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HOFMANN BROTHERS INC. : Case No. ERR-001-2025

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Maurene McNeil
Hearing Examiner

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P R O C E E D I N G S

MS. MCNEIL: Okay. Good morning everyone. I'm Maurene McNeil. I'll be the hearing examiner today. And it is August 19th, 2025. We're here on the case ERR-001-2025, a request by Hofmann Brothers Used Cars to validate permit U14196, believed to have been issued in error.

This is our third hearing. Our first was June 18th, and at the end of that, we determined we needed another. So we met on 7/16, and there was, like, a joint request for continuance, because Mr. Harrah -- and I hope I'm -- he'll tell me how -- if I'm saying his name correctly -- needed one, he couldn't hear us properly. And then the applicant needed one as well. So this is the continuance date of 8/19/2025.

If counsel would identify themselves for the record.

MR. HIJAZI: Good morning, Madam Examiner. This is Abdullah Hijazi here on behalf of the petitioner.

MR. MARCUS: Yeah. And if --

1 police tribunal, Bruce Marcus, along with Mr.
2 Hijazi, also on behalf of applicant.

3 MR. BROWN: Stan Brown, People's
4 Zoning Counsel.

5 MR. HIJAZI: Madam Zoner, you're
6 muted again.

7 MS. MCNEIL: Is there anyone here
8 opposed to this request?

9 Okay. So Mr. Banks, is Mr. Harrah
10 with you?

11 MR. BANKS: Yes, he is.

12 MR. MCNEIL: So can you get him to
13 come up? I need to know whether he's opposed or
14 he just wanted to tell us something about the
15 case and isn't opposed.

16 MR. BANKS: Mr. Harrah.

17 MS. MCNEIL: Mr. Harrah.

18 MR. HARRAH: I'm still having
19 trouble.

20 MS. MCNEIL: I see you. So state
21 your name for the record, sir.

22 MR. BANKS: State your name.

23 MR. HARRAH: Thomas Harrah.

24 MS. MCNEIL: And Mr. Harrah, are
25 you opposed to this request or you just wanted to

1 give some testimony?

2 MR. HARRAH: I'm speaking, but I'm
3 getting interference here from two different
4 directions of sound. I'm sorry. Try to adjust
5 it. Try again. Okay. Thomas Harrah.

6 MS. MCNEIL: Okay. And are you
7 opposed to this request?

8 MR. HARRAH: I don't hear opposed,
9 but -- is she muted? I can't hear Maurene.

10 UNIDENTIFIED SPEAKER: Can you
11 hear him?

12 MS. MCNEIL: I couldn't hear an
13 answer to, is he opposed to this request?

14 MR. BANKS: No. She's talking.
15 We can't hear. Sort of just like, a -- yeah --
16 about right there.

17 Maurene, can you speak again?

18 MS. MCNEIL: Mr. Harrah, are you
19 opposed to the request?

20 MR. HARRAH: No.

21 MS. MCNEIL: Okay. You just want
22 to give some testimony. All right. Hold one
23 second.

24 So Mr. Hijazi, could you just give
25 a brief description of why we're here --

1 MR. HIJAZI: Yeah.

2 MS. MCNEIL: -- just to remind us?

3 And then we'll let -- then we'll swear in Mr.

4 Harrah. Thank you.

5 MR. HIJAZI: So briefly, the
6 Hoffman Brothers Towing and Used Car lot was
7 actually started, from what we can tell, in the
8 early 1950s, if not earlier. The last U&O issued
9 was U&O permit issued in 1967. And that U&O
10 permit actually appears to predate -- or the use
11 actually appears to predate the zoning code in
12 the county. So when we tried to renew the use
13 and occupancy permit as a nonconforming use, Park
14 & Planning was unable to renew the permit -- or
15 certify it as a nonconforming use, because they
16 could not trace it back to a time where it
17 actually met the requirements of the zoning code.

18 The only path to compliance that
19 we were able to find was filing this request to
20 validate the permit as a permit believed to be
21 issued in error. And that's why we're here
22 today.

23 MS. MCNEIL: Thank you.

24 Mr. Harrah?

25 MR. HARRAH: Yes.

1 Whereupon,

2 THOMAS HARRAH,

3 a witness called for examination by counsel for
4 the County, was duly sworn, and was examined and
5 testified as follows:

6 MS. MCNEIL: So state your name
7 and address again, and then tell us what you
8 would like to talk about concerning this case.

9 MR. HARRAH: My name is Thomas
10 Harrah. I reside at 15612 Mews Court, Laurel,
11 Maryland, directly behind the Hofmann's property.

12 MS. MCNEIL: And what did you want
13 to say about this request?

14 MR. HARRAH: Okay. I am concerned
15 that all of the information is not getting out
16 regarding the property and the businesses
17 conducted there. I moved to the property in
18 September of 1992, and the sales lot was a very
19 small area. And then in December of '92, I
20 believe it was, they brought in a large sales
21 trailer and parked it along the property line
22 between Mews Court and the Hofmann property.

23 Then the parking lot was expanded.
24 They paved with asphalt a section of the parking
25 lot in front of the sales trailer, and then a

1 second time they did additional pavement just
2 slightly below the sales trailer. And apparently
3 there was no consideration given to runoff of
4 water or whatever onto our property. Our
5 property sits lower than the Hofmann's property,
6 and the addition of the gravel parking lot in the
7 asphalt has created more of a runoff in the area.

8 And I don't know specifically
9 whether it's related to the runoff or what, but
10 we are losing the strip of wooded area between
11 the two properties. There is a line of white
12 pine trees on the Mews Court side of the
13 property, and in recent years we have lost a
14 total of twelve pine trees, due to whatever
15 reason. I suspect it's probably contaminated
16 soil from the gas and oil that drains off with
17 the water into our property.

18 And we cannot replace the pine
19 trees, or any trees for that matter, to rebuild
20 the buffer between the two properties, because
21 Comcast has utility lines running along where the
22 tree line is. So we cannot dig out stumps and
23 replace the trees, according to our landscaper,
24 because the utility line that is there. So we
25 are losing our buffer.

1 And the houses adjacent to the
2 Hofmann property look right into the area of the
3 sales lot and the storage lot on the north side
4 of the property. And also, it was mentioned that
5 there are other businesses in the area, but I
6 believe that the other businesses being the bank,
7 a gas station, and so forth, is on the south side
8 of Sandy Spring Road, and those are within the
9 City of Laurel under their zoning requirements
10 and not Prince George's County.

11 And then in the matter of the
12 runoff, in the northeast corner of the property
13 there is an open storm drain. And that area
14 where the water drains in has a rusty orange
15 color to it, slimy, gooky stuff, in the open
16 drain.

17 Now, that may not be visible at
18 present due to the vegetation in the area, and
19 the amount of water that we had may have flushed
20 some of it out, but I don't know where that
21 contamination is coming from. But it is rusty,
22 slimy-looking water that drains into that area.
23 So I would like to see someone address the issue
24 of water runoff and contamination.

25 And then another issue is the

1 vehicles that are damaged and set on the lot for
2 periods of time that mosquitoes breed in them.
3 Up until 2019, Maryland Department of Agriculture
4 used to come and spray the area for mosquitoes.
5 In 2019, we were told there's no point in
6 spraying because of the so-called junk cars that
7 are stored next door that the mosquitoes breed,
8 and the eggs hatch within twenty-four to forty-
9 eight hours. So the Maryland Department of
10 Agriculture discontinued their spraying for
11 mosquitoes in that area.

12 And immediately behind the Hofmann
13 property on Haines Road and Haines Court, there
14 are a number of residents in there. There are
15 more homes in that area than there are
16 businesses.

17 And then at the hearing before,
18 there was mentioned that the property is
19 surrounded by a fence. I would like the records
20 to indicate that the fence on the east side of
21 the property between Mews Court and the Hofmann
22 property is being maintained by Mews Court in
23 most sections. There's two sections of fence.
24 We set our fence four inches in from the property
25 line when we replace the fence in the mid-1990s.

1 And then on the higher level, the Hofmann still
2 have their stockade-type fence, which is not in
3 great repair, between the two properties.

4 And on two different occasions
5 their vehicle has backed into our section of the
6 fence and damaged it. The first time they
7 repaired it. The second time they made no effort
8 to repair. And supposedly one of our board
9 members attempted to contact the Hofmann family
10 regarding the situation and was unsuccessful in
11 doing so.

12 So we -- or our homeowners
13 association replaced four to five sections of the
14 property near Sandy Spring Road behind the sales
15 lot. And there are other vehicles than cars for
16 sale. There's camping trailers stored on the
17 lot, cargo containers, and buses, commercial
18 vehicles or whatever, that are kind of scattered
19 throughout the property. If you look at an
20 aerial map from Google or BG&Es lamp -- street
21 lamps, you can see the various areas, and you can
22 also see oil stains on the parking lot and at the
23 entrance of the Hofmann's property.

24 But the important thing I wanted
25 to mention -- make certain that they are aware of

1 it is the runoff. And apparently there was no
2 effort made to install curbs or any type of
3 drainage to prevent the runoff onto the Mews
4 Court property.

5 So that's basically what I wanted
6 people to know that is going on with it. And on
7 occasion I have noticed men going behind the
8 sales trailer and using it for a bathroom. They
9 go back there and urinate and then come back out.
10 And that's between the sales trailer and the
11 fence between Mews Court and the Hofmann
12 Property. And that's all I have to say.

13 MS. MCNEIL: Thank you.

14 Anyone have questions of the
15 witness?

16 MR. HIJAZI: I do, just briefly,
17 Madam Examiner.

18 Mr. Harrah, how did you find out
19 about the first hearing in this matter?

20 MR. HARRAH: There was a sign
21 posted near the bus stop on the Hofmann property,
22 and I walk that area frequently and drive past
23 it. So I noticed the sign, the public sign
24 posted there, and then within a day or two, the
25 sign was moved from kind of behind the bus stop

1 over to the other side of the entrance to the
2 Hofmann property near their mailbox.

3 MR. HIJAZI: And you've attended
4 all three hearings in this matter?

5 MR. HARRAH: That is correct. The
6 first hearing, there was an audio problem and I
7 had computer problems. Plus, as you noticed
8 today, I have to move around, because I have a
9 hearing loss, and it's difficult dealing with
10 electronics and hearing loss.

11 MR. HIJAZI: Okay. I'm glad you
12 were able to make it. Are you a board member of
13 your HOA?

14 MR. HARRAH: I do serve on the
15 board.

16 MR. HIJAZI: In what capacity?

17 MR. HARRAH: I'm acting president
18 because no one else will accept the duties.

19 MR. HIJAZI: Okay. And can you
20 tell me about your background? Are you an
21 environmental engineer of any type?

22 MR. HARRAH: Pardon me?

23 MR. HIJAZI: Are you an
24 environmental scientist or environmental
25 engineer?

1 MR. HARRAH: No, no, no, no, no.
2 I'm just the person who lives there and sees what
3 goes on and hear the news and understand about
4 pollution, hazardous waste. And incidentally, I
5 would like to mention that the water that drains
6 into the drain in the northeast section of the
7 property eventually ends up in the Patuxent River
8 and eventually into the Chesapeake Bay.

9 MR. HIJAZI: So I live on a
10 property that's very wooded. And when I -- and I
11 have a stream in the back of our woods in the HOA
12 property, and when I go out there, I see similar,
13 like, yellowish, reddish gunk.

14 MR. BROWN: Mr. Hijazi, you cannot
15 testify. If you have a question for him, you can
16 ask him a question.

17 MR. HIJAZI: Yes. I'm just laying
18 the foundation. So have you ever tested the any
19 of the material that you see in that runoff?

20 MR. HARRAH: No, I have not. I
21 don't go down into the area where the runoff is
22 because it's fenced in and there's poison ivy and
23 wildlife there, and I don't want to expose myself
24 to contaminants. I have allergies, so I have not
25 had it tested.

1 MR. HIJAZI: Okay. Fair enough.

2 And you also said that you were not sure what
3 caused any of the trees to fall, correct?

4 MR. HARRAH: I -- I -- no -- I do
5 not know -- they didn't fall. We had to have
6 them removed because they died. I suspect that
7 it is the runoff from the limestone gravel that
8 is on the lot. I think it probably has an effect
9 on the pH factor in the soil. And we are
10 downhill from it, so a great deal of water comes
11 across their parking lot under the fence onto
12 Arrowhead Mews or Mews Court property.

13 MR. HIJAZI: Okay. So that's --

14 MR. HARRAH: We have a French
15 drain in the back of our houses that runs from
16 the first house in our community, which is 15608,
17 all the way back to the drain in the northeast
18 corner, which would be house number 15634.

19 MR. HIJAZI: So --

20 MR. HARRAH: And that 15634 house
21 is right across from that open drain area.

22 MR. BROWN: Okay. So that -- the
23 reason for why you think the trees fell or died
24 is basically your speculation at this point,
25 correct?

1 MR. HARRAH: I suspect it does not
2 benefit the trees because of the runoff and then
3 also in wintertime when he applies salt to the
4 roads and the vehicles coming off the road was
5 salt all of them, that all of that adds up to
6 poor soil conditions for growth of trees.

7 MR. HIJAZI: Okay. And so the
8 salt from the road could be the salt on Sandy
9 Spring Road, correct?

10 MR. HARRAH: It could be from
11 Sandy Spring Road. It could be from the vehicles
12 that they bring in or with the number of vehicles
13 that come in and out, the undercarriage of the
14 cars and their salt and residue that could
15 possibly be on the automobiles.

16 MR. HIJAZI: And you're not a
17 certified or licensed botanist or arborist,
18 correct?

19 MR. HARRAH: That is correct.

20 MR. HIJAZI: Did you know that
21 grading of areas under 5,000 square feet don't
22 require a grading permit or stormwater management
23 permit in Prince George County?

24 MR. HARRAH: I'm not aware of the
25 regulations on that. It would just seem a

1 neighborly thing to do to take that into
2 consideration.

3 MR. HIJAZI: And do you know that
4 there are permits for site work that were
5 actually issued for this property?

6 MR. HARRAH: I have no idea the
7 permit situation, if one is required or if one
8 was applied for. I don't know the circumstances.

9 MR. HIJAZI: Okay. Madam Zone,
10 that's all I have for this witness. I'm not sure
11 if Mr. Marcus or anyone else has any questions
12 for him.

13 MR. MARCUS: I don't have any
14 questions.

15 MS. MCNEIL: Okay. Thank you.

16 Mr. Brown. Mr. Brown.

17 MR. BROWN: Mr. Harrah, I just
18 want to explain to you what we're doing here
19 today. The applicant has filed for a permit
20 issued in error. He is not applying for a
21 special exception or a rezoning. Many of the
22 issues that you have raised go to determining
23 whether or not a property will have an adverse
24 impact on adjacent properties. That's a
25 requirement related to special exception, not a

1 permit issued in error.

2 The only issues in a permit issued
3 in error case are whether or not the applicant
4 received an approved permit from the county in
5 error. That is, the permit that was issued in
6 this case for some type of vehicle towing and
7 wrecker service was not a permitted use at the
8 time it was issued and therefore issued an error.
9 And if that is the case, then the applicant is
10 here to determine it has done nothing improper,
11 nothing fraudulent, and it has expended money
12 based upon that erroneous permit.

13 So those are really the only
14 issues we are looking into today. Now, the
15 issues you've raised, though, they're not totally
16 irrelevant, because when the district counsel
17 finally renders its decision on this case, it can
18 make certain requirements that impact the issues
19 you have raised. But I just want you to know
20 today we are not approving the actual rezoning or
21 a special exception for this particular use. Do
22 you understand that?

23 MR. HARRAH: Understood.

24 MR. BROWN: All right. Thank you.

25 MS. MCNEIL: I would like to amend

1 that just slightly, although I always agree with
2 my people zoning counsel. But E4 of the code
3 does state that we must show that the validation
4 will not adversely affect the public interest or
5 the health, safety, or welfare of county
6 landowners and residents.

7 MR. BROWN: Correct.

8 MS. MCNEIL: So it was valid to
9 tell us a little of what you told us.

10 Mr. Brown, could you also -- I
11 feel badly that we're not all in the same room,
12 but could you also talk about the impact of being
13 in opposition?

14 MR. BROWN: Of who being in
15 opposition?

16 MS. MCNEIL: The witness is not
17 opposed, so.

18 MR. BROWN: He's not opposed,
19 right. So from my reading of the file so far, no
20 one testified in opposition, did they?

21 MS. MCNEIL: Okay.

22 MR. BROWN: Correct? However, you
23 know, there are a couple questions, though, I
24 need to ask the applicant and/or their attorney
25 so that this record is clear.

1 Mr. Hijazi or Mr. Banks, which of
2 you actually represent the client or both of you?

3 MR. HIJAZI: We both do.

4 MR. BROWN: All right. Well, let
5 me let me pose this question to you. In
6 reviewing the statement of justification, it
7 looks like the statement of justification
8 attached part of a staff report or a memo from
9 Park & Planning. Is that correct? I'm looking
10 at a statement of justification signed by Mr.
11 Hijazi, but there's no date on it.

12 MR. HIJAZI: Give me one second.
13 Let me just pull it up real quick.

14 MS. MCNEIL: Mr. Banks, could you
15 pull up Exhibit 4 as a start?

16 MR. BANKS: Sure.

17 MS. MCNEIL: I don't see a revised
18 one.

19 THE HIJAZI: So I have the
20 statement of justification. I don't think we've
21 ever revised it in this case, and --

22 MR. BROWN: All right. Well, let
23 me just ask you this, then, so we can clarify the
24 record. I'm just trying to avoid any problems
25 for the examiner and the district counsel down

1 the road. So on page 2 of the statement of
2 justification, paragraph 5, you state that the
3 new zoning ordinance, which was adopted in April
4 2022 -- and you reference Section 273615E of the
5 new ordinance.

6 However, it's my understanding
7 this permit issued in error was issued under the
8 old ordinance, that is the ordinance that existed
9 prior to April 2022. And the use that you are
10 attempting to certify should have been a request
11 under the old ordinance, because that's the
12 ordinance that the permit was issued under. And
13 so I'm just trying to clarify that, in reality,
14 you should not be asking for a permit issued in
15 order -- in error under the new ordinance, but
16 under the old ordinance.

17 MR. HIJAZI: So we didn't have
18 a -- well, maybe we did, but we're happy to
19 proceed either way. Our understanding was that
20 we needed to file the application under the new
21 ordinance, but to certify a permit issued --
22 basically not under the prior ordinance, but even
23 an ordinance prior to that.

24 MR. BROWN: Right.

25 MR. HIJAZI: So --

1 MR. BROWN: And that's the
2 problem. And so the reason I raised this issue
3 is you guys have also requested that you want
4 under the new ordinance that is post-April 2022,
5 a use that is most similar to the use you were
6 using in '67 or whatever the year it was.

7 MR. HIJAZI: Yes.

8 MR. BROWN: We really cannot --
9 the district cannot approve a use that is most
10 similar to the use that was certified in error.
11 The only thing that can be certified here is the
12 use that was identified on the permit that you
13 are requesting to certify in error.

14 So in looking at page 2 of your
15 staff -- or your justification statement, if the
16 existing 1967 thereabout use was the vehicle
17 towing and record service and personal vehicle
18 sales, previously known as automobile towing
19 station and automobile sales lot, and that is
20 what is actually on the permit issued in error,
21 that is the only use that can be certified, not
22 the most similar use under the new post-April
23 2022 ordinance.

24 MR. HIJAZI: And that's fine. I
25 mean, we were just trying to make it so that it

1 could be easily identified for staff once it gets
2 to DPI, or once it gets back to Park & Planning
3 staff, because the use and occupancy permit and
4 that we do have from 1967 says to operate towing
5 wrecked vehicle and sale of used cars.

6 MR. BROWN: And that's the only
7 thing that can be certified. And even though it
8 may be worded differently from the post-2022
9 ordinance, it still gets you what you need. The
10 use would still be utilized if the district
11 counsel and the examiner, you know, so agreed.
12 So I just wanted to make sure that that was clear
13 before the examiner began to write her decision.

14 MR. HIJAZI: Okay. No, I mean, we
15 agree with that use. We've never been trying to
16 expand it in any way. And I apologize if it
17 seemed that way.

18 MR. BROWN: Oh, no. No, it's
19 confusing.

20 MS. MCNEIL: Okay. The only thing
21 I like to throw in there, and I agree with what
22 you just said, Mr. Brown, but the initial part is
23 it looks like this matter was filed in 2025. And
24 if everyone believes that it should have been
25 done under the prior ordinance, the prior

1 ordinance is slightly different --

2 MR. BROWN: Correct.

3 MS. MCNEIL: -- from the current
4 ordinance. I'm not saying -- I'm not ruling
5 right now if that's true, that it had to be under
6 the prior one, but we would need to leave this
7 record open to allow you to actually look at that
8 prior ordinance and see if there's anything more
9 you need to put in this record.

10 MR. HIJAZI: So what we've -- when
11 we applied, we didn't see anything preventing us
12 from applying under the new ordinance. As the
13 new ordinance stands, it doesn't say that if the
14 permit was issued under a prior ordinance, then
15 you have to file under a prior ordinance. And
16 that's why we filed under the current ordinance.
17 But I mean, we can take a look at the standard
18 under the prior ordinance and see if it's much
19 different or --

20 MR. BROWN: It is slightly
21 different. I think what you need to do -- we
22 don't need a new hearing, but you need to, I
23 think, supplement the record and utilize the
24 criteria that -- identified in the pre-2022
25 ordinance.

1 MR. HIJAZI: All right. I'll take
2 a look at that. But I -- again, I don't see
3 anything in the current code that prevents us
4 from filing under the current ordinance -- is
5 what I'm saying as well.

6 MR. BROWN: Well, the problem is
7 this. When you certify a permit issued in error,
8 you're certifying it under the ordinance that
9 existed at that particular point in time. Those
10 are the uses you are attempting to certify, not
11 new uses that have been created post --

12 MS. MCNEIL: Oh, no.

13 MR. BROWN: -- certification.

14 MS. MCNEIL: Right. You're
15 absolutely right. I was thinking it's just the
16 procedure they're trying to utilize because, I
17 mean, we allowed in the ordinance a choice, I
18 believe, but I'm not testifying. I think you're
19 absolutely correct that the applicant -- you know
20 what? You might want to just submit closing
21 argument, either addressing the old code or why
22 you believe it doesn't have to be addressed, and
23 then it's all on the record.

24 MR. HIJAZI: Okay. We'll submit
25 either a closing argument or a supplemental SOJ

1 on that issue, and --

2 MR. BROWN: Yeah. I'm not trying
3 to give you a hard time. I'm just trying to help
4 you avoid a problem.

5 MR. HIJAZI: I appreciate it. No,
6 no, I appreciate you flagging this as a possible
7 issue. And honestly, like I said, I agree that
8 we are certifying a use as it existed in 1967.
9 The only thing I was -- I didn't see anything in
10 the code that said that you had to proceed under
11 a prior ordinance, because if that would be the
12 case, then, I mean, I'd have to dig up the
13 ordinance that was in place in 1967 or the
14 prior -- or the next one after that. Regardless,
15 I will look into this issue and submit a
16 supplemental SOJ on it.

17 MS. MCNEIL: Anything further from
18 you or Mr. Harrah?

19 MR. HIJAZI: I would like --

20 MS. MCNEIL: Mr. Harrah. Which --
21 does anyone know? I didn't catch how he actually
22 says his name. I may have a hearing problem.

23 MR. HARRAH: Mr. Harrah.

24 MS. MCNEIL: Thank you, sir. Mr.
25 Harrah, do you have anything further you'd like

1 to add?

2 MR. HARRAH: No. Thank you.

3 MS. MCNEIL: Okay, and Mr. Hijazi?

4 MR. HIJAZI: Yes. I would like to
5 put Mr. Diaz Campbell (ph.) back on just as a
6 rebuttal witness, if that -- for lack of a better
7 description. It'll be very brief, just in
8 response to the testimony we heard today.

9 MS. MCNEIL: Okay. Tell me who
10 we're calling again.

11 MS. HIJAZI: Mr. Diaz Campbell.

12 MS. MCNEIL: Mr. Diaz Campbell,
13 good morning.

14 Whereupon,

15 MR. DIAZ CAMPBELL,
16 a witness called for examination by counsel for
17 the Petitioner, was duly sworn, and was examined
18 and testified as follows:

19 MR. DIAZ CAMPBELL: I do.

20 MS. MCNEIL: Okay.

21 MR. HIJAZI: Mr. Diaz Campbell,
22 did you -- well, just laying a foundation for
23 this hearing again. You reviewed a lot of
24 records pertaining to this property prior to the
25 hearing?

1 MR. DIAZ CAMPBELL: I did, yes.

2 MR. HIJAZI: And did you see any
3 increases in paved areas in the site since 1967?

4 MR. DIAZ CAMPBELL: I did. DPI's
5 permit records review two environmental
6 engineering permits from 1992 and 1993. Those
7 coincide with the expansion that Mr. Harrah
8 described in that time period. Those numbers are
9 3400854-1992-0 and 2811389-1993-0. We don't have
10 copies of those records, but they're from the
11 right time period. And there weren't any other
12 changes to the site observed from that period.
13 So that leads me to believe that they -- that
14 they were issued for the sales expansion.
15 There's also a second increase in paving in 2006,
16 but that was less than 5,000 square feet based on
17 my measurements, so it would not have required a
18 grading permit.

19 MR. HIJAZI: And at the prior
20 hearing, you expressed an opinion as to whether
21 validating this permit would adversely affect the
22 public interest or the health, safety, and
23 welfare of the county landowners and residents.
24 Based on the issues and testimony of Mr. Harrah
25 and your knowledge of the site, has there been

1 any change to your opinion?

2 MR. DIAZ CAMPBELL: No, there has
3 not been.

4 MR. HIJAZI: That's all we have
5 for Mr. Diaz Campbell.

6 MS. MCNEIL: Can I get the --
7 slowly give me the numbers of those permits
8 again. And can you tell me, are you saying you
9 searched for them and the county doesn't have a
10 copy?

11 MR. DIAZ CAMPBELL: We searched
12 for them, but, you know, they're not they're not
13 readily available. We would have had to file in
14 MPIA request or something similar to acquire
15 them, and that's a very time-consuming process.
16 But I can read the numbers again. It's --

17 MS. MCNEIL: Okay.

18 MR. DIAZ CAMPBELL: -- 3400854-
19 1992-0. And the second one is 2811389-1993-0.

20 MS. MCNEIL: And from what you
21 know, they were for paving the site, both of
22 them?

23 MR. DIAZ CAMPBELL: Yeah. They're
24 environmental engineering permits.

25 MS. MCNEIL: Okay. Mr. Brown or

1 Mr. Harrah, do you have any questions?

2 MR. BROWN: No questions.

3 MR. HARRAH: I do have a question
4 for Mr. Campbell Diaz. If you would like to come
5 by, I would certainly show you the area where the
6 drain is, and you cannot access it from the
7 Hofmann's property because the overgrowth. You
8 have to come on to Mews Court in order to see it,
9 and I'll be happy to show it to you.

10 MR. DIAZ CAMPBELL: With respect
11 to Mr. Harrah, I am not a -- I'm an urban
12 planner. I'm not an environmental engineer,
13 either. So I don't think I'd be able to see much
14 more than what you've described in your
15 testimony.

16 MR. HARRAH: I'm sorry. I didn't
17 understand.

18 MR. DIAZ CAMPBELL: I said I'm not
19 an environmental engineer either. So like, I
20 wouldn't be able to look at what is out there and
21 what you described and see, you know, anything --
22 anything different from what you've seen.

23 MR. HARRAH: But didn't you state
24 earlier that there was no danger to the community
25 or property owners by conducting the business

1 there, which includes a storage lot, an
2 automobile sitting for long periods of time for
3 mosquitoes to breed in standing water. You've
4 heard of West Nile virus, right?

5 MR. CAMPBELL DIAZ: Yeah. I did
6 hear what you said. And essentially my opinion's
7 based on my trust of, you know, engineers and
8 planners that -- at the county who are experts in
9 this stuff. They -- you know, they reviewed
10 these permits; they -- they issued them. And so,
11 you know, I have to trust that they met all the
12 stormwater regulations that were active at the
13 time. The -- you know, those are -- those
14 regulations that can't capture everything,
15 like -- like mosquitoes. But the -- by -- by
16 following the county laws, they've -- they've met
17 their obligation to protect the -- the public
18 interest to the best of their ability.

19 MR. HARRAH: Or personally, I
20 would question the county records and what
21 investigation was done, because that area of
22 the -- of the county, there's frequently a
23 question as to whether it falls under the City of
24 Laurel or Prince George's County jurisdiction.
25 I've gone backward and forward between the city

1 and the county over the years regarding different
2 problems, and that drain area is one of them.

3 A tree fell from that area several
4 years ago and hit one of our houses. So I'm very
5 familiar with the drain area where the properties
6 come together. There's about three properties
7 that join together right in that area. And
8 unless you come onto Mews Court and go back in
9 that area, you can't really see where it is. So
10 again, I invite you to come out. I'm happy to --
11 be happy to show it to you anytime. You just set
12 the time and date.

13 MR. HIJAZI: Mr. Harrah, I might
14 take you up on that meeting after this hearing.
15 So if you could just call my office, and then
16 we'll coordinate offline as well.

17 MR. HARRAH: Okay.

18 MR. DIAZ CAMPBELL: I'd be happy
19 to come as well. You have his number?

20 MR. HIJAZI: (301)464 --

21 MS. MCNEIL: Wait one second. You
22 might want to email him unless you just -- you
23 know, maybe it's advertising for the firm, but
24 everyone will know your number now.

25 MR. HIJAZI: Oh, this is just the

1 office number.

2 MS. MCNEIL: Okay. All right. Go
3 ahead.

4 MR. HIJAZI: I can put it in the
5 chat as well. It's (301)464-4646.

6 MR. HARRAH: 464?

7 MR. HIJAZI: 6464.

8 MR. HARRAH: Thank you. Right
9 here.

10 MS. MCNEIL: All right. If there
11 are no other witnesses -- I don't know if you
12 want to say anything now or we're just leaving
13 the record open for some type of closing that
14 ties together those legal issues that were raised
15 by Mr. Brown.

16 MR. HIJAZI: Yeah. We will
17 supplement either with SOJ or a written closing
18 statement.

19 MS. MCNEIL: Okay. Then I thank
20 all of you for being here. And enjoy the
21 remainder of your day and the remainder of your
22 summer. Thank you all very much.

23 MR. HARRAH: Thank you all.

24 (Whereupon, the proceedings were
25 concluded.)

1 C E R T I F I C A T E

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4 I, Lori Coen, certify that the foregoing

5 transcript is a true and accurate record of the

6 proceedings.

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10

A handwritten signature in black ink that reads "Lori Coen". The signature is written over a horizontal line.

11 LORI COEN

12

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18 Date: September 2, 2025

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