From: CZMP 2020
To: Debra Mirabile
Cc: Krystle Patchak; Joseph W. Wiley
Subject: RE: CZMP 2020 Planning Board Response to issue 3-032
Date: Monday, April 13, 2020 11:18:20 AM

Good morning!

Thank you for your comments. We'll make sure they get to the Planning Board members.

Thank you again, for your submittal.

Amy

From: Debra Mirabile <dsmproperties@comcast.net>
Sent: Friday, April 10, 2020 11:56 PM
To: CZMP 2020 <czmp2020@baltimorecountymd.gov>
Subject: CZMP 2020 Planning Board Response to issue 3-032

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Good Evening,

I am writing to you in support of CZMP issue 3-032, which is a request submitted by Councilman Wade Kach for ML zoning at the property known as 14719 Old Hanover Road.

This unique property formerly served as a volunteer firehall for over 100 years. The current zoning of RC-2 at this property was in name only. The property obtained special exceptions to allow for the ability to perform commercial activities that are all allowed by right in ML zoning. In practice, in addition to serving as a base for the Boring Volunteer Fire Company, the property was developed as a heavily commercialized facility inclusive of oversized heavy vehicle garage bays for fleet maintenance and storage, a large commercial kitchen as an accessory to an expansive event rental hall, a large paved parking area, a softball field, an events fairground with several accessory structures, and an industrial cellular communications tower.

In its heyday, the property was a bustling piece of commercial property with large amounts of traffic, hosting carnivals, tractor pulls, and other events. Athletic teams played frequent games on the ballfield with spectators happily watching on. Inside the rental hall, bull and oyster roasts and private parties were types of normally occurring activities. Regular Bingo games were held most days of the week, bringing large crowds to the property to enjoy boisterous games of Bingo late into the evenings. The property's "day job" of housing the fire company's activities included their large heavy equipment fire trucks driving in and out of the property multiple times daily, at any hour of the day or night, and after sounding blaring fire sirens across the town as needed. At the front of the property, just past the front wall of the building and the asphalt driveway, lies a CSX railroad. Being

that the railroad crosses directly through residential and commercial areas, the trains go very slowly and sound their horns to give plenty of warning, which can be heard loudly, and for roughly 20-30 minutes every time they cross.

In recent years, the yesteryear town of Boring has changed. The general store closed to make way for a technology firm (though the post office still rents the same corner of the building). The local church closed and is for sale. The activities at and members of the fire hall fell off over the years, resulting in the merger of the Boring fire company with the Arcadia Volunteer Fire Company a couple of miles down the road, which created the new Upperco Volunteer Fire Company. The carnivals stopped, the ball fields were no longer used, and the rental hall was rarely utilized with the exception of Bingo, which reduced its use to two evenings a week due to lack of business. The Upperco Volunteer Fire Company began to pursue a new, modernized fire hall to better serve the community and needed to sell its existing Boring fire hall to make that happen.

The residents of Boring expressed their displeasure at the notion of the sale, and reveled in the nostalgia of yesteryear – their anecdotes from decades past and childhood memories. They understandably mourn the idea of change from what things were, not recognizing that their declining use of the property over many years set the trajectory. There is now a surge of interest to reinvigorate the use of the property. The community talks of bringing back parties and events to fund the property so that it can be what it once was. The thought is an emotional and nostalgic one, but not fully fleshed as a business plan. Beyond an initial surge of fundraising and interest, what is different now that the expense of not only the mortgage of the property, but also its significant operational and maintenance costs will be funded by regular profitable cash flow, and particularly given its lack of paid use as a paid rental hall by the same community? People living in the area express thinking of the building as a community center and a public park where they walk their dogs. The property is not a public park. It is land owned by a commercial entity, and the public's use of any part of the property is at the liability of that entity. It is not a community center, which by definition is a completely publicly funded building with publicly funded activities for youth, seniors, and everyone in between. This is a heavily commercial structure that was available for rental by private parties, whose use again has declined over the years as it struggled to book events. The income derived from activities at the property is not sufficient to fund its cost, and continuing down this path puts the property at risk for disrepair or perhaps to even become derelict.

Now that the property was to be sold, the volunteer fire company would lose its special exceptions – an effective down-zoning, and would have it be a heavily commercially developed property, which is zoned as RC2. The property has not operated in an RC2 capacity in over a century, and would be shoe-horned into non-conforming use. Commercial activities allowed by right under this current zoning are unlikely to substantiate the purchase cost and operating costs over the long term.

I am the majority owner of DSM Contracting, the buyer for the property. My husband and I own this small family business that we created and have built over the years. We are also neighbors in the area of the property, having spent almost the last dozen years building our farm and forever home. We are active in the community and in the Hanover Road Association (HRA), and look to serve the area's better interest. A chance discussion one day led to an understanding that the Upperco

Volunteer Fire Company was considering selling the Boring location, and we were fortunate enough to negotiate the deal. I believe we offer a chance for the property to have a viable life decades into the future. The property is well-suited for this type of commercial business. It offers office space necessary for our few office staff, garage space for maintaining vehicles and equipment, and the yard space to store materials, vehicles, and equipment that are not currently being used on job sites. The yard space in particular necessitates ML zoning for a company in my industry. Very little of the use allowed in ML Zoning is actually needed to support operations, as this is not a manufacturing operation. As such, and as neighbors in the area who are also impacted, we bring the opportunity of being owners who would work and live in this same community, and who have every reason to work with the community and keep its residents happy. Understanding the potential risks that come with unfettered access to the full ML zoning rights, we have negotiated restrictive covenants that will allow this or a similar small business to flourish and provide stability for the property, while removing the most nefarious uses of ML in a rural community. We believe that in zoning the property as ML, we provide a solution to provide financial stability and upkeep while employing responsible ownership that is sensitive to the needs and concerns of the surrounding community. We would propose to provide security and aesthetic screenings to maintain the charm of the area.

The business model my firm employs is that actual work is performed in the field, on customer job sites. The office and yard serves as support to external operations, allowing for the necessary administrative, maintenance, and storage needs to facilitate work. Our customers are primarily state and local government entities, and we specialize in recreation and park work. The commercial traffic in and out of the company's location is far less than retail operations that bring volumes of customers to site throughout the workday. It is also far less than the carnivals and large events previously held at the property, and even less than the Bingo games that still operate there late into the evening two nights a week. Two of the heavy commercial vehicles that we employ are similar in size to the fire trucks previously utilized at this same site. The handful of commercial vehicles that leave and return to our facility daily constitute minimal traffic and are not out of character for the area. Other heavy commercial-truck traffic exists on the same road, including a fuel distribution company, semi-trucks picking up and delivering agricultural goods and support supplies (such as tractor-trailer loads of feed grain), UPS and FEDEX delivery trucks, school buses, and many other types of large vehicles. Further, the property sits on Old Hanover Road, which is an often-used alternate path to Hanover Road when traffic is heavy, which brings large volumes of traffic into the thoroughfare and causes residents in the town complain that the road is "becoming a raceway".

It is not unexpected during discussions of zoning change for residents in an area to have concerns. They will want to know how they will be impacted. Reading the full list of allowable uses in ML Zoning would concern anyone living nearby, understandably. We recognize and agree with this, and have put great effort into planning how to operate from this property in a way that complements the community and addresses its concerns.

We really do not know the people of Boring well, nor do they know us, but we are becoming quite concerned. Though the Hanover Road Association takes an active role during the CZMP process, it was necessary for us as potential buyers of a property involved as an issue in the CZMP to recuse from HRA involvement as it relates to the issue. Rumors began spreading regarding the property and its sale. People added new sensational mistruths to the story at every turn. The HRA

held a meeting on January 30th to provide information to the community about future potential plans for the Boring fire hall under contract for sale. During this meeting, my husband and I were invited to introduce ourselves and present information about our idea for the property's use, explain proposed restrictive covenants that had been drafted, and get feedback from the community. Unfortunately, the information we had hoped to convey was not heard. The meeting quickly became a venting session from upset residents, and devolved into an angry tirade against my husband and myself, the HRA, and the Upperco Volunteer Fire Company. The audience shouted at presenters, and the meeting became a platform for countless accusations and even misogynistic remarks regarding my role in my own firm.

Since that meeting, the community's angry mob mentality has only worsened. They formalized into an entity known as the Boring Community Association (BCA). We have continued to try to outreach and offer opportunity for reasoned discussion to explain intentions and address concerns. The Boring community has not been receptive to understand who we are, what we stand for, and how we intend to blend our business into the community if the opportunity is given. This group of people has launched a vicious attack against us. They have performed a hostile takeover of an HRA meeting to force an HRA vote on this CZMP issue, used half-truths, misinformation, and complete fabrications to frame a narrative accusing myself, my husband, and our company of unconscionable and unethical falsehoods, misrepresented information about us and our company, and have gone so far as to maliciously interfere in the contract of sale we held with the UFD by telling them we were having funding issues with the bank loan, which was in no way true.

I have seen many of the "facts" and comments sent by many, which are in the best case misguided or misinformed, and at worse, malicious fabrications and literal slander and libel – to include information in the presentation submitted by the Boring Community Association and many Boring residents. I am astounded at the illegal and immoral actions certain people have made in an attempt to harm me, my husband, and our livelihood that supports the families of ourselves and our employees. They have further questioned the integrity of the Upperco Fire Company while claiming to support them. We are simply a couple of people who want to earn a living and work close to where we live. We take seriously the responsibility to do so with the community in mind. I would expect people with misinformation to be upset and to want to learn more, and get to the bottom of concerns they might have. I am shocked that upon learning of a requested zoning change, that a community would behave in this manner.

The responses to this zoning issue are not supposed to be an opportunity to create an organized attack and make up the worst kinds of things about people in order to encourage the planning board to deny a request for zoning that they may have a stake in. This should be a discussion about the past, current, and potential future use of a property in light of a zoning change, and an ultimate decision regarding what is appropriate. I trust that you do not reward the antics of others making personal attacks and instead hold the conversation to the topic at hand. I thank you for the opportunity

Thank you for your time and consideration,

Debra Mirabile