

MINUTES

URBAN GROWTH AREA ADVISORY COMMITTEE August 23, 2007

The Urban Growth Area Advisory Committee held a meeting on Thursday, August 23, 2007 at 9:00 a.m. at the Washington County Administrative Building, 100 West Washington Street, Room 255, Hagerstown, Maryland.

CALL TO ORDER

Chairman Richard Phoebus called the meeting to order at 9:00 a.m.

The following members and Washington County Staff were present:

- Dick Phoebus
- Mike Armel
- Donovan Corum
- Jerry Ditto
- Bob Garver
- Linda Irvin-Craig
- Ron Leggett
- Hank Livelsberger
- Dennis Miller
- Harry Reynolds
- John Shank
- Steve Goodrich
- Jill Baker
- Chris Cochrane
- Mike Thompson
- Debra Eckard

MINUTES

Mr. Shank made a motion to approve the minutes of the August 9, 2007 meeting as amended. Seconded by Mr. Miller. Unanimously approved.

Comment: Mr. Ditto requested that the minutes and agendas should be sent via e-mail in a PDF format for security reasons. After a brief discussion, Staff and members decided that the minutes would be sent via e-mail in both word and PDF formats.

OLD BUSINESS

- Subcommittee Updates

- Incentives

Mr. Armel stated that the Incentives subcommittee met on Thursday, August 16, 2007 at 8:00 a.m. at the office of the Washington County Planning Department, 80 West Baltimore Street, Room 1. The discussion focused on numerous situations that may have an impact on recommendations of this subcommittee. The group also highlighted numerous recommendations contained in the Comprehensive Plan regarding specific

ideas on streamlining. They are planning to meet with two panels, one consisting of developers in the County and one consisting of individuals involved in economic development. A deadline for their report to the Advisory Committee is approximately the end of October. Their next meeting is scheduled for Thursday, September 13th at 8:00 a.m. at the offices of the County Planning Department, Conference Room 1.

Mr. Phoebus began a discussion regarding the advertising of the subcommittee meetings for the public. Mr. Goodrich stated he has requested a legal opinion from the County Attorney's office regarding this issue. By consensus, members agreed to post their subcommittee meetings on the County's calendar via the Planning Department Staff.

- **TDR's**

Mr. Ditto announced the next meeting of the TDR subcommittee has been scheduled for Monday, August 27, 2007 at 7:00 p.m. at the Williamsport Town Hall

- **Housing**

Mr. Phoebus announced that Linda Irvin-Craig has been selected as the Chairperson for the Housing subcommittee. Ms. Irvin-Craig announced this subcommittee would be meeting with the League of Women Voters on September 18th at 6:30 p.m. at the Robinwood Center on Tranquility Circle. The Housing subcommittee will also be reviewing the 2005 Recommendations of the Workforce Housing Task Force. Copies may be viewed at www.wc-link.org/hawc/final. Mr. Goodrich stated that copies were also distributed to members of the Advisory Committee during their first meeting.

- Report on Public Comment Meeting

A public comment meeting was held on Thursday, August 16, 2007 at 7:00 p.m. at the Hagerstown Community College. Mr. Phoebus commended Staff for a job well done during the meeting.

Mr. Goodrich stated that Staff would prepare a summary of the public's comments. The next public comment meeting will be held on Tuesday, August 28, 2007 at 7:00 p.m. at the Williamsport High School. Mr. Goodrich noted there were a total of 27 people in attendance at the meeting, 9 from the Advisory Committee, and some Staff from Washington County and the City of Hagerstown. Nine citizens spoke during the meeting.

Mr. Ditto stated that one citizen commented that there were no exhibits or documents to review. He believes it is difficult for the general public to make comments without visual documentation.

Mr. Shank made an inquiry regarding a statement made during the presentation that no land would be agricultural inside the Urban Growth Area. Mr. Goodrich stated that the Comprehensive Plan recommends that the remaining Agricultural and Conservation zoning remaining in the UGA after the approval of the Rural Rezoning should be removed from the UGA because Agricultural and Conservation zoning are not appropriate urban uses. However, after public comment and review by this committee, if there may be a recommendation to keep these two zoning classifications in the UGA. Mr. Goodrich stated that another zoning designation such as a low-density residential classification would replace these two zoning districts.

Mr. Phoebus listed the following items of interest that he noted during the public comment meeting.

1. The retention of agricultural zoning and the possibility of going from one agricultural use to another after the property has been rezoned.
2. The retention of forest, historic and other rural components in the urban area.
3. What happens between the rural and city boundaries is very important.

Mr. Goodrich stated it is not the intention of the County to disallow existing agricultural operations; however it may be difficult to make provisions to allow these after the property owner wants to discontinue his operation. He suggested that another type of open space use such as a park or recreation area could replace the agricultural operation.

Mr. Irvin-Craig asked if a time limit should be set for citizens to make their comments during the public comment meetings. She expressed her concern for citizens who may have signed up last to speak getting the opportunity to state their comments. Members concurred that Mr. Goodrich would gauge each meeting by the number of citizens attending and wanting to speak.

NEW BUSINESS

- Presentation on Water and Sewer Capacity Issues

Mr. Goodrich introduced Ms. Julie Pippel, Director of the Division of Environmental Management. Ms. Pippel distributed several documents including: the Wastewater Infrastructure Management Plan Summary, the Comparative Data for Water in the UGA, and the Wastewater Infrastructure Management Plan – Hagerstown Urban Growth Area.

Ms. Pippel began by presenting a brief history regarding the events leading up to the limitation on sewer capacity. In 2000, the Chesapeake Bay Agreement was re-signed by the Governors of Virginia, Pennsylvania, Maryland, West Virginia, New York and Washington DC. The Agreement established the amount of loading each jurisdiction was allocated for nitrogen and phosphorus. In 2002, Governor Glendening issued an Executive Order calling for MDE to establish enhanced nutrient removal (ENR) policies for the major wastewater treatment plants in the State of Maryland to comply with the Chesapeake Bay Agreement. She explained that the Enhanced Nutrient Removal takes the wastewater treatment plant down to 3mg/L of total nitrogen and .3mg/L of total phosphorus.

MDE separated the wastewater treatment plants into “majors” and “minors” to determine how much nutrient reduction with nitrogen and phosphorus could come from the point sources. They established that the “major” wastewater treatment plants capacities as listed in the Water & Sewerage Plan or issued by an NPDES as of April 30, 2003, determines the maximum capacity used for the calculation in determining the loading to be assigned to each wastewater treatment plant. A “major” wastewater treatment plant flow is 500,000 gallons or more per day and a “minor” wastewater treatment plant flow is 499,000 gallons or less per day.

MDE checked the year 2000 average daily flow for a “minor” wastewater treatment plant and projected what the flow should be in the year 2020. A loading allocation was then assigned to the “minor” treatment plants. When a “minor” treatment plant would expand, upgrades would be required to a higher technology level in order to meet the loading capacity originally assigned to the treatment plant. There are 66 “major” wastewater treatment plants in the State of Maryland. These plants are automatically required to upgrade their facilities to the ENR level.

Ms. Pippel stated that staff from the Division of Environmental Management prepared a capacity analysis to determine the ultimate capacity for the County’s treatment plants based on MDE’s new strategy. There are three wastewater treatment plants that serve the Urban Growth Area: Funkstown, Conococheague and the City of Hagerstown. Ms. Pippel explained how Staff calculated the capacity for each treatment plant and capacities with upgrades for each treatment plant.

Ms. Pippel explained the “bubble concept”. The County has multiple wastewater treatment plants as follows: Antietam, Sandy Hook, Smithsburg, Winebrenner, and Conococheague. The “bubble concept” allows the “minor” treatment plants to be upgraded so they are below their loading capacity limits and you can use the excess loading capacity at another treatment plant. The

County would concentrate any loading not needed in the outlying areas to the main Urban Growth Area. However, a projected 4% compounded annual growth or a reasonable development rate is needed to establish sewer service areas. In theory under a "bubble concept", the Conococheague Wastewater Treatment Plant could be upgraded to handle up to 9 million gallons per day. Using that scenario, the remaining capacity of EDU's available for analysis in the UGA would be 33,460 EDU's.

There was a brief question and answer session between Advisory Committee members and Ms. Pippel.

Ms. Pippel discussed underdeveloped and undeveloped land in the UGA. Based on current calculations of available sewer capacity, the growth area could be built-out at a density of 1.66 dwelling units per acre.

Ms. Pippel spoke briefly about water issues. The City of Hagerstown serves the UGA, Towns, and areas outside the UGA. She noted that based on a 4% growth and 10% system water loss 10,239 EDU's would be needed for a full UGA build-out.

A copy of all materials distributed by Ms. Pippel is attached as part of these minutes.

OTHER BUSINESS

Mr. Phoebus suggested that Affordable Housing issues should be discussed during the next meeting. He believes that a presentation including subjects relative to the obstacles of affordable housing, the status of affordable housing, items that contribute to the cost of housing, etc. Ms. Irvin-Craig recommended contacting Mr. Richard Willson of the Housing Authority to be the guest speaker on this issue.

NEXT MEETING

The next meeting of the Advisory Committee is scheduled for Thursday, September 6, 2007 at 9:00 a.m. at the Washington County Administrative Annex, 80 West Baltimore Street, Room 1, Hagerstown.

ADJOURNMENT

The Chairman adjourned the meeting at 11:20 a.m.

Respectfully submitted,

Richard Phoebus, Chairman