</b>
36:1, 36:12,	<b>adult</b>	<b>almost</b>	9:14, 39:24
38:22	16:5	13:13, 27:1	<b>anyone</b>
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