

**MINUTES
BOARD OF ZONING APPEALS
CASE A-232**

Mrs. Vickie Watts, Chair of the Board, called the hearing to order at 7:03 p.m. The following Board Members were present: Mrs. Vickie Watts, Ms. Tracy McCoy and Mr. Michael Joseck. Staff members present were: Tammi Ledley, Zoning Administrator, Jim Roark, Assistant Zoning Administrator and Chief of Police Dave Snyder. Michelle Ostrander, Town Attorney, was also present.

Guests present: Brian Wagner, J. Brooks Leahy, Matthew Hartman, Steve Rogers, Drew Irwin, Vickie Norris-Hauler, Ed Ladzinski, Amanda Ladzinski, Megan Rose, Patrick Rose, Diane Barrett

CASE A-232

On March 15, 2022, the Board of Zoning Appeals heard testimony and received evidence concerning Case A-232, an appeal by Hahn's Bros. Inc. for a conditional use to operate a food and beverage production, processing and manufacturing facility on Parcel 765, located west of 3800 Hampstead Mexico Road in the Restricted Industrial zoning district.

Mrs. Watts presented the case and continued by reading the Zoning Administrator's Statement. The statement explained that the applicant is a long-established Carroll County business seeking to relocate from their current plant located in Westminster, Maryland at the intersection of Route 27 and Hahn Drive. The Applicant is currently in the processing of purchasing the property from its current Owner, the Industrial Development Authority of Carroll County. The current Owner authorizes the applicant to make the appeal and is in support of the Conditional Use. This property is in the Restricted Industrial zoning district. The property is in the existing/final water service category and in priority sewer service category. The statement continued by stating that The Applicant would like to construct and operate a meat processing business on this property. The design of the building is currently in the design stage. The initial size of the building will be approximately 50,000 to 70,000 square feet and have the ability to expand to nearly 100,000 square feet in the future. The company's retail store, Pork and Beans, will occupy approximately 3,000 square feet along the front side of the building facing Route 482. Hampstead Town Code §135-133 states that "Food and beverage production, processing and manufacturing facilities" must be granted a conditional use by the Board of Zoning Appeals. The statement concluded by stating that there is nothing in Town Code to prohibit this conditional use, and it is the recommendation of both the Zoning Administrator and the Assistant Zoning Administrator to defer to the Board's judgment for the case decision.

The Appellants' presentation was given by Mr. Brooks Leahy, an attorney representing the applicant. Mr. Leahy began the presentation by submitting a letter of support written by Mr. Jack Lyburn of the Industrial Development Authority of Carroll County. The letter as entered into the record as Exhibit 3.

Mr. Leahy then called Mr. Ed Ladzinski to give his testimony. Mr. Ladzinski stated that he is the owner of Hahn Bros. Inc., and that he started working for the company in 2004 with the understanding that he would be able to purchase the company, which he did in 2006. He continued that when he started with Hahn's they employed 20 people and did \$750,000 in annual

sales, while today they have approximately 70 employees and did \$37,000,000 in sales last year. Mr. Ladzinski explained that they are meat processor, not a slaughterhouse. Mr. Leahy then read Mr. Ladzinski a list of prohibited uses and non permitted side effects of a business that could effect the surrounding area. Mr. Leahy asked if any of these uses or effects take place in or outside a Hahn's Facility. Mr. Ladzinski's response to each was No with the only exception being a small amount of smoke from the smokehouse. Mr. Ladzinski added that they have never had a complaint from any neighbors at their current location, and that most of their customers comment on the nice aroma of the smoke. Mr. Leahy then introduced Exhibit 1 and asked Mr. Ladzinski what the document was, to which Mr. Ladzinski replied that it was the site plan for the new Hahn's building. Mr. Ladzinski explained that the initial building would be approximately 70,000 square feet with the ability to expand to close to 100,000 square feet in the future. He continued by stating that the truck traffic when the facility is totally built would be 6 – 10 trucks in, and 10 – 14 trucks out in a week and that the facility would employ approximately 250 people split over two shifts. He explained that the company needs this new location because there is no room for expansion at their current location in Westminster. Mr. Ladzinski added that the Pork and Beans store would be almost three times larger than its current size and that most of the products sold in the store would be manufactured on site.

Ms. McCoy asked how many shifts the plant would employ, to which Mr. Ladzinski replied there would be a day shift and an evening shift along with a very small custodial crew that would clean after the other shifts have left. He added that exact hours for the shifts have not been determined and they are flexible in setting those hours. Ms. McCoy inquired about the hours of the retail store. Ms. Norris-Hauler, a current employee of the store, replied that those hours had not been set, but that they would be open for breakfast starting at 6am. Mrs. Watts inquired where the meats Hahn's will use come from. Mr. Ladzinski replied that most of the meat comes from Canada or the Midwest. Mrs. Ledley added that all the truck traffic will be on the Bypass and not on Main Street.

Mr. Leahy then called Brian Wagner to testify. Mr. Wagner stated that he is a professional licensed engineer for CLSI. Mr. Leahy inquired whether Mr. Wagner had been recognized as an expert in his field. Mr. Wagner replied that he has submitted numerous site plans to the Town of Hampstead in the past along with other Carroll and Frederick County Planning Commissions, spoke to trade conferences across the country, in addition to having two articles published in trade magazines. Mr. Leahy asked that the Board recognize Mr. Wagner as an expert in the field of civil engineering and site plan engineering. The Board had no objection to the question.

Mr. Leahy then introduced Exhibit 2 which is Article 135-149, the design guidelines for the Restricted Industrial district in the Hampstead Town Code. Mr. Leahy asked Mr. Wagner if this site plan would conform to all the guidelines in this Article. Mr. Wagner replied that they would. Mr. Wagner added that he believed it would be a 15 month process to get the site plan approved. Mr. Leahy then asked Mr. Wagner about several problems that could possibly arise, and how the site plan addressed them. Mr. Wagner explained how each potential issue would be addressed on the site plan so that it would not be a problem. Mr. Wagner added that he did not believe there would be any issue with additional traffic. All truck traffic would exit via the private drive onto Route 482 towards the Bypass.

Mrs. Watts inquired as to the location of the private drive and Mr. Wagner pointed it out on the map. Ms. McCoy expressed her concern for the additional traffic that would be exiting the private drive. Mr. Wagner explained there is normally a traffic study during the site plan review process. Mrs. Ostrander added that the Planning and Zoning Commission of Hampstead could

also request a traffic study, and that additionally the State Highway Administration will have to approve the site plan because it connects to a state road. Mr. Ladzinski stated that he understood Ms. McCoy's concern with shift changes coinciding with school dismissal times and that Hahn's can alter their shift times to alleviate the issue. He also explained that he would check with the police and other local authorities to get their perspective on the best time to make the shift change. Mr. Leady added that traffic will be looked at very carefully during the site plan review process.

Mr. Joseck asked when they hope to be operational at the new site. Mr. Ladzinski stated that he hoped sometime in 2023. Mr. Wagner stated that the site plan and legal review process normally takes 18 months to complete.

There were no Protestants or Public Comment.

In his closing remarks, Mr. Leahy explained the issues the Board must consider when making their decision. He stated that Hahn's would be a industrial use in an industrial park with no residential property in the immediate area. He continued that this would be a nice, new building and would provide additional jobs for the community and is consistent with the orderly growth as described in the Town Code.

Ms. McCoy asked Mr. Ladzinski where the majority of his workers come from. Mr. Ladzinski replied that most of Hahn's workers reside in Carroll County. He added that they had done a poll of their current employers and that more than 98% of the current employees would be coming to the new Hampstead location. Mrs. Watts asked if Hahn's hired students. Mr. Ladzinski responded that it was something they had looked into, but then the pandemic hit. He continued that it is something they would be interested in exploring once they open the new facility.

The board then began the deliberation of the case. Ms. McCoy stated that she felt it was a good fit, and that the additional new employees in the area could also benefit the Main Street businesses.

Mrs. Watts made **a motion to approve the request by Hahn's Bros. Inc. for a conditional use to operate a food and beverage production, processing and manufacturing facility.** Mr. Joseck seconded the motion. The motion passed with three votes for, no votes against and no abstentions.

Mrs. Watts made **a motion to adjourn.** Ms. McCoy seconded the motion. The motion passed and the hearing was adjourned.

Submitted by:

Approved by:

Jim Roark
Assistant Zoning Administrator

Vickie Watts
Chair