

From: [Byrne, Kathleen E.](#)
To: [Dean Packard](#); [Nichols, Greg](#); josh.kaye@montgomeryplanning.org; [Butler, Patrick](#); [Salazar, Victor](#); [Beall, Mark Johnson, Nana](#); qsimone@gmail.com; fonhair2004@yahoo.com; caroljeanhan@gmail.com; jilim105@gmail.com; matthew.rooney1@gmail.com; kimberly.rooney7@gmail.com
Cc:
Subject: Re: CU 16-11 - Garrett Gateway Partners, LLC - Show Cause Hearing - 10/22/24 - 9:30 am
Date: Friday, October 11, 2024 2:24:45 PM

Mr. Packard,

Thank you for your response. Given you have inspections set up for Monday 10/14/24, I will be holding a remote only status conference on Thursday 10/17/24 at 9:30 am via Teams. A link to this remote status conference will be published shortly on the OZAH website, page identified as "Public Hearings, Schedule...". This remote status conference will be held in place of the in person Show Cause Hearing currently scheduled for Tuesday, 10/22/24. Given the fact that the work is not complete, an in person show cause hearing will only be an inconvenience to County Staff and the residents of the community. At this remote status conference, please be prepared to explain all steps taken since the July Show Cause hearing to date to bring the property into compliance per the July 2024 Order, including but not limited to financing secured, work completed, work still to be done, schedule of construction, any impediments to completion, etc.

Mr. Kaye and Mr. Nichols,

Please be prepared to share your observations, efforts you have seen Mr. Packard make toward compliance and what remains outstanding per the conditions established in the original conditional use order to bring the use into compliance.

Residents,

After hearing from Mr. Packard and County staff, you will have an opportunity to tell me what you have observed regarding the outstanding items.

Thank you all for your assistance. I will send the link to the meeting to everyone on this email shortly, which will take you to the County's webpage for this matter. Please note there is no need to pre-register. Simply click on the link to the meeting from the County's webpage prior to start of the meeting at 9:30 am on Thursday 10/17/24.

Thank you.

Katy Byrne

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

From: Dean Packard <dean@packardassociatesllc.com>

Sent: Thursday, October 10, 2024 9:49 AM

To: Byrne, Kathleen E. <Kathleen.Byrne@montgomerycountymd.gov>; Nichols, Greg <Greg.Nichols@montgomerycountymd.gov>; josh.kaye@montgomeryplanning.org <josh.kaye@montgomeryplanning.org>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>; Beall, Mark <mark.beall@montgomeryplanning.org>

Cc: Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>; gjsimone@gmail.com <gjsimone@gmail.com>; fonhair2004@yahoo.com <fonhair2004@yahoo.com>; caroljeanhan@gmail.com <caroljeanhan@gmail.com>; jjlim105@gmail.com <jjlim105@gmail.com>; matthew.rooney1@gmail.com <matthew.rooney1@gmail.com>; kimberly.rooney7@gmail.com <kimberly.rooney7@gmail.com>

Subject: RE: CU 16-11 - Garrett Gateway Partners, LLC - Show Cause Hearing - 10/22/24 - 9:30 am

[EXTERNAL EMAIL]

Sorry for the slow response. I have been under the weather the last few days with something that isn't covid or worse. I am open to a meeting in person or online any time.

The utility contractor has freed up their schedule to begin work on the underground cabling, ponds and wssc tap. I am meeting them at the site at 11 am today. Once the timing of that work progresses, the paving contractor will be engaged and others will continue to complete the work. I am estimating that it will take the utility contractor 2 weeks to complete the work I am meeting him on today. I will give Josh and Greg a breakdown of the timing after today's meeting.

I have a meeting with the DPS Right of Way Inspectors onsite a 9 am Monday the 14th, FYI.

Dean Packard, PE

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

Sent: Tuesday, October 8, 2024 12:47 PM

To: Dean Packard <dean@packardassociatesllc.com>; Nichols, Greg <Greg.Nichols@montgomerycountymd.gov>; josh.kaye@montgomeryplanning.org; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>; Beall, Mark <mark.beall@montgomeryplanning.org>

Cc: Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>; gjsimone@gmail.com; fonhair2004@yahoo.com; caroljeanhan@gmail.com; jjlim105@gmail.com; matthew.rooney1@gmail.com; kimberly.rooney7@gmail.com

Subject: Re: CU 16-11 - Garrett Gateway Partners, LLC - Show Cause Hearing - 10/22/24 - 9:30 am

Importance: High

Mr. Packard,

Please note I have added the neighbors who attended the July show cause hearing to this email thread. Rather than force everyone to come to OZAH in person on 10/22/24 to repeat the information Mr. Packard provided in his earlier email, I'm inclined to postpone the show cause hearing and schedule a teams meeting/status conference hearing for Monday 10/14/24 at 9:30 am so that I can receive a work progress update from Mr. Packard, Mr. Nichols and Mr. Kaye before deciding on the next course of action. The teams meeting/status conference hearing invitation will be published on the OZAH website so everyone can attend remotely.

Mr. Nichols and Mr. Kaye,

Are you both available to participate in a remote teams meeting to provide an update along with Mr. Packard to your observations of the work completed thus far, what needs to be completed and a timeline to the best of your ability given the uncertainty of the utility scheduling? Please reply to all to this email. Thank you.

Katy Byrne

*Kathleen "Katy" Byrne
Hearing Examiner
Office of Zoning and Administrative Hearings
100 Maryland Avenue, Room 200
Rockville, MD 20850
(240) 777-6667*

From: Dean Packard <dean@packardassociatesllc.com>

Sent: Friday, September 27, 2024 4:04 PM

To: Byrne, Kathleen E. <Kathleen.Byrne@montgomerycountymd.gov>; Nichols, Greg <Greg.Nichols@montgomerycountymd.gov>; josh.kaye@montgomeryplanning.org <josh.kaye@montgomeryplanning.org>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>; Beall, Mark <mark.beall@montgomeryplanning.org>

Cc: Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>

Subject: RE: CU 16-11 - Garrett Gateway Partners, LLC - Show Cause Hearing - 10/22/24 - 9:30 am

[EXTERNAL EMAIL]

I have been giving the interim HOA president, Kent Ege, updates and he has been praying for me. I owe him another update and will forward my droning email just sent to you, with your response. I am open to anything I need to do. My understanding was Josh and Greg wanted to be onsite to coordinate and witness the underground contractor doing work. I have left a message for Curtis to commence and let me know now or on Tuesday, with the inspectors, as to when he will start. I will do anything to avoid my head from being guillotined.

The owner's get the issues but just want a complete community. They are tired of excuses and proof of work being done is the only answer.

Dean Packard, PE

From: Byrne, Kathleen E. <Kathleen.Byrne@montgomerycountymd.gov>
Sent: Friday, September 27, 2024 3:52 PM
To: Dean Packard <dean@packardassociatesllc.com>; Nichols, Greg <Greg.Nichols@montgomerycountymd.gov>; josh.kaye@montgomeryplanning.org; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>; Beall, Mark <mark.beall@montgomeryplanning.org>
Cc: Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>
Subject: Re: CU 16-11 - Garrett Gateway Partners, LLC - Show Cause Hearing - 10/22/24 - 9:30 am

Mr. Packard,

Thank you for the update. Has there been any communication with the home owners regarding progress? Knowing now that you will not be in compliance by 10/22/24, I believe either a Zoom or a teams meeting with the parties the week of 10/7/24 or 10/14/24 would be beneficial for all involved. I'll confer with my team to see if that's something we can put together.

Katy Byrne

*Kathleen "Katy" Byrne
Hearing Examiner
Office of Zoning and Administrative Hearings
100 Maryland Avenue, Room 200
Rockville, MD 20850
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From: Dean Packard <dean@packardassociatesllc.com>
Sent: Friday, September 27, 2024 3:25 PM
To: Byrne, Kathleen E. <Kathleen.Byrne@montgomerycountymd.gov>; Nichols, Greg <Greg.Nichols@montgomerycountymd.gov>; josh.kaye@montgomeryplanning.org <josh.kaye@montgomeryplanning.org>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>; Beall, Mark <mark.beall@montgomeryplanning.org>
Cc: Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>
Subject: RE: CU 16-11 - Garrett Gateway Partners, LLC - Show Cause Hearing - 10/22/24 - 9:30 am

[EXTERNAL EMAIL]

Ms. Byrne, the answer from Greg and Josh is going to be no. I started with a lag in the

processing with the WSSC for the tap connection to the water line. Then I had an issue with getting the PEPCO work order processed. I got the street lighting company to install the street lights but they haven't been hooked up yet. Then we had the investor drop out funding the repairs, because of the risk.

This week, I have been able to piece together 50% of the funding from 4 people with a vested interest in completing this work in the last 3 days, including Mike Hines who don't want to see me to go down over this problem. It is enough money to move Curtis, the cable boring company forward to put the conduit in, fix the issues with the stormwater pond grade and tap the water line under the paving. With the green light to proceed this morning on moving this forward, my next call is to Curtis to meet me, Mike Hines and Curtis at the site Tuesday at 11 am with the Montgomery County inspectors. The DPS wants a game plan and after all this time and broken promises, I can deliver the plan on proceeding. Beyond trying to get the WSSC and PEPCO to move, raising unsecured money has been a major issue. Every time we get promised help, collateral becomes an issue. Until this week Mike Hines and I have been back and forth and all over the place with a number of people who want everything and deliver nothing.

The following step will be to get the paving done, which I will coordinate again with Josh and Greg.

Mike Hines's brother will be turning over a \$400,000 CD to him to complete payment on the remaining 50% of the work December 12, unless someone else steps up next week. For now I have 4 friends to help with 50% of the work to get the lights on and paving down to show commitment on progress. I am confident that I can get the paving down now by the 3rd or 4th week of October. I have tried everything with everyone to comply with the October 22nd date, every day. I had no idea it would be this difficult but am not overly surprised.

So, I can get everything done that I can in the next 25 days and come with hat in hand as to what more was accomplished in the 25 days or ask for an extension. Asking for 60 days is hopefully realistic but it relies on someone to come through next week or wait for payments to contractors for the final 50% of the work December 15th. Then there is an issue with winter on the horizon. I may need to go out on the limb to get the landscaping done in November, before winter.

As usual, this is way too much information but it is my life every day with this until it is done and in compliance. It has given me an irregular heart rhythm which I am getting checked out next week.

My word is no good until I deliver more than getting the street light poles in the ground. Next week should be a good week to show progress. Josh and Greg are welcome to meet us Tuesday at 11 to hear the latest game plan. Curtis is ready to start work after I call him today

to move forward. MISS Utility marked the site Wednesday and he is ready to core the underground conduit once I confirm he will be paid on the call in a few minutes.

The builder who tanked us on the site and house construction, just renewed the bonds because the bonding company was going to void the bonds. Apparently, with me suffering through finishing the work he wasn't willing to have the county call the bonds and destroy him.

I am at your mercy and this is where I am, trying desperately to restore my word. Moving forward but not fast enough for anyone.

Sorry for droning on but I promised to be transparent and there is a lot, if not too much.

Dean Packard, PE

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

Sent: Friday, September 27, 2024 2:00 PM

To: Dean Packard <dean@packardassociatesllc.com>; Nichols, Greg <Greg.Nichols@montgomerycountymd.gov>; josh.kaye@montgomeryplanning.org; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>; Beall, Mark <mark.beall@montgomeryplanning.org>

Cc: Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>

Subject: CU 16-11 - Garrett Gateway Partners, LLC - Show Cause Hearing - 10/22/24 - 9:30 am

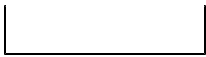
Mr. Nichols and Mr. Kaye,

The second show cause hearing for the above referenced matter is scheduled for Tuesday, 10/22/24 at 9:30 am. If DPS and Planning are satisfied Mr. Packard provided DPS and Planning with the information required in the 7/15/24 Order and that the property has been brought into conformance with the terms of the Conditional Use Report and Decision for CU16-11 before the 10/22/24 hearing date, please let me know by copying all on this email. If anyone has any questions regarding that the 7/15/24, which is also attached, please let me know. Thank you.
Katy Byrne

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



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