**Town of Laytonsville Planning Commission**

**Public Hearing for Hope Re-Investment LLC**

**Preliminary Plan for Subdivision**

**6641 Maple Knoll Drive**

**April 20, 2023**

**7:30 pm VIA Zoom**

Chair Wenger called the Planning Commission public hearing to order regarding Hope Reinvestment, LLC. for their preliminary plan for subdivision at 6641 Maple Knoll Dr. on April 20th at 7:34 PM. Present were many residents, representatives of Hope Builders, as well as Tom Jackson, Brian Kline, Brendan Deyo, Obed Pellegrino, Eric Wenger, Mayor Ruspi, Town Clerk Mary Burke, and the town engineer Stephen Crum.

Chair Wenger stated that this is a public hearing. This is official business with an agenda. I am going to reverse items 2 and 3. Hope Builders will state their position regarding their development. Then we are going to have the Planning Commission discuss with the engineer. Then we are going to open for public comment after that. I will pick each person and I am going to ask you to limit your comments to 5 minutes or less. You're certainly welcome to submit written testimony for the record, and we can keep the record open if that is the case. Then we will close the public hearing, and we will have a vote. With that, Dave Dassoulas, are you ready from Hope Builders?

Dave Dassoulas: I really appreciate the timeliness of the town and how they have handled the whole process for us. I am accompanied by our team, which is made of up of the President, Tim Birdseye. He will discuss the operational questions. Michael Manous is the project architect, and he will speak about that. Ron Thompson is our civil engineer. We are prepared to present and answer questions. I will say at the outset that we have thought about being in the town of Laytonville for about 10 years. Then we purchased the property and have done work to get us to this point. We found out after submitting the original plans that the property we bought had never been legally or properly subdivided, and that is what brings us here today. Thank you for being here and listening and considering. We are hopeful that one day we will be a physical part of the community. At this point I will let the professionals take over. They have the knowledge and have prepared the presentation package.

Ron Thompson: (shared the screen of the site plan) I am with Vanmar Associates, as Dave mentioned, and we are the civil engineers. We are proposing a building that is approximately 29,000 square feet consisting of a 2-story office building, an event/training center and an operations center. We have positioned the building to have circulation of traffic and trucks. The eastern driveway will be two-way for parking throughout the site. There will also be a one-way type of entrance, where trucks can come in and back into three loading docks. On the eastern side of the building, there is also a drive through to drive into the operations center to get materials that go out on job sites. There are 47 spaces minimum required for office and other purposes. There was nothing in the code for the operations center. We have a total of 55 spaces provided. Our utilities will be public water and septic. The water is already to the property line, so that will be brought into the building. We will have a septic system and three alternatives. All four systems will be installed in the initial construction of the site. We’re proposing 3 micro bio retention facilities, one in the rear and two in the front of the building. There are 3 mature maples along the front of the property, and we will retain two. The operation of the site as designed is to contain all operations within the property. We've also designed this to have fire flow, which is one of the requirements by Montgomery County. The maximum building height is 40 feet, and our proposed building height is 37.25 feet. The maximum floor area ratio for C1 district zoning is. .3 and we are 0.28.

Mike Manous: I believe in designing a beautiful facility that would fit very well into the town. As you saw on Rons site plan, we've broken the mass of the building down into multiple areas, thereby reducing the overall visual bulk of the facility. Again, not necessarily for a zoning hearing, but as we go through the planning cycle with materials, I think that again we've created a building that fits nicely into the sort of rural agricultural field of the beautiful area that you all are in.

Chair Wenger: I will now bring this to the Planning Commission so they can talk about this, cross examine, ask questions, and talk about any conditions that that we would like to see placed. Brian, do you want to start?

Brian Kline: We mentioned some of the trees that would be planted in the landscape plan and if I remember this correctly, we've included some additional landscape, but we didn't talk about any sort of evergreen buffer. Is that in the plans anywhere? To install an evergreen buffer to help some of the residential neighbors?

Ron Thompson: I believe that is part of the plan, of course on the eastern side, I'm showing a row of Pink Dogwood along the property. We would screen the property with some type of fence.

Brian Kline: And the stormwater management and the widening of the road that intends to be addressed as well?

Ron Thompson: That will have to be addressed. Dave Dassoulas mentioned that was going to be a condition from the Planning Commission.

Brendan Deyo: I appreciate the introduction and description. I'm glad that you're trying to save what you can of the trees and the scenery. I’m looking forward to seeing how the architectural rendering fits in, because we do have a definite feel to the Laytonsville community, which I think we want to preserve. I don't have any existing questions.

Obed Pellegrino: The only thing I had was the sidewalk. Extending it 5 feet instead of 4 feet. I'm trying to figure out exactly where that's going to be at.

Ron Thompson: Right along the edge of the property line out of the right of way line, on the frontage.

Tom Jackson: Is there going to be a sign on the building, or will it be on the ground? Will it be lit?

Dave Dassoulas: The plan has the company name on the peak of the operations center, and we will comply with the sign ordinance.

Chair Wenger: I want to point out that in our first quarter meeting, we did bring this subject up and we had input from the town engineer Steve Crum. There were several recommendations and what we'll call conditions that I think the Planning Commission may want to put into this preliminary plan to have it move forward. I have a question relating to septic. You said that Montgomery County said 10,000 square feet. I'm just curious about that because the property is located on the eastern side of Route 108, and that is the Patuxent watershed. The western side of Route 108 is the Seneca watershed, and in the Seneca watershed, septic setbacks are 10,000 square feet. In the Patuxent watershed, it's 17,000 square feet. And of course, there needs to be a reserve of 17,000 square feet. I'm just trying to get some clarification on that if I can. Are we sure about that square footage is 10,000 because it is clearly in the Patuxent watershed?

Ron Thompson: I've been in communication with Jason Fleming from Montgomery County and have his review letter stating that we need to have a 10,000 square foot septic area as the minimum, but again we need to have installed all four systems, not just the initial system.

Chair Wenger: I would like to get some follow up on that, just to be sure be. And again, I'm not claiming to be an expert, but I was always under the impression that the eastern side of Route 108, which is in the Patuxent watershed, required a larger setback. I just want to get that clarified. I believe that these are the conditions that the Planning Commission should set forth on this plan to move forward with this preliminary plan. And of course, you address the street. I think that Maple Knoll Drive is going to need to be expanded to allow for traffic to make sure that traffic can pass by on Maple Knoll without any real hindrance. I think that's going to be an important factor in getting that, that access and making sure it flows. I'm going to ask the Planning Commission to make that a condition of the preliminary plan to go forward. Regarding the sidewalks that Obed Pellegrino addressed, again, I think that makes sense and that expanding that to 5 feet makes sense for the ADA requirement of a public sidewalk. And I think there may need to be a crosswalk on Maple Knoll Drive for safe crossing. The public utility easement dedication is something we want to make as a condition. The stormwater management which you mentioned, that's going to be an important factor, because there are the existing engineered bioswales that were built for Laytonsville Grove that will be impacted to some degree. So obviously, we're going to want to condition that. The landscape does not appear to be particularly adequate. I know you just mentioned fencing, which may help for some screening, but I'm not sure that that's an adequate landscape element, so I think we'd like to see a more comprehensive landscape plan for screening purposes. We want to make sure that septic is approved by the county. I think those are the primary conditions that the Planning Commission should look at applying to this and we will vote on this later at the end of this public hearing. And so with that, I would ask the town engineer, Steve Crum, if he has any input.

Brian Kline: Eric, before Steve goes, one thing that didn't get mentioned was sight lighting.

Chair Wenger: You are right, Brian. That was one of those conditions, and that we did not see a lighting plan. And so, we would like to condition that that we'll get a lighting plan. Thank you, Brian.

Steve Crum: I guess I have a couple of questions for Mr. Thompson. You are correct, the Laytonsville zoning ordinance doesn't have a parking generation rate for an operation center. Can somebody from Hope Builders describe what occurs in the operation center and why 8 spaces sufficient?

Rob Thompson: It is basically 2-4 people that work within the operations center.

Tim Birdseye: What happens at the operations center is that material is dropped off and we sort it and we put it right back out on our trucks for the guys doing the work. As far as the impact of people in there, it is literally two to four people there every day.

Steve Crum: Mr. Thompson, how large is the septic reserve area? Is it exactly 10,000 square feet or is it somewhat larger?

Ron Thompson: It is 10,000 square feet I'm working with Jason Fleming on the final.

Steve Crum: Regarding the event space. Earlier it was described, perhaps, as a training space. Any thoughts on if it would be rented for events?

Dave Dassoulas: My wife and I added that as a dream. It would be used by Hope Builders in our daily operations, and we would use it for company meetings, events, or celebrations. In our hearts and minds, we wanted to have a space that could be used by the community and by Hope Builders. It's not being designed with the primary purpose being an income producer, although it may be rented. We're thinking of recreation. The space is large enough for basketball, pickleball or volleyball. It could be used for receptions, although there's no kitchen due to septic. I think Montgomery County is going to put some conditions on the septic plan as well in terms of staying within the requirements of the design of the system. It's not a space that is typically going to be used in any large amount during our work hours. It would be outside of work hours That's our vision of that space.

Chair Wenger: Thank you, Steve. With that, I want to move this forward to the public. We will need you to state your name and address.

Trupti Brahmbhatt, 7007 Cracklin Court: I have two questions, one with the described different uses of the building itself. What is the impact on the traffic on 108, especially the small shopping center that's across the street? It is very difficult to come out of that shopping center when traffic is going through for work hours. I'm wondering what kind of traffic impact this will have. And my second question is if the event space is rented what is the latest time that event can go on and what is the noise impact on the surrounding community? Will there ever be a traffic light at Maple Knoll and 108?

Dave Dassoulas: I'll answer the event question and I'll let Tim Birdseye try to speculate about the traffic impact. The latest the event center would be open would be 10 or 11 in the evening. I would think that most of the noise would be from inside the building.

Tim Birdseye: As far as the impact of traffic, in the morning all our office staff would come in and then during the day periodically we have trucks that will pull up and deliver usually one or two pieces and then just pull out. As far as quantity we have 6 to 9 deliveries and then we load our own trucks on site from the stuff that's inside the operations center. And then people come in and pick them up and then leave and go to their jobs. The hours of operation are 7:30 – 4:00, with the bulk of our business occurring between 8:00 and 2:00. The event center would be non-peak hour times when people would be arriving so that it would not be impacting when you have most of the traffic on 108.

Trupti: I would not envision that there would be a traffic light there. How many trucks a day? Do you know how many employees a day will come and go? If event space is rented out, how many people does that event space hold? Based on that, how many cars would come and go? So, there should be some kind of estimate on traffic impact.

Dave Dassoulas: About 20 employees come and go at different times during that period, 7:30 to 4:00 PM. There are 8 trucks that leave for jobs. That's about the extent of the traffic. For the event center, we have 55 spaces. I would anticipate in off hours the worst-case scenario there would be roughly 50 cars and if need be we would get a policeman.

Megan Gasque, 228 Barberry Lane: My question is really about the visibility from our neighborhood, and the noise. Would we be able to implement quiet hours for this particular building? Being that it will be so close to residential homes. I know trucks can be very loud. So, if they're loading at specific hours, or if they're in and out, could there be quiet hours?

Dave Dassoulas: I think it was talked about, but would there also be something from the town that we could say no loading after a certain hour?

Chair Wenger: Yes, the town could impose a condition regarding that.

Ron Thompson: As Tim pointed out, they operate between 7:30 and 4:00 PM. A lot of their business is with trucks departing at that time to go to work overnight.

Megan Gasque: And how large are they? How large are the trucks? Just wondering, because we have small children, and we walk up and down Maple Knoll to get across the street to the Family Room and to 7-11.

Ron Thompson: They're the typical delivery trucks that you see on roadways between communities. They are not the oversized trucks that you see out on the Interstate highways.

Alison Duffy, 220 Barberry Lane. We are very familiar with Hope Builders, and I was curious, is this going to be a secondary site for you or will you be moving all your facilities from the Airpark to this site?

Tim Birdseye: We would be moving everything from Hope Builders to this site.

Allison Duffy: So there will be trucks, I'm assuming, stored there on the weekends, out in the parking lot? How many do you estimate?

Tim Birdseye: Yes, they will be tucked up on the side next to the building. On the weekend we probably have four to five.

Christina Pellegrino, 21404 Laytonsville Rd: Do you have an artist rendering of a street view of the building?

Michael Manous with Manous Design: We anticipate creating 3-dimensional imagery as this young lady has asked for.

Sharif Hidayat, 272 Barberry Lane: I've been a police officer for over 2 decades and I handled community service complaints from neighbors for years. The most amount of agitation and frustration was businesses moving into residential areas. Now I know it's not zoned residential, it's zoned commercial, but you've heard it from yourself that you're taking a business from an industrial park and relocating it adjacent to a residential community. It's not going to work. Number one, I want to know a couple of things. Can the board take a review period, not take any votes tonight and suspend any decision making for 30 to 45 days to provide a copy of the preliminary plan to the Laytonsville community? Or at least provide documents at the Town Hall so we can pick it up and review it as a community because we really haven't been included in any of the decision making, even though it was open. The reason why you're seeing a full house today is because we shared information internally amongst ourselves. I don't think you're going to get a lot of support from the neighbors in this community. And the traffic is going to be disastrous. And this concept that Dave says that you'll call the cops, that's fixing a known problem that's going to happen. I would also like to ask from the Chairman is, is that how do you make your decisions and how do you take residents input to making your decision to reject this proposal in its entirety?

Chair Wenger: So you're directing that question to me, correct?

Sharif Hidayat: And I'm trying to figure out how you’re going to sleep at night.

Chair Wenger: I've lived in Laytonsville a long time and I sleep very well. It's a nice town. The Planning Commission is to go over the preliminary plan for this proposed subdivision development. What we do is operate within the comprehensive plan and zoning ordinances of the town of Laytonsville. The comprehensive plan is the vision that the town has set forth. It is coming up for review, mind you, but it's still in full force. And the zoning ordinances are how those are enforced and how they are done. The property in question is zoned commercial. It was deemed this by the Planning Commission over the years to look at the way the town is set up and develop that the southern end of town down here by Maple Knoll is sort of the commercial district. That lot has been zoned commercial for a very long time, so it's just a matter of time before it would be developed. So, then the question is, how will it be developed, and what we want to see is that it not be the lowest common denominator, but the highest. We want a quality business going there that has ties to the community. And indeed, takes note of its neighbors and is neighborly.

Sharif Hidayat: Right, I understand. But you've heard it from the owners and representatives from their own lips. This is a business coming from an industrial park which is zoned industrial coming to a commercially zoned area and they're going to transpose their industrial operations into a commercial operation. Do you see that?

Chair Wenger: I'm not going to speculate on that. I believe that Section 110.02 in the C1 Zoning ordinance permitted uses under G says commercial establishment: establishments devoted to sales, service trade and or merchandising. It probably falls within that line of the zoning ordinance. So with that, I believe it would be an approved use, but again, we haven't approved anything. We're just going through this process and obviously you have strong feelings and that's fine. We want to hear that because the Planning Commission certainly wants to take that into consideration. Obviously, the neighbors all have. We must operate within the town's comprehensive plan and zoning ordinance. And so that's what we want to make sure happens as a Planning Commission, that's our job to make sure these things take place within those ordinances and that we can apply conditions that help it to comply with that and to be good neighbor.

Sharif Hidayat: OK, let me ask you one last question, I'm sorry, but if a petition was issued where every neighbor in this community, Laytonsville Grove, signed to say that they did not want this business to be our neighbor. Is that something that the Commission would consider and approve? Not approving this idea or that has nothing to do with any anything with the decision making that's going to go on.

Chair Wenger: Well, I'm not going to go so far as to say yes or no in that regard, but what I will say is that petitions do not change the zoning ordinance. Changing the zoning ordinance is at a different step. And if that's something you want to do, then that's a process that can be taken. If that's certainly not going to affect what's taking place here, because this is the zoning ordinance that is currently in effect. So while you can submit a petition, that's not going to change the zoning ordinance, and I think it's unfair for anybody to take away the current zoning ordinance from people who want to do things, whether it's build a home or business in an appropriate fashion. So what I can say is I don't think a petition would have the standing to change that. But again, I'm not going to make an outright judgment. I'm just going to say I don't think so, and I really appreciate your input and I'm going to say that we've got that on the record and I'd like to move on to the next person.

Sharif Hidayat: Eric, I promise this will be the last one. Is this within the ordinances that we read this evening because I looked over it myself. There are several statements in there that says to be neighborly, to take the input of the neighbors, how it would affect neighbors. And you're saying that even with the neighbors saying no that ordinance that says that you're supposed to work with the neighbors doesn't meet that standard.

Chair Wenger: I'm not sure what ordinance you're referring to.

Sharif Hidayat: I have it right here, it says. Section 100.01 general standards for approval. It says the mayor and Council shall approve site development plan only upon a finding by it that the building structures and uses proposed will not adversely affect the health of safety of persons residing in or working on the land in question or in the neighborhood thereof. Be detrimental to the public welfare or adversely affect the use of development, adjacent or surrounding properties, or public roads or public lands or facilities or historic sites or buildings can constitute a violation of any provisions of zoning ordinances or other applicable law, regulation, or ordinances. And be incompatible or inharmonious with other existing uses with existing and proposed adjacent developments such as our residential community, be in harmonious or inconsistent with the environmental standards of the town's forest conservation ordinance. Those are the ones I'm talking about.

Chair Wenger: I appreciate that very much. I think that's a little bit off target if I may say so. The Planning Commission right now is going over a preliminary plan. It will be up to the mayor and Council to accept that and to give a building permit, so we're not to that point yet. This is a zoned commercial lot and within the town's ordinances. So what we're going to do is try to make sure that we see that the zoning ordinance is met and we're going to imply imposed conditions to help that. And so again, I appreciate your input, but I'm going to stop you here because you've gone well over your 5 minutes. And if you want to put something in writing, I do encourage you to do so. I'd like too on to the next person.

Randy Seacrest, 252 Barberry Lane: My question was concerning what was said about widening Maple Knoll. Could someone talk about how wide and how far into the community it's going to be widened? And how that may affect the traffic and parking at Stadler’s and how they use the road?

Ron Thompson: We would be widening along the frontage of the property, which would be from the commercial business to the corner of Laytonsville Road and Maple Knoll Rd.

Randy Seacrest: So then after your tree line there or property line, it will go back to the size that. it is now for the community.

Ron Thompson: I believe we only have to widen along our property line.

Chair Wenger: The importance of widening it is that that's a commercial road right there and it really needs to be wider to allow for that ingress and egress for them, but also for the traffic coming in and out of Maple Knoll. The road in the residential community will not be widened. And indeed, I think one of the other conditions we really may need to put on is to make sure that we restrict truck traffic from going into the neighborhood. Widening the road is very important to managing that traffic at the commercial end.

Randy Seacrest: Yes, I agree that would be my next question. I didn't want it widened past because I don't want those trucks going back, right? I think there's already allowed parking there from Stadler’s now so that road is already too small. That's all. Thank you.

Evan Valentine, 21301 Willow Lane: First, I just wanted to say I appreciate Officer Sharif for talking very eloquently and doing his homework. I completely agree with him. The main concern is that it doesn’t seem to benefit the neighborhood. I see that you guys have spent a lot of time and money. It doesn't seem to be harmonious with the neighborhood. In my mind when I saw this popping up, I was expecting to see something like shopping or food or something just to help the neighborhood not have to drive out of town, but seeing a commercial operation moving into here, it's not. It doesn't feel like the right space. Just the construction alone is going to be what, like a two-year process at least. So, we're going to have a direct view of it. I'm unsatisfied with the entire plan.

Dani McColl, 21301 Willow Lane: My concern is that I know you said something about having a slight buffer with like a fence or trees, but I don't see anything in your plan with a buffer. What would that be like? The northern side that's facing our building, how much noise is there going to be, not only during construction, but also afterwards. You said most of the noise is going to come out of the Operations Center.

Tim Birdseye: I wouldn't call us a very noisy operation. It's just trucks coming in. That's the extent of anything the community would hear, and then it's just the people who work in the office coming in the morning and parking for the day.

Evan Valentine: Just stating the fact that we live right next door, and we are here every single weekend. We don't complain about it, just the Office alone, with people getting rowdy over there we hear that till 1:00 in the morning. I'm just not really too thrilled of the idea of something in my backyard. Now we have an event space where people are going to be out partying. People are going to be outside. It just doesn't fit; you’ve got houses right across the lawn. You have got houses right to the right of you. It just seems like a strange place to put an operations center.

Dani McColl: My other question for you is why are you moving from your area from Airpark to this more residential area? Since that is kind of more of an industrial zone over there. It just seems more fitting that that's my question.

Dave Dassoulas: I would say that we are in a condominium building. And we are looking forward to being a good neighbor without having to manage another 13 to 15 businesses. So that's pretty much why we want our own place, and we want to have a nice place. And a pleasant community. And we expect it to not be a detriment to the community, but in the end be a plus. That's our goal.

Evan Valentine: I mean, I know you guys are looking for a nice new home and everything and I'm really not trying to talk down your business or anything but my idea of when I first thought of this is something to help the community make it more convenient for their life. And I do understand your guy’s point of view, it's already zoned Commercial. My question is, is this the right place? More of a statement than anything but that’s it for us.

Dani Sorage, 21301 Laytonsville Road: I have a lot of concerns. One is one of the main questions that everybody's bringing up - is this the proper place for this, considering our small town is a small town, not a very commercial feel. But my main 2 concerns for sure are what is the plan to limit light pollution? Because the building next to this plan in the last couple of years had added lights to their parking lot, which is insanely disturbing to the community because it's just like a football stadium. I definitely want to know what the plan is for light pollution and just as a couple of other people had mentioned, the landscaping is definitely subpar at best, and I really want to know what that plan is for that buffer on that northern side because of the sound.

Dave Dassoulas: I'll address then let Michael Manous address the lighting and then I'll just make a comment on the land. Michael Manous is going to develop the landscaping plan. What is on the drawing is just kind of a draft. And putting a few things on there, the landscape plan and the screening has not been developed at all yet. We're just trying to get the subdivision done and then we'd like to move quickly to get the project before the town as well.

Michael Manous: We will be submitting a full photometric plan to the Planning Commission for their review and approval. We use all what are known as shielded overthrow fixtures in our parking areas. Typically here in our area we limit the light spillage over the property line to half a foot candle. I would like to do some architectural lighting on the building, but it will be done to what are known as dark sky standards from a lighting standpoint. It's pretty much accepted standard now in new development, so we won't have what are known as unshielded wall packs which may be the type of lighting you're referring to where you can see the glare from the luminaire. We do not use those types of fixtures. You won't be able to see the actual light source. You will just see the light spilling onto the ground, so you won't have direct view to any of the actual fixtures themselves as far as the light source.

Chair Wenger: I appreciate your question very much and I fully understand what you're talking about with the lights that went up at the former bank building. And that's not what we're here to talk about, but it is important to understand that we don't want to accept that necessarily and we won't for this type of development. So thank you for bringing that up.

Brian Kline: I want to emphasize that this property has been commercial for a very long time. And it has been in the master plan since last revision. And I think what Dave and Hope Builders are trying to do is to be neighborly and that's the most important thing. And I understand everybody from Laytonsville Grove is concerned that it's a commercial building and I say commercial, and I want to make sure that everybody hears that. We're relating this to the Airpark, which is industrial that is different, this is commercial. The Airpark has a lot of different occupancies in it. It is industrial, it is commercial. People with children likely have taken their kids to some sort of event. They're at a bounce house or a gymnastics or karate or any of that. The Airpark has a mix. The master plan has this zoned, and the town has it zoned as commercial and that's very important to understand. I feel as though Dave is doing the best that he can to be neighborly, and I don't know, Dave. I've only met him during this process, but he seems to be like a genuine individual who wants to do this right. And I think the most important thing is, is that whether it's Hope Builders or it's someone else, somebody's going to do something with this property. And if we have somebody who is willing to work with the town and work with the neighbors through the lighting plan, through the landscape plan through the septic, through the ADA requirements, through the sidewalk, through widening the road, we have a good partner here and that's very important and again I understand all the neighbors’ concerns. The hours of operation that he's requesting, the limited impact on traffic. I go to 7-11 and I know what 108 looks like between 7:00 AM and 8:30 AM and between 3:30 PM and 5:30 PM it is tough. But what he's doing has a low impact on traffic. If we can get a good landscape plan, we can get a good lighting plan and we have somebody who's neighborly and the event center, we need to put some parameters on that. Somebody commented on the Office and I understand that as well and this to me seems very low impact. I would love to see a rendering of the building because I have a feeling it's probably going to be an aesthetically pleasing building. Something's going to happen this this property will be developed, whether it's Dave or not. We want to pick and choose our battles. And if Dave can be a good neighbor, I think that we should, you know, to some level, embrace that. And that's difficult to hear because it wasn't there before and change is difficult. If it's changed for the positive and he can be a good neighbor to all of us and have a positive impact on the town. I think we need to take that into consideration. I think everybody should take that into consideration.

Charles Hendricks, 7011 Brink Rd: At the March Planning Commission meeting it was stated that trucks would be having to back in from Maple Knoll Dr. into the loading docks. That was with a plan where the road Maple Knoll Dr. would not be widened. With a wider street you have even less maneuver room. It doesn't appear to me that there's room to turn around a semi on the property with the amount of space being occupied by the various buildings. I thought I heard that trucks would not need to back in from Maple Knoll. What is the understanding as to how semis would approach the loading docks?

Ron Thompson: How they would approach the loading docks is to come in the first driveway and around through the site. We’ve illustrated 3 trucks parked there. They would pull in depending upon their operation. They could pull up towards the sidewalk and then back up to the loading dock.

Charles Hendricks: So you foresee room for a semi to turn even when cars are parked in front?

Ron Thompson: We do not plan for semis or large delivery vehicles to pull up on the site and then back into the property from Maple Knoll.

Charles Hendricks: That sounds like an improvement over what I heard in March, so I'm glad to hear that. How does the event space relate to the portion of the zoning ordinance that Eric cited. is the commercial service of an event space an approved use the commercial zone?

Chair Wenger: Ordinance Y says public uses, and I think that's probably where it would fall. Again, we're still figuring that out, but I believe that would be it under the under that zoning Ordinance Y, public uses. That's just my perspective. We may need to put as a Planning Commission, some additional conditions on that, but I think that's where that would fall.

Charles Hendricks: I certainly would hope that you would put some conditions on the time at which the event space could be used. I don't think the zoning ordinance was for all night clubs. That's all my comments.

Jim Ruspi, 7111 Brink Road: I'm going to go way back to the beginning of this present virtual meeting. My question is directed to Ron. I believe you gave a couple numbers that were the height of the building. I can't remember them exactly, but I thought you said something like 41 or 42 feet. And I'm wondering if you're aware that Laytonville has a height restriction of 35 feet. My question is, are you going to be proposing something that's going to be in compliance with that height?

Ron Thompson: From my rating for C1 in the commercial building, height is 40 feet. And a maximum height of 40 feet and to the midpoint. As you pointed out, it was 37.25 feet.

Jim Ruspi: So are you saying that in the commercial zone it goes up to 40 feet?

Ron Thompson: That can be up to 40 feet. That's correct, Sir.

Chair Wenger: It is correct in section 110.06 height and yard regulations A is maximum building height is 40 feet.

Jim Ruspi: OK, I'm wrong on that then. Thank you very much for clarifying that. I thought the 35 feet went to all of the zoning sections in the town. No, that's about it. I don't have anything else.

Patrick McEnerny, 240 Barberry: I think I'm taking a little bit from everything. Selecting a good partner, being careful for what you may wish for. I think an artist rendering will be really helpful to see the aesthetics of the property. I'm concerned about the noise. All of us are concerned about a monster eyesore that's going to be a lot of noise that can be very disruptive to everyone that has invested a lot of money in this town, and so I'm just kind of commenting, I think you should really put the brakes on. You should listen to and take input and I do like the fact that we are going to have a partner. And I think it's going to be critical to make sure that we have an input on who this partner is going to be. And yeah, I kind of agree with the person. I'm not sure if it may have been Brian who said, listen, you don't know what can come in here. So this might be our best fit and if this person is willing to work with us, I think we could try to create something new. But I am worried about trucks. I don't know what the trucks look like. I feel like driving over there tonight to see what your facility looks like. It's a big space for four to five people. I have a hard time believing that with all those spaces you're only going to have a few people there. I don't know how many employees you have, but you know, I think we should continue the conversations. And continue to educate the community, but we need visuals. We just need more information. So I think you got to put the brakes on a little bit. So we see some more artist renderings and you can share additional information and continue to make modifications and listen to the community. I appreciate everybody. Thanks so much.

Tammy: We're at different locations. He's actually in the car and I am at home. One comment that I wanted to make, and I'm agreeing with all my neighbors, that we just had some concerns and we want to see how this plays out a little bit, have more information, but when I went to the Hope Builders website it does say with the restaurant business that one of the things that they work with restaurants and pride themselves in is to not disrupt current restaurants that have business during the day and the evening hours and that they will work with delivering their equipment after those hours happen, so you know I'm a little skeptical that the truck won't be coming only to 4:00 like that. There will be evening hours and our property actually is right across from the school's back lot, and I can even hear the noise on 108. If this all plays out, we definitely need to have what Brian was talking about at the beginning that there needs to be an evergreen screening, something that's going to block noise from our neighborhoods as much as possible. So that's my only comment.

Hello Sam Georgopoulos, 7006 Franklin Court. I just want to be clear, are we talking about parcel 248? Is that the parcel we're talking about?

Ron Thompson: This is parcel 248, roughly 2 acres.

Sam Georgopoulos: And it's obviously zoned commercial in the town, is it zoned commercial in the county as well?

Chair Wenger: The town has its own zoning, so it's got nothing to do with the county. It's the town that has its own zoning authority. And that's what the Planning Commission is doing here this evening.

Sam Georgopoulos: And what's the Planning Commission voting on this evening?

Chair Wenger: Well, we're not. What we’re doing is we're in the preliminary plan stage of this subdivision. What we're looking at is the proposed plan. The Planning Commission is looking to impose some conditions to move forward on the plan to help this plan fit within the community and of course we're taking the public's input so that we can help to draft those conditions but draft them within the zoning ordinance. So that's what we're doing today. This is a process. And of course, once we get through this and we talk about the conditions, then the developers are going to have to go through the process of implementing those conditions and showing how they're going to comply with them. And then each thing would have to be signed off on to show it's going to be complying. And then of course you would have to go eventually before the mayor and Council. So right now, what we're doing, we're looking at how this fits and how the conditions will help it to fit better within the vision of the comprehensive plan and the zoning ordinance. Got it. Sam Georgopoulos: And so just one final comment, I don't need to add whatever anyone else has said just on the matter of awareness here. The only reason I knew of this meeting was I went to see when the bulk trash pickup is, and I said, oh, what's this? And I asked the clerk what the agenda was. Unless I visited the website, I would not have known of this happening at all.

Chair Wenger: Yeah, I appreciate that. In general, the requirements are that a sign be posted, which it is, and then that letters go out to the adjacent adjoining properties. But you're right. We want people to be involved, so I appreciate that. And I think that's something the town can work on outside of this, just in general as far as making people aware of what's going on. I couldn't agree with you more.

Wayne Keeler: OK. I've been listening to everyone's comments. And unfortunately, I have experience in the design business. Your town engineer knows that, and a few other people. I agree with what Sharif said. I think since you've got a good builder developer here with what everybody's saying, it's important for the town folks here in in this group, Laytonsville Grove, to get together with some hard copies just to look at it and to put our comments together and give them to you or whoever they go to, Eric. There's a lot of things that have been said tonight, and I'm sure there's other comments people want to make, but I just think it's important that we have a period of, say, 30-45 days to make comments. So that's really all I'm going to say. I'm not going to go over septic fields and stormwater management and all that nonsense.

Chair Wenger: And as I said at the beginning of this meeting, and based on the participation, I think we will keep the record open to allow for written comment. I'm not going to keep it open for as long as you're requesting, I don't think but. You should have plenty of time. But we'll set a time limit to receive comments and I very much would like to see those comments. I'd like to get them into the record, so I'm happy to keep the record open to receive those comments. I agree with you.

Wayne Keeler: How long do you think it might be? Because we've got to sort of plan something and get the folks together over here.

Chair Wenger: I'm probably willing to keep it open for four weeks.

Wayne Keeler: Well, I think we can get the folks together in that period of time, get a space to meet and just discuss the plan. Look at the hard copy and go through the same items that everyone's talked about in any new ones and compile them in some written little document and just send it to you.

Chair Wenger: I am totally for that, Wayne. I can tell there's a lot of interest in this and a lot of emotion and feeling and we want to get that on the record.

Brendan Deyo: Quick question, Eric. Will this be going to the Council and mayor for a vote before the election or the transition to the new mayor, or will it be going under the existing mayor?

Chair Wenger: Brendan, it's a great question in the sense that I don't know how long this is going to take, but Hope Builders is going to have a lot of things to get through and comply with. I see this going well past the election. I don't know how long this will take but it could take many months, I would think, for them to be able to do all of this and come back with each item so I don't know exactly, but I would expect it to go past the May 1st election.

Chair Wenger: Thank you very much and I appreciate everybody's participation in this. It's obviously a hot topic and rightly so. It will affect everybody. Before we go any further, I'm just going to make a couple of comments. And I'm going to say these as a resident of Laytonsville not necessarily as the planning chair. When my family moved to Laytonsville in 1987, the shopping center was not there. That was just an empty space. The bank building was there, and Stadler Nursery was there, but it was very dark here in Laytonsville. Believe me, when you went out at night you could not see your hand in front of you. We had a very lovely place to live. It was very rural. And indeed, a lot of darkness and quiet. Over those 37 years, a lot has changed. You all know that. And many of you who spoke tonight are part of that change. Before Laytonsville Grove existed, it was zoned agricultural, and it was a farm. And it had a lot of open space. And the Stadler’s, who owned that space, virtually allowed that to be a public park. They didn't put up fences and keep people out. Everybody in town used it as a public space and it was zoned agricultural. But at some point, the Stadler’s decided that they wanted to develop it. And it went before the town and the zoning was changed to R3 and we now have a new development called Laytonsville Grove that directly affects me as a resident because I now have very close neighbors. Now I feel extremely thankful for the fact that everybody I've met has been terrific. I didn't know that would be the case and I was skeptical. I didn't like the fact that that was going to change my view from trees and blue sky to houses and roofs and lighting and roads. But that's what took place, because that was the process that was followed. And so it changed the town and it changed my perspective within the town. But I've also made a lot of great friends and met a lot of nice people. So what I'm saying is that change happens and most of us don't like it. But a lot of times that change can actually be for the good. Even though it may change the way we see things. We can say the same thing about Laytonville Preserve to the west. That was all farm and field, and it is now a development that has a lot of fine people. And it's all benefited to town. The town's population growth has gone up by double, I believe. And so that's been a huge change for the town as well. All of this change has made it difficult for some people. Perhaps the people in the historic district who live along Route 108, whose properties were affected by Laytonsville Preserve being put in and indeed the people on the east side of Route 108, when Laytonsville Grove was put in. But again, I think the net benefit is there. I think it's a net gain while some things are lost. And what I've seen is we've gained a lot of really nice residents in the town of Laytonsville, and I've obviously met some of you and heard some of you this evening and I just want to let you know that that's one of the greatest things about the town of Laytonsville. We have a great little government here. You can be heard, and we're all your neighbors. And we want to make sure that you know you're being heard. And to that end, that's the end of my personal comment. I did submit written testimony based as a resident and an adjoining property to the development. I'm not going to testify tonight on that. I've submitted my testimony in writing. And I encourage you to do the same thing. We're going to keep this open. I want to close the public hearing. I want to ask our Planning Commission members for a motion to close the public hearing but keep the record open. And then I want to talk about the conditions and applying these conditions to the preliminary plan and to address the residents who have expressed concern. We're going to be able to utilize your input in this process so that this is not ending here and we're going to keep this record open and we will acknowledge your testimony and we'll take that into consideration and we may indeed have another public hearing perhaps on this. With that being said, I would like to ask the Planning Commission for a motion to close the public hearing but keep the record open.

Brian Kline: I make a motion to close the public hearing but keep the record open. Tom Jackson seconded the motion, and the motion passed unanimously.

Chair Wenger: So now if we can have some discussion, I'd like some input from the Planning Commission regarding the conditions. I want to go over them again because I think they are important, and indeed especially hearing the input from Laytonsville Grove and Willow Lane, I want to make sure that we're being considerate of that these recommendations are conditions that the Planning Commission impose on this development and that the developer must comply with those conditions to move forward. Before they can get to the final planned process where they would then be approved and then go to the mayor and Council for full approval. The Planning Commission is merely going through the subdivision process here. With that said, I'm going to go through these one at a time and I'm going to ask the Planning Commission to vote whether or not to impose these conditions on this preliminary plan.

Number one is the widening of Maple Knoll Drive across the frontage to become a commercial road frontage to allow for better access to the property, but also for traffic on Maple Knoll Drive. What I'd like to do is have a motion to accept condition 1 to impose on this for the widening of Maple Knoll Dr.

Brendan Deyo: Well, can we? I mean if we can expand it but restrict it from being used for parking, because right now you have Maple Knoll being parked on both sides. And I'd hate to just expand it to give it to give more parking space. I know everybody's got the greatest intention, but business is business.

Chair Wenger: Brandon, let's get a motion and then we can discuss whether we want to add things to that.

Brian Kline: I make a motion to widen Maple Knoll Drive across the frontage of the property. Obed Pellegrino seconded. Brendan Deyo voted no with all others in favor. The motion passed.

Chair Wenger: We have further discussion. Brendan, are you talking about perhaps adding a parking restriction along that frontage along Maple Knoll Drive?

Brendan Deyo: I would yes, I mean the goal is not to give more parking. The intention of widening is to facilitate the egress and ingress of the property.

Brian Kline: Based on Dave's comments and current parking plan I don't know that it's necessary, but I hear what Brendan's saying. I would like to get some feedback, and I know that we can't right now, but in the future, maybe some feedback from Hope Builders and how they feel about that with the intention to be made. And I think that's the most important thing here.

Brendan Deyo: I appreciate everybody being good neighbors. We try to be good neighbors. I've been on the Planning Commission since it started. But there's no legal way to enforce a good neighborly intention, so everybody who says everything is I'll be a good neighbor. I'll be a good neighbor. I'll do this and I'll do this unless there's a requirement or standard or a law or regulation or some other thing. It holds no weight. So as businesses expand and grow, and I'm sure Hope is interested in growing at some point, they may find the need to have trucks parked on the street. What I don't want to see is Laytonville turn into a commercial bus stop or commercial truck stop because of the expanding commercial district. And right now we already have a host of commercial vehicles parking on that street. I don't see widening it for the purpose of giving expanded parking is the right move.

Chair Wenger: I'm just going to suspend for a second, but I appreciate what you're saying, Brendan. My concern about that is that there is a lot of parking that goes on Maple Knoll, but there's already parking restrictions there. My question is going to be how is it going to be enforced? Because currently there are parking restrictions and they aren't enforced and really never have been, I'm not sure that just adding parking restrictions actually implements them, but I think. We could consider suggesting that.

Brendan Deyo: If it's not there, it doesn't matter about enforcement. Set up a rule. Put a standard in place because people aren't paying attention if the rule is not.

Chair Wenger: I think what I'm getting at is that for Hope Builders that we can add to this saying that their business will be conducted within the confines of their space and that employee parking and truck parking won't spill out onto Maple Knoll.

Brendan Deyo: I think the enforceability of a restriction and the placement of restriction are two different things. If enforcement is not happening, then the town should look into enforcing it.

Chair Wenger: Well, that's a different topic and I don't want to get off into the weeds too far because we still have a bit of business to do here. But what I would say is to the other Planning Commission members and Brendan, do you want to add a parking restriction along Maple Knoll Drive in front of the Hope development?

Brian Kline: Eric, I'm hearing everything you're saying and Brendan, I'm hearing everything you're saying. I just question the enforceability of it and I could go either way here. I don't have a strong opinion one way or the other.

Obed Pellegrino: No, I don't have anything to add.

Tom Jackson: Yeah, I don't have much of an opinion on it. I don't think widening it's going to give them more parking, it's because it's going to be the same length. I could go either way on it.

Chair Wenger: I think with that I'm not sure there's a need to add a parking restriction, although I appreciate what Brendan's saying. Believe me, I know you know, that's my road, so I understand what his point is. There have been other issues throughout the town regarding parking. And I'm just not sure that this makes any sense regarding this particular development, so I'm not really willing to add that at this time, especially if there isn't more support from the Planning Commission.

Brendan Deyo: Then if that's the case and that's the precedent we set, then you're basically saying we have no hope of enforcing anything else in front of those other buildings.

Chair Wenger: No, I don't. I don't think that's the case. I think that that's something that could be taken up with the zoning ordinances at another time.

Brendan Deyo: We start enforcing on the other section, but we allow Hope Builders to do it in front of theirs because we didn't put the restriction?

Chair Wenger: Well, no, Brendan. What I'm saying is I think that's not the topic for this development. I think it's a zoning ordinance question for parking. That might not be the place right now for that here. But that doesn't mean it couldn't take place because that's something for the town to entertain.

Brendan Deyo: OK, I’m not sure I agree with the separation.

Chair Wenger: I would like to accept this motion for the widening of the road as stated. Are we as a Planning Commission in favor of accepting the widening of the road? So that that motion will pass to enforce that based on a count.

The next item is the widening of the sidewalks to ADA regulations of 5 feet. Can I have a motion to have a condition put on that the sidewalk in front of Hope Builders will be widened to 5 feet for compliance with ADA.

Brian Kline: I make a motion to approve sidewalk widening to ADA regulations.

Chair Wenger: Can I get a second? And all in favor? Any further discussion on that?

Do we want to consider adding a crosswalk delineation across Maple Knoll? I don't know if it would go anywhere, so I'm not sure of where that would go to since there is a drainage ditch on the other side and no way to really directly access the sidewalk. I know Obed you run through there all the time, so you know that, but I'm not sure that that does anything right there.

Brian Kline: Well, maybe like a sidewalk to sidewalk.

Obed Pellegrino: Right, there's already a crosswalk.

Chair Wenger: This is going to extend it further down Maple Knoll to the east, but I'm not sure there's anywhere for that crosswalk so I'm not sure it makes sense.

Brian Kline: I don't believe it makes sense there. I think a crosswalk up at 108 makes sense, but that's not in play of what we're talking about.

Chair Wenger: A condition that we didn't have on here, but I'd like to bring up is signage discouraging truck through traffic into Laytonsville Road to the east. Now, Maple Knoll will be added and that Hope Builders will do everything they can to discourage commercial truck traffic from their operation from going into Laytonsville Grove. Can I have a motion to accept that as a condition that that there will be signage discouraging commercial traffic from Hope Builders?

Brendan Deyo: Is that something that the Hope Builders actually would have control over? I mean they can promise, they could put signage up, but they can't control it.

Chair Wenger: I just think that it needs to be part of the conditions, because I think it's important for Laytonville Grove.

Brendan Deyo: And this signage will be on the on their property?

Chair Wenger: I think they should have to have it on their property that that tells the any truckers or whoever leaving their property that they can't make a left turn. They have to make a right turn only on Maple Knoll.

Brendan Deyo: Would it be visible only from inside their property? It's not like I'd be driving down Maple Knoll and see a sign that says don't enter or turn around or anything. It just be there for their drivers to know that they should turn right?

Chair Wenger: Yeah, it would be for their drivers, for their, their operation.

Brendan Deyo: I'm fine with that.

Chair Wenger: OK. Can I have a motion to accept that?

Brian Kline: Motion to accept. Obed Pellegrino seconded and the motion passed unanimously.

Chair Wenger: The next thing is the stormwater management. And the condition that stormwater management meet the approval of Montgomery County. Laytonsville does have its own zoning authority, but we do not manage stormwater management. There was a stormwater management design for Laytonsville Grove and this development will impact that. And so, we want to make sure that this meets full county compliance with stormwater management and that it integrates with the current stormwater management and bioswales relating to the Grove. I’d like a motion to accept that as a condition.

Brian Kline: I make a motion to accept that the stormwater management will be brought up to Montgomery County standards and to integrate fully with the current bioswales for Laytonville Grove. Tom Jackson seconded and the motion passed unanimously.

Chair Wenger: The next item is the public utility easement. And that is a condition that we would like that Hope Builders will dedicate a public utility easement along the frontage of their property on Maple Knoll Drive for future utilities and underground utilities for access. It's merely an easement.

Brian Kline: I make a motion to require Hope Builders to dedicate a public utility easement. Obed Pellegrino seconded and the motion passed unanimously.

Chair Wenger: The next item is that there has not been a defined landscape plan and screening. And so I'd like to have a motion putting a condition that Hope Builders design and present a more thorough landscape design for screening and buffering for surrounding properties.

Steve Crum: Eric, before you vote on that. Who's going to review that plan? The Planning Commission, or is that going to be reviewed by the mayor and Council?

Chair Wenger: Historically, the mayor and Council have reviewed those, have they not?

Steve Crum: Typically, that's part of the site plan submission. I just want to make sure that the applicant is clear that it would be part of their submission to the mayor and Council and not coming back to the Planning Commission with a landscape plan.

Chair Wenger: I appreciate that, Steve. And that's why you're here to keep us on the right tracks here. So this would be specifically a motion that it be a landscape plan that would be reviewed by the mayor and Council, but that we want that submitted as part of this subdivision plan.

Brian Kline: I make a motion to require as a condition that Hope Builders will supply a landscape plan for buffering. It was seconded by Tom Jackson and the motion passed unanimously.

Tom Jackson: Would we want to tie into that a 3D rendering and have that go to the mayor and Council too?

Chair Wenger: Well, I think that would be terrific. We need to amend this if we want to require a 3D landscape rendering, we're going to need to go back and amend that landscape plan to include a 3D rendering. Can I get an amendment to the landscape plan that it will include 3D rendering?

Brian Kline: I motion to include a 3D rendering. I think that will be very important to the community, Tom Jackson seconded the amended motion and the motion passed unanimously.

Chair Wenger: The next item is a lighting plan. We just want to include that as a as a condition of this that they have a lighting plan that would be submitted. I would ask for a motion to see a formal lighting plan for the development.

Brian Kline: I make a motion to see a lighting plan. Tom Jackson seconded the motion and the motion passed unanimously.

Chair Wenger: I believe those are all of the conditions. Does anyone has any other further comment? These conditions will be forwarded to Hope Builders so that they'll have this and they can work on them. And if there's no other business, I would ask for a motion to adjourn.

Brian Kline: I make a motion to adjourn. Obed Pellegrino seconded, and all were in favor. The meeting was adjourned at 9:42 PM.

Chair Wenger: Thank you all very much. I appreciate all the participation from the Planning Commission and from the residents of Laytonsville and Hope Builders. Thank you all very much. This will be continued. Thank you. Goodnight.

Respectfully Submitted

Mary Burke, Town Clerk

April 20, 2023