Open Meeting Minutes of March 21, 2023

As reviewed, approved and accepted by the Town Council on April 4, 2023

Mayor Ruspi called the Open Meeting to order at 8:34p.m. The meeting was held using video conferencing. Council Members Charles Bradsher, Tom Burke and Amy Koval were present. Also present were: Historic District Commission Chair Charles Hendricks, Planning Commission Chair Eric Wenger, Parks and Trails Task Force Chair Jill Ruspi, the Town Clerk, Assistant Clerk, Assistant Staff Member, Mr. Rafael De La Rosa, Ms. Jessica Membreno, Mr. Steve Crum of Macris, Hendricks and Glascock, Mr. Robert Shapiro and Mr. Ryan Shapiro of Goshen Valley Homes, Mr. David McKee of Benning & Associates and Ms. Judy Hruz, Editor, Greater Olney News.

Declare Decision on Whether to Leave the Record Open or Close the Record on the Public Hearing for the Site Development Plan for Lot 2C in Laytonsville Preserve: Mayor Ruspi said the first order of business is to decide on whether or not to close the record. He confirmed that the site development plans have been available at the Town Hall for review and that Mr. De La Rosa, Ms. Membreno, their consultants, and the Town’s consultant have all provided input.

Council Member Burke made a motion to close the record. Council Member Bradsher seconded the motion. ***Unanimously approved.***

New Business

Decision on site Development Plan for Lot 2C in Laytonsville Preserve: Mayor Ruspi said the site development plan can be approved with stipulations such as moving the house up 15 feet closer to the road. He also recommended additional conditions including written approval from the Laytonsville Preserve Homeowners Association (HOA) and that some trees be planted on White House Lane. Mayor Ruspi asked the applicants if they would be willing to sign something with these stipulations. Mr. De La Rosa said they will provide an updated site plan with the house being moved up 15 feet and they will follow up with the HOA.

The Assistant Clerk recommended the trees not be included at this time as the area for planting may be property that is maintained by the HOA.

Council Member Koval clarified that the Council could approve the plan pending written approval from the HOA.

Mayor Rupsi recommended the Council approve the plan the conditions of receiving a final site plan showing the house moved up at least 15 feet and written approval from the HOA.

Council Member Bradsher made a motion to approve a site plan showing the house on Lot 2C in the Laytonsville Preserve subdivision moved up at least 15 feet closer to the road from the current site development plan that was submitted by Mr. De La Rosa and Ms. Membreno, and for the owners to seek approval from the Laytonsville Preserve Homeowners Association. Council Member Koval seconded the motion.

Council Member Koval questioned if this is what the Council wants to vote on and asked the Assistant Clerk to read the motion again. After hearing the motion again, Council Member Koval suggested amending the motion to include written approval from the Homeowners Association. There was discussion about approving the site plan with conditions.

Council Member Bradsher withdrew his previous motion.

Council Member Koval made a motion to approve the new site development plan presented at tonight’s meeting conditioned on the home being moved at least fifteen feet closer to Route 108 and pending written approval from the Laytonsville Preserve Homeowners Association. Council Member Burke seconded the motion. ***Unanimously approved.***

Summary of Closed Session Held on March7, 2023: Mayor Ruspi asked the Assistant Clerk to read a summary of the Closed Session. Ms. Jackson read the following:

The closed session was called to order on March 7, 2023, at 8:11pm.

The meeting was held via video conferencing.

The purpose of the closed session was to obtain legal advice and consult with staff, consultants, or other individuals about pending or potential litigation regarding a zoning matter.

Vice President Koval made a motion to enter into a closed session as authorized by General Provisions Article Section 3-305(b)(8) of the Open Meetings Act. Council Member Burke seconded the motion and Council Members Bradsher and Preusch voted to move into a closed session.

After discussion about pending or potential litigation regarding a zoning matter, each of the Council Members stated their decision in favor of or opposed to Town Counsel, Victoria Shearer, calling plaintiff’s counsel.

For Opposed

Vice President Koval said yes. None

Council Member Burke said yes.

Council Member Preusch said yes.

Council Member Bradsher said yes.

Mayor Ruspi said yes.

Residents Forum

Charles Hendricks asked what time the Closed Session was adjourned.

Ms. Jackson said the Closed Session was adjourned at 9:25p.m.

Respectfully submitted,

Joy M. Jackson

Assistant Clerk

March 21, 2023