

SER005

May 18, 2022

MEMORANDUM

To: Town Attorney

From: Mayor Hushour

Subj: PUBLIC INFORMATION REQUEST, [REDACTED]

1. In regard to [REDACTED] request, I have no specific "correspondence" emails (electronic) or paper items in regard to Ordinance 2021-16, 2021-17, 2020-1, or Resolution 2019-10 between myself and the Kaz Bros, LC, or their representatives.
2. I have no record of email (electronic) or paper files dating back to Ordinance 2020-1, or Resolution 2019-10 between myself and other staff, or elected officials. Be aware I lost access to my Council email address from May of 2021, through November 2021. Upon returning to Office as Mayor, I can only see emails as a Councilmember dating back to 2/16/2021.
3. In an abundance of transparency, what I have included is a copy of the draft Resolution 2019-10 with some notes written on it. A statement I read while not in office at the October 2021, Public Hearing in regard to 2021-16. A policy opinion from Councilmember Domotor provided prior to my becoming Mayor and an email string written in coordination with the Kaz Bros. LC in regard to a January 2022, meeting to discuss a pathway forward on the Beck property.

Larry Hushour  
Mayor

LARRY HUSHOUR  
Mayor

JASON M. POIRIER  
Council President



Council Members  
PAMELA M. REED  
Secretary

KARL L. MUNDER  
LYNNE P. GALLETTI  
STEPHEN L. DOMOTOR

SER005

May 18, 2022

MEMORANDUM

To: Town Attorney

From: Mayor Hushour

Subj: PUBLIC INFORMATION REQUEST, [REDACTED]

1. In regard to [REDACTED] request, I have no specific "correspondence" emails (electronic) or paper items in regard to Ordinance 2021-16, 2021-17, 2020-1, or Resolution 2019-10 between myself and the Kaz Bros, LC, or their representatives.
2. I have no record of email (electronic) or paper files dating back to Ordinance 2020-1, or Resolution 2019-10 between myself and other staff, or elected officials. Be aware I lost access to my Council email address from May of 2021, through November 2021. Upon returning to Office as Mayor, I can only see emails as a Councilmember dating back to 2/16/2021.
3. In an abundance of transparency, what I have included is a copy of the draft Resolution 2019-10 with some notes written on it. A statement I read while not in office at the October 2021, Public Hearing in regard to 2021-16. A policy opinion from Councilmember Domotor provided prior to my becoming Mayor and an email string written in coordination with the Kaz Bros. LC in regard to a January 2022, meeting to discuss a pathway forward on the Beck property.

Larry Hushour  
Mayor

*I hour of work effort*

# PUBLIC INFORMATION REQUEST FORM

Name

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

21771

Information Requested

Pursuant to Maryland's Public Information Act (Md. General Provisions Code Title 4) please make available for review and copying the following public records within your custody:

2021-16

2021-17

2020-1

2019-10

(Not in office)  
Nothing (public comment)  
No elec or hand copy  
had copy of revised Resolution w/ some notations

a. Paper and/or electronic correspondence between elected or appointed representatives, employees, and/or consultants of the Town of Mt. Airy ("Town Representatives") related to Ordinance 2021-16 (Ordinance to amend 25-5 Adequate Facilities), Ordinance 2021-17 (Ordinance to rezone the Beck property to MXD), Ordinance 2020-1 (Creating New 32 Section 112-37.2 Entitled "Mixed Use District (MXD)), and Resolution 2019-10 (A Resolution of the Mayor and Town Council of the Town of Mount Airy to Extend Center Street to Maryland Route 27 if by June 30, 2023 Center Street has Not Been Extended by Means of the Normal Development Process).

Emails w/ Kaz Bros.

2021-17 - Nothing w/ Kaz

b. Paper and/or electronic correspondence between Town Representatives and Kaz Brothers, L.C. employees, representatives, or consultants ("Kaz Brothers, L.C. Representatives") relating to rezoning the Beck Property to Mixed Use District (MXD).

2021-17 - Nothing w/ Kaz

c. Paper and/or electronic correspondence between Town Representatives and Kaz Brothers, L.C. Representatives

relating to Ordinance 2021-17.

2021-16 - Nothing  
w/Kay

d. Paper and/or electronic correspondence between Town Representatives and Kaz Brothers, L.C. Representatives relating to amendments to Town Adequate Facilities requirements.

2021-16 - Nothing  
w/Kay

e. Paper and/or electronic correspondence between Town Representatives and Kaz Brothers, L.C. Representatives relating to Ordinance 2021-16.

2019-10 - Nothing  
w/Kay

f. Paper and/or electronic correspondence between Town Representatives and Kaz Brothers, L.C. Representatives relating to Resolution 2019-10.

2019-10 - Nothing  
w/Kay

g. Paper and/or electronic correspondence between Town Representatives and Kaz Brothers L.C. Representatives relating to establishing a date by which the town would extend Center Street.

MXD 2020-1 - Nothing  
w/Kay

h. Paper and/or electronic correspondence between Town Representatives and Kaz Brothers, L.C. Representatives relating to Ordinance 2020-1 and MXD zoning.

Nothing w/Kay

i. All reports and memoranda relating to Ordinance 2021-16, Ordinance 2021-17, Ordinance, 2020-1, and Resolution 2019-10 prepared by Town Representatives or Kaz Brothers, L.C. Representatives.

If any portion of this request is denied or any portion of any document redacted, please provide a written statement of the grounds for denial or redaction. Responses may be provided via email to [REDACTED] Thank you in advance.

Date Information is Needed 5/20/2022

Once this form is received and the estimated staff time and number of documents (if necessary) to comply with this request is calculated, you will receive a letter from the Town Clerk explaining what the maximum cost will be of the requested information. After the Town Clerk receives a signed acceptance of this cost from you, the Town Clerk will then proceed to reply to the public information request or deny the request under the Public Information Act. Annotated Code of Maryland

Sections. 10-611 – 10-630. For your information, the Town's regulations "Access to Public Records" is found in the Mount Airy Town Code, which is on the Mount Airy website, under sections 1-19 – 1-24.

---

**P. O. Box, Mount Airy, MD 21771**  
**Telephone: (301) 829-1424 \* Fax: (301) 829-1259**  
**Email: [town@mountairymd.gov](mailto:town@mountairymd.gov) \* Web Page:**  
**[www.mountairymd.gov](http://www.mountairymd.gov)**

---

updated  
1/6/2020

**TOWN OF MOUNT AIRY**  
**MAYOR AND TOWN COUNCIL**  
**RESOLUTION NO. 2019-10**

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF MOUNT AIRY (the "Town") TO EXTEND CENTER STREET TO MARYLAND ROUTE 27 IF BY JANUARY 1, 2023 CENTER STREET HAS NOT BEEN EXTENDED BY MEANS OF THE NORMAL DEVELOPMENT PROCESSES.**

**WHEREAS**, the Town's Comprehensive Plan and other plans for future road improvements has called for the extension of Center Street from the Downtown to Maryland Route 27 for many years; and

**WHEREAS**, in this Resolution, the Mayor and Town Council wish to set a date certain by which to accomplish extension of Center Street to Maryland Route 27 so as to set milestones by which to accomplish this result and so that a plan of action can be formulated in order to complete the extension; and

**WHEREAS**, the Mayor and Council believe that the extension of Center Street will bring much needed economic development to the Town's downtown area and that there are a number of items, including property acquisition, that is needed in order to extend Center Street and that in order to achieve this goal in the relative near future, it is advisable and necessary that the Town set a target date to complete the extension.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN**, this <sup>JUNE 23</sup>6<sup>th</sup> day of January, 2020, that if not constructed through normal development processes by January 1, 2023, the Town Council should seek acquisition of the property and budget for the construction/completion of Center Street. *changed from "shall"*

**ADOPTED:**

This 6th day of January, 2020 by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed

**ATTEST:**

\_\_\_\_\_  
Jason Poirier, Sec

\_\_\_\_\_  
erry Hushour, Council President

**ATTEST:**

\_\_\_\_\_  
Jason Poirier, Sec

\_\_\_\_\_  
ick T. Rockinberg, Mayor

*Changed from  
"shall" to "should"*  
*Moved to June*

Approved as to form and  
legal sufficiency this 6th day  
of January, 2020:

---

Thomas V. McCarron  
Town Attorney

(TVM0024)

PATRICK T. ROCKINBERG  
Mayor

LARRY G. HUSHOUR  
Council President



Council Members  
JASON M. POIRIER  
Secretary

PAMELA M. REED  
KARL L. MUNDER  
PATRICIA R. WASHABAUGH

## Minutes of the Mount Airy Town Council Meeting December 2, 2019

**Attendees: Town Officials:** Mayor Patrick Rockinberg, Council President Larry Hushour, Councilmember Washabaugh, Councilmember Munder, Councilmember Reed and Councilmember Poirier.

**Town Staff:** Barney Quinn – Town Engineer, Tom McCarron - Town Attorney, Holly McCleary – Town Clerk, Colleen Reilly – Administrative Assistant, John Breeding – Community Planning Administrator, Gina Campanile- Director of Communication & Events, Katie Moore – GF Accts Payable, Charlene Singleton-Sr. Acct. Clerk

**OTHERS:** Approximately 52 residents/visitors and 4 reporters.

1. **CALL TO ORDER AND PLEDGE** – Councilmember Hushour called the meeting, held at Town Hall 110 S. Main Street, to order at 7:30 p.m. and led everyone in the pledge.
2. **PRESENTATIONS** – Josh Marks and Councilmember Washabaugh presented Mayor Rockinberg with the Governor's Citation on behalf of the "Friends and Citizens of Mount Airy". Mayor Rockinberg presented Marc Mignogna with the Mayoral Coin for his exceptional volunteer work.
3. **SPEAKERS** – NONE
4. **APPROVAL OF TOWN COUNCIL MEETING MINUTES AND CLOSED MEETING MINUTES:**  
MOTION: Councilmember Poirier moved to approve the minutes from the November 2019 Town Council meeting, and both sets of closed minutes from October and November 2019. Councilmember Washabaugh seconded. Vote: All in Favor.
5. **MOUNT AIRY POLICE CHIEF REITZ'S MONTHLY REPORT** – Officer Adam Long gave the report.
6. **MOUNT AIRY VOLUNTEER FIRE COMPANY REPORT** – Bruce Walz gave his report.
7. **COMMUNITY CONCERNS/CITIZENS COMMENTS** – None
8. **ORDINANCES AND RESOLUTIONS-**
  - a. **Resolution 2019-10 – Extend Center - Street for Adoption** – MOTION: Councilmember Reed motioned to move Resolution 2019-10 in for discussion, Councilmember Poirier seconded. After much discussion Councilmember Munder moved to postpone a decision on Resolution 2019-10 until the January meeting with added verbiage and a date, Councilmember Washabaugh seconded. Vote: All in favor.
  - b. **Ordinance 2019-15 – Changes to Town's Ethics- for Introduction** – MOTION: Councilmember Poirier moved to introduce, Councilmember Munder second. Vote: All in Favor.

Larry Hushour

Good evening and thank you for allowing me to speak at tonight's meeting.

My concern with this ordinance deals with... the specific reason it was brought forward and the potential unintended consequences.

I am concerned whenever an Ordinance is done for a specific project to occur. It is obvious that this Ordinance is meant for Center Street development to proceed. Where I have a problem is that the "waiver" offered will now be available for all future MXD zoned properties. I'll grant you there are no others as of now in our Master Plan, but with the 2023 Master plan in works, who's to say other properties won't (at least) ask for the MXD zoning, as opposed to, say Commercial <sup>others</sup> since MXD has this waiver available. I realize WE control the zoning, but 10 years from now, who's to say a different council might unwittingly grant MXD zoning with the waiver and then have to do a tap dance to control the unintended consequences.

I am also concerned about the messaging that this Ordinance was designed to simply align the Beck property with the DTZ. These are 2 very different properties. In the DTZ, when we set reduced "open space" requirements ~~Ordinance~~, it was to allow very small lots to develop without the restriction of the APFO for open space. (Cold Storage might be the biggest parcel at 6.88 acres.) That makes sense on small lots. But to take the 60 or so acres of the Center Street Corridor and make a comparison to the parcels in the DTZ is less than genuine.

So what is the answer: The answer is to fix the problem of our inadequacy of open space. And a significant amount of that "fix" was to bring in the Harrison Leishear property and the 85 acres of open space. That would have certainly gotten us close to adequate in open space. Close enough that we could have figured out the adequacy requirements and allowed development to occur with a waiver. ~~Also, we were seeking opportunities to expand our open space through acquisition of the Kraft Farm. The counties are constantly buying up farm land for Ag preservation. Carroll County does it all the time. Creative ways could be used to fix the problem rather than waiving the problem.~~

Parkland/Open Space is in the APFO because it is important to our quality of life. We always hear of not having enough youth fields for

*My advice is to Not*  
soccer, baseball and a multiuse field. ~~Do not~~ allow our population to  
grow this significantly without at least having the land to add the needed  
amenities only available in parkland/open space.

For:  
Introduction and Referral to Planning Commission: 6/7/21  
Planning Commission Review: 7/26/21  
Reintroduction: 9/13/21  
Public Hearing 10/4/21  
Adoption 10/4/21  
Effective: 10/24/21

## THE TOWN OF MOUNT AIRY, MARYLAND

### ORDINANCE NO. 2021-16

#### AN ORDINANCE TO AMEND PART I OF THE CODE OF THE TOWN OF MOUNT AIRY ENTITLED "ADMINISTRATIVE LEGISLATION", CHAPTER 25 ENTITLED "PLANNING COMMISSION", ARTICLE II ENTITLED "ADEQUATE PUBLIC FACILITIES", SECTION 25-5 ENTITLED "ADEQUATE FACILITIES"

**WHEREAS**, the Parks Board has certified that the Town's parks and open space facilities are "inadequate" as defined in the Town's Adequate Public Facilities Ordinance (APFO), Section 25-5G(1), applicable to all proposed development within the Town; and

**WHEREAS**, under the current APFO, if the Town is inadequate in terms of parks/open space, a development may not receive concept plan approval unless granted a waiver, and the current APFO does not allow for mitigation or payment of a fee in lieu to allow the development process to proceed during periods of inadequacy as respects parks/open space; and

**WHEREAS**, Subsection G(2) allows the Town Planning Commission to provide a waiver to a development that itself provides 3 acres of open space for every 100 new residents that the development proposes, or a pro rata share thereof, and under certain circumstances for development projects in the Downtown Zone (DTZ); and

**WHEREAS**, while purely industrial or commercial development is not hindered by the APFO open space provisions because such developments, proposing to add zero new residents, can qualify for the aforementioned waiver by providing zero open space, proposed developments in the Mixed Use District (MXS) must meet this threshold to qualify for a waiver; and

**WHEREAS**, the Town wishes to promote development in its MXD, having recently adopted an ordinance creating the MXD, which imposed an open space requirement of 10% of total gross acreage of the project; and

**WHEREAS**, developments in the MXD will not feasibly be able to provide enough open space to meet the threshold to qualify for the Section 25-5G(2) exemption as it is currently set forth in the Code; and

3 ACRES / 100  
per

**WHEREAS**, consequently, the Town Council proposes relaxing the standards for meeting the threshold to qualify for a waiver under Section 25-5G(2) for MXD developments such that meeting the Section 98-231(1) 10% of total gross acreage open space requirement will qualify for the grant of the waiver for Adequate Public Facilities Ordinance purposes; and

**WHEREAS**, this ordinance was originally introduced at the Town Council meeting that occurred on 6/7/20 and referred to the Planning Commission for review pursuant to the Town Code, Section 98-55; and

**WHEREAS**, after review at its regular meeting on July 26, 2021, the Planning Commission voted to forward a favorable recommendation; and

**WHEREAS**, after due notice, the Town Council public hearing on this ordinance was duly noticed and advertised and took place on October 4, 2021; and

**WHEREAS**, the Town Council finds that the changes recommended in this Ordinance as set forth below are desirable and in the best interests of the Town and its residents and hereby adopts this ordinance on the date below indicated with an effective date also below indicated.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF MOUNT AIRY:**

Section 1. That Part I, Article II, Chapter 25, Section 25-5 of the Code of the Town of Mount Airy is hereby repealed and reenacted as follows:

**§ 25-5. Adequate facilities.**

\* \* \*

**G. Parks and open space.**

- (1) Parks and open space provisions are adequate if the Parks Department certifies that the ratio of parks and open space acreage to population will meet or exceed at least three acres per 100 persons, considering:
  - (a) Existing population from existing homes;
  - (b) Projected population from future building from residences approved at the preliminary plan stage;
  - (c) Projected population from future building from residences under construction or from recorded lots from previously approved preliminary plans for which a permit could be issued at any time in the future;

- (d) Projected population from residents in the proposed development project.
- (2) Until such time as s and open space provisions are adequate if the Parks Department certifies that the ratio of parks and open space acreage to population will meet or exceed at least three acres per 100 persons, considering:
  - (a) Existing population from existing homes;
  - (b) Projected population from future building from residences approved at the preliminary plan stage;
  - (c) Projected population from future building from residences under construction or from recorded lots from previously approved preliminary plans for which a permit could be issued at any time in the future;
  - (d) Projected population from residents in the proposed development project.

203 Until such time as the Town's inventory of parks and open space meets the three acres per 100 persons standard, the Planning Commission may waive strict application of the park and open space adequacy standard, provided that each development project that is granted a waiver under this subsection provides at least three acres of park and open space per 100 persons, or a pro-rata portion thereof, of projected population from residents in the proposed development project, with the following exceptions:

- (a) Only for developments located in the Downtown Zone (DTZ) with lots less than or equal to 15,000 square feet, the parks and open space requirement will be fully exempted.
- (b) Only for developments located in the Downtown Zone (DTZ) with lots greater than 15,000 square feet in accordance with the requirements set forth in this Code applicable thereto, a development project may be granted a waiver under this subsection as follows:

*Really small lots*

POS - Parks and open space required to be dedicated to the Town of Mount Airy, in acres

TA - Total gross acres of parcel

P - Projected number of resident persons added

CSF - Total gross commercial space in square feet being provided

- [1] Where providing three acres of parks and open space per 100 persons would equate to less than or equal to 5% of the total gross parcel acreage of the proposed development, then the development must provide the pro-rata share of three acres per 100 persons (no exceptions required); or

If  $POS < 0.05 \times TA$ ;

$$POS = (3/100) \times P$$

- [2] Where providing three acres of parks and open space per 100 persons would equate to more than 5% of the total gross parcel acreage of the proposed development, then the development must provide the pro rata share of 3 acres per 100 persons less 1 person for every 200 square feet of commercial space provided in the proposed development project, or 5% of the gross parcel acreage, whichever is greater, in order to qualify for the exception:

If  $POS > 0.05 \times TA$ ;

$$POS = (3/100) \times (P - CSF/200)$$

or

$$POS = 0.05 \times TA;$$

whichever is greater.

(c)

A development project in the Mixed Use District (MXD) may be granted a waiver under this subsection if it provides 10% of the total gross acreage of the project for open space.

BE IT ENACTED AND ORDAINED BY THE AUTHORITY AFORESAID, that this Ordinance shall take effect on the 24th day of October, 2021.

Introduced this 7th day of June, 2021.

Re-introduced this 13<sup>th</sup> day of September, 2021.

Enacted this 4th day of October, 2021 by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

ATTEST:

\_\_\_\_\_  
Pamela Reed, Secretary

\_\_\_\_\_  
Jason Poirier, President of the Town Council

Approved this 4th day of October, 2021.

ATTEST:

\_\_\_\_\_  
Pamela Reed, Secretary

\_\_\_\_\_  
Jason Poirier, Acting Mayor


REVIEWED AND APPROVED AS TO LEGAL FORM AND SUFFICIENCY.

This 4<sup>th</sup> day of October, 2021.

\_\_\_\_\_  
Thomas V. McCarron, Town Attorney

## Policy Opinion Memorandum

**TO:** Honorable Citizens of Mount Airy  
Honorable Elected Officials of Mount Airy

**FROM:** Council Member Stephen L. Domotor 

**SUBJECT:** Ordinance 2021-16, Changes to APFO to Relax Open Space Standards for MXD Development; and Ordinance 2021-17, to Rezone the Beck Property to MXD

**DATE:** October 4, 2021

I do not believe that the subject Ordinances are in the best interests of the citizens of Mount Airy, and therefore do not support their passage at this time. My reasons center on the choice of process used in crafting these ordinances, and on the collective approach taken in crafting them rather than an issue with any particular individual involved in the process. The basis for my opinion on these Ordinances is provided below.

### Why It Matters

The process we choose to rezone the Beck Property, or making decisions on any Town issue, matters. In arriving at a decision that will impact the citizens and Town of Mount Airy, "how we get there" matters.

I've often talked about "Organizational Culture" in Town meetings, interviews, and Forums. Organizational culture is defined as the shared beliefs about what is right and how things are done in an organization. It is the collection of values, principles, expectations, practices, and processes that guide and inform the actions of everyone in the organization. It starts at the top of an organization, and is espoused by its senior leaders and communicated throughout all levels of the organization. **In summary, it is "how things are done around here" for that organization.**

In the case of the Beck property rezoning, we are presented with two choices: The first choice is to follow the Town's standardized, established process of updating the Mount Airy Comprehensive Master Plan. This is a publicly-accessible process, widely-advertised through the Town's Web Site, that holistically examines property zoning and rezoning requests for the future land use of Mount Airy (see Attachment 1). The Town's advertisement to the public on this has been wide, and states that the "Town Survey results will be used as a framework to build Mount Airy's future!" On this point it is noteworthy that Town Survey results highlight the public's strongly held views on limiting residential growth, and their strong preference for nature trails and undeveloped natural open space. It also shares that the public is invited to attend Master Plan Workshop Sessions the first Thursday of every month. Clearly, the process is well described, well communicated, and open to stakeholder involvement.

The second choice, and the one used as the basis for the two Ordinances which are the subject of this Policy Opinion Memorandum, avoids the Town's standardized Master Plan revision process through a work-around whereby the rezoning request could be tied to vague language in the 2013 Master Plan. This process is controversial and questionable by definition; and was not transparent but rather arrived at "in the shadows" through several meetings not open to the public

that included land developers, Town staff, and Town elected officials. As such, this process may be vulnerable to challenge.

Referencing back to organizational culture and what it means for our Town government as an organization, as a Town government and a Town Council, which of these two choices defines “how we do things around here?” I choose to be associated with the first choice, and strongly believe that we should follow the 2023 Master Plan revision process that we told our citizens we would be applying in determining the future land uses that will shape the future direction of Mount Airy.

### **Background Material for Reference**

- Beginning in February 2021, the Town of Mount Airy initiated their once-every-ten-year process of updating the Mount Airy Comprehensive Master Plan. The Town announced that they had initiated the Master Plan update to create the 2023 Master Plan (attachment 1). In its announcement, the Town emphasized that citizen input from the 2020 Community Survey would be used “as the framework to build Mount Airy’s future.” It also directed that if property owners would like their property considered for rezoning, they should submit this request in writing via e-mail to Town government. This would serve as the Town’s standardized, established process for updating the Town’s Master Plan through a publicly-accessible, transparent process that holistically examines property zoning and rezoning for the future land use of Mount Airy. The current version of the Mount Airy Comprehensive Master Plan is dated 2013.
- Town Council adopted, and the Mayor signed into law, Ordinance 2020-1 on our about August 3, 2020, adopting and creating the mixed used development (MXD) zone. This was seven years after the 2013 Master Plan. At the time the 2013 Master Plan was released, a mixed-use land criterion was not in existence.
- At the June 7, 2021 Town Council meeting, two ordinances directed at the rezoning of the Beck Property within Mount Airy were introduced for consideration and forwarding to the Mount Airy Planning Commission, for recommendation back to the Town Council where the Council would then subsequently vote on their approval or disapproval. These Ordinances are: (1) *Ordinance 2021-16, An Ordinance to Amend Part 1 of the Code of the Town of Mount Airy Entitled “Administrative Legislation,” Chapter 25 Entitled “Planning Commission,” Article II Entitled “Adequate Public Facilities,” Section 25-5 Entitled “Adequate Facilities.”* And: (2) *Ordinance 2021-17, An Ordinance to Revise and Amend the Zoning Map of the Town of Mount Airy Consistent with the 2013 Master Plan.*
- It is noteworthy that these ordinances were introduced on June 7th, well into the Town’s 2023 Master Plan revision process, which began in February 2021.
- Several meetings were held involving the land developers and representatives who were working in association with the Becks, and Town of Mount Airy staff and elected officials. The meetings centered on rezoning of the Beck property. Detailed meeting notes were taken, documenting the discussions and actions at these meetings. They describe meetings held on February 26, 2021 and May 14, 2021. Again note that these meetings were held after the Town’s formal 2023 Master Plan revision process had begun. A Town staff member who was in attendance at these meetings provided these meeting notes to me voluntarily, which is an appropriate practice. I also spoke with the Town attorney and he indicated to me that the use of these meeting notes as part of my policy opinion thought process and this subsequent

memorandum was acceptable, and that the meeting notes are public-access documents acceptable and available for public distribution.

- What resulted from these meetings was an approach arrived at, seemingly based on the initiatives and suggestions from Town staff and elected officials, that favored avoiding the Town's standardized Master Plan revision process (which - evident from the meeting notes was deemed to take too long), and instead opted for an alternative work-around whereby this rezoning request could be tied to language in the 2013 Master Plan, thus allowing the rezoning of the Beck property outside the standardized scope of the 2023 Master Plan revision process.
- Also, what resulted from these meetings was the crafting of Ordinances 2021-16 and 2021-17 noted above, which were introduced at the June 7, 2021 Town Council meeting. Both of these ordinances seem to be precedent-setting, in that: (1) the first essentially waives or reduces open space requirements of our APFO, reducing the amount of open space required for ANY future mixed use development; and (2) the second rezones the Beck property - not through the standardized, normal process for rezoning but rather through a legislative process. This is the first time to my knowledge this has been done by a Town Council and sets a precedent for similar approaches to rezoning of property in the future.

#### **Areas for Your Consideration, and that Informed the Basis for My Policy Opinion**

- It seems to me that as a matter of practice rezoning officials should make every conceivable effort to protect the integrity of the zoning and land use planning process through transparent, objective and impartial decision-making. It also seems to me that Town staff and elected officials' first allegiance should be to the citizens of Mount Airy and their wishes for the future direction of the Town. Finally, it seems to me that the role of our Town staff and elected officials in such meetings is to provide an overview of the Town's protocols and requirements that must be met for rezoning of a property. It in turn is the land owner and developer's job to propose approaches and solutions to achieve compliance with rezoning requirements for that property. It seems that on several of these points, there may be an appearance that the opposite occurred.
- Some may say that this is simply part of the "sausage making" when discussing land rezoning. It seems that there may also be an apparent appearance of lack of impartiality, objectivity, and transparency; deal making; and prejudging in this process.
- Some areas for your consideration:
  - Town staff offering up a "controversial" (i.e., as reported in meeting notes, their own words in describing this work-around; and questionable by definition) approach to be pursued as an alternative work-around to following the standardized Master Plan revision process.
  - Statements made that if the developer could get the rezoning quickly, this would give the Town what they might want more quickly, with Center Street seemingly used as leverage to get the rezoning desired from the Town.
  - Elected officials seemingly offering rezoning of the property to the developer, and to have the rezoning moving ahead in 90 days or by the end of summer.

- Discussions of APFO hurdles or roadblocks that would be an issue to moving forward; and with the acknowledgment that the Town is currently in a deficit of 80 acres of open space, nevertheless offering potential approaches for seeking waivers of open space requirements that would support the rezoning and development of the property to move forward.
- Possible appearance of impartiality or transparency issues associated with elected officials being involved in crafting and endorsing rezoning-related Ordinances 2021-16 and 2021-17, then being the ones who “formally introduced and seconded” these ordinances at a Town Council Meeting, and who will now also be voting on them at the Town Council meeting scheduled for October 4, 2021.
- These were Town official business meetings, but were not held in an open public setting. Should they have been? These meetings were impactful and included conversations about crafting precedent-setting legislation that dealt with rezoning, and involved several elected officials (e.g., the Mayor and two Council Members). The meetings did not reach the full threshold needed for having to comply with Maryland’s Open Meetings Act, but clearly the meetings were in the public’s interest. Maryland State guidance says that when in doubt, you should hold your meeting in a public setting (Maryland Open Meetings Act Manual, January 2021). If a reasonable person (i.e., a Town citizen) were to observe and listen to the conversations, approaches taken, and decisions made at these meetings, would they question their impartiality, objectivity, or transparency? Your review of the meeting notes may help to inform your own view in this regard.

#### **Some Ethics Requirements, Guidance, and Practices for Your Consideration**

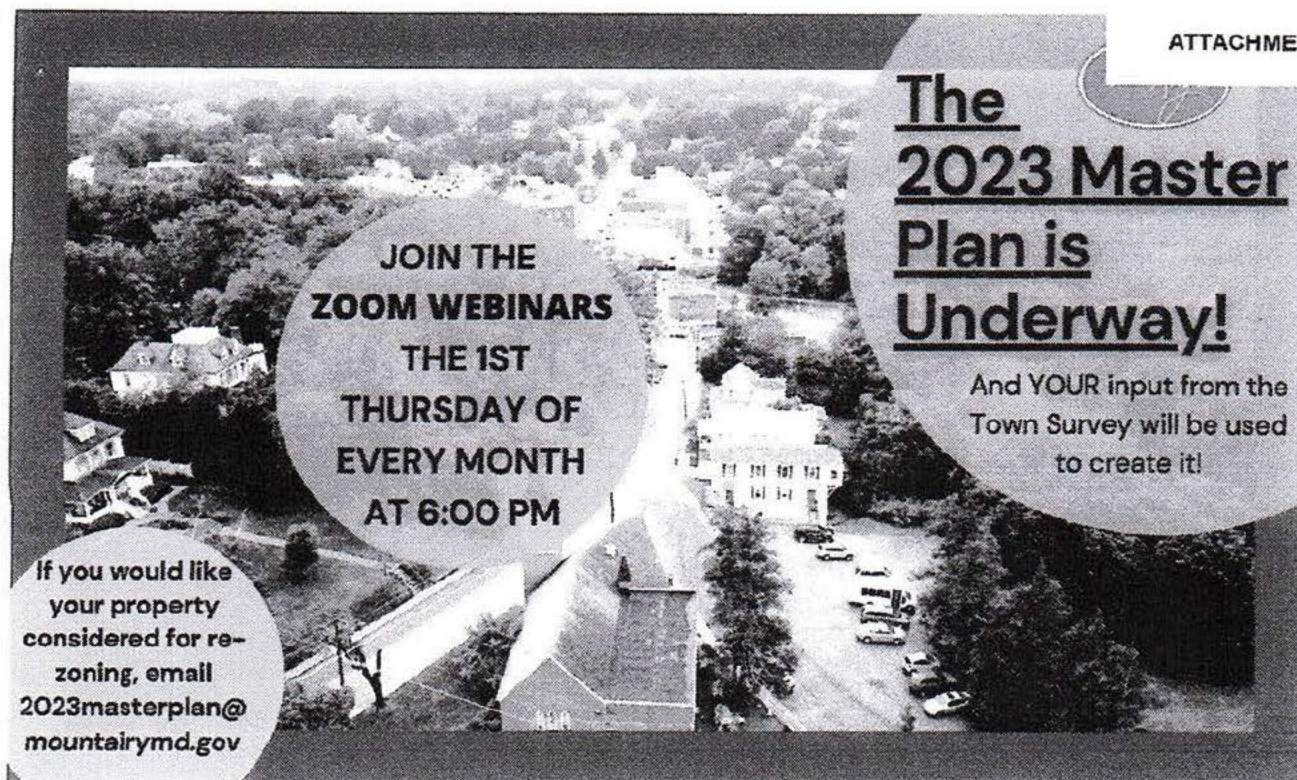
As a final point for consideration and thought, here are some key points regarding ethics and the importance of ethics in municipal government.

From: Maryland Municipal League – MML, Course on Ethics given to Maryland Public Officials, July 2021:

- Municipal staff and elected officials should avoid improper influence and the appearance of improper influence.
- Actions taken should assure citizens of the impartiality and independent judgment of officials and employees.
- The relationship between ethics and the law: Lawful conduct can nonetheless create a perception of unethical behavior.
- In addition to ethics laws, if something doesn’t feel right or sound right to you, then it is likely unethical from your perspective.

From: Town of Mount Airy Charter and Code;

- C12-1 Oath of Office: Town employees and elected officials swear “without partiality or prejudice, to execute their position/Office according to the Constitution and laws of this State and the laws of the Town of Mount Airy.”



**JOIN THE  
ZOOM WEBINARS  
THE 1ST  
THURSDAY OF  
EVERY MONTH  
AT 6:00 PM**

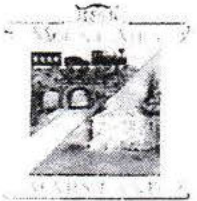
**The  
2023 Master  
Plan is  
Underway!**

And YOUR input from the  
Town Survey will be used  
to create it!

If you would like  
your property  
considered for re-  
zoning, email  
2023masterplan@  
mountairymd.gov

TOWN OF MOUNT AIRY, MARYLAND

2  
0  
1  
3



*The opportunity for all of the town's stakeholders to collaborate on a unified vision for the future of the town is as important and valuable as the choices presented by the Comprehensive Master Plan itself."*

*Thank you for your participation!*

Town staff are working on the new Town of Mount Airy Master Plan -2023 using the Growth Development Task Force distributed last year.

Town Survey Results will be used as a framework to build Mount Airy's future!

Thank you for the tremendous response we received from the survey!

[Click to View the 2013 Master Plan](#)



John Breeding, Director of Planning, will be inviting commission members to each Masterplan Workshop Session the 1st Thursday of every month at 6:00 PM. Currently all meetings are virtual.

The public is invited to attend in listen-only mode. Meetings will also be live on the [Town's Facebook page](#).

Commission members only may comment at the meetings.

If you are interested in joining a commission, please [email Mayor Patrick Rockinberg](#).

To see the current list of vacancies, visit the [Commission Vacancies webpage](#).

## **Related 2023 Masterplan Workshop Documents**

- [2023 Draft Comp. MP Implementation Martix](#)
- [Feb 4, 2021 work session Agenda](#)

## **Calendar**

**Thu Jun. 3**

**[2023 Master Plan Work Session](#)**

**Thu Jul. 1**

**[2023 Master Plan Work Session](#)**

**Thu Aug. 5**

MEETING NOTESCENTER STREET PURCHASE ON FEBRUARY 26, 2021

Present: Barney Quinn, John Breeding, David Warrington, Tom McCarron, Victor and Craig Kazanjian (Kaz Brothers) and David Bowersox (Esq.)

Victor - stated that we are aware that the Council has established that Developer Responsibilities and Rights Agreement legislation has been proposed and that is a good thing.

Tom – Yes, should be adopted. We would have in February, but CM Munder could not be there and he had a change and it was delayed.

David B. – Does your draft include a provisions for multiple jurisdictions? I think I heard you have to have an analysis with SHA or the County then?

Tom – I would have to look back. State Code dictates not permits, but I can take a look.

Victor – With the MXD and DRRRA done, both of those are in a form that we find workable. It is now in a great form. I am happy where the legislators are and they are believing in this process. This allows us to have a partnership. We can address individual and logistical things that come up. The best thing is the Zoning. The last time we all got together that's what we were discussing. The question now is whether there can be a text amendment or if we have to wait for the Comprehensive Master Plan?

John– We are currently accepting applications for zoning requests for the upcoming Master Plan. We are hoping to adopt it in 2023. I have received 3 requests so far.

Victor – Has there been any further discussion regarding the text amendment?

Tom – Comprehensive Zoning is a legislative matter. The question is which one would apply? The previous Master Plan that we are currently under clearly talked about this area being zoned MXD. It's just that the zone didn't exist at the time.

John – we found the page and it seemed clear. (Page 87 of the 2013 Master Plan)

Tom – We have to re-look at this. Could we just re-zone as consistent with the current Master Plan? Well, that may be controversial, but that opportunity is there to use that. We have to be consistent with re-zoning as well. Will it be consistent and part of the Comprehensive re-zoning? Yes, then we won't have to wait for the 2023 Comprehensive Master Plan. If no, then we have to figure out a lot of what we have to do here.

David B. – There was, it seems, some implied language.

Tom – Could do a Master Plan Amendment as well. So you don't have to wait until 2023.

David B – A Master Plan is not the only means to get the zoning.

Barney – Going with a larger water line that we are currently working on down the center of Center Street from a 6 inch to a 12 inch will provide much better hydraulics.

Victor – we are working on a draft plan and that will work for us. There is also the business of eminent domain.

David W addressed, no notes taken.

Victor – There has been quite a bit of discussion about funding to have the Becks separate Center Street from the project. Some people say they want to hold off the project, but we want the street. You all want your cake and eat it too. This is a waste of time. For example if we have to wait for the Master Plan a Town, by the way while you are waiting, we are going to TAKE it.

Tom- I will start. Eminent Domain is not the Town's interest in just "taking" the property. Grant opportunities were presented to the Town and the Town took advantage of the opportunity. CM Reed has been very busy in attempting to get a commitment to extending Center Street all the way through and has been a big supporter.

David W – We passed a Resolution that she drafted regarding that commitment on behalf of the Town Council.

Victor – Can I get a copy of that?

David W. – Absolutely, I will scan and email you a copy.

David B – So, we need to get the DARR and the zoning taken care of, then we can look at selling the Town the street.

Victor – We can think about appraisal and the Police Station property/location on Center Street. Maybe we also start looking at X number of dwellings toward design. Some round amount toward the density policy. Perhaps that is the way to go.

John – can we move forward as a joint venture? Why can't we just go forward with the change in ownership of the roadway? How far is your development plan?

Victor – there is a transportation plan. Maybe the Police Station site could be purchased with the Grant Funding? Is acquisition of the roadway set as 100% of the funding and not the roadway? If we get a shorter path to zoning then that may make a shorter path to everything else. This makes sense to me. Let's face it the roadway is our leverage to get what we want. We don't want to lose that leverage toward the Town. **We need a timeline for re-zoning and the DRRA.** Right now retail sucks, but it is time to get plans ready so we are all ready 3 years from now to start. Our goal is to get the zoning now rather than wait for the Master Plan. Is it possible for us to act like it is zoned and do some of these activities like the DRRA? We can then work with what we know is acceptable in the MXD.

All agreed to begin working on their end.

## MEETING NOTES

### CENTER STREET PURCHASE ON MAY 14, 2021

Present: Patrick Rockinberg, Pamela Reed, Barney Quinn, John Breeding, David Warrington, Tom McCarron, Victor and Craig Kazanjian (Kaz Brothers) and David Bowersox (Esq.)

Karl  
Munder

Pamela – I have an agenda. Tom do you want to start?

Tom – The question is are we going to rezone now or during the upcoming Master Plan process? David B and I will be working on the Developers Responsibilities and Response Agreement (DRRA).

Pamela – Beck property and Center Street are very important and I fully support. I want a list of what we need to do to move this forward. Will rezoning help you?

Victor – Yes! We are ready to go I we get this rezoned. It will help. We all need to be onboard. First, are we going to concentrate and submit commercial heavy on the East and heavy residential on the West. Are there any APFO's on the books that will put this on hold? Without something like that, hear we are moving forward.

Barney – Water and Sewer APFO we don't have the water, but we have the sewer.

Victor – we did a water study and we could probably send a hundred gallons and hour. We are comfortable with our water study.

Barney – All these things are up to MDE interpretation and they will look at aquifer draw and the will factor into our allocations from them.

Victor – I think our water was to stay out of the closest well.

Barney – MDE will pose these questions and will only give us a fraction of the amount as they see fit.

Pat – Is the Town's open space the same on commercial and residential?

Tom – Lots separate what is required for APFO. We currently are in deficit of 80 acres regarding open space, but the Planning Commission can give an exemption of they qualify. Commercial and add no residents then that may qualify. We did amend the APFO for Downtown properties, but that did not include MXD.

Pat – do Town's make exemptions in order to insure development? Can we waive?

Tom – you can change the APFO requirements to in essence provide an exemption. Legislation would have to change the Ordinance to do that for MXD. There are some ways to do this.

Pamela – Who starts the process to rezone?

Tom – We can jump start that. It is a loose-end from the current Master Plan.

Pamela – We will need an APFO Ordinance like the Downtown Zone then for MXD.

Mayor – there is a big Facebook firing from, I think, Simpson where Center Street and Main Street meet. Maybe a way to re-work just a by-pass around. It will increase pedestrian traffic. Some of the Town wants have a circuit in the survey as to development so not to have a Rockville.

David B. – the DRRA would be valuable in addressing some of the Mayor's concerns. We could look at APFO with open space in the entire plan.

Pamela – Tom could you send us a copy of the Downtown Zone Ordinance so what will or will not work in this case?

Tom – I will do that.

Victor – Back to the Mayor's point. Design on the west side will look like your consultants drawings. The open areas we will try to incorporate for public use. On the other side, the open space will be more of a green space due to the grading. I understand the requirements of water and sewer and open space. I am talking about the macro things to get the project off the ground. We want to avoid the things that just stops everything.

Barney – the open space is the key.

Mayor – I say we look at a waiver if needed.

Victor – at some point there were water allocations for this area.

Barney – Yes along Center Street there is close to 30,000 for "priority areas."

Victor – I think there was sufficient water on the site. This will not be a Rockville type development. This will be use next to use not use mixed into use. Residential next to commercial not on top of commercial. Inter-mingled use.

Barney – Can you clarify that you aren't planning on parking garages?

Victor – No, that product wouldn't sell here and it is not our intention to do parking garages.

Barney – Yes, the support parking on the ground will limit the development.

Victor – you will see Center Street store fronts on both sides and parking will be behind them. Parking will be a limiting factor, so we will need the find spaces.

Pat – maybe we provide a waiver for parking.

Victor – East and West sides will have different feels. We want to avoid waivers, but they may be needed on a micro level.

Mayor – I want to forward the Facebook post with people calling for no-through Center Street.

Karl – I will be happy with the attempt to reduce the Rockville feel. We just spent a couple hundred thousand to upgrade Center Street at Main Street and I think it has to go through.

Mayor – maybe a pedestrian bridge or tunnel?

Karl – I will look at the whole project as it applies to the whole Town. Like Century Drive.

Victor – we looked at continuing Century Drive and it addresses the only failing intersection.

John – in this process, we can make the Century Drive connection as part of the Phase 1 west side development. It would then connect to 27.

Victor – my initial answer is yes because we want the west side and east side sewer connection. The complication is that you can't just put a road in with no revenue. We need the revenue to cover the infrastructure costs. It is a numbers issue that we would need to look at. Developmentally, I like it, but the costs are a factor.

John – the connection could be an asset to the Town.

Victor – I can sell every house or townhouse, but the retail will be slower. I don't know what the number is right now. If I ask for 300 units a year you will say no. I have not sat down with the developer for years, but Price-Product-Absorption rate are factors. We are going to begin meeting with them regarding these factors so we can be moving forward.

Karl – I could say 90 days or by the end of summer you will see the zoning moving. Outside of the Century we would like to see Center Street move forward. We would rather use our Bond Bill money rather than loose it.

Victor – it's a nice ask, but I want to hold some cards back. Opening Center Street is important. Not a hostage situation, but there is no compulsion to act quickly for development once the road is out of the project.

Mayor – Karl may be the Commissioner of Planning after the 17<sup>th</sup>.

Victor – How we connect it will take all of our input. Maybe the funding could apply to pedestrian improvements.

Karl – What do you consider hurdles, the APFO?

Victor – The Town has standards and the Town also has no ability/mechanism to address. I need things I can solve not like the 80 acres deficit.

Barney – we don't control schools which is one of these APFO items. Fire just got a ladder truck. Sewer we have and water you said you have. Roadways sound good with Century. So if you can get the open space then we should be okay as a Town. The Police element we may have to look at as to whether we need to add an Officer.

Victor – APFO has to be reviewed regarding the open space issue.

Barney – Should we have a request filled for rezoning in writing?

Tom – You should make this look less like a mid-term rezoning which needs a significant change in the neighborhood or a mistake. Need to make it appear like a Master Plan adjustment.

My gut feeling is to have the Town do it as tying-up loose ends. Now we are back-filling which less subject to a challenge.

David B – Page 87 as an implementation of the MXD is instituted by the Town since zoning and DRRA have been subsequently been put in place

John – the Town changing so we don't have to go through the full blown process?

Tom – a legislative public hearing as dictated by Code is needed. We will not need the evidentiary aspect of an applicant's request. It will remove controversy from the upcoming Master Plan process.

Victor – we will draft and submit the DRRA and we will customize this in a collaborative effort.

Tom – It will be a negotiated agreement. All the preliminary works will then make it easier to deal with the Center Street issue.

Pamela – Thank you all. I will be in touch.

**From:** Dave Bowersox  
**Sent:** Tuesday, January 11, 2022 1:06 PM  
**To:** Mayor Larry Hushour  
**Subject:** RE: Covid issue/ Re: Center Street Meeting

Thank you Victor.

Dave

DAVID K. BOWERSOX

HOFFMAN, COMFORT, OFFUTT, SCOTT & HALSTAD, LLP  
24 North Court Street  
Westminster, Maryland 21157  
Telephone:  
(410) 848 4444  
(410) 876 2266  
Facsimile:  
(410) 876 9263

CONFIDENTIALITY NOTICE: The information in this electronic transmission is intended by Hoffman, Comfort, Offutt, Scott & Halstad LLP, only for the individual to whom it is directed. It is legally privileged and confidential. It is not intended for transmission to any other third party. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure, dissemination, distribution or copying of this communication or its contents is strictly prohibited. If you have received this electronic transmission in error, please delete it from your system immediately and notify the sender of the error by reply email or by calling the telephone number listed above. Thank you.

---

**From:** Mayor Larry Hushour <[mayorhushour@mountairymd.gov](mailto:mayorhushour@mountairymd.gov)>  
**Sent:** Tuesday, January 11, 2022 11:30 AM  
**To:** Victor Kazanjian <[victor@\[REDACTED\]](mailto:victor@[REDACTED])>; Craig Kazanjian <[craig@\[REDACTED\]](mailto:craig@[REDACTED])>; David Warrington <[dwarrington@mountairymd.gov](mailto:dwarrington@mountairymd.gov)>  
**Cc:** Colleen Reilly <[creilly@mountairymd.gov](mailto:creilly@mountairymd.gov)>; Dave Bowersox <[dbowersox@\[REDACTED\]](mailto:dbowersox@[REDACTED])>  
**Subject:** Re: Covid issue/ Re: Center Street Meeting

That would work as well. 1/18, 1030am  
Larry

---

**From:** Victor Kazanjian <[victor@\[REDACTED\]](mailto:victor@[REDACTED])>  
**Sent:** Tuesday, January 11, 2022 11:13 AM  
**To:** Mayor Larry Hushour <[mayorhushour@mountairymd.gov](mailto:mayorhushour@mountairymd.gov)>; Craig Kazanjian <[craig@\[REDACTED\]](mailto:craig@[REDACTED])>; David Warrington <[dwarrington@mountairymd.gov](mailto:dwarrington@mountairymd.gov)>

**Cc:** Colleen Reilly <[creilly@mountairymd.gov](mailto:creilly@mountairymd.gov)>; Dave Bowersox <[dbowersox@\[REDACTED\]](mailto:dbowersox@[REDACTED])>  
**Subject:** RE: Covid issue/ Re: Center Street Meeting

Mayor Hushour,

I apologize, but I didn't check with my brother before rescheduling the meeting.

Could we do it next Tuesday (1/18) at 10:30 am instead?

Thanks.

**Victor Kazanjian**  
**Kaz Brothers, L.C.**  
**14660 Rothgeb Drive, Suite 201**  
**Rockville, MD 20850**  
*Work 301-438-2211*  
[REDACTED]  
*Fax 301-438-3625*

[www.kazbrothers.com](http://www.kazbrothers.com)

This electronic message transmission contains information which may be confidential or privileged. The information is intended solely for the recipient and use by any other party is not authorized. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify us by telephone at (301) 438-2211 or by return electronic mail. Thank you.

---

**From:** [Mayor Larry Hushour](#)  
**Sent:** Tuesday, January 11, 2022 11:08 AM  
**To:** [Victor Kazanjian](#); [Craig Kazanjian](#); [David Warrington](#)  
**Cc:** [Colleen Reilly](#); [Dave Bowersox](#)  
**Subject:** Re: Covid issue/ Re: Center Street Meeting

That would be fine.

Larry

---

**From:** Victor Kazanjian <[victor@\[REDACTED\]](mailto:victor@[REDACTED])>  
**Sent:** Tuesday, January 11, 2022 11:07 AM  
**To:** Mayor Larry Hushour <[mayorhushour@mountairymd.gov](mailto:mayorhushour@mountairymd.gov)>; Craig Kazanjian <[craig@\[REDACTED\]](mailto:craig@[REDACTED])>; David Warrington <[dwarrington@mountairymd.gov](mailto:dwarrington@mountairymd.gov)>  
**Cc:** Colleen Reilly <[creilly@mountairymd.gov](mailto:creilly@mountairymd.gov)>; Dave Bowersox <[dbowersox@\[REDACTED\]](mailto:dbowersox@[REDACTED])>  
**Subject:** RE: Covid issue/ Re: Center Street Meeting

Mayor Hushour,

I'm sorry to hear that. Hopefully you're feeling okay.

Let's push it back a week to Wednesday (1/19) at 10:30 am again. Does that work for you?

Thanks.

**Victor Kazanjian**  
**Kaz Brothers, L.C.**  
**14660 Rothgeb Drive, Suite 201**  
**Rockville, MD 20850**  
*Work 301-438-2211*  
  
*Fax 301-438-3625*

[www.kazbrothers.com](http://www.kazbrothers.com)

This electronic message transmission contains information which may be confidential or privileged. The information is intended solely for the recipient and use by any other party is not authorized. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify us by telephone at (301) 438-2211 or by return electronic mail. Thank you.

---

**From:** [Mayor Larry Hushour](#)  
**Sent:** Tuesday, January 11, 2022 11:05 AM  
**To:** [Victor Kazanjian](#); [Craig Kazanjian](#); [David Warrington](#)  
**Cc:** [Colleen Reilly](#)  
**Subject:** Covid issue/ Re: Center Street Meeting

Victor, Craig,

I have tested positive for Covid last week and have not had a clear test as of yet. We should cancel for tomorrow.

I am available on the 18th or 19th for the meeting.

Apologies... I am at the tail end of the quarantine period and was optimistic of a clean test by now, but it is not the case.

Larry Hushour  
Mayor

---

**From:** Victor Kazanjian <[victor@\[REDACTED\]](mailto:victor@[REDACTED])>  
**Sent:** Monday, January 10, 2022 3:50 PM  
**To:** Mayor Larry Hushour <[mayorhushour@mountairymd.gov](mailto:mayorhushour@mountairymd.gov)>; Craig Kazanjian <[craig@\[REDACTED\]](mailto:craig@[REDACTED])>; David Warrington <[dwarrington@mountairymd.gov](mailto:dwarrington@mountairymd.gov)>  
**Subject:** RE: Center Street Meeting

Mayor Hushour,

You are correct; just an ice breaking meeting and to get some of your insight on the project. Staff members are welcome!

See you on Wednesday.

Thanks.

**Victor Kazanjian**  
**Kaz Brothers, L.C.**  
**14660 Rothgeb Drive, Suite 201**  
**Rockville, MD 20850**  
*Work 301-438-2211*  
  
*Fax 301-438-3625*

[www.kazbrothers.com](http://www.kazbrothers.com)

This electronic message transmission contains information which may be confidential or privileged. The information is intended solely for the recipient and use by any other party is not authorized. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify us by telephone at (301) 438-2211 or by return electronic mail. Thank you.

---

**From:** [Mayor Larry Hushour](#)  
**Sent:** Sunday, January 9, 2022 3:30 PM  
**To:** [Victor Kazanjian](#); [Craig Kazanjian](#); [David Warrington](#)  
**Subject:** RE: Center Street Meeting

Victor,

I don't want you to feel ambushed by any means, so I want you to know I asked a couple staff members join us just in case anything comes up needing a more specific answer.

Based on your email, I suspect you are more interested in breaking the ice and sharing some thoughts on mutual benefits.

Did you have anything more specific to discuss?

Larry Hushour  
Mayor

Sent from [Mail](#) for Windows

---

**From:** Victor Kazanjian <[victor@\[REDACTED\]](mailto:victor@[REDACTED])>  
**Sent:** Thursday, December 30, 2021 3:25:51 PM  
**To:** Mayor Larry Hushour <[mayorhushour@mountairymd.gov](mailto:mayorhushour@mountairymd.gov)>; Craig Kazanjian

<craig@[REDACTED]>; David Warrington <[dwarrington@mountairymd.gov](mailto:dwarrington@mountairymd.gov)>  
Cc: Colleen Reilly <[creilly@mountairymd.gov](mailto:creilly@mountairymd.gov)>  
Subject: RE: Center Street Meeting

Mayor Hushour,

Wednesday (1/12) at 10:30 am is good with us. We will see you there.

I hope you have a great New Year celebration.

Thanks.

**Victor Kazanjian**  
**Kaz Brothers, L.C.**  
14660 Rothgeb Drive, Suite 201  
Rockville, MD 20850  
*Work 301-438-2211*  
[REDACTED]  
*Fax 301-438-3625*

[www.kazbrothers.com](http://www.kazbrothers.com)

This electronic message transmission contains information which may be confidential or privileged. The information is intended solely for the recipient and use by any other party is not authorized. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify us by telephone at (301) 438-2211 or by return electronic mail. Thank you.

---

**From:** [Mayor Larry Hushour](#)  
**Sent:** Wednesday, December 29, 2021 1:05 PM  
**To:** [Victor Kazanjian](#); [Craig Kazanjian](#); [David Warrington](#)  
**Cc:** [Colleen Reilly](#)  
**Subject:** RE: Center Street Meeting

Hi Victor,

How does the 12<sup>th</sup> look, 1030am... Town Hall.

Happy New Year!

Larry Hushour

Sent from [Mail](#) for Windows

---

**From:** [Victor Kazanjian](#)  
**Sent:** Tuesday, December 28, 2021 12:33 PM  
**To:** [Mayor Larry Hushour](#); [Craig Kazanjian](#); [David Warrington](#)

Cc: [Colleen Reilly](#)

Subject: RE: Center Street Meeting

Mayor Hushour,

I hope you and your family are enjoying the holidays.

Just circling back around to see if you are still available to meet on January 11<sup>th</sup> or 12<sup>th</sup>. Just let us know when and where, and we will be there.

Thank you.

**Victor Kazanjian**

**[Kaz Brothers, L.C.](#)**

**14660 Rothgeb Drive, Suite 201**

**Rockville, MD 20850**

*Work 301-438-2211*

*Fax 301-438-3625*

[www.kazbrothers.com](http://www.kazbrothers.com)

This electronic message transmission contains information which may be confidential or privileged. The information is intended solely for the recipient and use by any other party is not authorized. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify us by telephone at (301) 438-2211 or by return electronic mail. Thank you.

---

From: [Mayor Larry Hushour](#)

Sent: Wednesday, December 15, 2021 4:53 PM

To: [Victor Kazanjian](#); [Craig Kazanjian](#); [David Warrington](#)

Cc: [Colleen Reilly](#)

Subject: Re: Center Street Meeting

Craig, Victor,

Looks like Jan 5, 11, 12 are opportunities to meet, if still desired.

What might work for you.

Thank you.

Larry Hushour

Mayor

---

**From:** Mayor Larry Hushour <[mayorhushour@mountairymd.gov](mailto:mayorhushour@mountairymd.gov)>  
**Sent:** Thursday, December 9, 2021 9:40 AM  
**To:** Victor Kazanjian <[victor@\[REDACTED\]](mailto:victor@[REDACTED])>; Craig Kazanjian <[craig@\[REDACTED\]](mailto:craig@[REDACTED])>; David Warrington <[dwarrington@mountairymd.gov](mailto:dwarrington@mountairymd.gov)>  
**Subject:** Re: Center Street Meeting

Thanks again for reaching out. I get my January schedule for work this weekend, so next week we can nail something down for a meeting early in January.

Have a good weekend!

Larry Hushour  
Mayor

---

**From:** Victor Kazanjian <[victor@\[REDACTED\]](mailto:victor@[REDACTED])>  
**Sent:** Tuesday, December 7, 2021 9:00 PM  
**To:** Mayor Larry Hushour <[mayorhushour@mountairymd.gov](mailto:mayorhushour@mountairymd.gov)>; Craig Kazanjian <[craig@\[REDACTED\]](mailto:craig@[REDACTED])>; David Warrington <[dwarrington@mountairymd.gov](mailto:dwarrington@mountairymd.gov)>  
**Subject:** RE: Center Street Meeting

We are open in December or January. Whatever works into your schedule.

Thanks.

**Victor Kazanjian**  
**Kaz Brothers, L.C.**  
**14660 Rothgeb Drive, Suite 201**  
**Rockville, MD 20850**  
*Work 301-438-2211*  
[REDACTED]  
*Fax 301-438-3625*

[www.kazbrothers.com](http://www.kazbrothers.com)

This electronic message transmission contains information which may be confidential or privileged. The information is intended solely for the recipient and use by any other party is not authorized. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify us by telephone at (301) 438-2211 or by return electronic mail. Thank you.

---

**From:** [Mayor Larry Hushour](#)  
**Sent:** Tuesday, December 7, 2021 8:48 PM  
**To:** [Craig Kazanjian](#); [David Warrington](#)

Cc: [Victor Kazanjian](#)

Subject: Re: Center Street Meeting

We'll work out some times. We're you looking at maybe early January?

Larry Hushour  
Mayor

---

From: Craig Kazanjian <[craig@](#)>

Sent: Tuesday, December 7, 2021 2:43 PM

To: David Warrington <[dwarrington@mountairymd.gov](#)>; Mayor Larry Hushour  
<[mayorhushour@mountairymd.gov](#)>

Cc: Victor Kazanjian <[victor@](#)>

Subject: Center Street Meeting

Mayor Hushour,

As you know, my brother Victor and I have been working on the Beck property for several years. As we get closer to submitting a Concept Plan, we would like to sit down with you to discuss the project, Center Street, and Mt. Airy. I have cc'd Victor and David Warrington here. Please let me know if you have dates / times available to get together and discuss the project.

Thank you,

Craig

**Craig C. Kazanjian**  
**Kaz Brothers, L.C.**  
**14660 Rothgeb Drive, Suite 201**  
**Rockville, MD 20850**  
*Work 301-438-2211*  
  
*Fax 301-438-3625*

[www.kazbrothers.com](http://www.kazbrothers.com)

This electronic message transmission contains information which may be confidential or privileged. The information is intended solely for the recipient and use by any other party is not authorized. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify us by telephone at (301) 438-2211 or by return electronic mail. Thank you.