

1 THE PRINCE GEORGE'S COUNTY PLANNING BOARD OF
2 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

3
4
5 ROYAL FARMS GREENBELT
6 Detailed Site Plan, DSP-19045

7
8 T R A N S C R I P T
9 O F
10 P R O C E E D I N G S

11
12 COUNTY ADMINISTRATION BUILDING

13 Upper Marlboro, Maryland

14
15 December 17, 2020

16 VOLUME 1 of 1
17

18
19 BEFORE:

20 ELIZABETH M. HEWLETT, Chair

21 DOROTHY F. BAILEY, Vice-Chair

22 MANUEL R. GERALDO, Commissioner

23 WILLIAM M. DOERNER, Commissioner

24 A. SHUANISE WASHINGTON, Commissioner
25

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OTHERS PRESENT:

ADAM BOSSI, Staff Urban Design Section

DAVID WARNER, Principal Counsel

THOMAS HALLER, Attorney for Applicant

C O N T E N T S

SPEAKER

PAGE

Todd Pounds

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Macy Nelson

8

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

2 MADAM CHAIR: The Prince George's County Planning
3 Board is back in session. Okay. We had before us Item 10
4 which is Detailed Site Plan DSP-19045, Royal Farms
5 Greenbelt. It is the reconsideration. I'm going to turn to
6 Mr. Bossi to give us an overview of where we are at this
7 point, I want to make sure we have everyone that we need.
8 This was a limited, a very, very limited reconsideration.
9 We already voted to grant the reconsideration hearing.
10 Okay. Let me check to make sure we have everyone. Mr.
11 Bossi, are you on?

12 MR. BOSSI: Yes, Madam Chair, thank you.

13 MADAM CHAIR: Okay, good. Wonderful. Mr. Haller?

14 MR. HALLER: I'm here, Madam Chair.

15 MADAM CHAIR: Okay. Thank you. I don't know you
16 have people signed up with you, I don't know, Mr. Guckert?

17 MR. GUCKERT: (No audible response.)

18 MADAM CHAIR: Okay. I see you Mr. Guckert.
19 George Warholic?

20 UNIDENTIFIED SPEAKER: Hello?

21 MADAM CHAIR: I don't see him, I'm going to keep
22 on going. Ed Scott?

23 UNIDENTIFIED SPEAKER: (Sound.)

24 MADAM CHAIR: Okay. I don't see these folks, Mr.
25 Haller. Todd Pounds, I saw you.

1 MR. POUNDS: I'm here Madam Chair, representing
2 the City of Greenbelt.

3 MADAM CHAIR: Okay. Wonderful. Ms. Hruby, City
4 of Greenbelt?

5 MS. HURBY: Yes, here, thank you.

6 MADAM CHAIR: Wonderful. Ms. Porter?

7 MS. PORTER: (No audible response.)

8 MADAM CHAIR: Ms. Porter? I see you're on, your
9 name there.

10 MS. PORTER: (No audible response.)

11 MADAM CHAIR: Okay. So okay, we'll come back to
12 Ms. Porter. Macy Nelson, I saw you. Can we go back to the
13 screen?

14 MR. NELSON: Yes, thank you. I'm here. Thank you.

15 MADAM CHAIR: Okay. And Lawrence Green?

16 MR. GREEN: (No audible response.)

17 MADAM CHAIR: Okay.

18 MR. NELSON: Madam Chair, Macy Nelson, he's our
19 witness. Did he respond to your query? Because I thought
20 he was on.

21 MADAM CHAIR: I see his name but I don't hear him.
22 I just see his name on the screen.

23 MR. NELSON: All right, he's here. I'll send a
24 text but he's here.

25 MADAM CHAIR: Okay. Okay. Thank you.

1 MR. NELSON: Thank you.

2 MADAM CHAIR: Okay. Thank you. Mr. Bossi?

3 MR. BOSSI: Yes, thank you, good morning, Madam
4 Chairwoman and members of the Planning Board. Just for the
5 record, I am Adam Bossi with the Urban Design Section. As
6 you mentioned this is Item 10, the reconsideration for the
7 Planning Board's decision on Detailed Site Plan DSP-19045.
8 This is for the Royal Farms in Greenbelt.

9 The approval of the CSP is reflected in the
10 Planning Board's Resolution Number 2020-154 which you
11 adopted on November 12th of this year. A few weeks ago --

12 MADAM CHAIR: Mr. Bossi, I have to stop you for a
13 second only to say that we have a break time because we have
14 a scheduled closed session item on a separate legal matter,
15 so and that is at 12:45, so we will have to break, so we'll
16 see how far we get. Hopefully, we get done, but okay. Mr.
17 Bossi?

18 MR. BOSSI: Yes, ma'am.

19 MADAM CHAIR: Okay.

20 MR. BOSSI: All right. Thank you. At your
21 December 3rd hearing just very quickly, the Board did grant
22 this request for reconsideration and on that date staff did
23 republish the record from prior hearings on the DSP. We did
24 also publish a memorandum with our recommendation and do
25 have a short PowerPoint presentation with some info about

1 the DSP that we can refer to only as needed.

2 Very briefly and as discussed on December 3rd and
3 outlined in our memo, this reconsideration is intended to
4 provide persons of record with additional opportunity to
5 respond to four specific items. Those are the City of
6 Greenbelt's October 12th letter, the applicant's October
7 13th memorandum, staff's October 22nd memorandum and the
8 applicant's October 27th memorandum.

9 With this reconsideration the applicant has
10 requested no changes to the Board's decision to approve this
11 DSP and staff is not recommending any revisions to your
12 decision as reflected in Resolution 2020-154. With that,
13 Madam Chair, I will conclude our comments and I do just want
14 to say for reference that backup document is quite large and
15 the page numbers are listed for each of those specific items
16 on staff's memorandum.

17 MADAM CHAIR: Thank you.

18 MR. BOSSI: And I'm here to answer any questions.

19 MADAM CHAIR: Okay.

20 MR. BOSSI: Thank you.

21 MADAM CHAIR: Thank you. I'm going to turn
22 directly to Mr. Haller at this point.

23 MR. HALLER: Thank you, Madam Chair. As I
24 indicated on December 3rd the sole purpose for the request
25 for reconsideration was to provide opportunity to the

1 parties of record to respond to the information that was
2 submitted after the publication of the Staff Report, and I
3 have nothing new to add and just reserve the opportunity or
4 the right to respond to any questions or issues raised by
5 any of the witnesses today. Thank you.

6 MADAM CHAIR: Thank you, Mr. Haller. Okay. So
7 originally the applicant asked, I mean the opponents asked
8 for more time to consider those four items. Then Mr.
9 Warner, our Principal Counsel read a provision into the
10 record regarding the request for more time that we did not
11 give them the additional week and thereafter Mr. Haller
12 filed a reconsideration because he felt that we should have
13 granted that extra week for other good cause and so he filed
14 that request for a reconsideration. The Planning Board
15 granted that request, this is the actual reconsideration
16 hearing. Nothing new has been added. I know Mr. Nelson had
17 requested that there be no new testimony from Mr. Guckert,
18 Mr. Haller then indicated he wasn't anticipating any new
19 testimony from Mr. Guckert unless it was triggered by
20 something else that was added. So that's where we were.
21 Okay. I'm going to start with Mr. Pounds. And we're going
22 in order in which people signed up. Mr. Pounds?

23 MR. POUNDS: (No audible response.)

24 MADAM CHAIR: Hold on, we're trying to unmute you.
25 Okay.

1 MR. POUNDS: Thank you, Madam Chair. I was going
2 to say Todd Pounds, representing the City of Greenbelt.
3 Madam Chair, we do not have anything new. We stand by our
4 letter of opposition that had already been filed and then
5 referenced by Mr. Haller. And we support any additional
6 evidence or arguments that are going to be made by Mr.
7 Mason, by Mr. Nelson.

8 MADAM CHAIR: Okay. In advance.

9 MR. POUNDS: Thank you.

10 MADAM CHAIR: Okay. Thank you. Okay. Ms. Hruby,
11 Mr. Pounds, are you speaking for Ms. Hruby and Ms. Porter as
12 well?

13 MR. POUNDS: I am. They do not have any
14 additional testimony either.

15 MADAM CHAIR: Okay. Thank you. Mr. Nelson?

16 MR. NELSON: Thank you, Madam Chair. Can the
17 Chair hear me?

18 MADAM CHAIR: Yes, we can.

19 MR. NELSON: All right. Macy Nelson here, I'm
20 counsel for the citizen protestants in this case. My
21 clients are landowners and small business owners in the
22 vicinity. As the Board knows my clients oppose the Detailed
23 Site Plan at issue here.

24 We are responding to the untimely evidence filed
25 by the applicant prior to the last hearing. I have with me

1 here today Larry Green, our traffic engineer and he's been
2 having some technical issues, I think he's on no, but I'll
3 see when I conclude my remarks.

4 MADAM CHAIR: Well wait, hold on, maybe we can
5 check. Mr. Green, can you hear us?

6 MR. GREEN: (No audible response.)

7 MADAM CHAIR: It seems like it says he's not
8 connected to audio. Okay. Well, oh there he is, he's there
9 on twice. Okay.

10 MR. NELSON: (Sound.)

11 MADAM CHAIR: Mr. Green?

12 MR. GREEN: (No audible response.)

13 MADAM CHAIR: All right. We'll come back. Mr.
14 Nelson, if you wish we can give him, he has the phone number
15 to call in if that helps you. But you --

16 MR. GREEN: I'm back, I'm sorry, this is Larry
17 Green.

18 MADAM CHAIR: Okay. You're back. Okay.

19 MR. GREEN: I had computer problems.

20 MADAM CHAIR: Okay.

21 MR. GREEN: Yes.

22 MADAM CHAIR: Okay. All right. So Mr. Nelson,
23 he's on, you can continue.

24 MR. NELSON: Thank you, Madam Chair. I'll just
25 give a brief overview of my clients objections and responses

1 to the untimely evidence submitted by the applicant. There
2 are serious shortcomings in the new materials. Serious
3 lapses in traffic analysis. This case is Detailed Site Plan
4 which concerns traffic circulation and ingress and egress at
5 the site. We're not addressing of course adequate
6 facilities, we're not looking at the level of services at
7 nearby intersections. But because we were looking at the
8 safety of the ingress and egress, it's important that we
9 analyze not just the net new trips generated by this
10 proposed Royal Farms but all of the traffic coming in and
11 out of the Royal Farms, including pass-by and new traffic.

12 The first shortcoming of the applicant's traffic
13 consultants work is that he only considers when analyzing
14 the ingress and egress only considered the new net trips
15 generated by the Royal Farms. That is a serious shortcoming
16 in the analysis. Our consultant, our traffic engineer,
17 Larry Green, will address that detail in further, that fact
18 in further detail.

19 Now, Mr. Guckert will share with the Board his
20 opinion that when one considers all the traffic from this
21 site coming in and out that it will not be able to exit
22 safely at Capital Drive. And I would ask, and in response,
23 and part of the new evidence submitted by the applicant's
24 traffic consultant was an alleged gap analysis. And if I
25 could ask staff to bring up the rather large backup material

1 and go to PDF page 226, I'd like to direct the Planning
2 Board to a particular reference. Page 226, please.

3 MADAM CHAIR: Okay. Mr. Bossi, can you do that?
4 Oh he's going to download it?

5 MR. BOSSI: Yes, ma'am, I believe so if I have the
6 ability to share my screen.

7 MADAM CHAIR: Well, Mr. Flannigan here will help
8 you share your screen.

9 MR. BOSSI: And Mr. Nelson, which page were you
10 looking for again? My apologies.

11 MR. NELSON: 226.

12 MR. BOSSI: Thank you, sir. It looks like Kenny
13 may have that under control.

14 MADAM CHAIR: Okay.

15 MR. NELSON: All right. So thank you for doing
16 that. This is a report dated October 26th and if you can
17 scroll down to note 3, please, I want to focus on that note.
18 The gap study refers to a gap four to five seconds or
19 greater. Mr. Green will explain to you the gaps are
20 analyzed in terms of duration. Mr. Green will share with
21 the Planning Board that a gap is generally accepted in the
22 traffic field that a gap of four to five seconds is too
23 short to allow the safe exit onto the road and a shortcoming
24 of this report is that the traffic consultant for the
25 applicant relied on a gap of four to five seconds to make

1 the argument without basis that there was the ability for
2 traffic to exit on Capital Drive.

3 And if Mr. Bossi could go to page 244 of the
4 backup please, and what this is, this is the gap analysis,
5 this is the combined east and west gap for the p.m. peak.
6 So I don't know whether the Board can see it on its screen,
7 but you can see the column. The first column is a gap of
8 one to two seconds, or two to three, rather.

9 MADAM CHAIR: Yes.

10 MR. NELSON: The second column is four to five,
11 third is six to seven and so on. The applicant's traffic
12 consultant begins his analysis with a gap of four to five.
13 But I urge the Board to look at the data for the p.m. peak
14 beginning at six.

15 MADAM CHAIR: Okay. Hold on --

16 MR. NELSON: And you'll see my screen --

17 MADAM CHAIR: -- wait, wait a minute, hold on --

18 MR. NELSON: -- also it's hard --

19 MADAM CHAIR: -- Mr. Nelson, hold on. I just want
20 to, okay six p.m. peak. Okay. Got it. I just wanted to
21 focus on, okay.

22 MR. NELSON: All right. My screen is very small,
23 let me see if I can --

24 MADAM CHAIR: Mine is big, I can see it. I don't
25 know about everyone.

1 MR. NELSON: Okay.

2 MADAM CHAIR: Okay.

3 MR. NELSON: So what this chart tells us is
4 looking at the gap duration for the p.m. peak in 15 minute
5 intervals. So if we look at the first interval of 6:00 to
6 6:15 p.m. you'll see that there are nine gaps of four to
7 five seconds and six gaps of six to seven and one of eight
8 to nine and so on. And as the gaps get longer you'll see
9 there are no gaps and then if you go to the second period
10 6:15 to 6:29 you'll see there's 14 gaps of 14, correction,
11 four to five seconds, seven gaps of six to seven and one gap
12 of eight to nine and then zero. If you go to the third 15
13 minute segment 6:30 to 6:44 you see 19 gaps of 14, four to
14 five, three of six to seven, four of eight to nine, one of
15 10 to 11 and then zero. And then for the final 15 minutes
16 of the peak hour you'll see 14 for four to five, 10 for six
17 to seven, five to eight to nine and so on.

18 So what the applicant's traffic planner has done
19 is that he has rejected traditional traffic engineering
20 which requires that you have a minimum gap of six to seven
21 seconds. He has moved the column left including the gaps of
22 four to five seconds which under standard traffic
23 engineering analysis is inaccurate. He relies on that data
24 to make the argument without basis that the gaps are
25 sufficient.

1 So what we have here in this case is a traffic
2 planner who is relying on net traffic, who has
3 underestimated by a factor of four the amount of ingress and
4 egress coming out of the facility and then he's relied on,
5 so that fact by itself eviscerates his conclusion and then
6 he compounds that error by relying on a de minimis gap of
7 four to five seconds which is contrary to traditional
8 traffic engineer of principles.

9 MADAM CHAIR: Okay. Let me stop you for a quick
10 second to make sure I'm with you. So we can see the screen
11 and we see The Traffic Group's analysis, we've gone through
12 the 6:00 p.m. to 6:14 p.m. and then the 6:15 to 6:29 p.m.
13 analysis and basically you're saying that the gap analysis
14 is faulty and this pertains to the safety of ingress and
15 egress which is a Site Plan issue not a Preliminary Plan
16 issue. I just want to make sure I'm with you.

17 MR. NELSON: That's exactly right and the section
18 on which I rely --

19 MADAM CHAIR: Okay.

20 MR. NELSON: -- is 27-274(a)(c) subpart (i) and
21 (ii). Yes.

22 MADAM CHAIR: Okay.

23 MR. NELSON: All right. But the point also is
24 that the gap analysis on which the applicant's traffic plan
25 relies is the calm four to five seconds. And you can see

1 and that's contrary to traditional traffic engineering
2 practices and you'll see that once you get to the minimum
3 standard of six to seven seconds, there's a dramatic drop
4 off in the number of gaps. And then you compound that
5 because the applicant's traffic planner has improperly
6 relied on just the net traffic not the total traffic for
7 total ingress and egress. We're not talking about the level
8 of service at the nearby intersection where you don't even
9 look at the new traffic, we're looking at the ingress and
10 egress which requires us to look at all of the traffic.

11 There's a final serious shortcoming. The
12 applicant's traffic planner did a traffic account during the
13 COVID era at a site that serves 100 percent employment uses
14 and used a factor of 1.04 to bring that traffic count up to
15 pre-COVID or post-COVID levels. We reject that factor where
16 you're trying to make a judgment as to traffic generated by
17 an employment source. Most of the world is working at home
18 now, that a factor of 1.04 is grossly too low for these
19 circumstances. And so the applicant's traffic planner's
20 judgment about the traffic count is the final shortcoming.
21 And that's an overview of our points and response to the new
22 untimely information submitted by the applicant. I've got
23 Larry Green here to address those points further. Thank
24 you.

25 MADAM CHAIR: All right. Thank you, Mr. Nelson.

1 Let's see if the Board has any questions of you and then you
2 can put your, or maybe you should put your expert on first,
3 Mr. Green on first and then we can follow up. Okay. Okay.
4 Mr. Green?

5 MR. GREEN: Madam Chair, this is Larry Green.

6 MADAM CHAIR: Okay.

7 MR. GREEN: I just wanted to clarify a couple of
8 points that Macy was making, first with regards to the gap
9 analysis and using four to five seconds. The gap analysis
10 using four to five seconds would be somewhat appropriate if
11 we're talking about right turn movements from a minor street
12 onto a major street. But in this case, we're talking about
13 gap analysis from for a left turn movements from a minor
14 street to a major street. That requires more seconds of gap
15 in traffic and I'm referring basically to the highway
16 capacity manual and they recommend gaps for left turns from
17 minor streets of six to seven seconds being appropriate
18 amount of time for vehicles to safely egress a minor street
19 to a major street, especially along roadways such as
20 Maryland 193 with traffic getting up 45 to 50 miles per
21 hour. I wanted to clarify that one point.

22 And again, the amount of traffic that was used in
23 the analysis only utilized the new trips generated by the
24 development. Again, if they included all the traffic that
25 the actual volume will be about four times as much as the

1 amount of traffic used in this analysis.

2 One other point to make is that the pass-by
3 traffic the applicant used a 30 percent distribution of
4 traffic turning left into Capital Drive and 30 percent out
5 of Capital Drive. That would probably be appropriate for
6 new trips but especially during the p.m. peak hour the
7 predominate traffic flows are eastbound on Maryland 193 of
8 about a two to one ratio. So because pass-by trips come
9 from the existing traffic streams the distribution of
10 traffic going left in and left out, the actual demand is not
11 30 percent, it's more like 67 percent of traffic desiring to
12 turn left in and left out. That would further increase the
13 amount of traffic that would be expected to turn left from
14 Capital Drive to eastbound Maryland 193 thus requiring even
15 more gaps in traffic that would be required. And thus, the
16 number of gaps available are significantly less than what
17 the applicant has shown and as well as the demand of traffic
18 is significantly more vehicles that would want to do that
19 particular movement. And I'm available for any questions.

20 MADAM CHAIR: Okay. Thank you, Mr. Green. And
21 I've taken copious notes on your analysis. Okay. Let's see
22 if the Board has any questions of you, Mr. Green or you Mr.
23 Nelson. Madam Vice Chair? Did I lose Madam Vice Chair?
24 Okay. Ms. Washington? Commissioner Washington?

25 COMMISSIONER WASHINGTON: No questions.

1 MADAM CHAIR: Commissioner Doerner?

2 COMMISSIONER WASHINGTON: No questions.

3 MADAM CHAIR: Commissioner Doerner?

4 COMMISSIONER DOERNER: No questions, thank you.

5 MADAM CHAIR: Commissioner Geraldo?

6 COMMISSIONER GERALDO: No questions, Madam Chair.

7 MADAM CHAIR: Okay. So now Vice Chair Bailey?

8 I'm sorry your screen was --

9 MADAM VICE CHAIR: No questions, Madam Chair.

10 MADAM CHAIR: Okay.

11 MADAM VICE CHAIR: No questions. Thank you.

12 MADAM CHAIR: Thank you. Okay. So with that now

13 I'm going to turn back to Mr. Haller. Wait, is he on?

14 UNIDENTIFIED SPEAKER: (Indiscernible).

15 MR. HALLER: I'm on Madam Chair, I just had to

16 unmute myself.

17 MADAM CHAIR: Okay. Sorry. Okay. Okay.

18 MR. HALLER: I'm going to ask Mr. Guckert to

19 respond to these. I do want to make two quick notes that

20 were contained in Mr. Guckert's report. I think one of them

21 is is that gap analysis looked for opportunities where there

22 are gaps in both directions at the same time. And not just

23 gaps in one direction and so the gap analysis was

24 conservative from that perspective. And I'm going to let

25 him address that and then also Mr. Guckert's report made it

1 clear that he did not take into account any of the traffic
2 using the traffic signal at Walker Drive and Maryland 193,
3 which provides as we had indicated in our prior testimony a
4 substantial opportunity for trips to avoid this intersection
5 at peak times and again therefore the analysis of Mr.
6 Guckert it earlier was conservative. But I'm going to turn
7 this over to Mr. Guckert and let him respond to Mr. Green
8 and Mr. Nelson's comments.

9 MADAM CHAIR: Okay. Mr. Guckert?

10 MR. GUCKERT: (No audible response.)

11 MADAM CHAIR: You're muted.

12 MR. GUCKERT: (No audible response.)

13 MADAM CHAIR: You're still muted. You have to do
14 it on your end.

15 MR. GUCKERT: (No audible response.)

16 MADAM CHAIR: Okay. Hold on a second. Mr.
17 Guckert?

18 MR. GUCKERT: (No audible response.)

19 MADAM CHAIR: I can't see his face. You're muted
20 so don't start talking because we can't hear you. So all
21 right, Mr. Guckert, you may have to, you're unmuted on our
22 side. Do you have the microphone there? Does it say
23 unmuted just shake your head. It says unmuted. Then you
24 may have to call in.

25 MR. GUCKERT: (No audible response.)

1 UNIDENTIFIED SPEAKER: (Indiscernible).

2 MADAM CHAIR: I know he's unmuted here, but, hold
3 on, wait, I heard something. Mr. Guckert, was that --

4 UNIDENTIFIED SPEAKER: (Indiscernible).

5 MADAM CHAIR: That was somebody else. Okay.

6 Okay. So the call number is in the same e-mail you received
7 with the log in information, Mr. Guckert. Do you need the
8 number or are you okay?

9 MR. HALLER: I just texted it to him.

10 MADAM CHAIR: Okay. So both of our transportation
11 people had issues today. Okay. We're getting there.

12 MR. HALLER: There's a lot of snow and ice on the
13 roads, so that may have (indiscernible).

14 MADAM CHAIR: Believe me I was out there
15 shoveling, but I did it last night to make sure I was ready
16 for this morning to get here. Can we mute everybody else so
17 that when I hear these sounds I can, well I guess I won't be
18 able to hear that. Mute me. Mute me. Do you think he's
19 number eight, do you think?

20 UNIDENTIFIED SPEAKER: (Indiscernible).

21 MADAM CHAIR: But who is Mr. Green, what caller is
22 he?

23 UNIDENTIFIED SPEAKER: Larry Green, he, he's on,
24 he's on the computer.

25 MADAM CHAIR: Okay.

1 UNIDENTIFIED SPEAKER: Yeah he's on
2 (indiscernible).

3 MADAM CHAIR: Okay.

4 UNIDENTIFIED SPEAKER: So he might be, this, this
5 can be his caller, he may be on the phone right here.

6 MADAM CHAIR: Right now?

7 UNIDENTIFIED SPEAKER: Laptop.

8 MADAM CHAIR: You mean Larry?

9 UNIDENTIFIED SPEAKER: Yeah, yeah.

10 MADAM CHAIR: Okay. All right. Okay. Is he
11 trying to call in?

12 UNIDENTIFIED SPEAKER: Yeah, he's calling in and I
13 was calling (indiscernible).

14 MADAM CHAIR: Let me ask him if he's finished
15 dialing. Mr. Guckert, shake your hand if you finished
16 dialing in so we can look for a number. The numbers are
17 anonymous. Mr. Guckert?

18 COMMISSIONER WASHINGTON: He's giving you a thumbs
19 up, Madam Chair.

20 MADAM CHAIR: Okay. So it's too small on my
21 screen, I can't see a thumbs up. Okay. Okay. So he's
22 finished dialing?

23 UNIDENTIFIED SPEAKER: He's caller nine.

24 MADAM CHAIR: Okay. Go to caller nine.

25 MR. GUCKERT: I hear you.

1 MADAM CHAIR: Okay. Mr. Guckert, that's you now,
2 we see you.

3 MR. GUCKERT: All right. Very good. Let me start
4 by saying that I think there's a significant amount of
5 confusion here in that indeed we used total trips when we
6 did our 60 outbound or 60 inbound in the morning and 52
7 inbound or outbound in the evening. That was based upon 30
8 percent of the traffic. You know the definition of a
9 convenience store is self-evident, it's for convenience.
10 And it's because of that that we assume that 30 percent of
11 the convenient users would be making a left in or a left out
12 and as Tom Haller indicated, we did not make any assumption
13 that cars that would be going in or out would use the Walker
14 Drive traffic signals. So all of the trips that we assumed,
15 the 30 percent in and 30 percent out, going in and out of
16 Capital Drive equate to 60 in the morning and 52 in the
17 evening. That's a total number of trips not the pass-by
18 trips. I think they're confused because Mr. Nelson is
19 confused because he might have been looking at a different
20 chart or a different table.

21 But we used the appropriate number of trips in and
22 out based upon our projection that 30 percent would find it
23 convenient to be making a left turn in or a left turn out.
24 So we believe we did the appropriate analysis.

25 Additionally, the median is wide enough that cars

1 that maybe exiting could pull out into the median without
2 having to pass all the way through and it's for that reason
3 that we used the four to five second gap analysis, because
4 they'd be able to pass halfway across which is the way most
5 normal people would drive if there's not a sufficient gap.
6 They'd pull into the median, wait for the eastbound lane to
7 clear before they continued.

8 MADAM CHAIR: Would the median allow for one car
9 in the median then?

10 MR. GUCKERT: Yes.

11 MADAM CHAIR: Okay.

12 MR. GUCKERT: I mean technically it could be more
13 but for safety sake I'll --

14 MADAM CHAIR: Safely.

15 MR. GUCKERT: -- say one (indiscernible).

16 MADAM CHAIR: Safely. Okay.

17 MR. GUCKERT: So that's my response to Mr. Nelson.

18 MADAM CHAIR: Okay. Mr. Haller, is that it for
19 you?

20 MR. HALLER: (No audible response.)

21 MADAM CHAIR: Mr. Haller? Okay.

22 MR. HALLER: If we could hold one for one second.
23 Oh, Mr. Guckert, could you please respond to the issue
24 raised about the trips, the date the trips were counted
25 based on the COVID restrictions?

1 MR. GUCKERT: Well, again the Planning Commission
2 has issued guidelines that the Planning Board approved that
3 says any traffic counts that are being done during COVID
4 would be factored by 4 percent. The other issue is that the
5 traffic counts that we conducted were right in line with
6 traffic counts that were conducted about 10 years ago at
7 Walker Drive. So there really has not been much of a change
8 in this office park pre-COVID or post-COVID.

9 MR. HALLER: And from the standpoint of
10 calculating or counting trips that are going east and west
11 on 193, there was a question raised about the fact that a
12 lot of, this is the Capital Office Park itself, is an office
13 park and people may not be working in their office because
14 of COVID, but the trips along Maryland 193 east and west
15 bound are not exclusively going to an office park, isn't
16 that correct?

17 MR. GUCKERT: That's correct. And again the trips
18 in and out of the office park today in 2020 are not much
19 different than they were 10 years ago.

20 MADAM CHAIR: Okay.

21 MR. HALLER: And so based upon your analysis you
22 indicate that you did evaluate total trips going to the
23 proposed development in calculating the number of trips
24 utilizing or turning movements utilizing Capital Drive/193
25 intersection and that the gap you used is more than

1 sufficient to go halfway across the road as opposed to all
2 the way across the road, is that what you're indicating?

3 MR. GUCKERT: That's correct.

4 MR. HALLER: All right. I don't have anything
5 else, Madam Chair.

6 MADAM CHAIR: Okay. Let me see if the Board has
7 any questions of either of the transportation experts.
8 Madam Vice Chair?

9 MADAM VICE CHAIR: No questions, thank you.

10 MADAM CHAIR: Okay. Commissioner Washington?

11 COMMISSIONER WASHINGTON: No questions.

12 MADAM CHAIR: All right. Commissioner Doerner?

13 COMMISSIONER DOERNER: No questions.

14 MADAM CHAIR: Commissioner Haller? I mean, oh my
15 God.

16 MR. HALLER: I wish I was.

17 MADAM CHAIR: No, nothing personal but we don't.

18 MR. HALLER: I know which way --

19 MADAM CHAIR: We don't. I'm looking at the
20 screen, we don't. Commissioner Geraldo?

21 COMMISSIONER GERALDO: Thomas, are we trading
22 places?

23 MADAM CHAIR: No, we're not having it.

24 MR. HALLER: I think so, I need a hat though. I
25 need a hat.

1 MADAM CHAIR: Okay. Let's focus.

2 COMMISSIONER GERALDO: Yes, you do.

3 MADAM CHAIR: Okay. Commissioner Geraldo?

4 COMMISSIONER GERALDO: I have no questions.

5 MADAM CHAIR: No questions. Okay.

6 COMMISSIONER GERALDO: No questions. No.

7 MADAM CHAIR: Now, we're going to try to do this
8 succinctly. Okay. I'm going to go with Mr. Green, if you
9 have anything else to add one time and then Mr. Guckert, the
10 applicant if you have anything to close out with and then
11 we're closing out.

12 MR. GREEN: I just wanted to add that we did a
13 calculation of the number of trips, total trips that would
14 be generated by the site. And we came up with about 535
15 trips during the p.m. peak hour that the site would
16 generate. And if we do based upon the distribution of
17 traffic during the p.m. peak hour and again we calculated it
18 as about a two to one ratio that would be 67 percent turning
19 left and 67 percent turning left out, that would yield of
20 about 180 trips turning left out of Capital Drive to
21 eastbound Maryland 193. So again we feel like the number of
22 trips that were utilized have been underestimated.

23 MADAM CHAIR: Okay. So let me make sure I got
24 you. You feel like there are, your analysis shows that
25 there is 535 trips in the p.m. peak hour, 67 percent --

1 MR. GUCKERT: Yes.

2 MADAM CHAIR: -- turning left in and left out
3 which translates to 187 trips which it far exceeds the
4 number --

5 MR. GUCKERT: No, no.

6 MADAM CHAIR: No? No?

7 MR. GUCKERT: Yes, about 180 trips.

8 MADAM CHAIR: Okay. 180, okay, trips. Okay. All
9 right. Mr. Haller or Mr. Guckert?

10 MR. GUCKERT: Yes, I do, this is Wes Guckert.
11 Larry Green and I have known each other for more years than
12 I'd like to remember. But in this particular case the staff
13 agrees and agreed with the trip generation rates that we
14 used. We followed the super convenience market trip rates
15 that are in the Planning Commission Guidelines and that's
16 where we came up with our trips. I'm not sure where Larry
17 came up with his, but we used Planning Commission Guidelines
18 that they approved but the number of trips that we had used
19 and projected for this store.

20 MADAM CHAIR: Okay. I'm going to give, okay,
21 thank you. Mr. Nelson, succinctly do you have anything else
22 to add?

23 MR. NELSON: (No audible response.)

24 MADAM CHAIR: You're muted. You're muted. Do you
25 have him unmuted here?

1 UNIDENTIFIED SPEAKER: (Sound.)

2 MADAM CHAIR: Okay.

3 MR. NELSON: I'm unmuted, sorry.

4 MADAM CHAIR: Okay. Got it.

5 MR. NELSON: I would direct the Board to page 223
6 of the backup where The Traffic Group addresses the net trip
7 issue, which I think is consistent with what Mr. Green has
8 just said. Page 223.

9 MADAM CHAIR: Okay. 223. Okay.

10 MR. NELSON: That's all I have, thank you.

11 MADAM CHAIR: Okay. Thank you. Mr. Haller, you
12 get to close out.

13 MR. HALLER: I have nothing further to add. I'll
14 just say I thank Mr. Guckert, we know Mr. Guckert, he's been
15 in front of this Planning Board for many years, and he is
16 one of the premier experts in the field and I trust his
17 analysis, particularly since it's been approved by the
18 county staff. Thank you.

19 MADAM CHAIR: Okay.

20 MR. GUCKERT: May I, Madam Chair, make one
21 statement about the last comment that Macy Nelson made on
22 page 223?

23 MADAM CHAIR: Okay.

24 MR. GUCKERT: He's again mixing apples and
25 oranges. The Royal Farms net trips, it's net trips that are

1 used when looking at the trip cap. That was only used to
2 examine the trip cap, not to be used in the analysis. SO I
3 want to make sure you're not confused or the Planning
4 Board's not confused. That particular exhibit was used for
5 the trip cap analysis to show that there were trips left in
6 the Preliminary Plan. That's it.

7 MADAM CHAIR: Okay. Does the Board have any
8 questions of anyone?

9 (No audible response.)

10 MADAM CHAIR: Principal Counsel, Mr. Warner, do
11 you have anything to add?

12 MR. WARNER: (No audible response.)

13 MADAM CHAIR: You're muted.

14 MR. WARNER: No, Madam Chair, nothing to add.

15 MADAM CHAIR: Okay. Thank you. Mr. Bossi, do you
16 have anything to add?

17 MR. BOSSI: No, ma'am. Thank you.

18 MADAM CHAIR: Okay. And again, does any Board
19 member have any questions of anyone?

20 (No audible response.)

21 MADAM CHAIR: I see no hands going up. Is there a
22 motion?

23 COMMISSIONER WASHINGTON: Madam Chair, I move that
24 we adopt the findings of staff as outline in staff's report,
25 in addition to the amended findings as outlined in staff's

1 memo dated October 22nd and approve DSP-19045 and TCP2-
2 1170501 along with the associated conditions as outlined in
3 staff's report and as further amended by staff's memo dated
4 October 22, 2020. In addition to that, staff's new
5 Condition 7 as outlined in the October 22nd memo shall be
6 revised as read into the record by Mr. Haller, the
7 applicant, in addition to an applicant proffered condition
8 related to a repair station for bicycles and I would ask
9 staff to ensure that the resolution reflects the appropriate
10 wording to accommodate that.

11 In addition to the resolution incorporating the
12 City of Greenbelt's conditions and this would be based on
13 their memo dated October 12th, Conditions 1, 3, 4, 5, 7, 9
14 and 11. And I would just note that some of Greenbelt's
15 conditions have already been incorporated by staff into
16 their revised conditions.

17 MADAM CHAIR: That concludes your motion?

18 COMMISSIONER WASHINGTON: It does.

19 MADAM CHAIR: Is there a second?

20 MADAM VICE CHAIR: Second.

21 COMMISSIONER DOERNER: Second.

22 MADAM CHAIR: Okay. Wait a minute. I think Madam
23 Vice Chair seconded it. Is there a discussion? Under
24 discussion I would like to add as a finding that we have
25 heard and considered the additional presentation by Mr.

1 Nelson and Mr. Green and Mr. Guckert in this matter as well.

2 COMMISSIONER WASHINGTON: I concur with that,
3 Madam Chair.

4 MADAM CHAIR: Okay. Okay. And does the seconder
5 agree with that?

6 MADAM VICE CHAIR: Yes, Madam Chair.

7 MADAM CHAIR: Okay. Okay. So all right, is there
8 any additional discussion?

9 (No audible response.)

10 MADAM CHAIR: Madam Vice Chair?

11 MADAM VICE CHAIR: I vote aye.

12 MADAM CHAIR: Commissioner Washington?

13 COMMISSIONER WASHINGTON: Aye.

14 MADAM CHAIR: Commissioner Geraldo?

15 COMMISSIONER GERALDO: I vote aye.

16 MADAM CHAIR: Commissioner Doerner?

17 COMMISSIONER DOERNER: I vote aye.

18 MADAM CHAIR: The ayes have it 5-0. Thank you
19 very much.

20 MR. HALLER: Thank you, Madam Chair.

21 MADAM CHAIR: Let me say this because we're about
22 to go into closed session for two items. But this is our
23 last hearing for December for the year 2020. And what a
24 year it has been. IF ever there was a time to thank
25 everyone for your flexibility and cooperation and support as

1 we've tried to navigate through this very, very challenging
2 year to keep our planning functions moving forward in a safe
3 fashion, this is the time. It has been an extremely
4 challenging year and so we've had 32 Planning Board sessions
5 since March. So I just want to say thank you to everyone
6 for your flexibility, your cooperation and your support. I
7 am going to close with we remain very, very thankful for our
8 blessings, even in these challenging times, because if you
9 look in your plus column the blessings will far outweigh
10 anything and everything in your challenge column. So we
11 remain thankful for our blessings and ask that you take
12 every effort to be kind to one another, to stay safe, to
13 look out for each other, to stay strong, to stay resilient
14 and get your vaccine when we're allowed, and to remain ever,
15 ever hopeful as we strive to get through these challenging
16 times together. I wish everyone whatever it is that you
17 celebrate, if you celebrate at all Happy Hanukah, Merry
18 Christmas, Happy Kwanza, and all the best to you and yours.
19 Thank you.

20 MR. POUNDS: Thank you, Madam Chair.

21 COMMISSIONER GERALDO: Thank you, Madam Chair.

22 MADAM CHAIR: Thank you.

23 COMMISSIONER GERALDO: Thank you.

24 **(Whereupon, the proceedings were concluded.)**

25

DIGITALLY SIGNED CERTIFICATE

DEPOSITION SERVICES, INC., hereby certifies that the attached pages represent an accurate transcript of the electronic sound recording of the proceedings before the Prince George's County Planning Board in the matter of:

ROYAL FARMS GREENBELT

Detailed Site Plan, DSP-19045



By: _____

Date: February 24, 2021

Diane Wilson, Transcriber