

**From:** [Byrne, Kathleen E.](#)  
**To:** [Johnson, Nana](#)  
**Subject:** Fw: Cashell Estates Site Work  
**Date:** Thursday, November 14, 2024 11:20:24 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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Can you please add this response email to the record for the show cause for CU16-11. Thanks.  
Katy

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**From:** Dean Packard <dean@packardassociatesllc.com>  
**Sent:** Thursday, November 14, 2024 11:10 AM  
**To:** Kaye, Josh <josh.kaye@montgomeryplanning.org>; Byrne, Kathleen E. <Kathleen.Byrne@montgomerycountymd.gov>; Nichols, Greg <Greg.Nichols@montgomerycountymd.gov>  
**Cc:** Sorrento, Christina <christina.sorrento@montgomeryplanning.org>  
**Subject:** RE: Cashell Estates Site Work

**[EXTERNAL EMAIL]**

Ok.

Since the last meeting things have slowly progressed. Since we are on a COD basis given the situation, deposits of money have been coming every couple of weeks. As money comes in, we are engaging the next contractor to complete work. This dragging will ultimately end in three weeks when a certificate of deposit Mike Hines has for \$400,000 matures and will fund the rest of the work. I have everything but the playground lined up as soon as I can pay the contractors to show up. More painful than you could ever possibly imagine. Everyone with money wants everything to guarantee money repayment and without collateral, it is very complicated. We have been relying on family and friends to get us what we got, and it is coming in drops every two or three weeks. Multiple discussions are ongoing with multiple people to fund a significant amount of money tied to future projects I can deliver but the arrangements are close and slowly coming together. If any one of these comes through in the next week, I will have everyone onsite working immediately. To further complicate matters, Mike Hines, the builder everyone met who is assisting me with the funding got into a serious car accident last week and almost died. He was driving with his family on Braddock Road in Virginia and another vehicle ran a stop sign and hit him at likely 30 mph. His truck was totaled but for luck and someone looking out for him, he and his family survived. His family was released from the hospital Sunday and he is slowly recovering from a severe concussion and partial amnesia.

As reported before the five onsite lighting poles were installed.

The site utility contractor started laying the underground cabling to each pole "J" box was started. Even though we believe Jack Llewelyn, the sediment control inspector, was notified of the work start, he came to the site and placed a stop work order on progress because he told us we

had to have another meeting designated as a pre-construction meeting, first. On October 25, we met Jack and his boss, Johny Campos at the property for a preconstruction meeting. We were released to proceed that Friday and work continued on Monday October 28.

Therefore, the work completed by the site utility contractor was complete, finishing the underground wiring of all of the lights from where the meter pedestal will be set to each light pole. The disturbed ground patches were filled, compacted and stabilized with no additional damage to the driveways, sidewalks or trees. Concurrently, I had my survey crew reshoot each stormwater facility to determine the existing top level of the now settled media and the overflow weirs. As previously discussed in a site meeting with Tom Weadon, he was unhappy with the difference in elevations from the top of media to the overflow being two feet and not one foot because of settlement. I then took the current elevations of the ponds and re-designed what needs to be the top of media and overflow elevation to comply with the design plan and set survey stakes as to how to alter the ponds grades. After that, the utility contractor tilled the media layers of all three stormwater facilities, removed the covering filter cloth, added 6" of additional media to each, moved and recut the overflow channels to facilities 1 & 2, and stabilized the disturbed areas with sod. This was completed last week.

Currently, I am anxiously awaiting the next deposit of money to pay \$22,000 for the WSSC bonds for permit issuance and pay the utility contractor \$12,000 to complete the water tap work. The next deposit of money will also pay \$10,000 for the lighting contractor to return to install the PEPCO meter pedestal and electrify the installed street lights.

The paving contractor is lined up to pave the streets once the water tap is completed and receives a \$25,000 deposit.

Concurrently, the concrete contractor is lined up to repair the curb and sidewalk, grade and install the curb and gutter at the secondary entrance and install the uncompleted pervious sidewalks near Lot 14 and around the playground area. Once the curb and gutter is down in the secondary entrance, the paving contract will return to top Garrett Road and pave the secondary entrance.

I have an agreement with Chapel Valley Landscaping to install all of the landscaping. I met the owner and he said that he can lay down 3" of mulch required for each stormwater facility to seal in the media, in three weeks as his schedule permits but is not able to harvest and install the landscaping until late February or March. He says his schedule is completely booked for the next month and then they break for winter.

The last arrangement to make is with a playground company. I have the materials picked out and was told to engage them with a deposit just before we are ready to install the equipment.

This is all that I have with progress at the moment and the money funding has daily twists and turns but in the worst case scenario, it will be completely funded in three weeks. I can't be more sorry for all of this drama, but my life has been hell and I can't wait for all of this to be done.

There has been no contact with the original builder other through attorneys. It is a stalemate with him claiming we never finished paying his fees and with us claiming he mis-managed the construction funds and work and never completed his job for site work and with home construction. Since we lost everything, we have sparingly used very limited personal money to defend his continuing vicious attacks but have no means to counter sue him for negligence. He did pay \$6,700 to extend the three bonds until next September, knowing that I have to finish his work we contracted him to complete and save his neck and mine.

Dean Packard, PE

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**From:** Kaye, Josh <josh.kaye@montgomeryplanning.org>  
**Sent:** Wednesday, November 13, 2024 9:46 AM  
**To:** Dean Packard <dean@packardassociatesllc.com>; Byrne, Kathleen E. <Kathleen.Byrne@montgomerycountymd.gov>; Nichols, Greg <Greg.Nichols@montgomerycountymd.gov>  
**Cc:** Sorrento, Christina <christina.sorrento@montgomeryplanning.org>  
**Subject:** RE: Cashell Estates Site Work

Hi Dean. I completed a site visit late last week and the WSSC water tap nor the pepco electric panel have not been installed as scheduled, nor have the road repairs started. According to your schedule landscaping is supposed to start this week. Please update the group of the planned work occurring onsite this week. Thank you. Josh

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**From:** Kaye, Josh  
**Sent:** Friday, October 25, 2024 11:29 AM  
**To:** Dean Packard <[dean@packardassociatesllc.com](mailto:dean@packardassociatesllc.com)>; Byrne, Kathleen E. <[Kathleen.Byrne@montgomerycountymd.gov](mailto:Kathleen.Byrne@montgomerycountymd.gov)>; Nichols, Greg <[Greg.Nichols@montgomerycountymd.gov](mailto:Greg.Nichols@montgomerycountymd.gov)>  
**Cc:** Sorrento, Christina <[christina.sorrento@montgomeryplanning.org](mailto:christina.sorrento@montgomeryplanning.org)>  
**Subject:** RE: Cashell Estates Site Work

Hi Dean. I just want to reiterate that the second entrance needs to be installed while completing the internal road work and coordinated appropriately. Your schedule does not suggest this. The second entrance was condition #15 in the attached PB resolution and was to be completed prior to the 17<sup>th</sup> building permit. Obviously, this got missed through the development process because you were issued all of the building permits. Thanks for the schedule. Josh

**Josh Kaye**

**Development Manager | Supervisor**

Montgomery County Planning Department

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**From:** Dean Packard <[dean@packardassociatesllc.com](mailto:dean@packardassociatesllc.com)>

**Sent:** Monday, October 21, 2024 4:17 PM

**To:** Byrne, Kathleen E. <[Kathleen.Byrne@montgomerycountymd.gov](mailto:Kathleen.Byrne@montgomerycountymd.gov)>; Kaye, Josh <[josh.kaye@montgomeryplanning.org](mailto:josh.kaye@montgomeryplanning.org)>; Nichols, Greg <[Greg.Nichols@montgomerycountymd.gov](mailto:Greg.Nichols@montgomerycountymd.gov)>

**Subject:** Cashell Estates Site Work

**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Barring any additional issues, I have put together what I believe is the items and timeline to finish the site work.

This spreadsheet is what I will continue to update as things progress every day.

I hope this helps.

Dean Packard, PE

