

From: [Dean Packard](#)
To: [Byrne, Kathleen E.](#); [Johnson, Nana](#)
Cc: [Nichols, Greg](#)
Subject: RE: Cashell Estates CU16-11 Show Cause
Date: Wednesday, May 22, 2024 12:50:04 PM

[EXTERNAL EMAIL]

Understood. There is nothing say other than getting the work done.
Dean Packard, PE

From: Byrne, Kathleen E. <Kathleen.Byrne@montgomerycountymd.gov>
Sent: Wednesday, May 22, 2024 12:46 PM
To: Dean Packard <dean@packardassociatesllc.com>; Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>
Cc: Nichols, Greg <Greg.Nichols@montgomerycountymd.gov>
Subject: RE: Cashell Estates CU16-11 Show Cause

Mr. Packard,

So long as you understand the limits of what you can do as a “member” representative before the Hearing Examiner, you may appear without an attorney. The Show Cause has been rescheduled for July 12, 2024 at 9:30 am. Per the order/notice, the hearing will be in person only.

Katy Byrne

Kathleen Byrne
Director
Office of Zoning and Administrative Hearings
100 Maryland Avenue, Room 200
Rockville, MD 20850
(240) 777-6667

From: Dean Packard <dean@packardassociatesllc.com>
Sent: Wednesday, May 22, 2024 11:54 AM
To: Byrne, Kathleen E. <Kathleen.Byrne@montgomerycountymd.gov>; Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>
Cc: Nichols, Greg <Greg.Nichols@montgomerycountymd.gov>
Subject: RE: Cashell Estates CU16-11 Show Cause

[EXTERNAL EMAIL]

I have no questions or arguments against the defects presented and acknowledge and admit the work must be done, with no contest. As the original owner and engineer, I have intricate details of what was done, where everything is and what needs to be done for compliance, with a plan of action to enact.

I have been scrambling to find someone to back me with money to begin construction on the work required. I am praying and am told that this could happen very soon. If my prayers come true, I will call a pre-construction meeting with Greg Nichols and layout the course of action. My goal is to begin work on the street and street lights which appears to be the biggest issue and then go from there. My time to figure this out is very short and I will update Greg with any news and hopefully the hearing will be simple. I have talked to the homeowners and they want to come to the hearing to press a solution to finish their neighborhood and I can't agree more.

We were completely taken advantage of with all of the contractors which depleted money to the point where seven figures was lost. That is the problem here and my begging for help will hopefully come through very soon. I feel horrible for the owners' and feel I am the only one who can fix this. We have more plans to file for more units and fully understand this has to be cleaned up first. The bonds are secured in the builder's name and the commission and county wish to pull them. Not that I care about the builder anymore, but I believe that would lead to a disaster which I am desperately trying to head off.

Our LLC is financially defunct, I have personally lost all my savings, retirement and have jeopardized my decades long relationships with the county and commission. So many mistakes and breaches of trust.

Hope to return good news in the very near future!!!
Dean Packard, PE

From: Byrne, Kathleen E. <Kathleen.Byrne@montgomerycountymd.gov>
Sent: Wednesday, May 22, 2024 10:46 AM
To: Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>; Dean Packard <dean@packardassociatesllc.com>
Cc: Nichols, Greg <Greg.Nichols@montgomerycountymd.gov>
Subject: RE: Cashell Estates CU16-11 Show Cause

Mr. Packard,

A Show Cause Hearing is a serious matter. OZAH's rules regarding representation are as follows:

3.3 Representation.

Groups, organizations or entities arguing a matter or calling witnesses before OZAH must be represented by an attorney, but a member of an organization, authorized by that organization to do so, may offer testimony in narrative form on behalf of the organization without attorney representation. Individual members of organizations may also offer testimony in narrative form on their own behalf, without attorney representation.

OZAH's rules are clear. Argument on behalf of an entity must be done by an attorney. You may only appear without an attorney if you wish to offer a "narrative". Meaning your communication with the Hearing Examiner would be limited a verbal explanation and you would not have the ability to submit documents or ask questions. DPS representatives will be present at the Show Cause Hearing and I will be asking them questions, but if you appear without an attorney, you cannot ask questions. Without an attorney you cannot "argue" on behalf of your entity.

Katy Byrne

Kathleen Byrne

Director

Office of Zoning and Administrative Hearings

100 Maryland Avenue, Room 200

Rockville, MD 20850

(240) 777-6667

From: Office of Zoning and Administrative Hearings <OZAH@montgomerycountymd.gov>

Sent: Wednesday, May 22, 2024 10:22 AM

To: Byrne, Kathleen E. <Kathleen.Byrne@montgomerycountymd.gov>

Subject: FW: Cashell Estates CU16-11 Show Cause

From: Dean Packard <dean@packardassociatesllc.com>

Sent: Thursday, May 16, 2024 3:55 PM

To: Office of Zoning and Administrative Hearings <OZAH@montgomerycountymd.gov>; Nichols, Greg <Greg.Nichols@montgomerycountymd.gov>

Subject: Cashell Estates CU16-11 Show Cause

[EXTERNAL EMAIL]

The purpose of this email is to request permission for me as a managing member of Garrett Gateway Partners LLC and Universal Communities LLC to personally represent the companies at the designated show cause hearing. I have spoken with the planning commission staff and with representatives of the DPS and dispute none of the violation and corrective actions requested. As the civil engineer and creator of the Design for Life designs and plan, I am the only person with complete knowledge of what has been built, what needs to be repaired and what needs to be completed.

The justifications to represent the charged companies in the order to show cause hearing is that we have suffered complete business and personal financial failure to the point where hiring an attorney to represent us is infeasible and would serve no purpose if we admit to the compliance failures.

I am completely aware that all of the measures to complete the work to comply with the CU16-11 Conditional Use approval needs to be completed. I am prepared to submit a full explanation of what caused the financial collapse and what we are doing to rectify compliance.

Your assistance in allowing me to explain the whole situation in writing and in front of you at the show cause hearing would be greatly appreciated. This was my lifelong dream to create and we lost

control of the work being performed due to COVID and with negligent contractors. I have committed to the buyers and the county officials that I will not rest until a solution is found to finance and complete all of the site work that is the basis for this notice and hearing.

Dean Packard, PE
Managing Member
Garrett Gateway Partners LLC
Universal Communities LLC
204 Monroe Street, Suite 201A
Rockville, MD 20850

For more helpful Cybersecurity Resources, visit:
<https://www.montgomerycountymd.gov/cybersecurity>

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