

2003-0331-A

SEVEN SAINT PAUL STREET  
BALTIMORE, MARYLAND 21202-1626  
TELEPHONE 410 347-8700  
FAX 410 752-7092

20 COLUMBIA CORPORATE CENTER  
10420 LITTLE PATUXENT PARKWAY  
COLUMBIA, MARYLAND 21044-3528  
TELEPHONE 410 884-0700  
FAX 410 884-0719

JENNIFER R. BUSSE  
DIRECT NUMBER  
410 832-2077  
jbusse@wtplaw.com

WHITEFORD, TAYLOR & PRESTON  
L.L.P.

210 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-4515

410 832-2000  
FAX 410 832-2015  
www.wtplaw.com

1025 CONNECTICUT AVENUE, NW  
WASHINGTON, D.C. 20036-5405  
TELEPHONE 202 659-6800  
FAX 202 331-0573

1317 KING STREET  
ALEXANDRIA, VIRGINIA 22314-2928  
TELEPHONE 703 836-5742  
FAX 703 836-0265

April 2, 2003

RECEIVED  
APR 3 2003  
ZONING COMMISSIONER

The Honorable Lawrence E. Schmidt  
Baltimore County Zoning Commissioner  
4<sup>th</sup> Floor, Room 405  
401 Bosley Avenue  
Towson, Maryland 21204

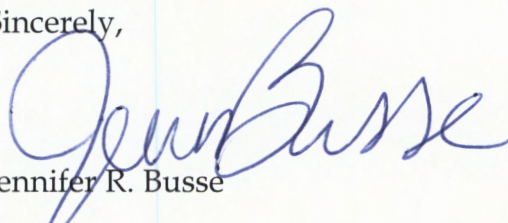
Re: Woodholme Reserve  
Case # III-377, 03-331-A

Dear Mr. Schmidt:

Enclosed please find a copy of the testimony of David S. Thaler from the hearing in the above-referenced matter which occurred on March 13, 2003. It is my understanding that you requested a copy of this transcript for the record.

Please feel free to contact me with any questions or concerns.

Sincerely,

  
Jennifer R. Busse

JRB:sll

Enclosure

cc: David S. Thaler, P.E., L.S.  
Iron Horse Properties, LLC

272828v2

IN RE:

\* BEFORE HEARING OFFICER/

WOODHOLME RESERVE

\* ZONING COMMISSIONER

DEVELOPMENT PLAN

Case No. III-377

\* OF BALTIMORE COUNTY

Case No. 03-331-A

\* March 13, 2003

\* \* \* \* \*

Testimony of DAVID S. THALER, taken in the  
above-entitled matter before the Hearing Officer/Zoning  
Commissioner of Baltimore County at the Baltimore  
County Office Building, 111 West Chesapeake Avenue,  
Room 106, Towson, Maryland 21204, at 10:40 a.m., March  
13, 2003.

\* \* \* \* \*

BEFORE:

LAWRENCE E. SCHMIDT, Esquire  
Hearing Officer/Zoning Commissioner

APPEARANCES:

C. WILLIAM CLARK, Esquire  
On behalf of Cobblestone Homeowners'  
Association, Inc., Rhona Fisher, and  
Nadine Weinstein

G. SCOTT BARHIGHT, Esquire  
On behalf of Developer

Reported By:

Susan E. Smith, RPR

1. The first part of the report is a summary of the work done during the last year. It covers the following topics: (a) the development of the new method for the determination of the rate of reaction, (b) the determination of the rate of reaction by the method of initial rates, (c) the determination of the rate of reaction by the method of integrated rate laws, (d) the determination of the rate of reaction by the method of half-lives, (e) the determination of the rate of reaction by the method of the slope of the log of the concentration versus time plot, (f) the determination of the rate of reaction by the method of the slope of the log of the rate versus time plot, (g) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the concentration plot, (h) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the rate plot, (i) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the rate plot, (j) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the rate plot, (k) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the rate plot, (l) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the rate plot, (m) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the rate plot, (n) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the rate plot, (o) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the rate plot, (p) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the rate plot, (q) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the rate plot, (r) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the rate plot, (s) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the rate plot, (t) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the rate plot, (u) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the rate plot, (v) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the rate plot, (w) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the rate plot, (x) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the rate plot, (y) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the rate plot, (z) the determination of the rate of reaction by the method of the slope of the log of the rate versus log of the rate plot.



Page 2

1 \* \* \* \* \*

2 D A V I D S. T H A L E R,

3 called as a witness, having first duly affirmed to tell

4 the truth, the whole truth, and nothing but the truth,

5 was examined and testified as follows:

6 MR. SCHMIDT: Mr. Thaler, your name and

7 business address for us is fine, for the record.

8 THE WITNESS: David S. Thaler, Box

9 47428, Baltimore, Maryland 21244. I'm the

10 president of D.S. Thaler & Associates, and I

11 appreciate the commissioner's indulgence today for

12 letting me hop around.

13 MR. SCHMIDT: Not a problem.

14 DIRECT EXAMINATION

15 BY MR. BARHIGHT:

16 MR. BARHIGHT: Mr. Schmidt, let me ask

17 two or three really quick questions to qualify Mr.

18 Thaler as an expert, principally because there are

19 many people in the room who aren't familiar with

20 his background and qualifications.

21 Q I can combine them all, and you can

Page 3

1 just tell me the answers: your educational

2 background and work-related background and whether

3 you've testified previously as an expert in civil

4 engineering, development, planning and zoning

5 issues in Baltimore County.

6 A I have a bachelor's in civil, two

7 master's degrees, did my Ph.D. work all except for

8 the dissertation. I've taught at more than a

9 dozen colleges and universities. I've been

10 accepted as an expert at numerous courts and

11 quasi-judicial bodies. I've testified here for

12 almost thirty years.

13 MR. BARHIGHT: I'd like to offer

14 Mr. Thaler as an expert in civil engineering, land

15 development, planning and zoning.

16 MR. SCHMIDT: Okay. Mr. Thaler has

17 testified numerous times, and I will accept him.

18 MR. CLARK: No objection.

19 MR. SCHMIDT: Mr. Clark, I'm sorry.

20 MR. CLARK: I realize I'm just a potted

21 plant over here.

Page 4

1 MR. SCHMIDT: Every now and then stand

2 up or something so we don't lose sight of you,

3 Mr. Clark. I'm sorry.

4 MR. BARHIGHT: I like that role where

5 he just keeps on saying no objection.

6 Q Mr. Thaler, you're familiar with the

7 Woodholme Reserve project?

8 A Intimately.

9 Q And so we can get this introduced as an

10 actual exhibit, the developer's exhibit that's

11 identified as 1A and 1B on the board, which has

12 been introduced so far for identification purposes

13 only, was this created by your office and at your

14 direction and supervision?

15 A Yes.

16 MR. BARHIGHT: I'd like to introduce

17 this as Developer's Exhibit No. 1A and 1B.

18 MR. SCHMIDT: Any objection, Mr. Clark?

19 MR. CLARK: No.

20 MR. SCHMIDT: So admitted.

21 (Developer's Exhibits 1A and 1B,

Page 5

1 admitted into evidence.)

2 Q Mr. Thaler, I'd also like to direct

3 your attention to any past activities that you

4 have had an opportunity to be involved with as it

5 relates to the Woodholme Reserve property or the

6 Tastet (phonetic) property as others might know

7 it. Have you had an opportunity to be involved in

8 this project in the past?

9 A Yes. We've done numerous projects in

10 this particular area. Specifically we did the

11 Cobblestone project. And it's already been

12 alluded to several times: I'm sure the

13 commissioner well remembers the 1996 case where we

14 testified.

15 Q Okay. To lay a further foundation,

16 have you had an opportunity to review the storm

17 water management issues relative to the subject

18 proposal?

19 A Yes, sir.

20 Q Have you also had an opportunity on

21 several occasions, perhaps numerous, to visit the

Page 6

1 field to be able to verify the suitability of  
2 outfalls in this case?

3 A Well, I've been out here at least 25  
4 times in the last ten years or so, as recently as  
5 the day before yesterday.

6 Q With all that foundation laid, the  
7 question that Mr. Hekler wants to ask more than  
8 any other, and I'm sure is on everybody's mind, is  
9 if you said the outfall was not suitable in 1996,  
10 how can you possibly say that it's suitable today?

11 A That's a fair question, but the real  
12 answer is it's a different outfall. Okay. There  
13 was a problem in 1996. We believed -- we still  
14 believe -- that the outfall proposed in 1996 was  
15 unsuitable. This is a different outfall, and we  
16 believe that we have solved the problem.

17 Q Could you please explain that opinion.

18 Q (MR. SCHMIDT) And Mr. Thaler, just  
19 because I took a look at the opinion I wrote, but  
20 I didn't review the old plan, the old case, so if  
21 you could, for my benefit, and maybe it would be

Page 7

1 helpful to others, compare what was proposed then  
2 even as opposed to what you're doing now.

3 A Okay. It's similar, and that's why I  
4 think everybody is a little bit confused. But  
5 it's really a completely different outfall.

6 The old case -- well, there is an old  
7 24-inch corrugated pipe, corrugated metal pipe  
8 that goes under Mount Wilson Lane that must be 50  
9 or 75 years old. The pipe is undersized, like  
10 they all are of that age, and certainly won't  
11 carry a hundred-year storm. It probably carries a  
12 two-year storm, I would guess. And the prior  
13 outfall, though I don't want to belabor this, was  
14 to come down Mount Wilson Lane and tie into that  
15 pipe.

16 The commissioner may recall that there  
17 were four so-called options proposed at that time.  
18 One was to come in on a right-of-way to the north  
19 side of the road. The other -- they were a little  
20 combined. One was to come down the middle of the  
21 road. The other was to come -- the third was to

Page 8

1 come down the right-of-way on the south side of  
2 the road, and the fourth was to wait for the  
3 county to fix it.

4 And the commissioner -- the only  
5 outfall that was available at that time was to  
6 come down the middle of the road and tie into the  
7 24-inch storm drain.

8 Q Because I recall there was testimony  
9 from the landowner on the other side of Mount  
10 Wilson --

11 A It was Mr. Hekler.

12 Q -- Mr. Hekler, that he was not going to  
13 agree to convey or allow any kind of easement  
14 across his property.

15 A That's absolutely right. So you had  
16 the title situation, let me remind the  
17 commissioner. On the north side land was owned by  
18 the predecessor of Cobblestone, Mr. Greenebaum or  
19 one of his companies. He said he wasn't giving  
20 the right-of-way. Mr. Bennett was at the hearing.

21 On the south side there was a 30-foot

Page 9

1 strip of land owned by the prior developer of  
2 Pikesville Farms. Nobody knew who he was. He  
3 wasn't giving a right-of-way. And Mr. Hekler, who  
4 lived on the south side yet said he wasn't giving  
5 a right-of-way.

6 And the commissioner characterized the  
7 testimony as "trust me," and apparently didn't  
8 trust the solution that one of these -- that  
9 sufficient right-of-way was going to be --  
10 Greenebaum wasn't going to give it. Nobody knew  
11 where the Pikesville Farms guy was. Mr. Hekler  
12 wasn't going to give it, and the county may  
13 condemn it sometime in the future. And you  
14 characterized that testimony -- as you said it was  
15 "trust me" testimony and you didn't feel  
16 comfortable with it.

17 Again, we feel -- we felt then -- that  
18 tying to that 24-inch was -- you can't do it.  
19 It's full of water. You couldn't put more water  
20 into a pipe that's already full. We felt it was  
21 unsuitable then. We haven't changed that opinion.



Page 10

1 But that's not what we're doing, okay.  
2 We're not tying into the 24-inch, and let me  
3 explain it. Quite a few things have changed since  
4 then. Principally what's changed is the  
5 right-of-way got acquired, and it got acquired  
6 about two and a half years after the prior  
7 hearing. And I have a deed from December 9, 1998.  
8 It's actually from Fred Homan to Baltimore County.  
9 And the deed number is 13441, Folio 550. It's a  
10 right-of-way deed. And it acquires the -- it  
11 acquires the 30 feet of land on the south side of  
12 the road that was owned by, I think it's called  
13 Pikesville Farms, although that fellow's name  
14 isn't in here. And it relates to a tax sale. I  
15 think Mr. Homan bought it in a tax sale and  
16 acquired it for Baltimore County.  
17 So you may wish to put this deed in, if  
18 Mr. Clark has no objections.  
19 MR. CLARK: No.  
20 A And that's the principal, that's the  
21 most relevant changed circumstance.

Page 11

1 Q Where is that right-of-way located,  
2 Mr. Thaler?  
3 A That right-of-way -- I'm going to show  
4 you a picture of it, but it's the 30 feet  
5 immediately south of Mount Wilson Lane. And it's  
6 from here to here. It's that 30 feet just before  
7 you get to Mr. Hekler's property.  
8 MR. HEKLER: It's including my  
9 property, because I will make a point --  
10 THE WITNESS: Well, let me finish,  
11 Milo, and then it's your turn. Just hang on.  
12 Q (MR. BARHIGHT) Perhaps I could ask  
13 Mr. Thaler to approach, and using the exhibit  
14 that's before Mr. Schmidt right now, which is page  
15 515 of that deed. You've highlighted the portion  
16 that you believe is especially appropriate to  
17 point out to Mr. Schmidt. If you could use that  
18 document and go ahead and relate it to the  
19 document that's on the board, Developer's Exhibit  
20 No. 1A.  
21 A This is a right-of-way deed, and it has

Page 12

1 the old, a piece of the old plat that goes back to  
2 1998 associated with this. And here is the  
3 30 feet between the prior existing right-of-way  
4 for Mount Wilson Lane and Mr. Hekler's property.  
5 So here is 30 feet that's been acquired by  
6 Baltimore County.  
7 Q (MR. SCHMIDT) So this strip which is  
8 highlighted in yellow, this is a right-of-way that  
9 has been acquired?  
10 A Yes, sir.  
11 Q So who is the underlying fee owner?  
12 A Baltimore County.  
13 Q Okay. So Baltimore County.  
14 A What I presume is, although frankly  
15 I've never seen one quite like this, is that Mr.  
16 Homan bought it back in at tax sale and conveyed  
17 it to Baltimore County. And so the grantor is  
18 Fred Homan and the grantee is Baltimore County,  
19 Maryland. And this is a fee simple deed.  
20 Q (MR. CLARK) And just for the record, if  
21 I might interject just for a second, on this Leo

Page 13

1 Rader plat that's attached, what is referred to as  
2 lot No. 3, this is actually Hekler's property.  
3 A Yes.  
4 MR. HEKLER: And to clarify --  
5 THE WITNESS: Just hang on, Milo.  
6 A And he may be -- of course Mr. Hekler  
7 is going to speak for himself, but there is a  
8 little springhouse that two-thirds of it is out in  
9 what is now county fee simple ownership, and I'm  
10 not going there.  
11 Q (MR. SCHMIDT) Okay. All right. So  
12 what you're saying, Mr. Thaler, is that Pikesville  
13 Farms owned this strip originally?  
14 A Yes.  
15 Q Baltimore County bought it because  
16 taxes were not paid on it?  
17 A I believe, yes.  
18 Q And now Baltimore County is the owner  
19 of this 30-foot strip?  
20 A Yes.  
21 Q Okay.

Page 14

Page 16

1 MR. BARHIGHT: I'd like to introduce  
2 that as Developer's Exhibit No. 2, please.

3 MR. SCHMIDT: Well, it's actually No. 3  
4 because No. 2 was the letter.

5 MR. BARHIGHT: Excuse me. Thank you.  
6 (Developer's Exhibit No. 3, marked for  
7 identification and admitted into evidence.)

8 MR. SCHMIDT: Mr. Hekler, I'm going to  
9 give you a chance to ask questions and all that.

10 MR. HEKLER: I just wanted to see the  
11 plat.

12 MR. SCHMIDT: You want to take a look  
13 at it again?

14 MR. HEKLER: Because, you know, it's  
15 coming back.

16 THE WITNESS: Mr. Barhight, may I carry  
17 on?

18 MR. BARHIGHT: Yes, please.

19 THE WITNESS: I've already shown this  
20 to Mr. Clark. This is the picture of the area  
21 that you just looked at. I took that picture on

1 MR. SCHMIDT: I'll mark it as  
2 Developer's No. 4A, since there are others to  
3 follow.

4 (Developer's Exhibit 4A, marked for  
5 identification and admitted into evidence.)

6 A And I think I'm going to maybe talk  
7 from that one. This outfall, the end of this  
8 outfall is right, will be right in this area. So  
9 it will -- I'll talk about it a little bit more,  
10 but a pipe is going to run down Mount Wilson Lane,  
11 and it's going to discharge into a Gabion velocity  
12 brake right here in this area now owned by the  
13 county and go into the stream, completely  
14 different than what was proposed last time, which  
15 was to tie into the culvert that you can see in  
16 the picture. It will come down the road, go  
17 through that little bank, and has this whole area  
18 in here upon which to discharge into that stream.

19 Q So that, Mr. Thaler, this photograph  
20 and the culvert that's sort of hidden, but I can  
21 see it, this is, just so I'm clear, this is where

Page 15

Page 17

1 Tuesday morning.

2 Q (MR. SCHMIDT) And I assume this small  
3 building with the brown roof is the springhouse  
4 building that's partly on the county property  
5 apparently?

6 A Yes. And you can see that the property  
7 line comes through just about like that,  
8 through -- there's about one-third still on  
9 Mr. Hekler's lot and about two-thirds of the  
10 building on the county ownership.

11 MR. BARHIGHT: The witness is  
12 referencing the photograph indicating the  
13 approximate location of the 30-foot boundary line  
14 that's identified in Developer's Exhibit No. 3.

15 MR. SCHMIDT: Okay.

16 THE WITNESS: Okay.

17 MR. BARHIGHT: Before Mr. Thaler moves  
18 on, I'd like to introduce this, after showing it  
19 to Mr. Clark, as Developer's Exhibit No. 4.

20 MR. CLARK: I've seen it. No  
21 objection.

1 the 24-inch pipe is right now?

2 A Yes.

3 Q So the 24-inch pipe is not going to be  
4 used at all in connection with this property?

5 A Correct. And that's the difference.  
6 That was the outfall last time, and it isn't the  
7 outfall now.

8 Q The pipe that's going to be the -- this  
9 is the north side of Mount Wilson Lane?

10 A South side.

11 Q South side. The development is on the  
12 other side of the street from this?

13 A Yes, sir.

14 Q Just tell me how is the water going to  
15 get from the property there? There is going to be  
16 a pipe under the road or --

17 A In the bed of the road. But I'd like  
18 to talk about that in the whole context of the  
19 storm water management.

20 Q I didn't mean to interrupt you. Go  
21 ahead.



Page 18

Page 20

1 A But this is the outfall end, and then  
2 it discharges into a little stream that runs --

3 Q That's the stream that goes behind  
4 Mr. Hekler's property, among others?

5 A Yes. And here are some pictures of it,  
6 also taken by me. I don't think I showed  
7 Mr. Clark that one. Here's another picture where  
8 you can see the outfall. And that's a little  
9 stream that runs down through Pikesville Farms.

10 MR. BARHIGHT: I'd like to introduce  
11 these as Developer's Exhibits 4B and 4C showing  
12 the actual stream outfall.

13 (Developer's Exhibits 4B and 4C,  
14 marked for identification and admitted into  
15 evidence.)

16 Q Now, I know there was concern last time  
17 at the last hearing about the capability of this  
18 stream and whether this stream might get eroded as  
19 a result of water being dumped into it, I believe.

20 A I'd like to come to that in just a  
21 minute in the context of the storm water

1 their front yards right now.

2 MR. BARHIGHT: I'd like to introduce  
3 that as Developer's Exhibit 4D, please.

4 MR. SCHMIDT: Okay.

5 (Developer's Exhibit 4D, marked for  
6 identification and admitted into evidence.)

7 A And the last picture I want to bring to  
8 the commissioner's attention, this is a picture of  
9 the corner of Iron Horse Lane and Mount Wilson  
10 Lane. And what I want to bring to the  
11 commissioner's attention is the ice in the middle  
12 of the road, which I slipped on and did not help  
13 this antique body at all. But there was a big ice  
14 patch right down the middle of the road.

15 And what you can see, that's visual  
16 evidence that the water is running across the road  
17 and then across the front yards of the two  
18 Bowler -- running across the road and then across  
19 the front yards of the two Bowler properties.  
20 That's what's happening now.

21 So right now you have about two-thirds

Page 19

Page 21

1 management.

2 Q As long as you cover it somewhere along  
3 the line, that's fine.

4 A But you can see what the real problem  
5 with the stream is, is that the back yards are  
6 graded right down to the stream. Well, you know,  
7 the stream will handle somewhere between a  
8 one-year and a two-year storm. When a  
9 hundred-year storm comes down, of course the water  
10 is out, you know, over the banks. And that was  
11 sort of the issue. But I'd like to explain the  
12 rest of it in the context of the whole storm water  
13 management.

14 The storm water management -- well, one  
15 other thing. This picture, these are the two  
16 houses right across the street, and these two  
17 homes are right here. These are the two houses  
18 just upstream of Mr. Hekler's house. It's Lot 20  
19 -- it's Bowler and Bowler, Jennifer Bowler and  
20 Betty Bowler. And what you can see is, in the  
21 current condition, that the water is running over

1 of the site, of the water off the site, leaving  
2 the corner, which you can see in that picture.  
3 It's going across the intersection of Mount Wilson  
4 Lane, Orchard Road, and Iron Horse Lane, and it's  
5 running across the front yards of the two Bowler  
6 properties, across Mr. Hekler's front yard, and  
7 then finding its way to the stream. That's the  
8 existing condition.

9 Now, here is the proposal. Several  
10 things have changed since 1996. This right-of-way  
11 on the south side has been acquired. Just for  
12 your information, the right-of-way on the north  
13 side has also been acquired. Mr. Greenebaum  
14 granted that to -- one of his companies granted  
15 that to Baltimore County.

16 Just for background, in 1996 a new  
17 culvert was being designed at Mr. Greenebaum's  
18 expense by our firm to replace this existing  
19 culvert in Mount Wilson Lane. That was not done  
20 at that time. That is now done, a plan is  
21 approved, and Mr. Greenebaum has posted \$56,000 as



Page 22

1 his share for the construction of that culvert.  
2 Although I understand from Mr. Bowling's office  
3 that there may be some slightly different  
4 modifications to it.

5 Q Now, is that to replace the 24-inch  
6 culvert?

7 A It's to replace the 24. Not that  
8 that's really relevant to the outfall, but I just  
9 want to bring that -- everybody has raised the  
10 question -- I think it's a fair question -- why do  
11 we appear to be 180 degrees opposite, and the  
12 answer is a lot of things have changed since 1996.

13 So you have rights-of-way on both sides  
14 acquired, you have the culvert that was  
15 anticipated now designed and approved, and you  
16 have the private money posted up to construct it.  
17 But that culvert has nothing to do with this  
18 outfall. That's only information.

19 Now, something else has changed. And  
20 what that is is we have new, dramatically  
21 different storm water management regulations than

Page 23

1 we did in 1996, and I'm not sure if the  
2 commissioner has heard any recent cases on the new  
3 regulations.

4 Q I have.

5 A Okay. Then I'll be  
6 uncharacteristically brief. We are proposing a  
7 series of facilities in the lower corner of this  
8 property. And these facilities actually do five  
9 things. And what they are is, first of all, it's  
10 kind of a sedimentation pit. Then it's a sand  
11 filter. Then it's a gravel storage area under  
12 that. And then it's a detention basin. That's  
13 what it is physically and is shown on the plan.  
14 The calculations that support this have all been  
15 submitted to DEPRM.

16 Now, here is what it does. In terms of  
17 the management, it manages the one-year storm,  
18 which is the new regulation. They call that  
19 channel protection management. It manages the  
20 ten-year storm, and it manages the hundred-year  
21 storm. So you have three things in terms of

Page 24

1 quantity, in terms of discharge that are managed.

2 Now, discharge is, of course, rate.

3 It's volume per unit of time, cubic feet per  
4 second or gallons per minute. In addition to  
5 that, it has two other things: it has a water  
6 quality volume and it has a recharge volume under  
7 the new regulations. And the sand filter and the  
8 gravel bed are sized for these two new volumes.

9 They are far from insignificant. The  
10 water quality volume, for instance, is 0.27 acre  
11 feet. Now, that extraction out of the volume of  
12 the storm, the amount of water, it is an  
13 extraction away from the volume that's currently  
14 leaving the site. So that you're managing the  
15 discharge at one, ten, and a hundred, and you're  
16 extracting further volume that you didn't have to  
17 used to do in terms of both ground water recharge  
18 and water quality.

19 Now, after the water goes through that  
20 facility, it then goes into a proper storm drain  
21 system. Now, because it will go into a proper

Page 25

1 storm drain system, it will prevent the ice, the  
2 water from flowing across the intersection that  
3 you can see in the picture, and it will pick up  
4 all the water that is now flowing across the  
5 fronts of the two Bowler houses. So that the  
6 flooding of those front yards that we understand,  
7 we've talked to them, we've heard from them enough  
8 so that we know it exists, but I can see the  
9 evidence of it in the field, that will be picked  
10 up and put into a storm drain. It will go to a  
11 manhole. It will then make a 90-degree turn and  
12 come out into a proper and suitable outfall under  
13 a Gabion mat here just north of the existing  
14 culvert.

15 The stream itself is stable. It's well  
16 defined. It's almost a textbook case of a -- when  
17 you're not going in the pipe, it's really a  
18 textbook case of a suitable outfall.

19 Now, you've mentioned this stream has  
20 been reported to flood, and of course it floods  
21 because it's mowed right up to its edge. And



Page 26

1 anything more than a two-year storm, you're going  
 2 to see the water rise up. But quite a few things  
 3 have happened in the last six years.  
 4 Levinson's has developed, Cobblestone  
 5 has developed, this will develop, Howard Brown  
 6 shopping center, Woodholme Square and Woodholme  
 7 Square addition, Festival on the other side of the  
 8 street has developed. We've done, our firm has  
 9 done Cobblestone, Festival, hopefully this one,  
 10 and each of those have had storm water management.  
 11 And as each of the ones have come in, they have  
 12 all improved or lowered the amount of release of  
 13 water that's coming off the site. We have also  
 14 done some work on Woodholme Country Club, which is  
 15 the property owner -- for two facilities down  
 16 there, which is the property owner that's sort of  
 17 at the receiving end of all this.  
 18 And so that over time, all the  
 19 discharges on -- each party as it's come along has  
 20 reduced the discharges that have come off and have  
 21 improved the situation on this stream. And of

Page 27

1 course, this one is going to do it, this property  
 2 would do it significantly, assuming the  
 3 commissioner wishes to approve it, because it's  
 4 coming in under the new regulations and has the  
 5 water quality and recharge volumes.  
 6 Q (MR. BARHIGHT) Let me highlight a  
 7 couple of issues to make sure the record is clear.  
 8 I believe you've identified an existing condition  
 9 that relates to water flowing overland, if you  
 10 will, through the intersection of Iron Horse Lane  
 11 and Mount Wilson Lane, across the yards of the two  
 12 properties identified as Bowler in both cases on  
 13 the front of Mount Wilson Lane, and then into the  
 14 stream, across Mr. Hekler's property and into the  
 15 stream. How will our proposed condition change  
 16 that overland flood?  
 17 A Well, it won't be there anymore. It  
 18 will capture that water before it gets there. It  
 19 will go through the facility and be discharged in  
 20 a pipe that runs down the middle of Mount Wilson  
 21 Lane and out into the stream.

Page 28

1 Q I also want to identify a statement  
 2 that has been placed on the exhibit, Developer's  
 3 Exhibit No. 1B. It's identified as Suitable  
 4 Outfall Statement. Without reading this long  
 5 statement, could you please briefly explain the  
 6 nature and meaning of that statement as it relates  
 7 to this development plan.  
 8 A Well, I basically drafted that, and  
 9 that's the shorter version of what I just  
 10 testified to. I personally have gone out here as  
 11 late as Tuesday. I have personally verified this.  
 12 It is my professional opinion that this is a  
 13 stable and well-defined outfall, and under --  
 14 there's no real county regulations on it, but on  
 15 sort of the understanding or the customary  
 16 regulations -- they haven't been legally  
 17 adopted -- this is the textbook definition of  
 18 suitable outfall.  
 19 Q The last thing to address, which I'm  
 20 sure Mr. Hekler is going to have concerns about,  
 21 is we have an existing condition in the field that

Page 29

1 relates to the flooding that occurs at the stream  
 2 banks today.  
 3 A Yes.  
 4 Q Are we going to in any way improve that  
 5 situation, or are we going to make that situation  
 6 worse?  
 7 A We're going to -- it's going to be  
 8 better after this construction.  
 9 MR. BARHIGHT: I have no other  
 10 questions of this witness at this time. Again, we  
 11 are only focusing for this particular purpose on  
 12 the storm water management issue. If later we  
 13 need to go back to ask Mr. Thaler other issues,  
 14 I'd like to reserve the right to do that.  
 15 MR. SCHMIDT: Very well. Mr. Clark, do  
 16 you have any questions of Mr. Thaler?  
 17 MR. CLARK: I do. They're sort of in a  
 18 different venue, towards different pieces of this.  
 19 I don't know whether it might be easier for  
 20 Mr. Hekler, who probably has things fresh in his  
 21 mind about this particular stuff, to do that and



Page 30

1 then come back to my questions.

2 MR. SCHMIDT: Very well. And before we  
3 get that, though, I wanted to ask Mr. Seeley,  
4 because Mr. Seeley indicated about the comment,  
5 the written comment from Mr. Wood of his agency  
6 regarding storm water management.

7 Mr. Seeley, any questions of  
8 Mr. Thaler, or just any comment at this particular  
9 time?

10 MR. SEELEY: Yes, I do have a couple of  
11 quick questions. I appreciate your allowing me to  
12 ask him.

13 Q (MR. SEELEY) On the plan, Mr. Thaler,  
14 you have it labeled as a Proposed Temporary  
15 Outfall. I was wondering if you could explain  
16 that and then describe what the permanent outfall  
17 would be. You've crossed it off. But can you  
18 just describe it a little bit, about the Gabion  
19 velocity dissipater?

20 A Let me talk about why it said temporary  
21 on that. We have designed, we had an approved

Page 31

1 plan for a new culvert to replace the 24-inch  
2 culvert and do a road widening. So our thought  
3 was that when that gets built, that this would be  
4 picked up and put into the end wall of that new  
5 culvert.

6 But I understand that Mr. Bowling's  
7 section is redesigning it, and so I don't know  
8 exactly whether this is permanent or temporary.  
9 It works either way.

10 Q (MR. BARHIGHT) When you say "this,"  
11 what do you mean by this?

12 A The outfall which we've shown on the  
13 plan, it is possible that the county, when it  
14 builds the culvert, may incorporate this into the  
15 end wall of the new culvert.

16 Q But that will be up to the county to  
17 determine one way of the other?

18 A That's up to them. And it doesn't  
19 matter one way or the other.

20 Q (MR. SEELEY) That's a Phase 2 design  
21 issue basically?

Page 32

1 A Yes, sir.

2 MR. SCHMIDT: Okay.

3 Q If you don't mind, I understand it but  
4 I was wondering if you can put it in laymen's  
5 terms. When you develop a property and you put  
6 more impervious surfaces on the property,  
7 additional water running off the property, could  
8 you just briefly explain how that water is held  
9 back in this facility, and also the volume of  
10 water which will be coming out of this outfall  
11 after development as opposed to before  
12 development, so it's clear for the people here?

13 A Are you interested in volume or  
14 discharge?

15 Q Essentially both, if you could briefly  
16 describe that.

17 A Okay. What storm water, what  
18 traditional storm water management says and  
19 basically what the case law in Maryland says,  
20 which is the natural flow rule, is that the  
21 upstream -- the downstream property owner is

Page 33

1 burdened with a servient easement that must accept  
2 the so-called natural flow coming off the upstream  
3 property owner, who is the dominant easement  
4 holder, has the easement to pass the so-called  
5 natural flow that comes off the property.

6 And the way that's sort of interpreted  
7 since about 1975 under statewide and local storm  
8 water management regulations is that when you  
9 develop a property and you take trees down and you  
10 build houses instead of grass, you inevitably  
11 increase the amount of water. So that water must  
12 be managed in certain ways. And until two years  
13 ago, it was two, ten, and usually a hundred in  
14 Baltimore County, and now it's one, ten, and a  
15 hundred. And so that the water leaving the  
16 property after it's developed can be no more -- it  
17 has to be a little bit less than it was before on  
18 those designs. And that's what it's designed to.

19 What's a little bit different about the  
20 new regulations is that they also address volume,  
21 really for the first time. And the difference --

Page 34

1 discharge is volume over time, cubic feet per  
2 second or gallons per minute. So what you would  
3 do is you would take the increased volume and have  
4 an orifice or some sort of structure to detain it  
5 over time and release it at a rate that was less  
6 than went out before there was development.

7 But what's addition to that now is you  
8 have two additional volume controls. One is water  
9 quality, which is a volume that you have to sort  
10 of suck out of the mass of the storm, and the  
11 other is ground water recharge. And these are  
12 established by county law. How much volume you  
13 have to manage is established by county law and by  
14 state law.

15 Does that answer your question,  
16 Mr. Seeley?

17 Q (Indicating yes.)

18 Q (MR. BARHIGHT) So that if I understand  
19 it correctly, not only under the new regulations  
20 do we continue to have to minimize in some degree  
21 the rate of flow of the water from our property to

Page 35

1 downstream properties, but we're also now having  
2 to manage additionally the volume --

3 A Yes.

4 Q -- regardless of the rate?

5 A That's correct.

6 Q (MR. SCHMIDT) So that actually what  
7 you're saying, Mr. Thaler, is that the amount of  
8 water, because of the storm water management  
9 facility, as I understand your testimony,  
10 notwithstanding the addition of the impervious  
11 surface, the new road on this property, the  
12 houses, the sidewalks, the driveways, but this  
13 facility is going to collect that water,  
14 essentially hold it and manage its quality as  
15 well, and release it at a rate that is less than  
16 what actually is happening out there today?

17 A That's correct.

18 Q Okay. Obviously it will be -- okay.  
19 Obviously it will be released at a slower rate, so  
20 that typically now water may come at a very heavy  
21 volume and in a very hard rate immediately after a

Page 36

1 storm, and this will be a controlled release --

2 A Right.

3 Q -- both of volume and of rate?

4 A And what people are usually interested  
5 in is rate, because you have a channel section.  
6 And a higher rate raises the flood level, a lower  
7 rate lowers the flood level. So sort of under  
8 Maryland law and what your average homeowner is  
9 concerned about is reducing the rate. And that's,  
10 among other things, that's exactly what we're  
11 doing here.

12 Q Okay. Now, the design, the proposal  
13 that you've submitted with the new, what I would  
14 call the new outfall, not being the old 24-inch  
15 culvert but the new outfall taking advantage and  
16 utilizing the right-of-ways that you have  
17 acquired, that's what has been submitted to DEPRM  
18 for review?

19 A Yes, sir.

20 MR. SCHMIDT: And, Mr. Seeley, I've  
21 been looking at Mr. Wood's comments, who is the

Page 37

1 reviewer. As I understand it, from a technical  
2 standpoint Mr. Wood does not have an objection and  
3 believes this meets the County's requirements in  
4 terms of the computations and the technicality.  
5 His last two sentences in there expressed a  
6 concern that in view of a prior decision that I  
7 had made that that issue be explained and  
8 revisited during the public hearing.

9 But is it fair to say that -- I'm not  
10 trying to put words in your mouth. I just want to  
11 make sure that Mr. Wood is satisfied -- that from  
12 a number of standpoints and a computation  
13 standpoint, this will work from an engineering  
14 standpoint?

15 MR. SEELEY: Yes, sir.

16 MR. SCHMIDT: Okay. Okay. All right.  
17 Mr. Seeley is there anything else that you'd like  
18 to ask Mr. Thaler?

19 MR. SEELEY: No. I'd just like to make  
20 one more statement, and that is I don't believe  
21 Mr. Wood has seen this red-lined plan with the



Page 38

1 outfall statement on it.  
 2 Q (MR. SEELEY) Do you know if he's seen  
 3 that?  
 4 A He hasn't, but it's in the -- it's the  
 5 suitable outfall evaluation. It's virtually --  
 6 it's virtually the same statement.  
 7 THE WITNESS: Just give me about ten  
 8 seconds, Mr. Chairman.  
 9 MR. SCHMIDT: Sure.  
 10 A Here it is. That one is slightly  
 11 different.  
 12 MR. SEELEY: The only thing I request  
 13 is that Mr. Wood gets to see this plan.  
 14 MR. SCHMIDT: Sure. And obviously, I  
 15 know in terms of Phase 2 issues, he'll do design  
 16 then. Okay.  
 17 MR. SEELEY: Right.  
 18 Q I don't know if part of your testimony  
 19 is reflected in that document or not, what you  
 20 just told us here about the difference between the  
 21 outfalls.

Page 39

1 MR. BARHIGHT: May I ask Mr. Seeley to  
 2 speak up.  
 3 MR. SEELEY: I'm sorry. I just wanted  
 4 to make sure what Mr. Wood is aware of what  
 5 Mr. Thaler testified to today.  
 6 A I actually did not highlight -- the  
 7 storm water management calculations and suitable  
 8 outfall statement just refer to this job as if it  
 9 were a brand new job. Today I highlighted my  
 10 testimony to highlight the differences between  
 11 1996 and today. That's not specifically going  
 12 to -- and I did that because the question was  
 13 raised.  
 14 Q (MR. SCHMIDT) But as I asked before, I  
 15 wanted to make sure what Mr. Wood has looked at in  
 16 connection with the project is the proposal that's  
 17 on the table today.  
 18 A Yes, sir.  
 19 Q He has seen this, maybe not the full  
 20 explanation of the distinction between now and  
 21 1996, but he has checked the technical. I know

Page 40

1 that you're required to submit the computations  
 2 which show the amount, the volumes of the water,  
 3 the flows of the water in terms of those  
 4 mathematical calculations that are made under the  
 5 regulations, and I wanted to make sure that's what  
 6 he has seen.  
 7 MR. SCHMIDT: Mr. Barhight, the other  
 8 question is, I know we have the deed in, but these  
 9 right-of-ways have been acquired, correct? Just  
 10 to be sure.  
 11 MR. BARHIGHT: That's my understanding  
 12 based upon Mr. Thaler's review of these records,  
 13 that that deed has actually been recorded among  
 14 the land records of Baltimore County.  
 15 THE WITNESS: It's got a recording  
 16 reference on it.  
 17 MR. SCHMIDT: The reason I say that, I  
 18 just want to make sure, as Mr. Thaler  
 19 characterized my sort of opinion of the prior  
 20 testimony as "trust me, we're going to work this  
 21 out," and I was unwilling to trust them that they

Page 41

1 would work it out, and that's why I denied the  
 2 plan in part.  
 3 Q But my question and the focus of my  
 4 question is that this plan, this storm water  
 5 management plan, Mr. Thaler, is feasible because  
 6 the rights-of-way which are necessary to build the  
 7 pipe, to build the storm water management  
 8 facility, obviously that's on your property. But  
 9 to actually install the pipe, install the  
 10 hardware, as it were, as you have described it, is  
 11 in place so that the developer can do that?  
 12 A Yes, sir. All rights-of-way to  
 13 implement this or to perfect this are existing.  
 14 All that has to be done is actually do it.  
 15 Q So this is not -- because as we  
 16 discussed before, Mr. Hekler said no as to his  
 17 property last time, which certainly I understand  
 18 why he did that. But it's not necessary at this  
 19 point in time to acquire any kind of right-of-way  
 20 from him?  
 21 A Or anybody else.

Page 42

1 Q Or anybody else.

2 MR. HEKLER: But what gave him the  
3 right to discharge amount of water in my yard?

4 MR. SCHMIDT: Well, I'm not sure --  
5 well, let's get to that. Before we answer that  
6 question, Mr. Seeley, is there anything else that  
7 you have from Environmental Protection?

8 MR. SEELEY: That's basically it. I  
9 just wanted to be clear that Mr. Wood gets to see  
10 this plan. I'd like to ask Mr. Thaler to present,  
11 to give to Mr. Wood a brief synopsis of what he  
12 said today in writing so we have it for the file.

13 THE WITNESS: Sure.

14 MR. SCHMIDT: That might be helpful so  
15 it's in the file, given the history of this  
16 project.

17 MR. BARHIGHT: What I'll suggest, if  
18 it's appropriate under the circumstances, is that  
19 we'll have a transcript made of Mr. Thaler's  
20 testimony and put in the file.

21 MR. SCHMIDT: Okay. That would

Page 43

1 hopefully resolve the concerns that Mr. Seeley has  
2 properly raised.

3 MR. SEELEY: That's fine.

4 MR. SCHMIDT: Thank you, Mr. Seeley.

5 All right, Mr. Hekler, any questions  
6 that you have of Mr. Thaler?

7 MR. HEKLER: Let me to explain small  
8 thing here about the right-of-way, which is  
9 misunderstanding here. When I built my house,  
10 which is on 25 Mount Wilson Lane, which I believe  
11 is lot No. 3 -- that's me?

12 MR. SCHMIDT: Yes.

13 MR. HEKLER: -- the deal with the  
14 county, I dedicate this piece of land to the  
15 county. That's from the beginning in '88. And  
16 you can see that. And here, it's one building  
17 corporation that I'm part of this corporation.

18 MR. SCHMIDT: Okay.

19 MR. HEKLER: And so it was no  
20 right-of-way where the county told me we need that  
21 to widen, so we dedicated to the county, to make

Page 44

1 it clear for everyone how it was done. So that is  
2 my first answer to this dedication and all this.

3 At this time I was not concerned with  
4 the future. When they designed, when they  
5 designed the Cobblestone, 115 houses, \$35 million,  
6 nobody was thinking how to do it and how to do it  
7 not to affect our life. They just dump it into  
8 the 24 inches here, ten years today.

9 Now, the next question what I -- I  
10 would like to take this calculation, what they  
11 said that's normal, to check with another, a  
12 second opinion, to see if it's right.

13 The second question what I have today,  
14 to the end of this discussion you still dump it in  
15 my yard here. Is that normal to affect my life  
16 here?

17 MR. SCHMIDT: Yes.

18 MR. HEKLER: Yes?

19 MR. SCHMIDT: I mean the answer is  
20 this, and this is what Mr. Thaler has just said,  
21 and I will say this, Mr. Hekler. Let's start at

Page 45

1 the beginning. Water runs down hill.

2 MR. HEKLER: Yeah, nothing -- God made  
3 it this way and that will continue after that.  
4 I'm agree with that.

5 MR. SCHMIDT: We understand that. The  
6 concerns that the county has is that the  
7 development, once it occurs, that the water that  
8 is running downhill, that is presently running  
9 downhill from this property into the stream and  
10 into your property, does not run downhill either  
11 faster, in terms of its rate -- because if it  
12 would do that, it would cause more erosion to the  
13 stream -- or that there would be more water  
14 running downhill.

15 If after this development, the water  
16 comes either at the same or a slower rate onto  
17 your property, the speed of the water, and there  
18 is the same or less amount of water coming off  
19 this property onto your property, then this plan  
20 meets the county requirements. And my  
21 understanding of --



| Page 46                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Page 48                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1 Mr. Thaler, how am I doing so far?</p> <p>2 MR. THALER: You're doing great.</p> <p>3 MR. SCHMIDT: Mr. Seeley, is that a</p> <p>4 fair statement of the law?</p> <p>5 I mean, the concerns are that the water</p> <p>6 runs off your property, right off this property</p> <p>7 right now and goes downhill across other people's</p> <p>8 properties, including yours, correct?</p> <p>9 MR. HEKLER: Yes.</p> <p>10 MR. SCHMIDT: So the concern is to make</p> <p>11 sure that after this project is built that you</p> <p>12 don't get more water than you're getting now and</p> <p>13 it's not coming any faster. Because if you got</p> <p>14 more water, it would flood you; if it came faster,</p> <p>15 it would cause erosion to your stream.</p> <p>16 What Mr. Thaler is saying is they're</p> <p>17 going to capture the water, hold the water, and</p> <p>18 release it in such a manner that you're going to</p> <p>19 get less water and it's going to come slower.</p> <p>20 That's his expert opinion, as I understand it.</p> <p>21 MR. HEKLER: I cannot debate or argue</p> | <p>1 satisfied with it, Mr. Thaler is satisfied with</p> <p>2 it. Certainly you're free to get another engineer</p> <p>3 to take a look at it if you would like.</p> <p>4 MR. HEKLER: But the conclusion here,</p> <p>5 the amount of water what I have now, if that's</p> <p>6 going to be upward or not lower, will increase</p> <p>7 amount of water, what I have today.</p> <p>8 MR. SCHMIDT: If you have an increase,</p> <p>9 then you have a problem and I can't approve this</p> <p>10 plan.</p> <p>11 MR. HEKLER: I'm sure I will have</p> <p>12 increase because right now I don't have the water</p> <p>13 from this project in my property. I will have</p> <p>14 later when they will connect it, right?</p> <p>15 MR. SCHMIDT: No, no. Mr. Thaler is</p> <p>16 saying that the water, that property -- isn't this</p> <p>17 property uphill from you?</p> <p>18 MR. HEKLER: Yeah, it's uphill. It's</p> <p>19 not uphill. I don't know exactly if it's uphill</p> <p>20 or not. I have to --</p> <p>21 MR. SCHMIDT: Well, when the snow melts</p>            |
| Page 47                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Page 49                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>1 with you because I'm not, it's not my field. The</p> <p>2 only thing what I would like from his is to give</p> <p>3 me the calculation and I will ask the second</p> <p>4 opinion to it.</p> <p>5 MR. SCHMIDT: Well, and I don't know if</p> <p>6 Mr. Thaler has any -- he's shaking his head that</p> <p>7 he doesn't have any objection to that. I would</p> <p>8 say this to you, Mr. Hekler.</p> <p>9 MR. HEKLER: Yes.</p> <p>10 MR. SCHMIDT: That was the basis, your</p> <p>11 very same thought is what I just asked Mr. Seeley</p> <p>12 as to whether or not Mr. Wood at the county, who</p> <p>13 is also an engineer, has looked at this and said</p> <p>14 that from a technical standpoint, yes, what Mr. --</p> <p>15 not that we doubt Mr. Thaler, but, yes, what he is</p> <p>16 saying is true, that from a technical engineering</p> <p>17 standpoint this can happen.</p> <p>18 And Mr. Seeley, my understanding is</p> <p>19 that Mr. Wood has said yes, this can happen.</p> <p>20 MR. SEELEY: Yes, sir, he has.</p> <p>21 MR. SCHMIDT: So the county is</p>             | <p>1 and when it rains, doesn't the water -- I mean, I</p> <p>2 have this picture showing the water coming across</p> <p>3 the street. Doesn't the water -- I mean, if it</p> <p>4 doesn't evaporate, doesn't it come down in this</p> <p>5 direction from up here, down the street and</p> <p>6 eventually into your stream? Isn't that the</p> <p>7 general flow of the direction it goes?</p> <p>8 MR. HEKLER: We have the sewer line</p> <p>9 over here. I don't believe that the water is</p> <p>10 coming on my property. The property it's coming,</p> <p>11 it's coming from Cobblestone and the funeral home</p> <p>12 to my property. That is not coming on my</p> <p>13 property, sir.</p> <p>14 MR. SCHMIDT: Okay. Mr. Thaler --</p> <p>15 MR. THALER: Yes, sir.</p> <p>16 MR. SCHMIDT: Mr. Hekler has said that</p> <p>17 he doesn't believe the property is draining in</p> <p>18 that direction. You believe it does drain in that</p> <p>19 direction.</p> <p>20 MR. THALER: I just have to</p> <p>21 respectfully disagree. We know to a mathematical</p> |

Page 50

1 certainty -- and there may be a drainage area map.  
 2 I think it's in the package I gave you -- about  
 3 two-thirds of the property drains down to this  
 4 corner, runs down the street and runs right behind  
 5 his house. That's a mathematical certainty.  
 6 Water runs downhill.

7 MR. SCHMIDT: Okay. Mr. Hekler, I want  
 8 to give you a chance to ask Mr. Thaler any  
 9 questions about anything that he has said,  
 10 anything that you don't understand.

11 MR. HEKLER: Well, I don't understand  
 12 one thing. I'm a simple man. The amount of water  
 13 what I have now will not be the same after he  
 14 finish the job.

15 MR. SCHMIDT: It will be less. Right,  
 16 Mr. Thaler?

17 MR. THALER: Yes, sir.

18 Q (MR. HEKLER) How can it be that?

19 A Because we designed it that way. We  
 20 designed facilities to inject it into the ground  
 21 and -- you're a builder. It's a storm water

Page 51

1 management pond. We design to catch it and  
 2 release it at a lower rate than is coming off now.  
 3 You know that.

4 Q I understand, but I still don't  
 5 understand where you are going to go underneath  
 6 the water. I cannot figure out that. That's my  
 7 point.

8 A I'm sorry, I didn't understand.

9 Q The water what you collect from this  
 10 project, what you going to do with that?

11 A It goes --

12 Q And this, too.

13 A It goes into three facilities. First  
 14 it goes into a little collection basin.

15 Q Right here.

16 A Right there. Then it goes into a sand  
 17 filter.

18 Q Yes.

19 A And then under that is a gravel storage  
 20 area. It's a big storage bin. And then it runs  
 21 into this thing. So you have, you really have

Page 52

1 four facilities. This is the hole, sand, gravel  
 2 that injects it into the ground and what's left  
 3 over goes into this. This is like a big bathtub.  
 4 It catches all the water coming off the property  
 5 and holds it so that it doesn't flood you.

6 Q But holds it. After that, when you  
 7 feel it or something, you have a certain level  
 8 which will flood, you discharge here, right?

9 A Yes, but X, 10 gallons -- I'll make it  
 10 easy. 10 gallons are coming to you now. We hold  
 11 this so only 9 gallons are coming after we're  
 12 finished. You know this.

13 Q I want you to do me a favor.

14 A Yes, sir.

15 Q To come when it's water coming from  
 16 your project and the funeral to see what happened.

17 A It's my pleasure, Milo. You call me.  
 18 I'll give you my cell phone, and I'll come out any  
 19 time.

20 Q You know what happen, you know what  
 21 happen.

Page 53

1 A I'll give you my home number.

2 Q Middle of the night I'm going to wake  
 3 you up.

4 A Don't you dare.

5 MR. CLARK: Can I have your home  
 6 number, too?

7 (Discussion off the record.)

8 MR. SCHMIDT: Mr. Hekler, is there  
 9 anything else you'd like to ask Mr. Thaler?

10 MR. HEKLER: He guaranteed me I will  
 11 not have any more problem. I don't believe that.  
 12 I tell you the truth, like I told you the last  
 13 time: I don't believe it because I live there for  
 14 ten years.

15 MR. SCHMIDT: I understand.

16 MR. HEKLER: 120 houses, it's coming in  
 17 the street. If he said he can stop that --

18 MR. SCHMIDT: Okay.

19 MR. HEKLER: So how we conclude it?

20 MR. SCHMIDT: I'll have to listen to it  
 21 all. This is an exhibit. I have to keep this.



| Page 54                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Page 56                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1 But I will certainly listen to it all and make my<br/>2 decision.<br/>3 MR. HEKLER: According to you, to the<br/>4 county --<br/>5 MR. SCHMIDT: Hang on one second. Is<br/>6 there any -- let me just make sure, because there<br/>7 are some other -- hang on one second, Mr. Hekler,<br/>8 because we have some other folks here, while<br/>9 Mr. Thaler is technically testifying, to try to<br/>10 keep the record and the transcript clean.<br/>11 Is there anyone else that has any<br/>12 questions of Mr. Thaler? Mr. Clark, other than<br/>13 you. But do any of the other folks from the<br/>14 community have any questions of Mr. Thaler,<br/>15 particularly regarding the storm water management<br/>16 proposal, because that may have impacted other<br/>17 people who may have an interest in that. Okay,<br/>18 all right.<br/>19 Mr. Thaler is still on the stand. I<br/>20 know you have questions about the variances and<br/>21 such. We haven't opened that case.</p> | <p>1 drain.<br/>2 Q And that will be at what elevation?<br/>3 A I need my technical assistant.<br/>4 Q Is it about 496?<br/>5 A Approximately.<br/>6 MR. THALER: Ms. Miller, is that<br/>7 correct? Milo's got my calculation.<br/>8 MS. MILLER: The pond bottom is at<br/>9 492.5, so riser structure, 496, 498.<br/>10 MR. SCHMIDT: Hang on one second. So<br/>11 that we're clear, that is Ms. Miller from D.S.<br/>12 Thaler?<br/>13 MR. THALER: It's Mariceleste Miller,<br/>14 who is a storm water management project manager at<br/>15 D.S. Thaler &amp; Associates.<br/>16 MR. SCHMIDT: Okay. Off the record.<br/>17 (Discussion off the record.)<br/>18 MR. SCHMIDT: Back on the record. Go<br/>19 ahead, Mr. Clark.<br/>20 Q So in months when we have little or no<br/>21 rainfall, the bottom of this facility will be</p>                                                                                                       |
| Page 55                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Page 57                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>1 MR. BARHIGHT: That comes later.<br/>2 Mr. Scoll will do that.<br/>3 MR. SCHMIDT: Mr. Clark, what I'm<br/>4 thinking is having Mr. Clark ask his questions,<br/>5 and then we'll get Mr. Thaler down, and then I'll<br/>6 let Mr. Thaler testify and offer any statements<br/>7 that he wants to do, just to try to keep it<br/>8 somewhat orderly.<br/>9 Mr. Clark, go ahead.<br/>10 MR. CLARK: I may be a little younger<br/>11 than Mr. Thaler -- I'm not sure -- but is it all<br/>12 right if I stand and approach the board?<br/>13 MR. SCHMIDT: You may.<br/>14 CROSS EXAMINATION<br/>15 BY MR. CLARK:<br/>16 Q Mr. Thaler, if you would, just by way<br/>17 of information, what is proposed at the bottom of<br/>18 this facility on the corner here to take the water<br/>19 out to the street?<br/>20 A Well, it's an inflow structure,<br/>21 concrete inflow structure at the concrete storm</p>                                                                                 | <p>1 grassed, I guess, and this concrete outbox will<br/>2 sit there?<br/>3 A Yes.<br/>4 Q And on times during heavy storms, if it<br/>5 rains for two or three days in a row, there may be<br/>6 a foot or two of water in the bottom of this,<br/>7 until it gets to the point where it rises over the<br/>8 top of this outflow device and then --<br/>9 A Yeah, but not more than -- it's<br/>10 designed to drain in either 12 or 24 hours. So<br/>11 yes, but not two or three days' worth.<br/>12 Q Well, but it may take two or three days<br/>13 for the rain to get to that point and it will be<br/>14 there for 12 to 24 hours?<br/>15 A Okay.<br/>16 Q And then it would go out, and then it<br/>17 would go through an underground pipe?<br/>18 A Yes, sir.<br/>19 Q And that pipe, none of that pipe would<br/>20 be exposed or showing anywhere between the bottom<br/>21 of this facility and the middle of Mount Wilson</p> |

Page 58

1 Lane?

2 A Yes, sir.

3 Q And I guess since 1996 the regulations  
4 have changed so that there can be landscaping in  
5 the storm water management facility and on its  
6 banks and that sort of thing? Because at one  
7 point in time you couldn't put woody vegetation  
8 and all this other kind of stuff around it.

9 A I'm trying to say this in lay terms.

10 This is an excavated facility. This is a hole.

11 Q This is a dug pond.

12 A Not a dam.

13 Q Right.

14 A Dams, as far as I know, still have that  
15 requirement. Because this is a hole, it's  
16 impossible to fail, and therefore you can plant it  
17 up. And they want you to plant it up.

18 Q Which is different from the way it was  
19 in 1996 in the facility that was proposed here  
20 before?

21 A That's a very good point. I'm glad you

Page 59

1 brought that up. I want to emphasize that, yes.  
2 That was an embankment facility, this is a hole.

3 Q Okay. And on the red-line plan, we're  
4 now showing, in agreement with Cobblestone's  
5 request, a little evergreen screen of 100 feet in  
6 each direction to help shield that from the  
7 public's view?

8 A Yes, sir.

9 Q Okay. Now, going around the property  
10 up here, there is a drainage area up here, and  
11 there is a facility actually on Cobblestone's  
12 property. Do you recall that?

13 A Not offhand, no.

14 Q But there's a box here and a pipe that  
15 goes down the middle of the street.

16 A I see it drawn, yes.

17 Q Will you be discharging any water in  
18 this direction to go into that swale and down that  
19 pipe?

20 A Maybe a little off the back of the  
21 houses, whatever is coming there now.

Page 60

1 Q But whatever is being proposed here and  
2 built here will not interfere with that existing  
3 swale?

4 A No. That's what it's there for.

5 Q That's what it's there for, okay.  
6 Coming around on this side, you said about  
7 two-thirds of the property will drain this way,  
8 but there is an area here that drains this way?

9 A Yes, sir.

10 Q And you're being required to get an  
11 easement for Baltimore County to discharge the  
12 water under their property?

13 A I don't know that we're required, but  
14 we got one.

15 Q Okay. And there is a second storm  
16 water management facility being proposed back  
17 here?

18 A Yes, sir.

19 Q Are you aware that there's some water  
20 that collects in this area now, I guess because  
21 there's no drainage at all?

Page 61

1 A I'm not, but you ought to bring that to  
2 our attention so we can pick it up.

3 Q Okay. We'll do that. Because as we  
4 understand from Ms. Fisher who lives along there,  
5 there is some water -- she lives here -- there is  
6 some water that collects here. And I presume that  
7 your grading and regrading of the property will  
8 take it so that this water goes down this way and  
9 not this way?

10 A I presume that, but bring -- I want to  
11 make sure that we do that, so bring it to our  
12 attention.

13 MR. HEKLER: Can I ask one final  
14 question?

15 MR. THALER: Sure. Is that okay, Mr.  
16 Commissioner?

17 MR. SCHMIDT: Sure.

18 Q (MR. HEKLER) So you come one, two,  
19 three. I live here.

20 A Yes.

21 Q Now, on here, that is the pipe, on this



Page 62

1 side, water from here and to here, right?  
 2 A Yes.  
 3 Q You have to go under the Mount Wilson  
 4 Lane, right?  
 5 A Yes.  
 6 Q And that is the pipe?  
 7 A Yes.  
 8 Q And you come here?  
 9 A Yes, sir.  
 10 Q And you come here. And this same pipe,  
 11 what happens with the pipe that's on the --  
 12 A Stays there.  
 13 Q Stays there?  
 14 A Yes, sir. It's right here.  
 15 MR. BARHIGHT: The witness is  
 16 indicating the approximate location of what?  
 17 Q The 24 inches, what is existing now.  
 18 He comes, you don't come to that 24 inches. So I  
 19 have another question here from you.  
 20 A Yes, except if the county,  
 21 presumably -- go ahead.

Page 63

1 MR. HEKLER: I like you to understand  
 2 my situation, Mr. Schmidt, at this point.  
 3 MR. SCHMIDT: There's going to be two  
 4 pipes draining into there.  
 5 MR. HEKLER: I have the 24 inches,  
 6 which is not enough to collect from Cobblestone  
 7 and the funeral. After that he comes with another  
 8 pipe here and put me in my yard here, this drain.  
 9 Is the county agreed to this design?  
 10 MR. SCHMIDT: Yes. The Department of  
 11 Environmental Protection and Resource Management  
 12 has agreed to that design.  
 13 MR. HEKLER: But I don't have to agree  
 14 with nothing here on my property? It will affect  
 15 my life and my taxes. And if everything doesn't  
 16 connect together to like, Mr. Schmidt, my  
 17 depreciation of my house? Please think about my  
 18 situation.  
 19 MR. SCHMIDT: I understand your  
 20 situation and I'll take that all into  
 21 consideration.

Page 64

1 MR. HEKLER: Because nobody was  
 2 thinking this thing here, the way the business is  
 3 done, just to solve the problem from this  
 4 gentleman here. To create the rest, it's nothing.  
 5 We don't value human here when it comes to that.  
 6 It's the third time. Please understand  
 7 again. We discuss how it will affect my life and  
 8 my property and my life.  
 9 MR. SCHMIDT: Mr. Hekler, I understand  
 10 exactly what you're saying.  
 11 MR. HEKLER: Thank you.  
 12 MR. SCHMIDT: Any other questions of  
 13 Mr. Thaler? Mr. Clark, do you have anything  
 14 further?  
 15 MR. CLARK: No, sir.  
 16 MR. BARHIGHT: My notes indicate that I  
 17 may have failed to ask you to introduce  
 18 Developer's Exhibit No. 4E, one of the  
 19 photographs.  
 20 MR. SCHMIDT: Okay. To the extent I've  
 21 been marking them, Mr. Barhight, and yes, I didn't

Page 65

1 mark 4E, so I will do that now.  
 2 (Developer's Exhibit 4E, marked for  
 3 identification and admitted into evidence.)  
 4 MR. THALER: Am I excused, Mr.  
 5 Commissioner?  
 6 MR. SCHMIDT: Yes. You may step down,  
 7 Mr. Thaler. Thank you.

8 \* \* \* \* \*

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

Page 66

STATE OF MARYLAND )

1 ) ss

2 COUNTY OF BALTIMORE)

3 I, Susan E. Smith, a Notary Public in and  
 4 for the State and County aforesaid, do hereby certify  
 5 that the foregoing is a true and accurate transcription  
 6 of the proceedings indicated.

7 I certify that I am not of counsel,  
 8 attorney, or relative and any party, or otherwise  
 9 interested in the events of this matter.

10 In witness whereof, I have hereunto set  
 11 my hand and affixed my notarial seal this day  
 12 of March, 2003.

13

14 Susan E. Smith

15 Notary Public

16 My commission expires November 1, 2006.

17

18

19

20

21

Page 67

## 1 INDEX

2 In the Matter of Woodholme Reserve  
 3 March 13, 2003

4 Developer's Witness: Direct Cross Redirect Recross

5 David S. Thaler 2 55 -- --

6 Developer's Exhibits: Page:

7 1A - 1B 4

8 2 --

9 3 14

10 4A 16

11 4B - 4C 18

12 4D 20

13 4E 65

14

15

16

17

18

19

20

21



Page 66

STATE OF MARYLAND

)  
) ss

COUNTY OF BALTIMORE)

I, Susan E. Smith, a Notary Public in and  
for the State and County aforesaid, do hereby certify  
that the foregoing is a true and accurate transcription  
of the proceedings indicated.

I certify that I am not of counsel,  
attorney, or relative and any party, or otherwise  
interested in the events of this matter.

In witness whereof, I have hereunto set  
my hand and affixed my notarial seal this      day  
of March, 2003.

\_\_\_\_\_  
Susan E. Smith

Notary Public

My commission expires November 1, 2006.

Page 67

## INDEX

In the Matter of Woodholme Reserve  
March 13, 2003

Developer's Witness: Direct Cross Redirect Recross

David S. Thaler      2    55      --      --

Developer's Exhibits:      Page:

1A - 1B      4

2      --

3      14

4A      16

4B - 4C      18

4D      20

4E      65

|                                                                            |                                                                       |                                                                                |                                                                                                                                                                          |                                                                     |
|----------------------------------------------------------------------------|-----------------------------------------------------------------------|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| <b>-\$-</b>                                                                | <b>3</b> [6] 13:2 14:3,6 15:14<br>43:11 67:8                          | <b>admitted</b> [7] 4:20 5:1<br>14:7 16:5 18:14 20:6<br>65:3                   | <b>attention</b> [5] 5:3 20:8<br>20:11 61:2,12                                                                                                                           | <b>box</b> [2] 2:8 59:14                                            |
| <b>\$35</b> [1] 44:5                                                       | <b>30</b> [5] 10:11 11:4,6 12:3<br>12:5                               | <b>adopted</b> [1] 28:17                                                       | <b>attorney</b> [1] 66:8                                                                                                                                                 | <b>brake</b> [1] 16:12                                              |
| <b>\$56,000</b> [1] 21:21                                                  | <b>30-foot</b> [3] 8:21 13:19<br>15:13                                | <b>advantage</b> [1] 36:15                                                     | <b>available</b> [1] 8:5                                                                                                                                                 | <b>brand</b> [1] 39:9                                               |
| <b>-&amp;-</b>                                                             |                                                                       | <b>affect</b> [4] 44:7,15 63:14<br>64:7                                        | <b>Avenue</b> [1] 1:9                                                                                                                                                    | <b>brief</b> [2] 23:6 42:11                                         |
| <b>&amp;</b> [2] 2:10 56:15                                                | <b>-4-</b>                                                            | <b>affirmed</b> [1] 2:3                                                        | <b>average</b> [1] 36:8                                                                                                                                                  | <b>briefly</b> [3] 28:5 32:8,15                                     |
| <b>-1-</b>                                                                 | <b>4</b> [2] 15:19 67:6                                               | <b>affixed</b> [1] 66:11                                                       | <b>aware</b> [2] 39:4 60:19                                                                                                                                              | <b>bring</b> [6] 20:7,10 22:9<br>61:1,10,11                         |
| <b>'88</b> [1] 43:15                                                       | <b>47428</b> [1] 2:9                                                  | <b>aforesaid</b> [1] 66:4                                                      | <b>away</b> [1] 24:13                                                                                                                                                    | <b>brought</b> [1] 59:1                                             |
| <b>-0-</b>                                                                 | <b>492.5</b> [1] 56:9                                                 | <b>again</b> [4] 9:17 14:13<br>29:10 64:7                                      | <b>-B-</b>                                                                                                                                                               | <b>brown</b> [2] 15:3 26:5                                          |
| <b>0.27</b> [1] 24:10                                                      | <b>496</b> [2] 56:4,9                                                 | <b>age</b> [1] 7:10                                                            | <b>bachelor's</b> [1] 3:6                                                                                                                                                | <b>build</b> [3] 33:10 41:6,7                                       |
| <b>03-331-A</b> [1] 1:4                                                    | <b>498</b> [1] 56:9                                                   | <b>agency</b> [1] 30:5                                                         | <b>background</b> [4] 2:20<br>3:2,2 21:16                                                                                                                                | <b>builder</b> [1] 50:21                                            |
| <b>-1-</b>                                                                 | <b>4A</b> [3] 16:2,4 67:9                                             | <b>ago</b> [1] 33:13                                                           | <b>Baltimore</b> [19] 1:3,8,8<br>2:9 3:5 10:8,16 12:6,12<br>12:13,17,18 13:15,18<br>21:15 33:14 40:14 60:11<br>66:2                                                      | <b>building</b> [5] 1:9 15:3,4<br>15:10 43:16                       |
| <b>1</b> [1] 66:16                                                         | <b>4B</b> [3] 18:11,13 67:10                                          | <b>agree</b> [3] 8:13 45:4 63:13                                               | <b>bank</b> [1] 16:17                                                                                                                                                    | <b>builds</b> [1] 31:14                                             |
| <b>10</b> [2] 52:9,10                                                      | <b>4C</b> [3] 18:11,13 67:10                                          | <b>agreed</b> [2] 63:9,12                                                      | <b>banks</b> [3] 19:10 29:2<br>58:6                                                                                                                                      | <b>built</b> [4] 31:3 43:9 46:11<br>60:2                            |
| <b>100</b> [1] 59:5                                                        | <b>4D</b> [3] 20:3,5 67:11                                            | <b>agreement</b> [1] 59:4                                                      | <b>Barhight</b> [27] 1:18 2:15<br>2:16 3:13 4:4,16 11:12<br>14:1,5,16,18 15:11,17<br>18:10 20:2 27:6 29:9<br>31:10 34:18 39:1 40:7<br>40:11 42:17 55:1 62:15<br>64:16,21 | <b>burdened</b> [1] 33:1                                            |
| <b>106</b> [1] 1:10                                                        | <b>4E</b> [4] 64:18 65:1,2 67:12                                      | <b>ahead</b> [5] 11:18 17:21<br>55:9 56:19 62:21                               | <b>based</b> [1] 40:12                                                                                                                                                   | <b>business</b> [2] 2:7 64:2                                        |
| <b>10:40</b> [1] 1:10                                                      | <b>-5-</b>                                                            | <b>allow</b> [1] 8:13                                                          | <b>basin</b> [2] 23:12 51:14                                                                                                                                             | <b>-C-</b>                                                          |
| <b>111</b> [1] 1:9                                                         | <b>50</b> [1] 7:8                                                     | <b>allowing</b> [1] 30:11                                                      | <b>basis</b> [1] 47:10                                                                                                                                                   | <b>C</b> [1] 1:16                                                   |
| <b>115</b> [1] 44:5                                                        | <b>515</b> [1] 11:15                                                  | <b>alluded</b> [1] 5:12                                                        | <b>bathtub</b> [1] 52:3                                                                                                                                                  | <b>calculation</b> [3] 44:10<br>47:3 56:7                           |
| <b>12</b> [2] 57:10,14                                                     | <b>55</b> [1] 67:4                                                    | <b>almost</b> [2] 3:12 25:16                                                   | <b>bed</b> [2] 17:17 24:8                                                                                                                                                | <b>calculations</b> [3] 23:14<br>39:7 40:4                          |
| <b>120</b> [1] 53:16                                                       | <b>550</b> [1] 10:9                                                   | <b>along</b> [3] 19:2 26:19 61:4                                               | <b>beginning</b> [2] 43:15 45:1                                                                                                                                          | <b>cannot</b> [2] 46:21 51:6                                        |
| <b>13</b> [3] 1:4,11 67:2                                                  | <b>-6-</b>                                                            | <b>among</b> [3] 18:4 36:10<br>40:13                                           | <b>behalf</b> [2] 1:16,19                                                                                                                                                | <b>capability</b> [1] 18:17                                         |
| <b>13441</b> [1] 10:9                                                      | <b>-7-</b>                                                            | <b>amount</b> [10] 24:12 26:12<br>33:11 35:7 40:2 42:3<br>45:18 48:5,7 50:12   | <b>behind</b> [2] 18:3 50:4                                                                                                                                              | <b>capture</b> [2] 27:18 46:17                                      |
| <b>14</b> [1] 67:8                                                         | <b>75</b> [1] 7:9                                                     | <b>answer</b> [6] 6:12 22:12<br>34:15 42:5 44:2,19                             | <b>belabor</b> [1] 7:13                                                                                                                                                  | <b>carries</b> [1] 7:11                                             |
| <b>16</b> [1] 67:9                                                         | <b>-9-</b>                                                            | <b>answers</b> [1] 3:1                                                         | <b>believes</b> [1] 37:3                                                                                                                                                 | <b>carry</b> [2] 7:11 14:16                                         |
| <b>18</b> [1] 67:10                                                        | <b>9</b> [2] 10:7 52:11                                               | <b>anticipated</b> [1] 22:15                                                   | <b>benefit</b> [1] 6:21                                                                                                                                                  | <b>case</b> [10] 1:3,4 5:13 6:2<br>6:20 7:6 25:16,18 32:19<br>54:21 |
| <b>180</b> [1] 22:11                                                       | <b>90-degree</b> [1] 25:11                                            | <b>antique</b> [1] 20:13                                                       | <b>Bennett</b> [1] 8:20                                                                                                                                                  | <b>cases</b> [2] 23:2 27:12                                         |
| <b>1975</b> [1] 33:7                                                       | <b>-A-</b>                                                            | <b>appear</b> [1] 22:11                                                        | <b>Betty</b> [1] 19:20                                                                                                                                                   | <b>catch</b> [1] 51:1                                               |
| <b>1996</b> [12] 5:13 6:9,13,14<br>21:10,16 22:12 23:1<br>39:11,21 58:3,19 | <b>a.m</b> [1] 1:10                                                   | <b>APPEARANCES</b> [1]<br>1:15                                                 | <b>between</b> [6] 12:3 19:7<br>38:20 39:10,20 57:20                                                                                                                     | <b>catches</b> [1] 52:4                                             |
| <b>1998</b> [2] 10:7 12:2                                                  | <b>able</b> [1] 6:1                                                   | <b>appreciate</b> [2] 2:11<br>30:11                                            | <b>big</b> [3] 20:13 51:20 52:3                                                                                                                                          | <b>cell</b> [1] 52:18                                               |
| <b>1A</b> [5] 4:11,17,21 11:20<br>67:6                                     | <b>above-entitled</b> [1] 1:7                                         | <b>approach</b> [2] 11:13<br>55:12                                             | <b>bin</b> [1] 51:20                                                                                                                                                     | <b>center</b> [1] 26:6                                              |
| <b>1B</b> [5] 4:11,17,21 28:3<br>67:6                                      | <b>absolutely</b> [1] 8:15                                            | <b>appropriate</b> [2] 11:16<br>42:18                                          | <b>bit</b> [5] 7:4 16:9 30:18<br>33:17,19                                                                                                                                | <b>certain</b> [2] 33:12 52:7                                       |
| <b>-2-</b>                                                                 | <b>accept</b> [2] 3:17 33:1                                           | <b>approve</b> [2] 27:3 48:9                                                   | <b>board</b> [3] 4:11 11:19<br>55:12                                                                                                                                     | <b>certainly</b> [4] 7:10 41:17<br>48:2 54:1                        |
| <b>2</b> [6] 14:2,4 31:20 38:15<br>67:4,7                                  | <b>accepted</b> [1] 3:10                                              | <b>approved</b> [3] 21:21<br>22:15 30:21                                       | <b>bodies</b> [1] 3:11                                                                                                                                                   | <b>certainty</b> [2] 50:1,5                                         |
| <b>20</b> [2] 19:18 67:11                                                  | <b>According</b> [1] 54:3                                             | <b>approximate</b> [2] 15:13<br>62:16                                          | <b>body</b> [1] 20:13                                                                                                                                                    | <b>certify</b> [2] 66:4,7                                           |
| <b>2003</b> [4] 1:4,11 66:12<br>67:2                                       | <b>accurate</b> [1] 66:5                                              | <b>area</b> [11] 5:10 14:20 16:8<br>16:12,17 23:11 50:1<br>51:20 59:10 60:8,20 | <b>bottom</b> [5] 55:17 56:8<br>56:21 57:6,20                                                                                                                            | <b>Chairman</b> [1] 38:8                                            |
| <b>2006</b> [1] 66:16                                                      | <b>acquire</b> [1] 41:19                                              | <b>argue</b> [1] 46:21                                                         | <b>bought</b> [3] 10:15 12:16<br>13:15                                                                                                                                   | <b>chance</b> [2] 14:9 50:8                                         |
| <b>21204</b> [1] 1:10                                                      | <b>acquired</b> [10] 10:5,5,16<br>12:5,9 21:11,13 22:14<br>36:17 40:9 | <b>assistant</b> [1] 56:3                                                      | <b>boundary</b> [1] 15:13                                                                                                                                                | <b>change</b> [1] 27:15                                             |
| <b>21244</b> [1] 2:9                                                       | <b>acquires</b> [2] 10:10,11                                          | <b>associated</b> [1] 12:2                                                     | <b>Bowler</b> [9] 19:19,19,19<br>19:20 20:18,19 21:5 25:5<br>27:12                                                                                                       | <b>changed</b> [8] 9:21 10:3,4<br>10:21 21:10 22:12,19<br>58:4      |
| <b>24</b> [7] 22:7 44:8 57:10,14<br>62:17,18 63:5                          | <b>acre</b> [1] 24:10                                                 | <b>Associates</b> [2] 2:10<br>56:15                                            | <b>bowling's</b> [2] 22:2 31:6                                                                                                                                           | <b>channel</b> [2] 23:19 36:5                                       |
| <b>24-inch</b> [9] 7:7 8:7 9:18<br>10:2 17:1,3 22:5 31:1<br>36:14          | <b>activities</b> [1] 5:3                                             | <b>Association</b> [1] 1:17                                                    |                                                                                                                                                                          | <b>characterized</b> [3] 9:6<br>9:14 40:19                          |
| <b>25</b> [2] 6:3 43:10                                                    | <b>actual</b> [2] 4:10 18:12                                          | <b>assume</b> [1] 15:2                                                         |                                                                                                                                                                          | <b>check</b> [1] 44:11                                              |
| <b>-3-</b>                                                                 | <b>addition</b> [4] 24:4 26:7<br>34:7 35:10                           | <b>assuming</b> [1] 27:2                                                       |                                                                                                                                                                          | <b>checked</b> [1] 39:21                                            |
|                                                                            | <b>additional</b> [2] 32:7 34:8                                       | <b>attached</b> [1] 13:1                                                       |                                                                                                                                                                          | <b>Chesapeake</b> [1] 1:9                                           |
|                                                                            | <b>additionally</b> [1] 35:2                                          |                                                                                |                                                                                                                                                                          | <b>circumstance</b> [1] 10:21                                       |
|                                                                            | <b>address</b> [3] 2:7 28:19<br>33:20                                 |                                                                                |                                                                                                                                                                          | <b>circumstances</b> [1] 42:18                                      |
|                                                                            |                                                                       |                                                                                |                                                                                                                                                                          | <b>civil</b> [3] 3:3,6,14                                           |
|                                                                            |                                                                       |                                                                                |                                                                                                                                                                          | <b>clarify</b> [1] 13:4                                             |



|                                                                                                                                            |                                                                                                                                                                                                                           |                                                                             |                                                                                                                            |                                                                                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| Clark [26] 1:16 3:18,19<br>3:20 4:3,18,19 10:18,19<br>12:20 14:20 15:19,20<br>18:7 29:15,17 53:5 54:12<br>55:3,4,9,10,15 56:19<br>64:13,15 | construction [2] 22:1<br>29:8                                                                                                                                                                                             | dedication [1] 44:2                                                         | document [3] 11:18,19<br>38:19                                                                                             | essentially [2] 32:15<br>35:14                                                                   |
| clean [1] 54:10                                                                                                                            | context [3] 17:18 18:21<br>19:12                                                                                                                                                                                          | deed [9] 10:7,9,10,17<br>11:15,21 12:19 40:8,13                             | doesn't [9] 31:18 47:7<br>49:1,3,4,4,17 52:5 63:15                                                                         | established [2] 34:12<br>34:13                                                                   |
| clear [6] 16:21 27:7 32:12<br>42:9 44:1 56:11                                                                                              | continue [2] 34:20 45:3                                                                                                                                                                                                   | defined [1] 25:16                                                           | dominant [1] 33:3                                                                                                          | evaluation [1] 38:5                                                                              |
| Club [1] 26:14                                                                                                                             | controlled [1] 36:1                                                                                                                                                                                                       | definition [1] 28:17                                                        | done [9] 5:9 21:19,20<br>26:8,9,14 41:14 44:1<br>64:3                                                                      | evaporate [1] 49:4                                                                               |
| Cobblestone [8] 1:16<br>5:11 8:18 26:4,9 44:5<br>49:11 63:6                                                                                | controls [1] 34:8                                                                                                                                                                                                         | degree [1] 34:20                                                            | doubt [1] 47:15                                                                                                            | events [1] 66:9                                                                                  |
| Cobblestone's [2] 59:4<br>59:11                                                                                                            | convey [1] 8:13                                                                                                                                                                                                           | degrees [2] 3:7 22:11                                                       | down [23] 7:14,20 8:1,6<br>16:10,16 18:9 19:6,9<br>20:14 26:15 27:20 33:9<br>45:1 49:4,5 50:3,4 55:5<br>59:15,18 61:8 65:6 | eventually [1] 49:6                                                                              |
| collect [3] 35:13 51:9<br>63:6                                                                                                             | conveyed [1] 12:16                                                                                                                                                                                                        | denied [1] 41:1                                                             | downhill [6] 45:8,9,10<br>45:14 46:7 50:6                                                                                  | evergreen [1] 59:5                                                                               |
| collection [1] 51:14                                                                                                                       | corner [5] 20:9 21:2 23:7<br>50:4 55:18                                                                                                                                                                                   | Department [1] 63:10                                                        | downstream [2] 32:21<br>35:1                                                                                               | everybody [2] 7:4 22:9                                                                           |
| collects [2] 60:20 61:6                                                                                                                    | corporate [2] 43:17<br>43:17                                                                                                                                                                                              | depreciation [1] 63:17                                                      | dozen [1] 3:9                                                                                                              | everybody's [1] 6:8                                                                              |
| colleges [1] 3:9                                                                                                                           | correct [6] 17:5 35:5,17<br>40:9 46:8 56:7                                                                                                                                                                                | DEPRM [2] 23:15 36:17                                                       | drafted [1] 28:8                                                                                                           | evidence [8] 5:1 14:7<br>16:5 18:15 20:6,16 25:9<br>65:3                                         |
| combine [1] 2:21                                                                                                                           | correctly [1] 34:19                                                                                                                                                                                                       | describe [3] 30:16,18<br>32:16                                              | drain [9] 8:7 24:20 25:1<br>25:10 49:18 56:1 57:10<br>60:7 63:8                                                            | exactly [4] 31:8 36:10<br>48:19 64:10                                                            |
| combined [1] 7:20                                                                                                                          | corrugated [2] 7:7,7                                                                                                                                                                                                      | described [1] 41:10                                                         | drainage [3] 50:1 59:10<br>60:21                                                                                           | EXAMINATION [2]<br>2:14 55:14                                                                    |
| comfortable [1] 9:16                                                                                                                       | counsel [1] 66:7                                                                                                                                                                                                          | design [6] 31:20 36:12<br>38:15 51:1 63:9,12                                | drawn [1] 59:16                                                                                                            | examined [1] 2:5                                                                                 |
| coming [20] 14:15 26:13<br>27:4 32:10 33:2 45:18<br>46:13 49:2,10,10,11,12<br>51:2 52:4,10,11,15 53:16<br>59:21 60:6                       | Country [1] 26:14                                                                                                                                                                                                         | designed [9] 21:17 22:15<br>30:21 33:18 44:4,5 50:19<br>50:20 57:10         | drains [2] 50:3 60:8                                                                                                       | excavated [1] 58:10                                                                              |
| comment [3] 30:4,5,8                                                                                                                       | county [4] 1:3,8,9 3:5<br>8:3 9:12 10:8,16 12:6,12<br>12:13,17,18 13:9,15,18<br>15:4,10 16:13 21:15<br>28:14 31:13,16 33:14<br>34:12,13 40:14 43:14,15<br>43:20,21 45:6,20 47:12<br>47:21 54:4 60:11 62:20<br>63:9 66:2,4 | designs [1] 33:18                                                           | dramatically [1] 22:20                                                                                                     | except [2] 3:7 62:20                                                                             |
| comments [1] 36:21                                                                                                                         | County's [1] 37:3                                                                                                                                                                                                         | detain [1] 34:4                                                             | drawn [1] 59:16                                                                                                            | Excuse [1] 14:5                                                                                  |
| commission [1] 66:16                                                                                                                       | couple [2] 27:7 30:10                                                                                                                                                                                                     | determination [1] 23:12                                                     | driveways [1] 35:12                                                                                                        | excused [1] 65:4                                                                                 |
| commissioner [12] 1:2<br>1:8,14 5:13 7:16 8:4,17<br>9:6 23:2 27:3 61:16 65:5                                                               | course [5] 13:6 19:9 24:2<br>25:20 27:1                                                                                                                                                                                   | determine [1] 31:17                                                         | dug [1] 58:11                                                                                                              | exhibit [17] 4:10,10,17<br>11:13,19 14:2,6 15:14<br>15:19 16:4 20:3,5 28:2,3<br>53:21 64:18 65:2 |
| commissioner's [3]<br>2:11 20:8,11                                                                                                         | courts [1] 3:10                                                                                                                                                                                                           | develop [3] 26:5 32:5<br>33:9                                               | duly [1] 2:3                                                                                                               | Exhibits [4] 4:21 18:11<br>18:13 67:5                                                            |
| community [1] 54:14                                                                                                                        | cover [1] 19:2                                                                                                                                                                                                            | developed [4] 26:4,5,8<br>33:16                                             | dump [2] 44:7,14                                                                                                           | existing [9] 12:3 21:8,18<br>25:13 27:8 28:21 41:13<br>60:2 62:17                                |
| companies [2] 8:19<br>21:14                                                                                                                | create [1] 64:4                                                                                                                                                                                                           | developer [3] 1:19 9:1<br>41:11                                             | dumped [1] 18:19                                                                                                           | exists [1] 25:8                                                                                  |
| compare [1] 7:1                                                                                                                            | created [1] 4:13                                                                                                                                                                                                          | development [10] 1:2<br>3:4,15 17:11 28:7 32:11<br>32:12 34:6 45:7,15       | during [2] 37:8 57:4                                                                                                       | expense [1] 21:18                                                                                |
| completely [2] 7:5 16:13                                                                                                                   | Cross [2] 55:14 67:3                                                                                                                                                                                                      | device [1] 57:8                                                             | -E-                                                                                                                        | expert [5] 2:18 3:3,10<br>3:14 46:20                                                             |
| computation [1] 37:12                                                                                                                      | crossed [1] 30:17                                                                                                                                                                                                         | difference [3] 17:5 33:21<br>38:20                                          | E [6] 1:14,21 2:2 66:3,14<br>67:1                                                                                          | expire [1] 66:16                                                                                 |
| computations [2] 37:4<br>40:1                                                                                                              | cubic [2] 24:3 34:1                                                                                                                                                                                                       | differences [1] 39:10                                                       | easement [5] 8:13 33:1<br>33:3,4 60:11                                                                                     | explain [7] 6:17 10:3<br>19:11 28:5 30:15 32:8<br>43:7                                           |
| concern [3] 18:16 37:6<br>46:10                                                                                                            | culvert [15] 16:15,20<br>21:17,19 22:1,6,14,17<br>25:14 31:1,2,5,14,15<br>36:15                                                                                                                                           | different [1] 6:12,15<br>7:5 16:14 22:3,21 29:18<br>29:18 33:19 38:11 58:18 | easier [1] 29:19                                                                                                           | explained [1] 37:7                                                                               |
| concerned [2] 36:9 44:3                                                                                                                    | current [1] 19:21                                                                                                                                                                                                         | direct [3] 2:14 5:2 67:3                                                    | easy [1] 52:10                                                                                                             | explanation [1] 39:20                                                                            |
| concerns [4] 28:20 43:1<br>45:6 46:5                                                                                                       | customary [1] 28:15                                                                                                                                                                                                       | direction [7] 4:14 49:5<br>49:7,18,19 59:6,18                               | edge [1] 25:21                                                                                                             | exposed [1] 57:20                                                                                |
| conclude [1] 53:19                                                                                                                         | -D-                                                                                                                                                                                                                       | disagree [1] 49:21                                                          | educational [1] 3:1                                                                                                        | expressed [1] 37:5                                                                               |
| conclusion [1] 48:4                                                                                                                        | D [3] 2:2,2 67:1                                                                                                                                                                                                          | discharge [10] 16:11,18<br>24:1,2,15 32:14 34:1<br>42:3 52:8 60:11          | either [4] 31:9 45:10,16<br>57:10                                                                                          | extent [1] 64:20                                                                                 |
| concrete [3] 55:21,21<br>57:1                                                                                                              | D.S [3] 2:10 56:11,15                                                                                                                                                                                                     | discharged [1] 27:19                                                        | elevation [1] 56:2                                                                                                         | extracting [1] 24:16                                                                             |
| condemn [1] 9:13                                                                                                                           | dam [1] 58:12                                                                                                                                                                                                             | discharges [3] 18:2<br>26:19,20                                             | embankment [1] 59:2                                                                                                        | extraction [2] 24:11,13                                                                          |
| condition [5] 19:21 21:8<br>27:8,15 28:21                                                                                                  | Dams [1] 58:14                                                                                                                                                                                                            | discharging [1] 59:17                                                       | emphasize [1] 59:1                                                                                                         | -F-                                                                                              |
| confused [1] 7:4                                                                                                                           | dare [1] 53:4                                                                                                                                                                                                             | discuss [1] 64:7                                                            | end [6] 16:7 18:1 26:17<br>31:4,15 44:14                                                                                   | facilities [6] 23:7,8 26:15<br>50:20 51:13 52:1                                                  |
| connect [2] 48:14 63:16                                                                                                                    | David [3] 1:6 2:8 67:4                                                                                                                                                                                                    | discussion [1] 41:16                                                        | engineer [2] 47:13 48:2                                                                                                    | facility [15] 24:20 27:19<br>32:9 35:9,13 41:8 55:18<br>56:21 57:21 58:5,10,19<br>59:2,11 60:16  |
| connection [2] 17:4<br>39:16                                                                                                               | days [2] 57:5,12                                                                                                                                                                                                          | discussion [3] 44:14<br>53:7 56:17                                          | engineering [4] 3:4,14<br>37:13 47:16                                                                                      | fail [1] 58:16                                                                                   |
| consideration [1] 63:21                                                                                                                    | days' [1] 57:11                                                                                                                                                                                                           | dissertation [1] 3:8                                                        | Environmental [2] 42:7<br>63:11                                                                                            | failed [1] 64:17                                                                                 |
| construct [1] 22:16                                                                                                                        | deal [1] 43:13                                                                                                                                                                                                            | dissipater [1] 30:19                                                        | eroded [1] 18:18                                                                                                           | fair [4] 6:11 22:10 37:9<br>46:4                                                                 |
|                                                                                                                                            | debate [1] 46:21                                                                                                                                                                                                          | distinction [1] 39:20                                                       | erosion [2] 45:12 46:15                                                                                                    | familiar [2] 2:19 4:6                                                                            |
|                                                                                                                                            | December [1] 10:7                                                                                                                                                                                                         |                                                                             | especially [1] 11:16                                                                                                       | far [4] 4:12 24:9 46:1                                                                           |
|                                                                                                                                            | decision [2] 37:6 54:2                                                                                                                                                                                                    |                                                                             | Esquire [3] 1:14,16,18                                                                                                     |                                                                                                  |
|                                                                                                                                            | dedicate [1] 43:14                                                                                                                                                                                                        |                                                                             |                                                                                                                            |                                                                                                  |
|                                                                                                                                            | dedicated [1] 43:21                                                                                                                                                                                                       |                                                                             |                                                                                                                            |                                                                                                  |



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 58:14<br><b>Farms</b> [5] 9:2,11 10:13<br>13:13 18:9<br><b>faster</b> [3] 45:11 46:13,14<br><b>favor</b> [1] 52:13<br><b>feasible</b> [1] 41:5<br><b>fee</b> [3] 12:11,19 13:9<br><b>feet</b> [9] 10:11 11:4,6 12:3<br>12:5 24:3,11 34:1 59:5<br><b>fellow's</b> [1] 10:13<br><b>felt</b> [2] 9:17,20<br><b>Festival</b> [2] 26:7,9<br><b>few</b> [2] 10:3 26:2<br><b>field</b> [4] 6:1 25:9 28:21<br>47:1<br><b>figure</b> [1] 51:6<br><b>file</b> [3] 42:12,15,20<br><b>filter</b> [3] 23:11 24:7<br>51:17<br><b>final</b> [1] 61:13<br><b>finding</b> [1] 21:7<br><b>fine</b> [3] 2:7 19:3 43:3<br><b>finish</b> [2] 11:10 50:14<br><b>finished</b> [1] 52:12<br><b>firm</b> [2] 21:18 26:8<br><b>first</b> [5] 2:3 23:9 33:21<br>44:2 51:13<br><b>Fisher</b> [2] 1:17 61:4<br><b>five</b> [1] 23:8<br><b>fix</b> [1] 8:3<br><b>flood</b> [7] 25:20 27:16<br>36:6,7 46:14 52:5,8<br><b>flooding</b> [2] 25:6 29:1<br><b>floods</b> [1] 25:20<br><b>flow</b> [5] 32:20 33:2,5<br>34:21 49:7<br><b>flowing</b> [3] 25:2,4 27:9<br><b>flows</b> [1] 40:3<br><b>focus</b> [1] 41:3<br><b>focusing</b> [1] 29:11<br><b>Folio</b> [1] 10:9<br><b>folks</b> [2] 54:8,13<br><b>follow</b> [1] 16:3<br><b>follows</b> [1] 2:5<br><b>foot</b> [1] 57:6<br><b>foregoing</b> [1] 66:5<br><b>foundation</b> [2] 5:15 6:6<br><b>four</b> [2] 7:17 52:1<br><b>fourth</b> [1] 8:2<br><b>frankly</b> [1] 12:14<br><b>Fred</b> [2] 10:8 12:18<br><b>free</b> [1] 48:2<br><b>fresh</b> [1] 29:20<br><b>front</b> [7] 20:1,17,19 21:5<br>21:6 25:6 27:13<br><b>fronts</b> [1] 25:5<br><b>full</b> [3] 9:19,20 39:19<br><b>funeral</b> [3] 49:11 52:16<br>63:7 | <b>future</b> [2] 9:13 44:4<br><hr/> <b>-G-</b><br><b>G</b> [1] 1:18<br><b>Gabion</b> [3] 16:11 25:13<br>30:18<br><b>gallons</b> [5] 24:4 34:2<br>52:9,10,11<br><b>general</b> [1] 49:7<br><b>gentleman</b> [1] 64:4<br><b>given</b> [1] 42:15<br><b>giving</b> [3] 8:19 9:3,4<br><b>glad</b> [1] 58:21<br><b>God</b> [1] 45:2<br><b>goes</b> [14] 7:8 12:1 18:3<br>24:19,20 46:7 49:7 51:11<br>51:13,14,16 52:3 59:15<br>61:8<br><b>gone</b> [1] 28:10<br><b>good</b> [1] 58:21<br><b>graded</b> [1] 19:6<br><b>grading</b> [1] 61:7<br><b>granted</b> [2] 21:14,14<br><b>grantee</b> [1] 12:18<br><b>grantor</b> [1] 12:17<br><b>grass</b> [1] 33:10<br><b>grassed</b> [1] 57:1<br><b>gravel</b> [4] 23:11 24:8<br>51:19 52:1<br><b>great</b> [1] 46:2<br><b>Greenebaum</b> [4] 8:18<br>9:10 21:13,21<br><b>Greenebaum's</b> [1]<br>21:17<br><b>ground</b> [4] 24:17 34:11<br>50:20 52:2<br><b>guaranteed</b> [1] 53:10<br><b>guess</b> [4] 7:12 57:1 58:3<br>60:20<br><b>guy</b> [1] 9:11<br><hr/> <b>-H-</b><br><b>H</b> [1] 2:2<br><b>half</b> [1] 10:6<br><b>hand</b> [1] 66:11<br><b>handle</b> [1] 19:7<br><b>hang</b> [5] 11:11 13:5 54:5<br>54:7 56:10<br><b>happening</b> [2] 20:20<br>35:16<br><b>hard</b> [1] 35:21<br><b>hardware</b> [1] 41:10<br><b>head</b> [1] 47:6<br><b>heard</b> [2] 23:2 25:7<br><b>hearing</b> [7] 1:1,7,14 8:20<br>10:7 18:17 37:8<br><b>heavy</b> [2] 35:20 57:4<br><b>Hekler</b> [48] 6:7 8:11,12<br>9:3,11 11:8 13:4,6 14:8<br>14:10,14 28:20 29:20 | 41:16 42:2 43:5,7,13,19<br>44:18,21 45:2 46:9,21<br>47:8,9 48:4,11,18 49:8<br>49:16 50:7,11,18 53:8<br>53:10,16,19 54:3,7 61:13<br>61:18 63:1,5,13 64:1,9<br>64:11<br><b>Hekler's</b> [8] 11:7 12:4<br>13:2 15:9 18:4 19:18<br>21:6 27:14<br><b>held</b> [1] 32:8<br><b>help</b> [2] 20:12 59:6<br><b>helpful</b> [2] 7:1 42:14<br><b>hereby</b> [1] 66:4<br><b>hereunto</b> [1] 66:10<br><b>hidden</b> [1] 16:20<br><b>higher</b> [1] 36:6<br><b>highlight</b> [3] 27:6 39:6<br>39:10<br><b>highlighted</b> [3] 11:15<br>12:8 39:9<br><b>hill</b> [1] 45:1<br><b>himself</b> [1] 13:7<br><b>history</b> [1] 42:15<br><b>hold</b> [3] 35:14 46:17<br>52:10<br><b>holder</b> [1] 33:4<br><b>holds</b> [2] 52:5,6<br><b>hole</b> [4] 52:1 58:10,15<br>59:2<br><b>Homan</b> [4] 10:8,15 12:16<br>12:18<br><b>home</b> [3] 49:11 53:1,5<br><b>homeowner</b> [1] 36:8<br><b>Homeowners'</b> [1] 1:16<br><b>homes</b> [1] 19:17<br><b>hop</b> [1] 2:12<br><b>hopefully</b> [2] 26:9 43:1<br><b>Horse</b> [3] 20:9 21:4<br>27:10<br><b>hours</b> [2] 57:10,14<br><b>house</b> [4] 19:18 43:9 50:5<br>63:17<br><b>houses</b> [8] 19:16,17 25:5<br>33:10 35:12 44:5 53:16<br>59:21<br><b>Howard</b> [1] 26:5<br><b>human</b> [1] 64:5<br><b>hundred</b> [3] 24:15 33:13<br>33:15<br><b>hundred-year</b> [3] 7:11<br>19:9 23:20<br><hr/> <b>-I-</b><br><b>ice</b> [3] 20:11,13 25:1<br><b>identification</b> [6] 4:12<br>14:7 16:5 18:14 20:6<br>65:3<br><b>identified</b> [5] 4:11 15:14<br>27:8,12 28:3<br><b>identify</b> [1] 28:1<br><b>III-377</b> [1] 1:3 | <b>immediately</b> [2] 11:5<br>35:21<br><b>impacted</b> [1] 54:16<br><b>impervious</b> [2] 32:6<br>35:10<br><b>implement</b> [1] 41:13<br><b>impossible</b> [1] 58:16<br><b>improve</b> [1] 29:4<br><b>improved</b> [2] 26:12,21<br><b>Inc</b> [1] 1:17<br><b>inches</b> [4] 44:8 62:17,18<br>63:5<br><b>including</b> [2] 11:8 46:8<br><b>incorporate</b> [1] 31:14<br><b>increase</b> [4] 33:11 48:6<br>48:8,12<br><b>increased</b> [1] 34:3<br><b>indicate</b> [1] 64:16<br><b>indicated</b> [2] 30:4 66:6<br><b>indicating</b> [3] 15:12<br>34:17 62:16<br><b>indulgence</b> [1] 2:11<br><b>inevitably</b> [1] 33:10<br><b>inflow</b> [2] 55:20,21<br><b>information</b> [3] 21:12<br>22:18 55:17<br><b>inject</b> [1] 50:20<br><b>injects</b> [1] 52:2<br><b>insignificant</b> [1] 24:9<br><b>install</b> [2] 41:9,9<br><b>instance</b> [1] 24:10<br><b>instead</b> [1] 33:10<br><b>interest</b> [1] 54:17<br><b>interested</b> [3] 32:13 36:4<br>66:9<br><b>interfere</b> [1] 60:2<br><b>interject</b> [1] 12:21<br><b>interpreted</b> [1] 33:6<br><b>interrupt</b> [1] 17:20<br><b>intersection</b> [3] 21:3<br>25:2 27:10<br><b>Intimately</b> [1] 4:8<br><b>introduce</b> [6] 4:16 14:1<br>15:18 18:10 20:2 64:17<br><b>introduced</b> [2] 4:9,12<br><b>involved</b> [2] 5:4,7<br><b>Iron</b> [3] 20:9 21:4 27:10<br><b>issue</b> [4] 19:11 29:12<br>31:21 37:7<br><b>issues</b> [5] 3:5 5:17 27:7<br>29:13 38:15<br><b>itself</b> [1] 25:15<br><hr/> <b>-J-</b><br><b>Jennifer</b> [1] 19:19<br><b>job</b> [3] 39:8,9 50:14<br><hr/> <b>-K-</b><br><b>keep</b> [3] 53:21 54:10 55:7 | <b>keeps</b> [1] 4:5<br><b>kind</b> [4] 8:13 23:10 41:19<br>58:8<br><b>knew</b> [2] 9:2,10<br><hr/> <b>-L-</b><br><b>L</b> [1] 2:2<br><b>labeled</b> [1] 30:14<br><b>laid</b> [1] 6:6<br><b>land</b> [6] 3:14 8:17 9:1<br>10:11 40:14 43:14<br><b>landowner</b> [1] 8:9<br><b>landscaping</b> [1] 58:4<br><b>Lane</b> [18] 7:8,14 11:5<br>12:4 16:10 17:9 20:9,10<br>21:4,4,19 27:10,11,13<br>27:21 43:10 58:1 62:4<br><b>last</b> [11] 6:4 16:14 17:6<br>18:16,17 20:7 26:3 28:19<br>37:5 41:17 53:12<br><b>late</b> [1] 28:11<br><b>law</b> [6] 32:19 34:12,13<br>34:14 36:8 46:4<br><b>LAWRENCE</b> [1] 1:14<br><b>lay</b> [2] 5:15 58:9<br><b>laymen's</b> [1] 32:4<br><b>least</b> [1] 6:3<br><b>leaving</b> [3] 21:1 24:14<br>33:15<br><b>left</b> [1] 52:2<br><b>legally</b> [1] 28:16<br><b>Leo</b> [1] 12:21<br><b>less</b> [6] 33:17 34:5 35:15<br>45:18 46:19 50:15<br><b>letter</b> [1] 14:4<br><b>letting</b> [1] 2:12<br><b>level</b> [3] 36:6,7 52:7<br><b>Levinson's</b> [1] 26:4<br><b>life</b> [5] 44:7,15 63:15 64:7<br>64:8<br><b>line</b> [4] 15:7,13 19:3 49:8<br><b>listen</b> [2] 53:20 54:1<br><b>live</b> [2] 53:13 61:19<br><b>lived</b> [1] 9:4<br><b>lives</b> [2] 61:4,5<br><b>local</b> [1] 33:7<br><b>located</b> [1] 11:1<br><b>location</b> [2] 15:13 62:16<br><b>look</b> [3] 6:19 14:12 48:3<br><b>looked</b> [3] 14:21 39:15<br>47:13<br><b>looking</b> [1] 36:21<br><b>lose</b> [1] 4:2<br><b>lower</b> [4] 23:7 36:6 48:6<br>51:2<br><b>lowered</b> [1] 26:12<br><b>lowers</b> [1] 36:7<br><hr/> <b>-M-</b><br><b>man</b> [1] 50:12 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



|                                                                                                                                            |                                                                                                                                                                                                                                |                                                                                                                                                                 |                                                                                                                     |                                                                                                                                                                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>manage</b> [3] 34:13 35:2 35:14                                                                                                         | <b>morning</b> [1] 15:1                                                                                                                                                                                                        | <b>occasions</b> [1] 5:21                                                                                                                                       | <b>part</b> [3] 38:18 41:2 43:17                                                                                    | <b>posted</b> [2] 21:21 22:16                                                                                                                                                                                                                         |
| <b>managed</b> [2] 24:1 33:12                                                                                                              | <b>most</b> [1] 10:21                                                                                                                                                                                                          | <b>occurs</b> [2] 29:1 45:7                                                                                                                                     | <b>particular</b> [4] 5:10 29:11,21 30:8                                                                            | <b>potted</b> [1] 3:20                                                                                                                                                                                                                                |
| <b>management</b> [23] 5:17 17:19 19:1,13,14 22:21 23:17,19 26:10 29:12 30:6 32:18 33:8 35:8 39:7 41:5,7 51:1 54:15 56:14 58:5 60:16 63:11 | <b>Mount</b> [16] 7:8,14 8:9 11:5 12:4 16:10 17:9 20:9 21:3,19 27:11,13 27:20 43:10 57:21 62:3                                                                                                                                 | <b>off</b> [16] 21:1 26:13,20 30:17 32:7 33:2,5 45:18 46:6,6 51:2 52:4 53:7 56:16,17 59:20                                                                      | <b>particularly</b> [1] 54:15                                                                                       | <b>predecessor</b> [1] 8:18                                                                                                                                                                                                                           |
| <b>manager</b> [1] 56:14                                                                                                                   | <b>mouth</b> [1] 37:10                                                                                                                                                                                                         | <b>offer</b> [2] 3:13 55:6                                                                                                                                      | <b>partly</b> [1] 15:4                                                                                              | <b>present</b> [1] 42:10                                                                                                                                                                                                                              |
| <b>manages</b> [3] 23:17,19 23:20                                                                                                          | <b>moves</b> [1] 15:17                                                                                                                                                                                                         | <b>offhand</b> [1] 59:13                                                                                                                                        | <b>party</b> [2] 26:19 66:8                                                                                         | <b>presently</b> [1] 45:8                                                                                                                                                                                                                             |
| <b>managing</b> [1] 24:14                                                                                                                  | <b>mowed</b> [1] 25:21                                                                                                                                                                                                         | <b>office</b> [3] 1:9 4:13 22:2                                                                                                                                 | <b>pass</b> [1] 33:4                                                                                                | <b>president</b> [1] 2:10                                                                                                                                                                                                                             |
| <b>manhole</b> [1] 25:11                                                                                                                   | <b>Ms</b> [4] 56:6,8,11 61:4                                                                                                                                                                                                   | <b>OFFICER/</b> [1] 1:1                                                                                                                                         | <b>past</b> [2] 5:3,8                                                                                               | <b>presumably</b> [1] 62:21                                                                                                                                                                                                                           |
| <b>manner</b> [1] 46:18                                                                                                                    | <b>must</b> [3] 7:8 33:1,11                                                                                                                                                                                                    | <b>Officer/Zoning</b> [2] 1:7 1:14                                                                                                                              | <b>patch</b> [1] 20:14                                                                                              | <b>presume</b> [3] 12:14 61:6 61:10                                                                                                                                                                                                                   |
| <b>map</b> [1] 50:1                                                                                                                        | <hr/> <b>-N-</b> <hr/>                                                                                                                                                                                                         | <b>old</b> [8] 6:20,20 7:6,6,9 12:1,1 36:14                                                                                                                     | <b>people</b> [4] 2:19 32:12 36:4 54:17                                                                             | <b>prevent</b> [1] 25:1                                                                                                                                                                                                                               |
| <b>March</b> [4] 1:4,10 66:12 67:2                                                                                                         | <b>N</b> [1] 67:1                                                                                                                                                                                                              | <b>once</b> [1] 45:7                                                                                                                                            | <b>people's</b> [1] 46:7                                                                                            | <b>previously</b> [1] 3:3                                                                                                                                                                                                                             |
| <b>Mariceleste</b> [1] 56:13                                                                                                               | <b>Nadine</b> [1] 1:17                                                                                                                                                                                                         | <b>one</b> [28] 7:18,20 8:19 9:8 12:15 16:7 18:7 19:14 21:14 24:15 26:9 27:1 31:17,19 33:14 34:8 37:20 38:10 43:16 50:12 54:5,7 56:10 58:6 60:14 61:13,18 64:18 | <b>per</b> [5] 24:3,3,4 34:1,2                                                                                      | <b>principal</b> [1] 10:20                                                                                                                                                                                                                            |
| <b>mark</b> [2] 16:1 65:1                                                                                                                  | <b>name</b> [2] 2:6 10:13                                                                                                                                                                                                      | <b>one-third</b> [1] 15:8                                                                                                                                       | <b>perfect</b> [1] 41:13                                                                                            | <b>principally</b> [2] 2:18 10:4                                                                                                                                                                                                                      |
| <b>marked</b> [5] 14:6 16:4 18:14 20:5 65:2                                                                                                | <b>natural</b> [3] 32:20 33:2,5                                                                                                                                                                                                | <b>one-year</b> [2] 19:8 23:17                                                                                                                                  | <b>perhaps</b> [2] 5:21 11:12                                                                                       | <b>private</b> [1] 22:16                                                                                                                                                                                                                              |
| <b>marking</b> [1] 64:21                                                                                                                   | <b>nature</b> [1] 28:6                                                                                                                                                                                                         | <b>ones</b> [1] 26:11                                                                                                                                           | <b>permanent</b> [2] 30:16 31:8                                                                                     | <b>problem</b> [7] 2:13 6:13 6:16 19:4 48:9 53:11 64:3                                                                                                                                                                                                |
| <b>Maryland</b> [6] 1:10 2:9 12:19 32:19 36:8 66:1                                                                                         | <b>necessary</b> [2] 41:6,18                                                                                                                                                                                                   | <b>onto</b> [2] 45:16,19                                                                                                                                        | <b>personally</b> [2] 28:10,11                                                                                      | <b>proceedings</b> [1] 66:6                                                                                                                                                                                                                           |
| <b>mass</b> [1] 34:10                                                                                                                      | <b>need</b> [3] 29:13 43:20 56:3                                                                                                                                                                                               | <b>opened</b> [1] 54:21                                                                                                                                         | <b>Ph.D</b> [1] 3:7                                                                                                 | <b>professional</b> [1] 28:12                                                                                                                                                                                                                         |
| <b>master's</b> [1] 3:7                                                                                                                    | <b>never</b> [1] 12:15                                                                                                                                                                                                         | <b>opinion</b> [8] 6:17,19 9:21 28:12 40:19 44:12 46:20 47:4                                                                                                    | <b>Phase</b> [2] 31:20 38:15                                                                                        | <b>project</b> [10] 4:7 5:8,11 39:16 42:16 46:11 48:13 51:10 52:16 56:14                                                                                                                                                                              |
| <b>mat</b> [1] 25:13                                                                                                                       | <b>new</b> [17] 21:16 22:20 23:2 23:18 24:7,8 27:4 31:1,4 31:15 33:20 34:19 35:11 36:13,14,15 39:9                                                                                                                             | <b>opportunity</b> [4] 5:4,7 5:16,20                                                                                                                            | <b>phone</b> [1] 52:18                                                                                              | <b>projects</b> [1] 5:9                                                                                                                                                                                                                               |
| <b>mathematical</b> [3] 40:4 49:21 50:5                                                                                                    | <b>next</b> [1] 44:9                                                                                                                                                                                                           | <b>opposed</b> [2] 7:2 32:11                                                                                                                                    | <b>phonetic</b> [1] 5:6                                                                                             | <b>proper</b> [3] 24:20,21 25:12                                                                                                                                                                                                                      |
| <b>matter</b> [4] 1:7 31:19 66:9 67:2                                                                                                      | <b>night</b> [1] 53:2                                                                                                                                                                                                          | <b>opposite</b> [1] 22:11                                                                                                                                       | <b>photograph</b> [2] 15:12 16:19                                                                                   | <b>properly</b> [1] 43:2                                                                                                                                                                                                                              |
| <b>may</b> [18] 7:16 9:12 10:17 13:6 14:16 22:3 31:14 35:20 39:1 50:1 54:16 54:17 55:10,13 57:5,12 64:17 65:6                              | <b>nobody</b> [4] 9:2,10 44:6 64:1                                                                                                                                                                                             | <b>options</b> [1] 7:17                                                                                                                                         | <b>photographs</b> [1] 64:19                                                                                        | <b>properties</b> [5] 20:19 21:6 27:12 35:1 46:8                                                                                                                                                                                                      |
| <b>mean</b> [6] 17:20 31:11 44:19 46:5 49:1,3                                                                                              | <b>none</b> [1] 57:19                                                                                                                                                                                                          | <b>Orchard</b> [1] 21:4                                                                                                                                         | <b>physically</b> [1] 23:13                                                                                         | <b>property</b> [53] 5:5,6 8:14 11:7,9 12:4 13:2 15:4,6 17:4,15 18:4 23:8 26:15 26:16 27:1,14 32:5,6,7 32:21 33:3,5,9,16 34:21 35:11 41:8,17 45:9,10 45:17,19,19 46:6,6 48:13 48:16,17 49:10,10,12,13 49:17 50:3 52:4 59:9,12 60:7,12 61:7 63:14 64:8 |
| <b>meaning</b> [1] 28:6                                                                                                                    | <b>normal</b> [2] 44:11,15                                                                                                                                                                                                     | <b>orderly</b> [1] 55:8                                                                                                                                         | <b>pick</b> [2] 25:3 61:2                                                                                           | <b>proposal</b> [5] 5:18 21:9 36:12 39:16 54:16                                                                                                                                                                                                       |
| <b>meets</b> [2] 37:3 45:20                                                                                                                | <b>north</b> [5] 7:18 8:17 17:9 21:12 25:13                                                                                                                                                                                    | <b>orifice</b> [1] 34:4                                                                                                                                         | <b>picked</b> [2] 25:9 31:4                                                                                         | <b>proposed</b> [10] 6:14 7:1 7:17 16:14 27:15 30:14 55:17 58:19 60:1,16                                                                                                                                                                              |
| <b>melts</b> [1] 48:21                                                                                                                     | <b>notarial</b> [1] 66:11                                                                                                                                                                                                      | <b>originally</b> [1] 13:13                                                                                                                                     | <b>picture</b> [11] 11:4 14:20 14:21 16:16 18:7 19:15 20:7,8 21:2 25:3 49:2                                         | <b>proposing</b> [1] 23:6                                                                                                                                                                                                                             |
| <b>mentioned</b> [1] 25:19                                                                                                                 | <b>Notary</b> [2] 66:3,15                                                                                                                                                                                                      | <b>otherwise</b> [1] 66:8                                                                                                                                       | <b>pictures</b> [1] 18:5                                                                                            | <b>protection</b> [3] 23:19 42:7 63:11                                                                                                                                                                                                                |
| <b>metal</b> [1] 7:7                                                                                                                       | <b>notes</b> [1] 64:16                                                                                                                                                                                                         | <b>ought</b> [1] 61:1                                                                                                                                           | <b>piece</b> [2] 12:1 43:14                                                                                         | <b>public</b> [3] 37:8 66:3,15                                                                                                                                                                                                                        |
| <b>middle</b> [8] 7:20 8:6 20:11 20:14 27:20 53:2 57:21 59:15                                                                              | <b>nothing</b> [5] 2:4 22:17 45:2 63:14 64:4                                                                                                                                                                                   | <b>outbox</b> [1] 57:1                                                                                                                                          | <b>pieces</b> [1] 29:18                                                                                             | <b>public's</b> [1] 59:7                                                                                                                                                                                                                              |
| <b>might</b> [5] 5:6 12:21 18:18 29:19 42:14                                                                                               | <b>notwithstanding</b> [1] 35:10                                                                                                                                                                                               | <b>outfall</b> [30] 6:9,12,14,15 7:5,13 8:5 16:7,8 17:6,7 18:1,8,12 22:8,18 25:12 25:18 28:4,13,18 30:15 30:16 31:12 32:10 36:14 36:15 38:1,5 39:8              | <b>Pikesville</b> [5] 9:2,11 10:13 13:12 18:9                                                                       | <b>purpose</b> [1] 29:11                                                                                                                                                                                                                              |
| <b>Miller</b> [4] 56:6,8,11,13                                                                                                             | <b>November</b> [1] 66:16                                                                                                                                                                                                      | <b>outfalls</b> [2] 6:2 38:21                                                                                                                                   | <b>pipe</b> [24] 7:7,7,9,15 9:20 16:10 17:1,3,8,16 25:17 27:20 41:7,9 57:17,19 57:19 59:14,19 61:21 62:6,10,11 63:8 | <b>purposes</b> [1] 4:12                                                                                                                                                                                                                              |
| <b>million</b> [1] 44:5                                                                                                                    | <b>now</b> [45] 4:1 7:2 11:14 13:9,18 16:12 17:1,7 18:16 20:1,20,21 21:9 21:20 22:5,15,19 23:16 24:2,11,19,21 25:4,19 33:14 34:7 35:1,20 36:12 39:20 44:9 46:7,12 48:5 48:12 50:13 51:2 52:10 59:4,9,21 60:20 61:21 62:17 65:1 | <b>outflow</b> [1] 57:8                                                                                                                                         | <b>pipes</b> [1] 63:4                                                                                               | <b>put</b> [10] 9:19 10:17 25:10 31:4 32:4,5 37:10 42:20 58:7 63:8                                                                                                                                                                                    |
| <b>Milo</b> [3] 11:11 13:5 52:17                                                                                                           | <b>number</b> [4] 10:9 37:12 53:1,6                                                                                                                                                                                            | <b>overland</b> [2] 27:9,16                                                                                                                                     | <b>pit</b> [1] 23:10                                                                                                | <hr/> <b>-Q-</b> <hr/>                                                                                                                                                                                                                                |
| <b>Milo's</b> [1] 56:7                                                                                                                     | <b>numerous</b> [4] 3:10,17 5:9,21                                                                                                                                                                                             | <b>owned</b> [5] 8:17 9:1 10:12 13:13 16:12                                                                                                                     | <b>place</b> [1] 41:11                                                                                              | <b>qualifications</b> [1] 2:20                                                                                                                                                                                                                        |
| <b>mind</b> [3] 6:8 29:21 32:3                                                                                                             | <hr/> <b>-O-</b> <hr/>                                                                                                                                                                                                         | <b>owner</b> [6] 12:11 13:18 26:15,16 32:21 33:3                                                                                                                | <b>placed</b> [1] 28:2                                                                                              | <b>qualify</b> [1] 2:17                                                                                                                                                                                                                               |
| <b>minimize</b> [1] 34:20                                                                                                                  | <b>objection</b> [6] 3:18 4:5 4:18 15:21 37:2 47:7                                                                                                                                                                             | <b>ownership</b> [2] 13:9 15:10                                                                                                                                 | <b>plan</b> [17] 1:2 6:20 21:20 23:13 28:7 30:13 31:1 31:13 37:21 38:13 41:2 41:4,5 42:10 45:19 48:10 59:3          | <b>quality</b> [6] 24:6,10,18 27:5 34:9 35:14                                                                                                                                                                                                         |
| <b>minute</b> [3] 18:21 24:4 34:2                                                                                                          | <b>objections</b> [1] 10:18                                                                                                                                                                                                    | <hr/> <b>-P-</b> <hr/>                                                                                                                                          | <b>plant</b> [3] 3:21 58:16,17                                                                                      | <b>quantity</b> [1] 24:1                                                                                                                                                                                                                              |
| <b>misunderstanding</b> [1] 43:9                                                                                                           | <b>obviously</b> [4] 35:18,19 38:14 41:8                                                                                                                                                                                       | <b>package</b> [1] 50:2                                                                                                                                         | <b>plat</b> [3] 12:1 13:1 14:11                                                                                     | <b>quasi-judicial</b> [1] 3:11                                                                                                                                                                                                                        |
| <b>modifications</b> [1] 22:4                                                                                                              |                                                                                                                                                                                                                                | <b>page</b> [2] 11:14 67:5                                                                                                                                      | <b>pleasure</b> [1] 52:17                                                                                           | <b>questions</b> [14] 2:17 14:9                                                                                                                                                                                                                       |
| <b>money</b> [1] 22:16                                                                                                                     |                                                                                                                                                                                                                                | <b>paid</b> [1] 13:16                                                                                                                                           | <b>point</b> [9] 11:9,17 41:19 51:7 57:7,13 58:7,21 63:2                                                            |                                                                                                                                                                                                                                                       |
| <b>months</b> [1] 56:20                                                                                                                    |                                                                                                                                                                                                                                |                                                                                                                                                                 | <b>pond</b> [3] 51:1 56:8 58:11                                                                                     |                                                                                                                                                                                                                                                       |
|                                                                                                                                            |                                                                                                                                                                                                                                |                                                                                                                                                                 | <b>portion</b> [1] 11:15                                                                                            |                                                                                                                                                                                                                                                       |
|                                                                                                                                            |                                                                                                                                                                                                                                |                                                                                                                                                                 | <b>possible</b> [1] 31:13                                                                                           |                                                                                                                                                                                                                                                       |
|                                                                                                                                            |                                                                                                                                                                                                                                |                                                                                                                                                                 | <b>possibly</b> [1] 6:10                                                                                            |                                                                                                                                                                                                                                                       |



29:10,16 30:1,7,11 43:5  
50:9 54:12,14,20 55:4  
64:12

quick [2] 2:17 30:11

quite [3] 10:3 12:15 26:2

-R-

R [1] 2:2

Rader [1] 13:1

rain [1] 57:13

rainfall [1] 56:21

rains [2] 49:1 57:5

raised [3] 22:9 39:13  
43:2

raises [1] 36:6

rate [15] 24:2 34:5,21  
35:4,15,19,21 36:3,5,6,7  
36:9 45:11,16 51:2

RE [1] 1:1

reading [1] 28:4

real [3] 6:11 19:4 28:14

realize [1] 3:20

really [6] 2:17 7:5 22:8  
25:17 33:21 51:21

reason [1] 40:17

receiving [1] 26:17

recent [1] 23:2

recently [1] 6:4

recharge [4] 24:6,17  
27:5 34:11

record [8] 2:7 12:20 27:7  
53:7 54:10 56:16,17,18

recorded [1] 40:13

recording [1] 40:15

records [2] 40:12,14

Recross [1] 67:3

red-line [1] 59:3

red-lined [1] 37:21

redesigning [1] 31:7

Redirect [1] 67:3

reduced [1] 26:20

reducing [1] 36:9

refer [1] 39:8

reference [1] 40:16

referencing [1] 15:12

referred [1] 13:1

reflected [1] 38:19

regarding [2] 30:6 54:15

regardless [1] 35:4

regrading [1] 61:7

regulation [1] 23:18

regulations [11] 22:21  
23:3 24:7 27:4 28:14,16  
33:8,20 34:19 40:5 58:3

relate [1] 11:18

relates [5] 5:5 10:14 27:9  
28:6 29:1

relative [2] 5:17 66:8

release [6] 26:12 34:5  
35:15 36:1 46:18 51:2

released [1] 35:19

relevant [2] 10:21 22:8

remembers [1] 5:13

remind [1] 8:16

replace [4] 21:18 22:5,7  
31:1

reported [2] 1:20 25:20

request [2] 38:12 59:5

required [3] 40:1 60:10  
60:13

requirement [1] 58:15

requirements [2] 37:3  
45:20

reserve [5] 1:1 4:7 5:5  
29:14 67:2

resolve [1] 43:1

Resource [1] 63:11

respectfully [1] 49:21

rest [2] 19:12 64:4

result [1] 18:19

review [4] 5:16 6:20  
36:18 40:12

reviewer [1] 37:1

revisited [1] 37:8

Rhona [1] 1:17

right [36] 8:15 11:14  
13:11 16:8,8,12 17:1  
19:6,16,17 20:1,14,21  
25:21 29:14 36:2 37:16  
38:17 42:3 43:5 44:12  
46:6,7 48:12,14 50:4,15  
51:15,16 52:8 54:18  
55:12 58:13 62:1,4,14

right-of-way [18] 7:18  
8:1,20 9:3,5,9 10:5,10  
11:1,3,21 12:3,8 21:10  
21:12 41:19 43:8,20

right-of-ways [2] 36:16  
40:9

rights-of-way [3] 22:13  
41:6,12

rise [1] 26:2

riser [1] 56:9

rises [1] 57:7

road [15] 7:19,21 8:2,6  
10:12 16:16 17:16,17  
20:12,14,16,18 21:4 31:2  
35:11

role [1] 4:4

roof [1] 15:3

room [2] 1:10 2:19

row [1] 57:5

RPR [1] 1:21

rule [1] 32:20

run [2] 16:10 45:10

running [8] 19:21 20:16  
20:18 21:5 32:7 45:8,8  
45:14

runs [9] 18:2,9 27:20  
45:1 46:6 50:4,4,6 51:20

S [4] 1:6 2:2,8 67:4

sale [3] 10:14,15 12:16

sand [4] 23:10 24:7 51:16  
52:1

satisfied [3] 37:11 48:1  
48:1

says [2] 32:18,19

Schmidt [73] 1:14 2:6  
2:13,16 3:16,19 4:1,18  
4:20 6:18 11:14,17 12:7  
13:11 14:3,8,12 15:2,15  
16:1 20:4 29:15 30:2  
32:2 35:6 36:20 37:16  
38:9,14 39:14 40:7,17  
42:4,14,21 43:4,12,18  
44:17,19 45:5 46:3,10  
47:5,10,21 48:8,15,21  
49:14,16 50:7,15 53:8  
53:15,18,20 54:5 55:3  
55:13 56:10,16,18 61:17  
63:2,3,10,16,19 64:9,12  
64:20 65:6

Scoll [1] 55:2

SCOTT [1] 1:18

screen [1] 59:5

seal [1] 66:11

second [10] 12:21 24:4  
34:2 44:12,13 47:3 54:5  
54:7 56:10 60:15

seconds [1] 38:8

section [2] 31:7 36:5

sedimentation [1] 23:10

see [18] 14:10 15:6 16:15  
16:21 18:8 19:4,20 20:15  
21:2 25:3,8 26:2 38:13  
42:9 43:16 44:12 52:16  
59:16

Seeley [25] 30:3,4,7,10  
30:13 31:20 34:16 36:20  
37:15,17,19 38:2,12,17  
39:1,3 42:6,8 43:1,3,4  
46:3 47:11,18,20

sentences [1] 37:5

series [1] 23:7

servient [1] 33:1

set [1] 66:10

several [3] 5:12,21 21:9

sewer [1] 49:8

shaking [1] 47:6

share [1] 22:1

shield [1] 59:6

shopping [1] 26:6

shorter [1] 28:9

show [2] 11:3 40:2

showed [1] 18:6

showing [5] 15:18 18:11  
49:2 57:20 59:4

shown [3] 14:19 23:13  
31:12

side [16] 7:19 8:1,9,17,21  
9:4 10:11 17:9,10,11,12  
21:11,13 26:7 60:6 62:1

sides [1] 22:13

sidewalks [1] 35:12

sight [1] 4:2

significantly [1] 27:2

similar [1] 7:3

simple [3] 12:19 13:9  
50:12

sit [1] 57:2

site [4] 21:1,1 24:14  
26:13

situation [7] 8:16 26:21  
29:5,5 63:2,18,20

six [1] 26:3

sized [1] 24:8

slightly [2] 22:3 38:10

slipped [1] 20:12

slower [3] 35:19 45:16  
46:19

small [2] 15:2 43:7

Smith [3] 1:21 66:3,14

snow [1] 48:21

so-called [3] 7:17 33:2,4

solution [1] 9:8

solve [1] 64:3

solved [1] 6:16

sometime [1] 9:13

somewhat [1] 55:8

somewhere [2] 19:2,7

sorry [4] 3:19 4:3 39:3  
51:8

sort [11] 16:20 19:11  
26:16 28:15 29:17 33:6  
34:4,9 36:7 40:19 58:6

south [8] 8:1,21 9:4  
10:11 11:5 17:10,11  
21:11

speak [2] 13:7 39:2

specifically [2] 5:10  
39:11

speed [1] 45:17

springhouse [2] 13:8  
15:3

Square [2] 26:6,7

ss [1] 66:1

stable [2] 25:15 28:13

stand [3] 4:1 54:19 55:12

standpoint [5] 37:2,13  
37:14 47:14,17

standpoints [1] 37:12

start [1] 44:21

state [3] 34:14 66:1,4

statement [9] 28:1,4,5,6  
37:20 38:1,6 39:8 46:4

statements [1] 55:6

statewide [1] 33:7

Stays [2] 62:12,13

step [1] 65:6

still [6] 6:13 15:8 44:14  
51:4 54:19 58:14

stop [1] 53:17

storage [3] 23:11 51:19

51:20

storm [37] 5:16 7:11,12  
8:7 17:19 18:21 19:8,9  
19:12,14 22:21 23:17,20  
23:21 24:12,20 25:1,10  
26:1,10 29:12 30:6 32:17  
32:18 33:7 34:10 35:8  
36:1 39:7 41:4,7 50:21  
54:15 55:21 56:14 58:5  
60:15

storms [1] 57:4

stream [23] 16:13,18  
18:2,3,9,12,18,18 19:5,6  
19:7 21:7 25:15,19 26:21  
27:14,15,21 29:1 45:9  
45:13 46:15 49:6

street [9] 17:12 19:16  
26:8 49:3,5 50:4 53:17  
55:19 59:15

strip [4] 9:1 12:7 13:13  
13:19

structure [4] 34:4 55:20  
55:21 56:9

stuff [2] 29:21 58:8

subject [1] 5:17

submit [1] 40:1

submitted [3] 23:15  
36:13,17

such [2] 46:18 54:21

suck [1] 34:10

sufficient [1] 9:9

suggest [1] 42:17

suitability [1] 6:1

suitable [8] 6:9,10 25:12  
25:18 28:3,18 38:5 39:7

supervision [1] 4:14

support [1] 23:14

surface [1] 35:11

surfaces [1] 32:6

Susan [3] 1:21 66:3,14

swale [2] 59:18 60:3

synopsis [1] 42:11

system [2] 24:21 25:1

-T-

T [1] 2:2

table [1] 39:17

taking [1] 36:15

Tastet [1] 5:6

taught [1] 3:8

tax [3] 10:14,15 12:16

taxes [2] 13:16 63:15

technical [5] 37:1 39:21  
47:14,16 56:3

technicality [1] 37:4

technically [1] 54:9

temporary [3] 30:14,20  
31:8

ten [7] 6:4 24:15 33:13  
33:14 38:7 44:8 53:14

ten-year [1] 23:20



terms [10] 23:16,21 24:1  
24:17 32:5 37:4 38:15  
40:3 45:11 58:9  
testified [7] 2:5 3:3,11  
3:17 5:14 28:10 39:5  
testify [1] 55:6  
testifying [1] 54:9  
testimony [10] 1:6 8:8  
9:7,14,15 35:9 38:18  
39:10 40:20 42:20  
textbook [3] 25:16,18  
28:17  
Thaler [58] 1:6 2:6,8,10  
2:18 3:14,16 4:6 5:2 6:18  
11:2,13 13:12 15:17  
16:19 29:13,16 30:8,13  
35:7 37:18 39:5 40:18  
41:5 42:10 43:6 44:20  
46:1,2,16 47:6,15 48:1  
48:15 49:14,15,20 50:8  
50:16,17 53:9 54:9,12  
54:14,19 55:5,6,11,16  
56:6,12,13,15 61:15  
64:13 65:4,7 67:4  
Thaler's [2] 40:12 42:19  
Thank [4] 14:5 43:4  
64:11 65:7  
therefore [1] 58:16  
thinking [3] 44:6 55:4  
64:2  
third [2] 7:21 64:6  
thirty [1] 3:12  
thought [2] 31:2 47:11  
three [7] 2:17 23:21  
51:13 57:5,11,12 61:19  
through [8] 15:7,8 16:17  
18:9 24:19 27:10,19  
57:17  
tie [3] 7:14 8:6 16:15  
times [4] 3:17 5:12 6:4  
57:4  
title [1] 8:16  
today [12] 2:11 6:10 29:2  
35:16 39:5,9,11,17 42:12  
44:8,13 48:7  
together [1] 63:16  
too [2] 51:12 53:6  
took [2] 6:19 14:21  
top [1] 57:8  
towards [1] 29:18  
Towson [1] 1:10  
traditional [1] 32:18  
transcript [2] 42:19  
54:10  
transcription [1] 66:5  
trees [1] 33:9  
true [2] 47:16 66:5  
trust [5] 9:7,8,15 40:20  
40:21  
truth [4] 2:4,4,4 53:12  
try [2] 54:9 55:7  
trying [2] 37:10 58:9  
Tuesday [2] 15:1 28:11

turn [2] 11:11 25:11  
two [24] 2:17 3:6 10:6  
19:15,16,17 20:17,19  
21:5 24:5,8 25:5 26:15  
27:11 33:12,13 34:8 37:5  
57:5,6,11,12 61:18 63:3  
two-thirds [5] 13:8 15:9  
20:21 50:3 60:7  
two-year [3] 7:12 19:8  
26:1  
tying [2] 9:18 10:2  
typically [1] 35:20  
  
-U-  
uncharacteristically  
[1] 23:6  
under [15] 7:8 17:16  
23:11 24:6 25:12 27:4  
28:13 33:7 34:19 36:7  
40:4 42:18 51:19 60:12  
62:3  
underground [1] 57:17  
underlying [1] 12:11  
underneath [1] 51:5  
undersized [1] 7:9  
understand [21] 22:2  
25:6 31:6 32:3 34:18  
35:9 37:1 41:17 45:5  
46:20 50:10,11 51:4,5,8  
53:15 61:4 63:1,19 64:6  
64:9  
unit [1] 24:3  
universities [1] 3:9  
unsuitable [2] 6:15 9:21  
unwilling [1] 40:21  
up [18] 4:2 22:16 25:3,10  
25:21 26:2 31:4,16,18  
39:2 49:5 53:3 58:17,17  
59:1,10,10 61:2  
uphill [4] 48:17,18,19,19  
upstream [3] 19:18  
32:21 33:2  
upward [1] 48:6  
used [2] 17:4 24:17  
using [1] 11:13  
usually [2] 33:13 36:4  
utilizing [1] 36:16  
  
-V-  
V [1] 2:2  
value [1] 64:5  
variances [1] 54:20  
vegetation [1] 58:7  
velocity [2] 16:11 30:19  
venue [1] 29:18  
verified [1] 28:11  
verify [1] 6:1  
version [1] 28:9  
view [2] 37:6 59:7  
virtually [2] 38:5,6  
visit [1] 5:21

visual [1] 20:15  
volume [18] 24:3,6,6,10  
24:11,13,16 32:9,13  
33:20 34:1,3,8,9,12 35:2  
35:21 36:3  
volumes [3] 24:8 27:5  
40:2  
  
-W-  
wait [1] 8:2  
wake [1] 53:2  
wall [2] 31:4,15  
wants [2] 6:7 55:7  
water [92] 5:17 9:19,19  
17:14,19 18:19,21 19:9  
19:12,14,21 20:16 21:1  
22:21 24:5,10,12,17,18  
24:19 25:2,4 26:2,10,13  
27:5,9,18 29:12 30:6  
32:7,8,10,17,18 33:8,11  
33:11,15 34:8,11,21 35:8  
35:8,13,20 39:7 40:2,3  
41:4,7 42:3 45:1,7,13,15  
45:17,18 46:5,12,14,17  
46:17,19 48:5,7,12,16  
49:1,2,3,9 50:6,12,21  
51:6,9 52:4,15 54:15  
55:18 56:14 57:6 58:5  
59:17 60:12,16,19 61:5  
61:6,8 62:1  
ways [1] 33:12  
Weinstein [1] 1:17  
well-defined [1] 28:13  
West [1] 1:9  
whereof [1] 66:10  
whole [4] 2:4 16:17 17:18  
19:12  
widen [1] 43:21  
widening [1] 31:2  
WILLIAM [1] 1:16  
Wilson [16] 7:8,14 8:10  
11:5 12:4 16:10 17:9  
20:9 21:3,19 27:11,13  
27:20 43:10 57:21 62:3  
wish [1] 10:17  
wishes [1] 27:3  
Without [1] 28:4  
witness [15] 2:3,8 11:10  
13:5 14:16,19 15:11,16  
29:10 38:7 40:15 42:13  
62:15 66:10 67:3  
wondering [2] 30:15  
32:4  
Wood [11] 30:5 37:2,11  
37:21 38:13 39:4,15 42:9  
42:11 47:12,19  
Wood's [1] 36:21  
Woodholme [7] 1:1 4:7  
5:5 26:6,6,14 67:2  
woody [1] 58:7  
words [1] 37:10  
work-related [1] 3:2  
works [1] 31:9

worse [1] 29:6  
worth [1] 57:11  
writing [1] 42:12  
written [1] 30:5  
wrote [1] 6:19  
  
-X-  
X [2] 52:9 67:1  
  
-Y-  
yard [4] 21:6 42:3 44:15  
63:8  
yards [7] 19:5 20:1,17  
20:19 21:5 25:6 27:11  
years [8] 3:12 6:4 7:9  
10:6 26:3 33:12 44:8  
53:14  
yellow [1] 12:8  
yesterday [1] 6:5  
yet [1] 9:4  
younger [1] 55:10  
  
-Z-  
zoning [3] 1:2 3:4,15