



THE CITY OF BRUNSWICK, MARYLAND  
1 WEST POTOMAC STREET • BRUNSWICK, MARYLAND 21716 • 301.834.7500

**Brunswick Planning Commission**  
**Minutes**  
**March 5, 2024**  
**Corrected**

**Meeting conducted at City Hall and broadcast on the web (channel 99).**

**Commissioners Present:** Dan Roe, Andrew St. John, Carroll Jones, Alan Miner, Nick Caruso, and alternate, Jerry Bonanno

**Staff Present:** Bruce Dell, Brittany Crosten, and Heather Gottke

**City Attorney Present:** Noel Malano, Esquire

**Chair:** Dan Roe called the meeting to order at 6:00 p.m., and Bruce Dell conducted roll call. Applicants and attendees were also sworn in.

**Minutes:** Mr. St. John made a motion to accept the minutes from the January 22, 2024 meeting and Mr. Miner seconded. The motion carried 5-0-0.

**Commission Business:**

Noel Malano, Esquire was present to speak on Maryland land use and zoning law as it applies to the Board of Appeals and the Planning Commission. He spoke on the role of the Mayor and Council, the Board of Appeals as a governing body, the policies and procedures of the Board of Appeals, the Planning Commission as a governing body, and the policies and procedures of the Planning Commission. Mr. Malano continued by explaining that zone and use establishment is decided by the Board of Appeals, while the Planning Commission reviews compliance of site plans to established guidelines, recommendations on proposed legislation, and review of subdivision plats. In closing, Mr. Malano stated an issue of density is one heard by the Board of Appeals, not the Planning Commission.

Mr. Roe confirmed and reiterated that the issue of density is something dictated by the Board of Appeals, and not by the Planning Commission.

Mr. Bonanno explained that [an] individual[s] could make an appeal to a Board of Appeals ruling. Mr. Roe inquired to Staff about the status of a Board of Appeals ruling appeal and was informed that an appeal would have needed to be made within twenty (20) days of the Resolution, which was passed in August of 2023.

Mr. Jones raised the point that density was not mentioned in the Board of Appeals Resolution.

Julie Martorana, City Administrator, was present to speak on Staff roles in Commission matters and rules of procedure for public hearings, noting that public comment is four (4) minutes, comments need to be made at the podium and not from the audience seats, and that the Commissioners and/or Staff can engage comment following the four (4) minute time limit or call public back for further comment.

**Continued**

**Old Business:**

**BR-SP-IP-23-03 – 401-403 East Potomac Street – Mooseheart Lofts LLC – Site and Improvement Plan  
- Item has been continued from the January meeting.**

Discussion / Approval

Mr. Dell presented an update to the staff report, noting that the Applicant had revised the front of the building, revised the parking and road improvements, addressed the MDE floodplain issues, and is upgrading the water and sewer to the building. Mr. Dell reviewed written public comment, stating thirteen (13) public written comments were received on the project – eight (8) in favor of the project and five (5) against the project.

Commission members had questions for staff regarding stormwater management, paving of the parking lot, electrical service to the building, sprinkler system, and property line.

Commission members requested the applicant approach the podium for questions. Together with Mr. Dell, Dave Gowda, Owner and Rodrigo Avellaneda, Architect responded to commissioner questions.

**Public Comment:**

Scott McLean – 309 East Potomac Street – spoke against the project.

Chris Worth – 21 East B Street (owner of 405/407 East Potomac Street) – spoke against the project.

Anthony Fletcher – 8 Third Avenue – spoke against the project.

John Caves – 817 Fifth Avenue - spoke on behalf of the project.

Wayne Allgaier – 515 West C Street – spoke on behalf of the project.

End Public Comment (written submissions are attached hereto).

Commissioners then continued discussions on the stormwater management requirements, confirming that Frederick County decides the threshold to trigger the need for stormwater management, and the County was reviewing the project.

Additional public comments were received from Scott McLean and Anthony Fletcher.

Discussions continued, with Mr. Jones stating he thought the density at 16 units was too much. Mr. St. John agreed, but reiterated the findings from the requested legal opinion from the City Attorney. Mr. Jones also stated that there was no legal basis to oppose the project. Mr. Miner made a quick comment that the apartments are not micro apartments and are commonly sized.

Hearing no further questions or comments, Mr. Miner made a motion to approve, citing eleven (11) existing conditions already recommended, and adding a condition that the northeast side of the building needed to be reconstructed to be within the property line. Mr. Caruso provided the Second. Motion carried 5-0-0

**Zoning Administrator:** No announcements were made.

The meeting then adjourned.

Respectfully Submitted,



Andrew St. John

Secretary, City of Brunswick Planning Commission



February 26, 2024

Mr. Dan Roe, Chairman  
City of Brunswick  
Planning Commission  
1 West Potomac St.  
Brunswick, MD 21716

Dear Mr. Roe,

The Board of Directors of the Greater Brunswick Area Chamber of Commerce (GBACC) expresses its support for Mooseheart Lofts, LLC in its efforts to refurbish the abandoned Moose Club building on East Potomac St.

We feel that having this empty building available to house Brunswick citizens and new neighbors will be to the advantage of the local community and the downtown area in particular.

Our understanding is the developer of the project, Mooseheart Lofts, LLC, has been cooperating with the City and its Planning and Zoning department to be in compliance with all local regulations and requirements concerning the construction of much-needed housing.

While strict building regulations are a very necessary part of an orderly society, we feel that Mooseheart Lofts, LLC should not be unnecessarily delayed in completing this project. We urge the Planning Commission to vote at its March 5, 2024 meeting to approve the project.

Yours truly,

Sheila Gray, President  
Greater Brunswick Area Chamber of Commerce

*Greater Brunswick Area Chamber of Commerce  
P.O. Box 192 Brunswick, MD 21716*

**From:** [Bruce Dell](#)  
**To:** [Phil Graves](#)  
**Cc:** [Heather Gottke](#)  
**Subject:** Re: Letter of Support for the MooseHeart Lofts Apartment Renovation Project  
**Date:** Wednesday, February 28, 2024 3:53:02 PM

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Thank you, Phil your email will be put into the record.

Bruce R. Dell  
Director of Planning & Zoning  
City of Brunswick  
811 W. Potomac Street  
Brunswick, Maryland 21716  
301-834-7500 ext. 300  
[planner@brunswickmd.gov](mailto:planner@brunswickmd.gov)

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**From:** Phil Graves <[phil@allsaintsmedia.com](mailto:phil@allsaintsmedia.com)>  
**Sent:** Wednesday, February 28, 2024 3:42 PM  
**To:** Bruce Dell <[Planner@Brunswickmd.gov](mailto:Planner@Brunswickmd.gov)>  
**Subject:** Letter of Support for the MooseHeart Lofts Apartment Renovation Project

Dear City of Brunswick Planning Commission,

I am writing to you in my capacity as the owner of All Saints Media, a web and graphic design agency based in Knoxville, Maryland, with a vested interest in the welfare and development of our neighboring communities, including Brunswick. It is with great enthusiasm that I extend my support for the MooseHeart Lofts apartment renovation project at the historic Moose Lodge in Brunswick.

Having been a part of the local business community since 2009, I have witnessed firsthand the transformative impact that thoughtful development can have on our neighborhoods. The MooseHeart Lofts project presents a unique opportunity to breathe new life into a beloved landmark while addressing critical housing needs in our area. The renovation of the Moose Lodge into MooseHeart Lofts aligns with our community's values of preserving our historical heritage and promoting sustainable growth. By converting this iconic building into modern living spaces, the project not only preserves a piece of Brunswick's history but also contributes to the revitalization of our downtown area. This will inevitably attract new residents, foster economic development, and enhance the vibrancy of our community.

Furthermore, the focus on creating accessible and affordable housing options through this project is commendable. It reflects a commitment to inclusivity and diversity, ensuring that Brunswick remains a welcoming place for all. As a business owner, I recognize the importance of such developments in creating a robust local economy and a cohesive community fabric.

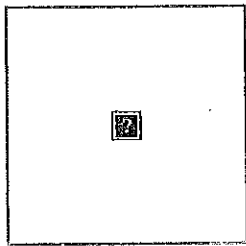
All Saints Media is keen on supporting projects that contribute positively to our community's growth and well-being. Therefore, we are excited about the potential of the MooseHeart Lofts project to significantly enhance the quality of life in Brunswick and surrounding areas. We believe that this project will serve as a beacon of progress and a testament to what we can achieve when we work together towards common goals.

In closing, I wholeheartedly support the MooseHeart Lofts apartment renovation project and encourage all stakeholders to recognize its potential benefits for our community. I look forward to seeing the positive changes that this project will bring to Brunswick and am ready to offer my support in any way possible.

Thank you for considering my support for this important initiative.

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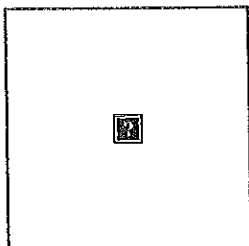
**Phil Graves**



Owner/Principal

Web and Graphic Design | All Saints Media

"Wherever you are, be all there!" ~ Jim Elliot



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■ 240-979-1234 | 301-788-7424

■ phil@allsaintsmedia.com

■ <https://allsaintsmedia.com>

■ 880B North East Street, Suite 202, Frederick, MD 21701



**From:** [Bruce Dell](#)  
**To:** [Heather Gottke](#)  
**Subject:** Fw: Mooseheart Lofts Letter  
**Date:** Monday, March 4, 2024 8:52:06 AM

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Bruce R. Dell  
Director of Planning & Zoning  
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811 W. Potomac Street  
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[planner@brunswickmd.gov](mailto:planner@brunswickmd.gov)

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**From:** K C <[kraigfcooper@gmail.com](mailto:kraigfcooper@gmail.com)>  
**Sent:** Sunday, March 3, 2024 3:37 PM  
**To:** Bruce Dell <[Planner@Brunswickmd.gov](mailto:Planner@Brunswickmd.gov)>  
**Subject:** Mooseheart Lofts Letter

Good afternoon and happy Sunday!

I've been following the Mooseheart Lofts situation via the Brunswick News-Journal. I'm a big fan of the company being allowed to move forward and provide additional rental units our town needs. There are elements of Brunswick that need some additional care and I'm glad to see a business investing in our community.

I genuinely hope to see this go through and revitalize the old Moose Club.

Kraig Cooper  
(703)-501-2618

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## EDITORIAL

# Change Can Be Good

In 2002 a significant portion of Brunswick's population was opposed to our city's annexation of the land that is now Brunswick Crossing. They gathered signatures and organized a referendum, hoping to defeat the development.

They failed. Brunswick voters decided that the development would go ahead and now Brunswick is better for it. Our community now has new stores, new jobs and, most importantly, new neighbors. They are friends with long-time residents, they volunteer for community organizations and activities, and they participate at council and committee meetings. In short, old Brunswick has acquired a wealth of new neighbors who are valuable members of our community.

Now we are facing a situation with the proposed development of the old Moose Club into an apartment building. Some neighbors along East Potomac Street have expressed concerns about how the development will disrupt their neighborhood. It's true that change can disrupt things. That is the nature of change. But change can also be good.

The question is: will a temporary disruption be of greater benefit to the larger community? We think it will be.

Mooseheart Lofts, LLC, the owner of the property, has shown our city government plans for a well-conceived apartment building that will provide much-needed housing for young people setting out on their own, or other people in need of a small apartment. The owners will upgrade a deteriorating empty building, which many consider an eyesore, into a useful structure for our community.

A great deal of time and money has been invested by the owners over the past year. The city government has encouraged this redevelopment with a grant for structural stabilization of the building. Pulling the plug on the project at this point would not only go against the long-term interest of the community, but would waste all the money that has already been invested.

The Brunswick News-Journal believes the Mooseheart project should be allowed to continue, because it is a good investment for our downtown. ■

**From:** [Heather Gottke](#)  
**To:** [Heather Gottke](#)  
**Subject:** FW: moose lodge- Anonymous  
**Date:** Monday, March 4, 2024 9:25:33 AM  
**Attachments:** [ATT00001.png](#)

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**REDACTED Request to remain anonymous.**

**Sent:** Monday, March 4, 2024 9:14 AM  
**To:** Bruce Dell <[Planner@Brunswickmd.gov](mailto:Planner@Brunswickmd.gov)>  
**Subject:** moose lodge- Anonymous

Good Morning

As a resident and a local realtor the plans for the Moose Lofts is excellent. I was in attendance of the last meeting and wanted to speak in support but I did not speak because of fear that I would be bullied for having a positive voice. The suggestion made at the last meeting was to clear the space and make another park. The idea for more parks is just absurd as Brunswick and Knoxville are surrounded by parks. The fact that there is an ugly structure sitting vacant and someone is taking a financial risk to make it better and beautiful is an asset to this community. Brunswick needs more residential properties. The investors and and project like this is exactly what the city/Town needs. These apartments will compliment the Railroad square project perfectly. A little old with the new is the perfect blend.

I am constantly looking for available units for my clients looking to rent in Brunswick but am always unsuccessful. The few times I do find something that seems suitable in Brunswick it ends up being run down, not ADA compliant, and is the true definition of a slum lord. These units will rent competitively bringing people from DC and Montgomery county to plant their roots in Beautiful Frederick county. There were a lot of complaints at the last meeting about parking but lets be honest when you choose to live in a downtown location of any type then one should take into consideration that there will always be a parking challenge. This comes with the territory. Luckily for this project there will be designated parking on their own property. Most of these potential tenants will probably only have one vehicle anyways.

The growth and revitalization of the town will make everybody's home value go up and who wouldn't want that?! You cant stop growth and for some this is a hard reality to accept. Be patient, the payout will be well worth it in the long run. Everyone wins!

As a longtime resident of Brunswick I WELCOME this project and will support it in any



way I can including promoting the availability of vacant units, showing the spaces, and educating prospective buyers and renters alike seeking to settle in the Town of Brunswick!

Thank you!



Realtor at Maryland Elite Realtors  
9019 Baltimore Rd  
Frederick, MD 21704  
REDACTED

**From:** [Bruce Dell](#)  
**To:** [Heather Gottke](#)  
**Subject:** Fw: Moose Project  
**Date:** Monday, March 4, 2024 10:36:14 AM

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Bruce R. Dell  
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**From:** Ault Jr, Rick <[rault@mtb.com](mailto:rault@mtb.com)>  
**Sent:** Monday, March 4, 2024 9:59 AM  
**To:** Bruce Dell <[Planner@Brunswickmd.gov](mailto:Planner@Brunswickmd.gov)>  
**Subject:** Moose Project

Hi Bruce,

I wanted to write in to express my support for the project at the Moose building in Downtown Brunswick. As a lifelong resident of Brunswick, I have seen so many changes throughout the years. One of the most concerning for me at the moment is the lack of available housing in the area. This project will bring affordable housing to an area that desperately needs it. I own a few rental properties in town and each time one comes available there is what seems to be an endless list of folks trying to get into one. Secondly, downtown is an area that we want to grow in order to continue attracting the types of businesses, restaurants, etc, that the people want in town. Not only would this provide the affordable housing the town needs, but it also eliminates one a fairly large eyesore of a blighted property. This is the best of both worlds, we get to add housing downtown without any additional footprint being taken.

I appreciate the opportunity to support this project and I hope you take this into consideration during the meetings regarding the project.

Thank you,

**Rick Ault**

Vice President | M&T Bank  
Central Maryland Business Banking | Relationship Manager  
26 North Court Street | Frederick, MD 21701  
(O) 301-698-7834 | (C) 240-818-3890 | (F) 301-698-7878  
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**Additionally, please reference the following numbers as needed:**

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Web Banking: 800-790-9130

Business Banking: 800-724-6070

Commercial Card: 800-443-8571

Merchant Services: 800-724-7031 Opt. 2

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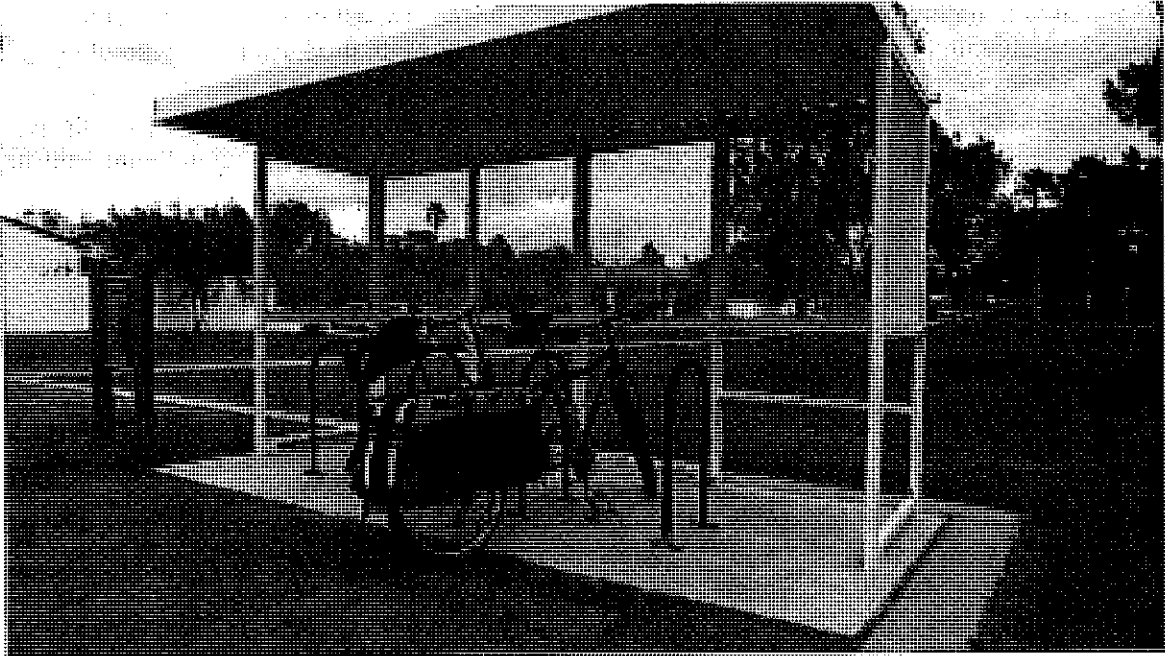
I am in strong support of this project because, frankly, we need more housing. As a country, one estimate states that we are short by 3.2 million homes nationwide. In Maryland, we are short 96,000 homes statewide according to the governor's office. That is greater than the population of Frederick and Brunswick combined. What does this mean? Well, it means that especially for younger adults, as well as older adults, that housing is increasingly unavailable to them. They're often paying 50% or more of their take-home pay for rent or cannot afford anywhere at all, or have to live with others when they'd prefer their own place. (Chase Bank for example recommends that you should be spending only 30% at maximum on rent). The same goes for individuals with disabilities, the homeless, and single-parent households. That's why I am so excited about this project. This project seems to me to be a no-brainer; repurpose an old, vacant building with new infill housing specifically targeted at these types of individuals. We can talk about the specifics, such as apartment size, or amenities, or parking, but the fact is that this project is much-needed and I'm looking forward to seeing how it unfolds.

Now, some of the benefits of a project like this- outside of the immediate benefit of providing additional housing. The University of Wisconsin notes that "housing is an essential element in the revitalization of downtown districts" and that "A healthy downtown residential district generates a constant flow of foot traffic to support nearby retailers, services, restaurants, and other businesses. The concentrated mix of retail, office, and entertainment typical of a downtown puts residents within walking distance of most daily activities. Living downtown is particularly attractive to many who work downtown. By incorporating a higher density of residents in the downtown mix, the amount of activity increases. This in turn creates an even more vibrant, desirable downtown economy." (I know that the property isn't *technically* in what the City considers the historic downtown, but it is 3 tenths of a mile away, or a 7 minute walk, and is generally part of the area many of us consider "downtown Brunswick").

Now obviously, not all density is good or fits the surrounding environment. No one, including me, wants a 10-story highrise there. But that's not what is being proposed here. This type of development would, I believe, help revitalize downtown, help pull more people out of cars and onto the MARC, Transit bus, bikes, and their own two feet, as well as be easier on our surrounding environment and natural resources.

Two points of feedback which I brought up before: Given the limited interior storage space for this development, I think that covered bike parking similar to the below should be added so that future residents can store their bikes outside without the fear of them getting rained on or snowed on. Two: I think that 2 spots/apartment is plenty of parking per apartment and would encourage commissioners to consider flipping that minimum parking requirement to a maximum parking requirement, or better yet, getting rid of it altogether.

One thing we can agree on I think, is that we'd all like to see more activity happening downtown. This project is another way to get there: by investing in a dilapidated old building to transform it into something that works to enable our City to thrive.



Source: <https://www.bicyclucson.com/news/city-and-county-install-covered-bike-parking-in-two-locations/3017>

Sources:

<https://economicdevelopment.extension.wisc.edu/articles/evaluating-housing-opportunities/>

<https://www.cnu.org/publicsquare/2023/04/17/when-density-good-and-when-it-harmful-cities>

<https://www.chase.com/personal/banking/education/budgeting-saving/how-much-income-should-go-to-rent>

**From:** [Bruce Dell](#)  
**To:** [Heather Gottke](#)  
**Subject:** Fw: Planning Commission hearing March 5th  
**Date:** Monday, March 4, 2024 3:52:05 PM

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Bruce R. Dell  
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**From:** SANDRA SIMONE <[sandra\\_simone2914@comcast.net](mailto:sandra_simone2914@comcast.net)>  
**Sent:** Monday, March 4, 2024 2:17 PM  
**To:** Bruce Dell <[Planner@Brunswickmd.gov](mailto:Planner@Brunswickmd.gov)>  
**Subject:** Planning Commission hearing March 5th

I have reviewed the editorial in the Brunswick News Journal regarding the plans for the building formerly known as the Brunswick Moose Club as well as the letter from Mr. Gowda. This certainly sounds like a worthwhile endeavor by Mr. Gowda and something that Brunswick could use. How refreshing to hear that Mr. Gowda believes that renters should have well maintained and safe housing and that he is "targeting" young and older people for his apartments.

I fully support the project that was provided with a grant from the City for the structural stabilization of the building. Obviously, the City supports this project. Thank you for reading this and all that you all do for this wonderful city.  
Sandra Simone  
E E Street  
Brunswick, Md. 21716

**1169 Potomac View Parkway**  
**Brunswick, Maryland**  
March 4, 2024

Planning Commission  
101 West Potomac Street  
Brunswick, Maryland

Dear Members of the Planning Commission,

I wish to express how disappointed and disillusioned I am by the continued pattern of misrepresentation, process obfuscation, omission, and deceit I have witnessed during the Board of Appeals meetings last summer and in the process of the City's planning department this January with regard to the Mooseheart Lofts applications. As a result of this experience, I too have become jaded and completely understand the lament of "old Brunswick" residents when they say "the City is gonna do what the City wants to do" when asked why they don't get involved in the community.

In this case, the City is selling the value of our location and the future of Brunswick way too short while degrading the quality of life for its residents surrounding the project just to attract development to a building that should be razed and turned in to a wetland buffer. The process itself is opaque at best and during the comments, material facts are frequently misrepresented or omitted, and builder plans and visualizations are referenced but then deemed to be not representative of the builder's intent when questioned. Citizen concerns regarding over-densification and violation of the dwelling unit to lot-size standards, the misrepresentation of the number of parking spaces created in the parking lot, and the inadequate trash receptacles – 4 cans for 16 units – are ignored in favor of finding a way to approve the project without addressing the issues. The City's responsibility is not solely to the developer who, from the totality of the evidence, obviously made a bad decision when he purchased the building after the Board of Appeals gave its approval for residential reuse.

I have attended two of the meetings related to Mooseheart Lofts. I have watched the recorded videos of the meetings I couldn't attend in person, and I've read the developer's recent opinion letter in the Brunswick News Post seeking support for his project from the community. From these experiences and sources, it is has become abundantly clear to me that:

1. The taxpayers of Brunswick have no voice when someone comes to town with enough money that they don't require bank financing to flip a building that was never

used for residential purposes. Public comments that refute the misrepresentations and obfuscations regarding the impacts to the neighborhood at the BOA and planning meetings have been ignored and participants opposed to the project were berated by the Director of Planning. I call your attention (again) to the Board of Appeals meetings of June and July 2023 where the Director of Planning lost his temper with public commenters when his desired/expected outcome from the meeting was perceived to be at risk.

2. Despite the BOA meeting disclaimer which made it clear that the specific number of units proposed by the applicant were not within the purview of the Board of Appeals to approve, the builder decided to purchase the building based on the Board of Appeals approval and erroneously sticks to the claim that they have been approved to build up to 16 units. (It is important to note that the approval was attained after the City Planner used his bully pulpit to influence BOA members who were reluctant to approve the appeal at the second meeting.) This action by the builder does not oblige the City to support the builder's plans for 16 units, at least not according to the lengthy preamble given by the Director of Planning at the June 2023 BOA meeting. The builder decided to purchase the building and assumed the risk of obtaining further approvals despite many of the comments related to excessive units based on lot size. While these comments were deemed irrelevant to the BOA approval, the developer's purchase of the building after the BOA approval raises serious concern about the presence of special promises and side conversations between the City and the builder outside the sanitizing light of public view.
3. The developer has no experience in rehabilitating a building this size, complexity (in a flood zone, built over a stream, not previously a residential home), or type, nor any experience acting as a leasing agent for the units.
4. The developer has not conducted true market research or an economic study. When asked about market research to support the number and small size of the units at the January 22, 2024 Planning Commission meeting the developer indicated that they conducted a study. When queried about the key outcomes of study the developer admitted that there was no formal study or report. Instead, their market research was "we talked to a few people" about the economic viability of converting the Moose Lodge into apartments. Yet they state that their project must have a minimum of 16 units to be economically viable. You can't state a minimum number of units for economic viability without having a detailed market research report and solid business plan.



5. Additional proof of a poorly conceived business plan is evident in the fact that during BOA and Planning Commission meetings, the developer's plans are repeatedly not referred to as complete and accurate representations. He frequently defers questions regarding architectural styles, signage, materials, and the ability of the building to "match the neighborhood" by frequently stating that "the drawings are just a rendition, and it won't look like that" or "that's just how it's shown in the plans, the signage will be different" without providing firm examples of what the Planning Commissioners are being asked to approve.
6. In addition to being a shoddy business practice that casts serious doubt upon the developer's abilities to successfully execute the project within a project design envelope, incomplete plans make it impossible for a commissioner to take action to approve or deny plans that are not based on a planned reality. The City Planner's comfort with nebulous and fungible plans results in action on his part to influence Board and Commission discussions toward approval despite the public and Board and Commission members possessing valid questions due to the plans being incomplete and admittedly fluid.
7. The developer had reached out to a friend on the City's Chamber of Commerce to request a letter of support for the development. The developer stated to this friend that they had worked with the residents of East Potomac Street to address their concerns and touted the virtues of his project. This letter of support is rooted in a lie from the developer to the Chamber of Commerce members – the developer has not addressed the concerns of the neighbors immediately adjacent to their property. It is morally reprehensible to state something is true to trick influential persons on the Chamber of Commerce to write letters of support. This is a character flaw is a harbinger of unscrupulous practices to come and should be reason enough to deny any further favorable actions on the planned development. The one member of the Chamber of Commerce who was spoken to about this was outraged but his schedule prohibited a timely and thoughtful response.
8. The developer's recent opinion article in the Brunswick News Herald indicates that his building will fill a niche for "market-rate" housing in Brunswick which provides the "same amenities available to renters as there are to homeowners." This sounds as if he is making the case for fair and affordable housing. However, at the June 22, 2023 BOA meeting, the developer was touting the "high end fixtures and finishes" in their "luxury apartments."

9. In the same article he misrepresents (lies about) the BOA decision upon which they purchased the building. The BOA clearly stated that builder's planned density of 16 units was NOT being approved by the BOA, only the adaptive reuse of the Old Moose Lodge - a former auto mechanic garage - to residential use. The developer is very skilled at peddling lies to gain support and this is yet another example. However, the plans provided, and previous statements indicate that he will gentrify East Potomac Street with fancy apartments for DC commuters complete with Tesla electric vehicle chargers, modern architectural details that don't fit in the neighborhood, and roof decks with expansive views, all while saying that they aren't doing that.
  
10. The Planning Commission chief has intentionally misrepresented material facts regarding the project to the BOA and the Planning Commission. For example, at the January 22, 2024 Planning Commission meeting, when asked whether there was a third floor to the building being proposed as a roof deck, the Director of Planning stated that there would be "roof access for maintenance of things like HVAC units." This statement was contradicted by the materials provided by the developer that clearly stated there would be a publicly available and accessible roof deck to enjoy expansive views from the top of the second floor of the property. This material fact was corrected by a member of the Planning Commission. Unfortunately there are numerous examples like this one where the facts are obscured, withheld, or glossed over. Another example included concerns about storm water retention and paving the gravel parking lot. The BOA members who heard that concern had their concerns summarily dismissed because the Director of Planning had apparently talked to someone at the County informally who indicated there's no impact. This is not the rigor that the citizens of Brunswick deserve, especially for buildings located in flood plains and built over a primary watershed stream.
  
11. At the Planning Commission meeting, the Director of Planning tried to silence public comment regarding the density of units by stating that the time to discuss density was at the Board of Appeals meeting. If this statement is in fact true, that the BOA meeting was the venue to discuss density concerns, then the Director of Planning had intentionally lied at the start of the BOA meeting where he informed the attendees that discussions of density are held at the Planning Commission.
  
12. I leave you with the remaining concerns of over-densification and violation of the dwelling unit to lot-size standards, the misrepresentation of the number of parking spaces created in the parking lot, and the inadequate trash receptacles - 4 cans for 16 units - as additional details that have been simply covered up or ignored when pointed out by concerned citizens. The developer can not be allowed to continue

down the path of “we’ll fix that later” or “the plans aren’t indicative of what we’ll provide” by granting an approval.

For all these reasons – from the constantly changing plans, the concealment of material facts to gain public support, the Director of Planning’s display of obvious bias in favor of the project, and completely fungible plans that aren’t indicative of anything, the entire process since the Board of Appeals meeting has been rife with detrimental reliance of well-intentioned BOA and Planning Commission members upon a process full of administrative error. I implore you to declare a case of administrative error and summarily reject the current application.

The Citizens of Brunswick deserve better. Future developers deserve better so that they know that Brunswick isn’t a cheap date looking for a fast flip of its vacant buildings. We all deserve better than what this project is proposing and which this process has delivered.

Sincerely,

Amilynn Adams, NOAA, Captain, Retired

cc: Mayor and Council  
City Manager  
Board of Appeals

**From:** [Bruce Dell](#)  
**To:** [Heather Gottke](#)  
**Subject:** Fw: Mooseheart Lofts - Registered Concerns  
**Date:** Tuesday, March 5, 2024 8:27:46 AM

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Bruce R. Dell  
Director of Planning & Zoning  
City of Brunswick  
811 W. Potomac Street  
Brunswick, Maryland 21716  
301-834-7500 ext. 300  
[planner@brunswickmd.gov](mailto:planner@brunswickmd.gov)

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**From:** A & R Fletcher <[fletcheremail@gmail.com](mailto:fletcheremail@gmail.com)>  
**Sent:** Monday, March 4, 2024 9:09 PM  
**To:** Bruce Dell <[Planner@Brunswickmd.gov](mailto:Planner@Brunswickmd.gov)>  
**Subject:** Mooseheart Lofts - Registered Concerns

Dear Planning Commission.

I'd like to voice concerns regarding the pending construction/property for Mooseheart Lofts. My husband and I own a home that will be greatly impacted. We are opposed to the project.

We have 4 concerns:

1. Flooding. During the developer meetings it was discussed that the developer would include flood mitigation. It is our understanding this will change and is now only addressing flooding for their own property. Paving the parking area will likely increase the risk of flooding for everyone in the area. What plans are being put in place to address this issue.
2. Parking & Traffic: the vacant lot will likely not accommodate all of the lofts needs, which means more cars will be parking on the street. Trash pickup, traffic congestion, not to mention the impact it will have on parade and event routes.
3. Increasing the number of units: this is just pure greed. No consideration is being made for the surrounding area and long term impact this will have.
4. Wildlife & Environmental Impact: the area directly behind the lofts is home to any number of animals (deer, possums, fox, beaver, any number of bird species, hawks, etc). Increased traffic, emissions, sewage, trash will negatively impact their already shrinking habitat.

Please take our concerns seriously.

409 East Potomac Street  
Brunswick, MD 21716  
March 4, 2024

Planning Commission  
101 West Potomac Street  
Brunswick, Maryland

Re: Mooseheart Lofts – Please care about the residents/no more than 8 units please

**This is for public record for the planning meeting on March 5th 2024**

Dear Members of the Planning Commission,  
I would like to start by telling you a little bit about myself, and what Brunswick means to me. I moved to Brunswick for the first time as a single mom in 2013 and I fell in love with Brunswick. It is my wonderful experience living in Brunswick then, that later brought me back to Brunswick to buy a home for my family. When I lived in Brunswick in 2013 as a single mom, I lived in an apartment right across from the police station with my two children. I lived on the second floor and thought I didn't have much, my home in that apartment was beautiful and the residents I met were incredibly supportive. I had a resident who used to give me and my kids tomatoes when we walked by. That resident sadly died last summer. His name was Kenny and he lived in the alley of Mooseheart Drive behind the church. I also had a resident that would leave flowers for us at the door just to cheer us up. At that time, there was controversy about the house I lived in becoming a multi-dwelling unit, and I remember at one point, members from a commission coming into my apartment to view it, while I lived there. I bring this up because I am not against apartments. I am not against apartments that are done responsibly with a reasonable number of units, where the surrounding neighbors are also taking into consideration. And back then, the administration made sure what was approved was responsible growth and took into consideration the surrounding residents. To say I loved Brunswick is an understatement. I loved Brunswick and thought I lived in the best town out there. I ran in the streets in a chicken costume during the pandemic, loved Brunswick. I love the quirkiness, the neighbors, the town, the history. I have James Castles books kind of loved Brunswick. That is NOT the case now though.

I am deeply disappointed with the plans for the Mooseheart lofts. I have been to and spoken at every meeting, and I feel my words have gone completely unheard. I feel that this project was decided on before the very first zoning meeting, which is why we saw so much hostility toward residents as we expressed our concerns. The city has shown a complete disregard for

concerned residents even though concerns are valid. In addition, we have seen nothing but misinformation during this process. It was very clear that this decision has been made without consideration of the surrounding residents before it ever went to the meeting for the exception. This is why the city gave the builder a grant BEFORE this building was even approved. The intent to ignore any citizen concern was made clear. Giving the developer that grant money also clearly sent them the same message. This is clearly communicated in the newspaper article editorial piece by the developer.

The builder and the director of planning for Brunswick, have claimed to want to work with the residents. They have publicly stated this in the local paper. If that was true, the number of units would decrease. Instead, we are looking at 16 dorm room size units in a flood zone with a parking lot also in a flood zone. The idea that this must be passed as is, with the exact number of units that the builder wants, regardless of the impact to the current residents is horrendous. Saying you are working with the surrounding residents and actually working with the surrounding residents is two very different things. The city planner has not once ever worked with us, or my direct neighbors. I know this because after talking to many, they were all afraid to even come to a meeting or speak up, because they fear retaliation from the city planner. That is where we are in this city. You have residents afraid to speak up because they are afraid of retaliation. I understand why too. I for one, very much felt like we were being bullied at the zoning meetings, just for speaking up. At times, it also felt like the zoning council members were being bullied and persuaded to do what the city planner expected, regardless of any concerns they had. This was evident in the first meeting when one council zoning council member made a motion to dismiss and the city planner was visibly upset and annoyed with him and gave him only the option to continue. The persuasion and expectation in the zoning meetings was so blatant, that there was a prewritten approval read at the end of the second zoning meeting. Twice at those zoning meetings, residents brought up concerns with the density ordinance. Twice those concerns were ignored. That exception was going to happen no matter what the residents said and no matter how valid our concerns are.

To say I am disappointed with the current administration, would be an understatement. I am grateful for Mr. St. John for speaking up at the last planning meeting, because until then it seemed like no one cared at all about what was right. It feels to me and many residents that integrity has been lost in this city. Any time a concern is brought up, I see reactions of; oh well, you can't make everyone happy. And there is some truth to that. But you can listen to concerns with an open mind, and care about your residents you are supposed to represent. The impact of 16 units in this building has a much much bigger impact to the residents of E. Potomac street than a few backyard chickens ever did to Brunswick. The city went out of their way making sure chickens didn't impact the residents as a whole in Brunswick. Can the city please give this

project some of that same energy. The city had more of a concern over 5 flightless birds, than 16 units in a flood zone, which will be a parking nightmare, that is less than 3 feet from two different houses.

This builder has never done a project like this before. They admitted to that in the zoning meeting and to the fact that they are house flippers. The impact of such a big project going wrong would be catastrophic. In addition, the last planning meeting we found out the plans aren't really the plan. What is the actual plan then? Do we guess what they really mean from the plans we have? We heard at first that the roof was just roof access, then next that the roof is a rooftop lounge. The sign isn't really the sign? The storage areas might not really be storage areas, but then they might be? What exactly is the plan, and how can you trust a builder who doesn't know what the plan is, but knows his plans aren't really the plan? This entire thing proves that little thought was put in the plan, because they expected it to just pass.

Because of our experiences with this so far, my fear is that this planning commission will do exactly the same thing the zoning commission did, and follow whatever the city planner says to do, regardless of the resident's very valid concerns. My fear is that this will pass regardless of what is right for E. Potomac Street. My hope though, is that I am wrong. I am asking you for no more than eight units. No more than 8. If working with this developer only works if you give them exactly what they want, regardless of the impact to current residents, then they are the wrong developer for our town.

Thank you,

A handwritten signature in cursive script that reads "Joy Christakis".

Joy Christakis

cc: Mayor and Council  
City Administrator  
Board of Appeals

**From:** [Heather Gottke](#)  
**To:** [Heather Gottke](#)  
**Subject:** FW: Mooseheart Lofts - Concerns  
**Date:** Tuesday, March 5, 2024 9:30:06 AM

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**From:** Ecatarina Grant <[ecatarina.grant@gmail.com](mailto:ecatarina.grant@gmail.com)>  
**Sent:** Tuesday, March 5, 2024 9:22 AM  
**To:** Bruce Dell <[Planner@Brunswickmd.gov](mailto:Planner@Brunswickmd.gov)>  
**Subject:** Mooseheart Lofts - Concerns

Hello,

I wanted to write in with concerns about the new project just a block over. The flooding risks are most worrisome! Our home is at 303 E Potomac St, Brunswick, MD 21716 and if the new lot is paved and no other flooding mitigation is done, what happens to us?

I am also concerned about the number of folks they are going to cram into that spot. We already have issues with people driving too fast in the alley (Mooseheart). I can only imagine how many cars will come with 16 units. This will cause such issue with our street parking, traffic and overall congestion in our area.

Please listen to us when we say, this isn't a sound idea for proper growth of our community. Years from now, the problems associated with this type of over crowded building will far outweigh the negatives you see in denying this project now.

Thank you for your time and consideration.

Ecatarina Grant  
240-344-5355  
303 E Potomac St  
Brunswick, MD 21716



Chris Christakis  
409 E. Potomac St  
Brunswick, MD 21716  
March 5, 2024

City of Brunswick - Planning Commission  
1 West Potomac St  
Brunswick, MD 21716

RE: Moose Heart Lofts Development. Please consider 8 to 10 units instead of 16.

Dear Members of the Planning Commission,

I am writing this letter opposing the development of the Moose Hearts Lofts. I have been a resident in Brunswick since 2017 when my wife and I moved here from the Frederick City area. We moved here because we both loved Brunswick's charm and its proximity to so many outdoor recreational areas.

When we both heard about the development of the Moose Lodge, we were a little optimistic hoping it would be restored and developed into something that would fit our neighborhood. Then we found out they wanted to cram in 16 tiny loft apartment units. This is not what we imagined and hoped for. After seeing the renderings and floor plans it looked more like something you would see in Downtown Rockville, not our small Town of Brunswick.

Some of my major concerns are as follows:

- How will this development affect the water flow in an area that is already in a flood zone. Raising the building 2 feet doesn't make the building any safer from flooding. Ask yourself, When you block and redirect the flow of water; where will that water go? I am afraid this development will move the flood zone closer to my home. You can say engineers and studies have been done to prove that wrong. Tell the residents of Ellicott City that their homes are safe.
- The developer proposes 4 large trash cans for 16 units. This seems very inadequate for that many units. I am afraid of overflowing trash will attract more animals, bugs and other creatures from our neighboring National Park and wooded areas.
- I am afraid the residents of the Moose Heart Lofts will use street parking instead of their assigned parking area. This would force my family to search for parking blocks away from our home, making it difficult to carry groceries into my house and access our vehicles.
- I am against the idea of adding a 2<sup>nd</sup> floor to the section of the Moose that is less than 2 feet away from my house. This will adversely affect our family's privacy and our wellbeing. Especially the privacy and safety of our dogs and children that cherish our backyard.
- My wife and I both work at home. I am greatly concerned with the construction and how this will affect my job. I rely on internet access to perform my job that I have held for over 20 years.

Thank you for your time and consideration.

Sincerely,

*Chris Christakis*  
Chris Christakis

RE: Proposed Mooseheart Lofts @ 401-403 East Potomac St.

From the beginning, my ask - indeed, the ask from all of my neighbors - was simply to follow the requirements set forth in the zoning ordinance for a multi-family use. Zoning regulations exist both to protect the rights of a would be developer AND the rights of those that live in the neighborhood where the development occurs. Why even have codes and regulations if we simply twist and interpret the rules to uniquely fit every project that is proposed by a developer in deference to their "needs" while ignoring the permeant negative impact of that development on current property owners?

The attorney representing the interests of the city, Offit Kurman, has submitted what in their words is a definitive "interpretation" of the zoning ordinance. Not unsurprisingly, the opinion sides with the city and states the density is acceptable. In my opinion, this is a classic case of reasoning backwards from a forgone conclusion.

I believe there are two deficiencies in the interpretation provided:

- The first, that the Board of Appeals special exception grant was inclusive of 16 units represented on the current site plan presented to the Planning Commission
- The second, that the R-1 lot area requirement of "All Others" is the applicable requirement

With regard to the Board of Appeals approval - There is a clear distinction between approving special exception uses and variances for requirements to those uses set forth in the zoning ordinance.

From the Brunswick Zoning Ordinance:

- 24.3.B - power to grant special exceptions
- 24.3.C - power to grant "variances from the terms of this Ordinance"

The application made to the Board of Appeals was for a special exception use of multi-family. This use was granted. In the resolution granting the exception, there is no mention of the number of units or the density of the development. In fact, the resolution specifically states, "the Board of Appeals grants the special exception, subject to the following conditions - (3) - the uses proposed by the special exception are subject to and shall comply with all state, county, and city development processes, codes, permits, and inspections". Emphasis on code, as in the zoning code.

With regard to the applicability of the "All Others" requirements of the lot area requirement table of 11.6 - this is a clear reference to all other principal and accessory uses that are enumerated within the R-1 code. The "All other" uses alludes to the previously enumerated uses in chapter 11- government buildings, parks, playgrounds, community centers, fire rescue services, and cemeteries. In other words - all other uses ***that do not have a dwelling unit***

***component to them.*** These are all uses that do not have a density, only a setback. Therefore, for brevity sake, the table includes a catch-all "All others" - for the R-1 enumerated uses.

The special exception for multi-family specifically mentions its origin from R-2, which logically brings with it the requirements stipulated for multi-family in the R-2 regulations.

To interpret "All others" as a literal "anything else" is absurd. Elon Musk could build a launch pad for a Falcon-9 in a backyard and claim that it's an "artisanal rocket manufacturing facility".

There is a clear and obvious compromise that would allow the development of multi-family - which we are not objecting to - and satisfy the concerns of all neighbors in the lower east side. Reduce the density to 8 units. That density would be consistent with the spirit of the regulations set forth in the zoning ordinance and would be supported with the combined land areas of the parking lot and the building lot. The developer's insistence that they must have 16 units and will not lower the density is a zero-sum outcome that only accepts their outcome and completely ignores the legitimate and valid concerns for the permanent impact a high-density development would have on our neighborhood.

Chris Worth  
21 East B St  
405/407 East Potomac St

## Development of 401-403 East Potomac St

### Recitation of Facts

1	The developer (Mooseheart Lofts LLC) wishes to construct a multi-family apartment building within the space previously occupied by the Moose Lodge located at 401-403 East Potomac St in Brunswick Maryland.	
2	The developer owns two disconnected lots -	
	401-403 East Potomac SDAT 25-477138 Size - 7278 Square Feet	310 East A St 25-477111 Size - 20198 Square Feet
3	Both lots reside within an R-1 zoning district ("Low Density Residential")	
4	The multi-family building structure would occupy the 401-403 East Potomac St lot within the footprint of the existing Moose Lodge building.	
5	A private parking lot would occupy the 310 East A St lot.	
6	The developer applied for a zoning special exception to allow for an R-2 Multi-Family use. R-1 special exception, 11.4.B -  "Non-Residential structures, provided that the adaptive reuse or mix of uses is similar to that of the previous existing non-residential structure, or similar in nature to the other primary or ancillary uses allowed within the R-1 or R-2 zoning districts"	
7	The developer was granted the special exception for Multi-Family use by the Brunswick Board Of Appeals on August 31, 2023 via application and resolution <b>BR-BOA-23-01-SE</b>	
8	The developer was <b>NOT</b> granted a variance from the lot area requirements by the Board of Appeals (Brunswick Zoning Ordinance, 5.1). The application was for the approval of the special use, not for a variance to the requirements. Further, the adopted resolution only covered the special use.	
9	The Brunswick zoning ordinance defines <b>Dwelling, Multiple-Family</b> as -  "A building or portion thereof containing three or more dwelling units. For example, an apartment house"	

10 The Brunswick zoning ordinance defines **Dwelling Unit** -  
 "A room or group of rooms forming a single residential unit with facilities for living, sleeping and cooking purposes which are exclusively used for the family living therein."

11 The Brunswick zoning ordinances stipulate requirements for each use to include Lot Area, Width, and Setback Requirements.

12 The requirements for R-2 lot areas is defined in zoning ordinance chapter 12, section 6 -

**12.6 Lot Area, Width, and Setback Requirements of the R-2 District**

PRINCIPAL PERMITTED AND SPECIAL EXCEPTION USES	MINIMUM LOT AREA (SQ. FT.)	MINIMUM LOT AREA PER DWELLING UNIT OR USE (SQ. FT.)	MINIMUM LOT WIDTH (FT.)	FRONT YARD* SETBACK (FT.)	REAR YARD SETBACK (FT.)	SIDE YARD** SETBACK (FT.)	OTHER SETBACK REQUIREMENTS
Single-family dwelling units	5,000	5,000	50	25	30	6	
Two-family dwelling units	5,550	2,750	50	25	25	6	
Duplex units	2,750		27	25	30	6	
Townhouses	1,800	3,500***	18	25	30	10****	
Multi-family dwelling units	12,000	4,000*****	50	25	25	10	
All others				40	50	20	

\*As measured from the lot line (does not include a portion of the right-of-way).  
 \*\*Corner lots shall provide two front yards and one side yard.  
 \*\*\*The difference between minimum lot area and minimum lot area per dwelling unit square footage may be devoted to open spaces.  
 \*\*\*\*Side yard setbacks pertain to end units only. When clustering a group of townhouses, one end unit shall be no closer than twenty feet (20') to the next group.  
 \*\*\*\*\*Does not include street right-of-way or parking areas.

13 The ordinance defines two minimum lot areas requirements -

- Minimum Lot Area (Square Feet)
- Minimum Lot Area Per Dwelling Unit Or Use (Square Feet)

14 The listed principal permitted and special exception uses is indexed as – “Multi-family *dwelling units*” (emphasis added)

15 The minimum lot area for the multi-family use is 12,000 square feet

16 The minimum lot area per multi-family dwelling unit is 4,000 square feet

17 The two minimum area requirements are derived from the definition of multi-family use – “A building or portion thereof containing three or more dwelling units”. Three dwelling units with a minimum 4000 SF per dwelling unit results in a minimum lot area for the use of 12000 SF.

18	<p>Given the two values, and that the total lot area requirement is larger than the per dwelling unit lot area, the clear intent is to establish a requirement to provide 4000 square feet for each dwelling unit, not for the building footprint as a single unit. The intent is further supported by the row label – “Multi-family dwelling units”. Additional intent is established by the master plan maps designation of the area in which the lots exist as having a target density of “6 – 10 units per acre” – defined as <b>units</b> per acre, not “<b>uses</b>” per acre.</p>
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