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10 In Re: Abandonment of a Right of Way

11 on Hyannis Drive

12 January 22, 2025

13 Held Remotely

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23 Job No.: 560292

24 Pages 1 - 35

25 Transcribed by: Jackie Scheer



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1 Hearing, held remotely.

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10 Pursuant to notice, before Dylan Keisler,

11 AAERT CER and Notary Public of the Commonwealth of

12 Pennsylvania.

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1           A P P E A R A N C E S

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3   Phil McLaughlin, Hearing Officer

4   Samuel Crook, Applicant

5   Robert Birenbaum

6   Jane Wilbur

7   Reva Norken

8   Harold Norken

9   Dylan Keisler, AAERT CER

10

11   Ronnie Tutt, Esquire

12   Montgomery County Department of

13   Transportation, Division of Traffic

14   Engineering and Operations

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1	C O N T E N T S	
2	STATEMENT	PAGE
3	By Mr. Tutt	9
4	By Mr. Crook	16
5		
6	PUBLIC COMMENT	19
7		
8		
9		
10		
11		

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



1	E X H I B I T S	
2	HEARING EXHIBIT	PAGE
3	A Abandonment Petition	12
4	B Plat No. 1460	12
5	C Aerial Map	12
6	D Executive Order 175-24	12
7	E Comment Emails for County	12

8	F	Comment Emails for Utilities	13
9	G	Washington Post Ad	13
10	H	Traffic Sign Notice	13
11	I	Montgomery County Ad	13
12	J	MCDOT Calendar	13
13	K	Comment Emails for Public	13
14	L	Montgomery Planning Comment	14
15	M	MCDOT Comment	14
16	N	MCDOT Permitting Services Comment	14
17	O	DOT Comment	14
18	P	Washington Gas Comment	14
19	Q	Pepco Comment	14
20	R	WSSC Comment	15
21	S	Fire Department Comment	15
22			
23			
24			
25			



1 P R O C E E D I N G S

2 HEARING OFFICER MCLAUGHLIN: Let me -- let

3 me do the introductory statement first then,

4 okay. Good afternoon. It's now -- it's now  
5 one --  
6 MALE VOICE: -- go first?  
7 HEARING OFFICER MCLAUGHLIN: Excuse me.  
8 Is someone else talking?  
9 MALE VOICE: Then let him -- let him know.  
10 Want to start us off, Mr. Phil?  
11 HEARING OFFICER MCLAUGHLIN: Yeah. Let me  
12 go ahead. I'll start us off. So good  
13 afternoon --  
14 MR. TUTT: -- okay. (Incomprehensible) I  
15 believe you start us off.  
16 HEARING OFFICER MCLAUGHLIN: Okay. Are  
17 you guys not hearing me? Because I -- I feel  
18 like I've been talking back and forth.  
19 MALE VOICE: I'm able to hear you, sir.  
20 HEARING OFFICER MCLAUGHLIN: Okay.  
21 MR. TUTT: I just turned my volume up.  
22 I've been muting it so we don't get the  
23 feedback.  
24 HEARING OFFICER MCLAUGHLIN: Okay. So I'm  
25 going to go ahead and start. Here we go.

1           Good afternoon. It's now 1:26 on  
2   Wednesday, January 22nd. We are conducting  
3   this hearing virtually via Zoom. We are  
4   conducting this public hearing for abandonment  
5   petition AB 789 to consider an application  
6   received from Samuel Crook to abandon a public  
7   right of way on Hyannis Drive in Silver Spring.  
8   My name is Phil McLaughlin. I'm the county  
9   executive designated hearing officer with the  
10   county's Department of Transportation. This  
11   abandonment hearing is being conducted pursuant  
12   to section 49-62 F of the Montgomery County  
13   Code. My role in the abandonment process to  
14   receive -- is -- is to receive testimony  
15   concerning the abandonment request and then  
16   write a report and recommendation to the county  
17   executive concerning the applicant's petition  
18   for abandonment. In order to do this, I will  
19   consider statements made during this hearing  
20   and written comments received within the  
21   comment period as well as documents submitted  
22   to Mr. Tutt to support or explain the position  
23   on this abandonment case. Comments will be  
24   accepted until February 5th, 2025 at 5:00 p.m.



25 My report and recommendation will then be



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1 forwarded to the county executive for  
2 consideration. And the executive will then  
3 forward the report and the county's -- county  
4 executive's recommendation to the county  
5 council. It is the county council that will  
6 decide whether to grant or deny the applicant's  
7 petition for abandonment.

8 All parties of record will receive notice  
9 of this -- of the report and recommendation  
10 only after the report has been submitted to the  
11 county council. We appreciate your patience  
12 with this process. For those who wish to  
13 submit written comments, please submit them to  
14 Ronnie Tutt at the Montgomery County Department  
15 of Transportation, 100 Edison Drive, 4th Floor,  
16 Gaithersburg, Maryland 20878, or e-mail them to  
17 Ronnie dot Tutt at Montgomery County dot gov.  
18 Ronnie, R-o-n-n-i-e, dot T-u-t-t by  
19 February 25th. By -- I'm sorry, by  
20 February 5th, 2025.

21        There are a few ground rules that we must  
22 cover before Mr. Tutt introduces the  
23 abandonment petition in this record. First,  
24 please turn off or silence your cell phones.  
25 Second, as an issue of decorum, all



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

14        Following Mr. Tutt's introduction, the  
15 applicant will submit its case for the  
16 abandonment. After the applicant has submitted

17 his case, those who have registered to speak  
18 will be afforded the opportunity to make  
19 relevant comments.

20 Ronnie, I think that's -- that's  
21 transition to you.

22 MR. TUTT: Yes, okay.

23 AUTOMATED VOICE: Recording in progress.

24 MR. TUTT: Thank you, Mr. McLaughlin.

25 Good afternoon, everyone. My name is

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10

1 Ronnie Tutt. I am a real estate specialist  
2 with the property acquisitions section of  
3 Montgomery County Department of Transportation.  
4 My section is responsible for administering  
5 requests for the abandonment of public right of  
6 way. As Mr. McLaughlin noted, this process is  
7 governed by county -- excuse me one second.

8 As Mr. McLaughlin has noted, this process  
9 is governed by county code section 49-62. The  
10 county code details the county's council's  
11 authority to abandon a public right of way if  
12 it finds, one, the right of way is no longer

13 needed for public use or anticipated future  
14 use; two, the abandonment is not necessary to  
15 protect the health, safety, and welfare of the  
16 residents near the right of way to be  
17 abandoned, section 49-63.

18       This abandonment case considers Mr. Samuel  
19 Crook the applicant in the abandonment of a  
20 public right of way on Hyannis Drive in Silver  
21 Spring Maryland, approximately 3,000 square  
22 feet. Area improved with a Pepco utility pole.  
23 Abandoned -- the abandonment area begins at the  
24 section of Piping Rock Drive and leads into a  
25 wooded area. That applicant is the owner of

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1 the two abutting properties surrounding the  
2 abandonment area which was established as a  
3 public right of way through a subdivision plan  
4 entitled Old Salem Village in August of 1941  
5 via plat 1460. Since the road's establishment,  
6 it is -- it does not appear to have ever  
7 been -- ever served any purpose. The petition  
8 seeks to abandon this public right of way on

9 the basis that there is no current or  
10 anticipated future use of the public right of  
11 way -- the county code section 49-63 C 1 -- and  
12 that is not needed -- and that it is not needed  
13 to protect the health and safety and welfare of  
14 the residents, the county code section 49-63 C  
15 2.

16 Currently Hyannis Drive is being --  
17 currently Hyannis Drive is not being used or  
18 has ever been used as a public right of way.  
19 There's no traffic in the abandoned area and  
20 the road leads into a wooded area. As part of  
21 the administrative process, we have provided  
22 the requisite notices to other property  
23 agencies, abutting property owners, and -- and  
24 the public at -- at large. During this process  
25 we have collected several exhibits that I will

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12

1 now introduce into the hearing.

2 Okay. Okay. Our first exhibit, David,  
3 can you hold this up?

4 (Speaking out of hearing.)

5 MR. TUTT: Okay. Our first exhibit is the  
6 applicant's abandonment petition. We received  
7 this petition on August 15th, 2024.

8 Second is the plat, 1460 is the  
9 subdivision's plat, the plat dated August 6th,  
10 1941, and is entitled Old Salem Village.

11 Exhibit C is the abandonment aerial map  
12 which shows the proportion of -- I'm sorry, my  
13 document closed.

14 (Speaking out of hearing.)

15 MR. TUTT: It's loading. Sorry about  
16 that, guys. And I will pick up where I left  
17 off at the abandonment aerial map, which shows  
18 a portion of the right of way to be abandoned  
19 on Hyannis Drive, Silver Spring, Maryland.

20 Exhibit D is executive order 175-24  
21 executed on 10/9/2024 which authorizes today's  
22 public hearing.

23 Exhibit E, comment solicitation e-mails  
24 for county agencies. E-mails were sent --  
25 submitted on October 22nd of 2024.

1 F. Exhibit F, comment solicitation  
2 e-mails for public utility companies were also  
3 submitted on October 22nd, 2024.

4 Exhibit G, Washington times ad 88444.  
5 Advertisement ran on January 2nd and  
6 January 9th, 2025 notifying of the public  
7 hearing.

8 Exhibit H is the public hearing traffic  
9 sign. Installation request was submitted on  
10 November 12th, 2024 and installed on  
11 December -- December 5th, 2024.

12 Exhibit I is the Go Montgomery  
13 advertisement. Was -- the ad was requested on  
14 12/5 to run on 1/22/25.

15 Exhibit J is the Montgomery County  
16 Department of Transportation calendar event  
17 submission submitted on December 5th, 2024,  
18 which ran and notifying -- ran on -- on  
19 notifying a public hearing on 1/22/25.

20 We have the comment solicitation for  
21 Exhibit K. Comment solicitation and public  
22 hearing notice, property owners and the HOA and  
23 the civic associations. Mailed -- it went out  
24 on and e-mails went out on December 16th, 2024.  
25 There were no objections received.

1           Exhibit L is the Montgomery Planning  
2   comment dated on 2024, conditionally approved  
3   pending consolidated lots.

4           Exhibit M, Department of Transportation  
5   Division of Traffic and Engineering and  
6   Operation. Comment received dated  
7   October 22nd, 2024, no objections.

8           Exhibit N, Department of Transportation  
9   Division of Permitting Services e-mail dated  
10   October 10th, 2024, received from the  
11   Montgomery County Department of Permitting  
12   Services. Conditionally approved the right of  
13   way pending consolidating the lots.

14          Exhibit O, Department of Transportation  
15   Development Review Committee comment.  
16   Conditionally approved -- approval was granted  
17   on January 16th, 2025 and that the applicant  
18   was advised to combine the lots and retain any  
19   easements already in place.

20          Exhibit P, Washington Gas. Received  
21   e-mail dated October 22nd, 2024. No



22 objections.

23 Exhibit Q, Pepco comment. This e-mail was  
24 received on December 8th, 2024, stating that  
25 the abandonment is approved -- approved. Pepco



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1 will need any -- if approved, the Pepco will  
2 need an easement. Pepco has facilities in the  
3 requested area currently located in the public  
4 right of way.

5 Exhibit R, WSSC comment. Counsel approval  
6 as provided on December 13th, 2024. The  
7 applicant must submit a plan to consolidate the  
8 lots and provide a letter of intent to WSSC  
9 before the end of February 2024. The applicant  
10 provided this of requested letter dated  
11 12/18/2024.

12 Last exhibit is the fire department,  
13 Exhibit S. Fire Department access and water  
14 supply comment. Received dated October 22 --  
15 October -- October 22nd, 2024 and no  
16 objections.

17 And that is -- concludes the exhibit. I

18 will turn the hearing back over to you, Mr.

19 McLaughlin.

20 HEARING OFFICER MCLAUGHLIN: Okay. So can

21 you put that agenda back up? I'm -- the one we

22 had earlier.

23 MALE VOICE: Just tell him give us a

24 second.

25 MR. TUTT: One second.

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1 HEARING OFFICER MCLAUGHLIN: Okay. Okay.

2 So I think at this point we'll move on to the

3 applicant's statement and then we'll -- we'll

4 see if there are any questions with that.

5 (Speaking out of hearing.)

6 MR. TUTT: All right. So I'm going to

7 give the floor over to Mr. Samuel Crook to --

8 (Speaking out of hearing.)

9 MR. CROOK: Okay.

10 MR. TUTT: Can't see him.

11 MR. CROOK: That's okay, they don't need

12 to see me.

13 Okay. All right. We'll try to make it

14 quick. The petition for the abandonment of the  
15 never improved right of way near Hyannis Drive,  
16 this group of land lies between 8 and 10 Piping  
17 Rock (interference) in the Colesville Cloverly  
18 area, and according to the plats, it  
19 (interference) by 200 feet long on  
20 (incomprehensible) to start the --

21 MS. NORKEN: -- turn your phone off.

22 MR. CROOK: -- Piping Rock Drive.

23 Should I keep going?

24 HEARING OFFICER MCLAUGHLIN: Excuse me one  
25 second.

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1 Ms. -- Ms. Norken, could -- could you --  
2 could you mute your -- your phone until we call  
3 on you?

4 MS. NORKEN: Yes, I --

5 AUTOMATED VOICE: -- recording in  
6 progress.

7 MS. NORKEN: We have missed -- we have  
8 missed the entire meeting because we didn't  
9 have the right link. So we -- this is really

10 upsetting. We just were able to get on to this

11 thing. I will mute us. Mute me.

12 HEARING OFFICER MCLAUGHLIN: Thank you.

13 Hang on, Mr. Crook, if you can.

14 MS. NORKEN: Where is -- okay. Thank you

15 very much.

16 HEARING OFFICER MCLAUGHLIN: Okay,

17 Mr. Crook.

18 MR. CROOK: The Hyannis Drive starts at

19 Piping Rock Drive and runs north-northwest and

20 ends in a bunch of trees and underbrush. If

21 the street sign didn't exist, nobody would ever

22 know that the lane is even there. We've lived

23 at Piping Rock Drive for 28 years. About three

24 years ago we bought number 10 which is next

25 door to number 8, and we'd like to get the

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1 misleading street sign removed, for one thing.

2 And our concern is about pending legal

3 entanglements over this strip of land and a

4 clear titled ownership. By abandoned this

5 unused right of way and splitting the land

6 equally between numbers 8 and 10, the MCDOT  
7 could avert any friction between future owners  
8 over vague property lines.

9       Anyway, and also we sent a letter of  
10 intent that we are indeed in the process of  
11 consolidating all the component lots of numbers  
12 8 and 10, and there's not going to be anything  
13 built down the hill from Piping Rock Drive. I  
14 recognize that Pepco has a supporting  
15 (incomprehensible) kind of pole. There's no  
16 power transmission line there. It's just a  
17 pole that supports the existing line that's up  
18 next to Piping Rock Drive.

19       I also -- Suburban Sanitary, WSSC, has  
20 certainly got ample access to their sewer line,  
21 which runs parallel to Piping Rock Drive and  
22 will never extend down the hill toward anything  
23 down -- toward the stream down there because  
24 nothing's ever going to be built down there.  
25 But I recognize I'm probably going to have to

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1 have a new deed drawn up for both of these

2 properties and those easements will be written  
3 into that, those two new deeds. I also have a  
4 contract with a survey company called MAD.  
5 It's Macris, Hendricks, and I think the last  
6 name is Glascock, and they have agreed to do  
7 the plats for us to recognize the internal  
8 border changes and the external boundary  
9 changes.

10       Otherwise I'm -- I think we've pretty much  
11 met the obligations that we said we would go  
12 along with. And, frankly, would like to see  
13 the lots consolidated because for one thing, we  
14 wouldn't get two tax bills. That's about all I  
15 have to say.

16       HEARING OFFICER MCLAUGHLIN: Okay. Well,  
17 thank you very much, Mr. Crook. We'll open it  
18 up for questions. If anybody has a question,  
19 if you could use a raise your hand feature,  
20 I'll -- I'll -- I'll call on you.

21       MS. NORRIS: I'm sorry, I don't see where  
22 the raise the hand is.

23       HEARING OFFICER MCLAUGHLIN: Okay. Well,  
24 that's fine, you're first. Go ahead.

25       MS. NORRIS: Okay. Well it's Reva and

1 Harold Norken. We have a lot of questions  
 2 because our -- we do own part of the property  
 3 into that wooded area which is -- which is an  
 4 easement, and when we purchased our -- our home  
 5 35 years ago, 36 years ago actually coming up  
 6 in March, we were -- we were told that there --  
 7 nothing would be done to destroy that. Like,  
 8 you couldn't build on it, trees weren't allowed  
 9 to be taken down, et cetera, et cetera. So we  
 10 just really want to know what the intention is  
 11 with that property.

12 HEARING OFFICER MCLAUGHLIN: Okay.  
 13 Ronnie, I don't believe we're going to be  
 14 answering those type of questions at this  
 15 point, right? These are -- these are something  
 16 we'll summarize at the end?

17 MR. TUTT: Exactly. You guys can submit  
 18 your questions to me and then we will answer  
 19 those questions at a later time.

20 MS. NORKEN: Well, we have asked some  
 21 questions but they all weren't answered,  
 22 unfortunately. We did submit.

23 MR. NORKEN: We've -- we've submitted  
24 those questions.  
25 MS. NORKEN: But they all weren't --

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21

1 MR. TUTT: -- yes, yes --  
2 MS. NORKEN: -- they all weren't answered.  
3 So that's -- that's why we're -- you know, this  
4 is important to us to know what's going to --  
5 MR. TUTT: -- yes, they will be -- they  
6 will be answered. The questions will be  
7 answered. They have been noted. I received  
8 your e-mail in regards to the questions and  
9 they will be answered.  
10 HEARING OFFICER MCLAUGHLIN: Can -- oh, go  
11 ahead, Harold. Sorry.  
12 MR. NORKEN: What kind of -- what kind of  
13 questions are we allowed to ask then?  
14 HEARING OFFICER MCLAUGHLIN: Well, you can  
15 ask any question you like. I -- they -- I  
16 mean, I don't know that the -- that the  
17 technical response will be here. This is  
18 information -- me, as the hearing officer, I



19 want to know what -- what concerns and issues  
20 are out there. We'll have the technical team  
21 answer the questions and I'll be able to  
22 consider that when I make my recommendation to  
23 the county executive. So, I mean, this is --  
24 Ronnie and -- and his team are the technical  
25 experts here. I'm the hearing officer just

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22

1 overseeing this process. So if the questions  
2 are there, they should be -- they should be  
3 posed, or if they have been posed, they will be  
4 answered and I would be able to consider those.

5 MR. NORKEN: My concern -- I mean --

6 MS. NORKEN: -- I'm sorry --

7 MR. NORKEN: -- my major concern is  
8 basically that wooded area we would like to  
9 maintain. We don't know if he wants to kill  
10 down trees and put in -- in grass or what he  
11 wants to do, because if that's the intention,  
12 then we might oppose this. We have to -- we  
13 have -- we need information.

14 HEARING OFFICER MCLAUGHLIN: Okay.

15 MS. NORKEN: I mean, that area is full of  
16 a lot of tall poplar trees and we have -- we've  
17 had -- we've -- like I said, we've been living  
18 in our home for almost 36 years and those trees  
19 can be delicate in high winds. We have lost  
20 trees. We also know that when one tree gets  
21 cut down, that can upset the roots of the other  
22 trees nearby, and there's quite a few there.  
23 So we don't want anymore of our trees being  
24 potentially jeopardized if he's going to start  
25 clearing with -- clearing the other trees.

↑

23

1 That's -- that's a big concern we have.

2 HEARING OFFICER MCLAUGHLIN: Let me ask  
3 you a question. So does your -- is your  
4 address Piping Rock as well?

5 MS. NORKEN: No.

6 MR. NORKEN: No.

7 MS. NORKEN: No, we're Sandy Ridge Road.  
8 We're at the end of Sandy Ridge. We're 14637  
9 but this is our -- this is the side yard, of  
10 our side yard.

11 HEARING OFFICER MCLAUGHLIN: I see.  
12 MS. NORKEN: It's extended to the woods.  
13 MR. NORKEN: If those two -- most of ours  
14 of that side area is where this -- is where  
15 this land that he wants to -- to add to his  
16 property. And I'm also concerned about wild  
17 life in that area. I mean, we -- I think it's  
18 nice to have the good eco-system over there and  
19 if -- if this is developed or --  
20 MR. TUTT: -- let me jump in for you  
21 for -- Mr. Crook is here. He's already  
22 answering the questions that he has no plan to  
23 remove any trees or disturb the wild life  
24 that's presently there, to answer your  
25 question.

↑

24

1 MR. NORKEN: Now, how do -- how are we  
2 assured in the future this will not happen?  
3 MR. TUTT: But this is not a --  
4 (Dog barking.)  
5 HEARING OFFICER MCLAUGHLIN: Okay.  
6 MR. NORKEN: That's part of the wild life

7 right there.

8 HEARING OFFICER MCLAUGHLIN: Okay.

9 MS. NORKEN: Our first -- I'm sorry, sir,  
10 we didn't get your name since we had a hard  
11 time getting on to the -- the -- we had the  
12 wrong Zoom link. What is your name, sir?

13 HEARING OFFICER MCLAUGHLIN: My name is  
14 Phil McLaughlin. I'm the hearing officer. I'm  
15 with the Department of Transportation.

16 MS. NORKEN: Okay, thank you, sir.

17 MR. NORKEN: Okay. So we're basically  
18 assured that nothing's going to change in that  
19 area, correct?

20 MR. TUTT: Sorry, repeat the question?

21 MR. NORKEN: Okay. It sounds what you're  
22 saying to Mr. Tutt is has no intention to  
23 either develop or change that -- what is the  
24 reason for him taking -- taking this action?

25 (Speaking out of hearing.)

↑

25

1 MR. CROOK: The property line. Would you  
2 want a right of way running through your yard?

3 I don't think so.

4 MR. NORKEN: Why would you have a runway  
5 through your --

6 MS. NORKEN: -- right of way.

7 MR. NORKEN: Right of way, yeah. I'm --  
8 I'm -- I'm not clear about this.

9 HEARING OFFICER MCLAUGHLIN: Well, I --  
10 I'm not trying to hear what our intention is to  
11 try to adjudicate that right here. I mean, we  
12 have the questions. Ronnie and his team  
13 will -- will -- will put -- put the responses  
14 together that -- that best address those  
15 questions you have. And I will be able to see  
16 those questions and the responses, and I will  
17 be able to use that as consideration when I  
18 make my recommendation.

19 So I'm glad you guys are participants and  
20 have shared this information. Is there -- is  
21 there any other things that you haven't put in  
22 writing that you -- that you'd like to make a  
23 statement about today?

24 MR. NORKEN: I just want to make sure  
25 that -- if this goes through it doesn't affect

1 the -- we have a 25 foot I think conservation  
2 easement. Want to make sure that that's not  
3 affected.

4 HEARING OFFICER MCLAUGHLIN: Understood.

5 MR. TUTT: Yeah, that's not going to --  
6 that's a storm drain easement that you guys  
7 have that -- Hyannis ends where that storm  
8 drain begins, so it wouldn't affect that storm  
9 drain easement because it's already in place  
10 anyway.

11 MR. NORKEN: Okay. That's a storm drain.  
12 Oh, that's what it's for? I just -- we just  
13 know it's -- it's an -- it's an easement.

14 MR. TUTT: Yeah, it's for a storm drain.

15 MR. NORKEN: So it actually might go out  
16 more than 25 feet.

17 MR. TUTT: Okay. But, yeah, if you think  
18 of any additional questions that you want to  
19 submit, submit those into me and we'll try to  
20 get those addressed.

21 MR. NORKEN: Okay. The -- I'm going to  
22 ask my wife. Do you have any --

23 MR. TUTT: -- you have two weeks -- you

24 have till February 5th to submit any additional  
25 --

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1 HEARING OFFICER MCLAUGHLIN: --

2 February 5th, yeah.

3 MR. NORKEN: February 5th. Yes. I mean,  
4 we already submitted some and we'll -- we'll --  
5 and we'll -- if we have anything else we'll  
6 submit that to you.

7 MS. NORKEN: Are any other properties that  
8 are affected by this?

9 MR. TUTT: No.

10 HEARING OFFICER MCLAUGHLIN: No.

11 MS. NORKEN: So it's just mostly ours.

12 MR. CROOK: No, it's not even yours. That  
13 right of way dead ends at your property line.

14 MS. NORKEN: Right, but I'm saying abuts  
15 our property line. That's what I'm -- that's  
16 what I'm saying.

17 MR. CROOK: Well, nothing's ever going to  
18 be built there.

19 MR. NORKEN: Yeah, that's --

20 MS. NORKEN: -- well --  
21 MR. NORKEN: -- no, that's -- that's --  
22 I -- I understand and -- and I -- and I think  
23 that's what it is. I just don't know if  
24 somebody would buy that property from you where  
25 they can build on it, or if it's even possible

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1 --  
2 MR. CROOK: -- if I could -- if I could in  
3 selling that property to anybody, which I don't  
4 foresee any time in the foreseeable future, if  
5 I could write into a deed to say don't build  
6 anything there, I would do it.  
7 MR. NORKEN: So you're -- you kind of  
8 sound like it's -- you're -- we're in the same  
9 page, that we care about that area.  
10 MR. CROOK: Well, you and I have talked.  
11 I helped round up your dog before.  
12 MR. NORKEN: Yes. Yes. I think you -- I  
13 think you have.  
14 MR. CROOK: That's right. And I thought  
15 we were sort of on the same page about



16 conservation.

17 MR. NORKEN: Yes, we are. I think we're  
18 on the same page. Very --

19 MR. CROOK: -- so, frankly, don't see that  
20 you really have too much to be concerned about  
21 here, sir.

22 MR. NORKEN: No, no. I -- we -- I think I  
23 needed to get some things answered in -- in  
24 order to make sure that this is what it is. I  
25 really do, Mr. -- I really do appreciate the

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1 fact that you want to keep it as -- as it is.

2 MR. CROOK: Well, I'm happy to do that.

3 MR. NORKEN: Okay.

4 HEARING OFFICER MCLAUGHLIN: Thank you  
5 very much. Okay. One more thing?

6 (Speaking out of hearing.)

7 HEARING OFFICER MCLAUGHLIN: So okay.

8 Well, thank you very much, Mr. and Mrs. Norken,  
9 and I think we have one other person, Ms.  
10 Wilbur?

11 MS. WILBUR: I really didn't have

12 anything. Mainly I'm a resident on Piping Rock  
13 and I was just interested in, you know, not  
14 really participating because I have no  
15 questions, but to see the process and how it  
16 plays out and just be in attendance. So I -- I  
17 don't have any questions. I don't have any  
18 problems with this.

19 HEARING OFFICER MCLAUGHLIN: Okay. Are  
20 there any other comments that we did not cover  
21 that -- that anyone would like to offer up here  
22 that could be used for consideration during my  
23 recommendation?

24 (Speaking out of hearing.)

25 MS. NORKEN: My only comment since we

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1 didn't hear the beginning of the meeting, we  
2 have no idea what was actually said, so.

3 HEARING OFFICER MCLAUGHLIN: It was a lot  
4 of formality. And I don't know, Ronnie, if  
5 I'm -- if I'm talking out of turn here.

6 MR. TUTT: No, no, no.

7 HEARING OFFICER MCLAUGHLIN: There will be

8 a transcript that will be available.

9 MS. NORKEN: Okay.

10 HEARING OFFICER MCLAUGHLIN: That -- that

11 they could take a look at, yep.

12 MS. NORKEN: Yeah.

13 MALE VOICE: We also -- we also post the

14 full video and transcripts online as well.

15 HEARING OFFICER MCLAUGHLIN: Yep.

16 MR. NORKEN: So you will -- everyone will

17 (incomprehensible) this.

18 HEARING OFFICER MCLAUGHLIN: So it's

19 available online, Mrs. -- Mrs. Norken.

20 MS. NORKEN: Okay, okay. All right. All

21 right. Anything else?

22 MR. NORKEN: No, no. I think this is -- I

23 think it was a good meeting for us.

24 HEARING OFFICER MCLAUGHLIN: Thank you to

25 everyone for participating. I apologize about



1 the technical challenges that we did have

2 today. And we did eventually get them resolved

3 but it took a while and I apologize about that,

4 but, you know, as -- as Ronnie and his team  
5 have mentioned, this information is -- is  
6 available on the website. The public comment  
7 period is open until February 5th. And I will  
8 use all that information, the responses from  
9 the technical team as well as the comments from  
10 the effective parties and the petitioner as  
11 well before making a recommendation to the  
12 county executive.

13 Ronnie, are there any other closing  
14 comments on your end?

15 MR. TUTT: No other closing comments.  
16 Again, sorry again for all the technical  
17 difficulties. We were able to get through it  
18 despite those. That's it.

19 MS. NORKEN: Mr. McLaughlin, could we have  
20 your e-mail address? Or you'd rather not be  
21 giving that out?

22 HEARING OFFICER MCLAUGHLIN: I -- I don't  
23 mind giving it out.

24 MS. NORKEN: Okay.

25 HEARING OFFICER MCLAUGHLIN: It's Philip,

1 P-h-i-l-i-p, dot McLaughlin,

2 M-c-L-a-u-g-h-l-i-n.

3 MS. NORKEN: I'm sorry, M-c-L-a --

4 HEARING OFFICER MCLAUGHLIN: U-g-h-l-i-n.

5 MS. NORKEN: Oh, okay.

6 HEARING OFFICER MCLAUGHLIN: At Montgomery  
7 County MD dot gov.

8 MS. NORKEN: Montgomery County spelled  
9 out, yes?

10 HEARING OFFICER MCLAUGHLIN: MD dot gov.  
11 I should -- I should -- I should let you know  
12 that -- that any comments that I receive from  
13 you, I -- it's imperative that I share those.

14 MS. NORKEN: Absolutely. Absolutely.

15 HEARING OFFICER MCLAUGHLIN: With -- with  
16 everyone, yeah.

17 MS. NORKEN: Absolutely. That's  
18 McLaughlin, M -- M-c-L-a-u-g-h-l-i-n, yes?

19 HEARING OFFICER MCLAUGHLIN: Correct.

20 MS. NORKEN: Thank you very much.

21 MR. TUTT: And if I'm not mistaken, the  
22 protocol is to submit those questions and  
23 comments to me?

24 MS. NORKEN: Absolutely. Absolutely.

25 MR. TUTT: Turn them over to --

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1 MS. NORKEN: -- absolutely, Mr. Tutt.

2 We'll definitely do that. Okay. That's all.

3 HEARING OFFICER MCLAUGHLIN: Okay.

4 MS. NORKEN: Thank you very much.

5 HEARING OFFICER MCLAUGHLIN: That does --

6 Ronnie, unless there's anything else I've

7 missed, that does conclude our hearing for

8 today. And thanks -- thanks again to everyone

9 who participated and again, once again,

10 apologize for those -- those challenging

11 technical difficulties.

12 MS. NORKEN: Okay. Thank you so much.

13 MR. TUTT: Everyone have a good rest of

14 your afternoon.

15 MS. NORKEN: Thank you, you, too.

16 MR. CROOK: Thank you very much.

17 (The hearing was concluded at 2:06 p.m.

18 EST.)

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2 I, Jackie A. Scheer, do hereby certify  
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JACKIE A. SCHEER

17 FEBURARY 2, 2025

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3 I, Dylan Keisler, the officer before

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18 My Commission Expires: 7/31/25

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21 \_\_\_\_\_

22 Dylan Keisler, AAERT CER

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